



California Correctional
Peace Officers Association

Front Street



Fronting the Facts, Watching Your Back

June 2004

Message from Louie Vice President CYA Rank and File

CCPOA's unity rally in Sacramento on June 13th is coming together for our correctional peace officer family in defense of our profession, our pay raise, and our rights. Assaults on officers within institutions are at an all time high. So are the attacks on our profession by legislators and the media. The attacks are based on ignorance and a lack of familiarity with the intricate workings of a correctional institution. It's a complex and dangerous world which becomes even more dangerous when legislators listen solely to ward rights groups, who recklessly blame line officers and supervisors for the failings of the system.

CCPOA continues to act aggressively on your behalf. In this edition of *Front Street*, you will find an update on some of the main issues facing our profession.



QUICK HITS

CCPOA MOU Section 26.01 (A), P.I.E. — This section of the MOU established a cap on the number of hours a P.I.E. can work in a year. CCPOA has recently waived this section of the MOU for Chaderjian and Preston due to numerous vacant staff positions. These vacancies are a result of ward assaults on staff (EIDLs) and related injuries (IDLs). Inverse overtime at these facilities was extremely high and the intermittents would have exceeded the hour limitations.

CYA Staff Attending CDC Academy — On May 24, 2004, 50 CYA staff started the CDC Academy. This number is considerably lower than the 150 that had originally signed up, due to the recent closures of CYA institutions.

Town Hall Meetings — Executive Council Members have been on the road to keep CCPOA members informed about our contract, the Senate hearings, media coverage, and various other challenges we are facing.

Gold Shield — The 2004 tour has begun! We have no fixed schedule to announce due to contract negotiations but will continue to keep Chapter Presidents informed. We look forward to visiting each institution.

Thumbs Up! — The Thumbs Up! team continues to travel all over the state fingerprinting children. CCPOA has cancelled all joint institutional projects relating to the Thumbs Up! Child Fingerprinting project — both departments can redirect their funds to YACA Secretary Rod Hickman's "Dollar a Day" program.

Ward Population — The CYA ward population continue to decline. On April 21, 2004, there were 4,199 wards incarcerated in the Youth Authority. On May 26, 2004, there were only 4,026 wards, a reduction of 170 wards.

SUPERVISORY UPDATE

By Robert Dean, Supervisory Vice President



Collective Bargaining Rights

CCPOA is continuing to fight for collective bargaining rights for supervisors, who have been forgotten and neglected by the same Administrations who have promoted us. This will remain one of our top priorities and we will do everything in our power to secure these basic rights for supervisors.

Administrative Time Off

CCPOA believes supervisors deserve ATO. Do rank and file officers require more sleep than a supervisor who needs to stay and complete all reports after an incident? Although the answer is no, supervisors must either burn our own leave credits or go without sleep. These two options are unacceptable, unfair, and an insult to supervisors.

Training

Supervisors were once trainers and now do not receive any training. How can supervisors truly lead with the necessary respect of their subordinates when they are not in charge of or even provided with at least the same training as given to the rank-and-file? The Department made this bad decision to save money. It is absurd to expect supervisors to do their job effectively without adequate training.

Cross Covering

CCPOA has discovered in a recent audit that the Department of Corrections is significantly exceeding its 4.9% vacancy plan for supervisors at all institutions. According to CDC's records, the Department had a vacancy rate of 8% at the low end and 58% at the high end. When questioned, the Department's spokesman stated that the Department had tried to follow their 4.9% vacancy plan, as mandated by the Director, but after three weeks could no longer adhere to it because they needed to make up for cash-flow discrepancies in other areas.

Cross Covering is stretching supervisors to the limits — one supervisor is doing the job of two without compensation, only the vicarious liability of all those under his or her supervision. This practice is severely compromising the safety and security of staff, inmates, and the general public.

Drug Testing

CCPOA does not object to drug testing. However, we strongly oppose the Department's continued practice of treating supervisors with less respect than they give rank-and-file staff. Again, the Department does not have to reinvent the wheel: The same process used for rank-and-file needs to be applied to supervisors. Supervisors assigned to headquarters and parole units are tested off-site at a professional lab, just like rank-and-file officers. Supervisors assigned to institutions throughout the state are tested on-site, where they are forced to stand in line at a rest room with a sign posted that drug testing is in progress. There is no confidentiality or privacy. There is no compelling reason why supervisors should not be drug tested off-site by a professional lab, allowing supervisors to maintain their privacy and dignity.

Cost Savings

It is an insult to supervisors that the Department of Corrections and Youth Authority continues to cut our staffing levels and training while failing to provide us with ATO and confidential drug testing in order to save money. We are not responsible for the Department's unsound fiscal practices and mismanagement of funds. Management must not be allowed to continue to cut costs in areas that jeopardize the safety of staff, inmates, wards, and the public.

JUST THE FACTS

By Louie Adame, CYA Vice President

CYA Closures

All wards have been transferred from Fred C. Nelles and the facility will close its gates for the last time on June 30, 2004. Opened as a reform school in 1891, Nelles was the oldest of all CYA institutions. CCPOA Chapter President Jerry Zamudio was first elected into office in 1982 and is the longest serving member of the CCPOA State Board of Directors. Jerry has seen many changes during his tenure, but none as sad as the closing of his institution. He has enjoyed a strong and enduring relationship with the Nelles Unit 6 members who supported him for all those years. Jerry is a good friend and an inspiration to us all.

Mt. Bullion Mountain Camp is also preparing to shut down its operations. Although the Legislature has restored funding for its continued operation, it could be "blue-lined" by the Governor when he signs the budget for the new fiscal year, beginning July 1, 2004. CCPOA will continue to fight to keep its gates open.

The rumor that Preston is closing is not true, neither is the rumor that NRCC is re-opening.

CYA Reform

For years, CCPOA has been exposing the shortcomings of the CYA and calling on numerous administrations to implement change. We have made repeated recommendations for improvement in the system so that we can do our jobs effectively while improving safety. The lack of discipline of wards and support for line officers and supervisors has created a climate in which wards feel empowered to violently attack officers because they know there will be no consequences or repercussions to their violent action. This must stop.

Cleaning House

The new CYA Director has removed several top administrators from the Department. The Youth Authority has a new Chief Deputy, I&C Chief and Major of Security, to name a few. The new Director needs more than a spring cleaning — he needs to fully clean the glass house. We support this effort and hope the Director brings a competent and dedicated team together that will work with us to solve the problems and challenges facing the Youth Authority staff.

If a manager has been at CYA Headquarters for the last six years, he or she is most likely part of the problem. Those bureaucrats never had the courage to speak out against past Directors' misguided policies: This "Yes Sir" mentality severely damaged the safety and morale of all Unit 6 members in the CYA. The "Yes Sirs" were only interested in their careers and not in the safety of staff who work the line. They allowed the rights of wards to compromise officer safety and modified the DDMS system to allow sexual consent contact by wards.

Management's repeated failures and shortcomings have resulted in an increase in officer assaults and injuries and are a disgrace to each and every one of us that walks the line.

CYA Training

Under the previous Director, the YA Academy failed miserably to properly train Unit 6 staff on-the-job. Recent incidents on video provide a very clear picture of the lack of training provided to staff to deal with emergency situations. We are attempting to work with the new Director to ensure that all officers receive the training they need to do their job safely, effectively and efficiently.

CYA Canine Unit

The CYA has suspended the canine unit and is currently reviewing its policies. There is an on-going investigation and very little information to share at this point.

Youthful Offender Parole Board

The Youthful Offender Parole Board is undergoing a reorganization at this time. This would be a good time to move their parking spaces to the back of the institutions. These big headed bureaucrats think they are so special that they have the nerve to complain when someone parks in their space, even though they are empty 90% of the time! My advice to each and every one of them: The walk would provide much needed exercise. Did you know that most of these fat cats have never worked in a prison, much less the dangerous halls of the YA?

UNITY RALLY

By Mike Jimenez, CCPOA President



California Correctional Peace Officers: It is time for us to stand up even taller, speak out even louder, and fight even harder for what we know is important, fair and right. Today's rally is a call to arms of our troops in the fight to move our profession forward. Correctional officers have traveled from every institution in this state and from across this country to be here today. CCPOA is more united and focused than ever.

The attacks on our profession and our union have been relentless and misguided. The combination of a multi-billion dollar budget deficit in Sacramento, the release of the "Hagar" report, extensive media coverage, and opportunistic state politicians have amounted to a full fledged attack on our members and our profession. The media and state legislators have tried to make CCPOA the scapegoat for California's budget crisis and failing prison system. We are not being attacked because we have done anything illegal, unethical or wrong. We are being attacked because we have done our job well.

By working long, hard hours and funding our union out of our own paychecks, we secured a five year contract with the state that both sides agreed was fair. We negotiated the contract in good faith and it was overwhelmingly approved by the Legislature and signed by the Governor.

Now the Administration has called on us to renegotiate our contract. At a recent press conference Senator Jackie Speier and 16 other Senators admitted they are trying to "force" us to the bargaining table. Speier has lined up the votes to block the funding of our pay raise.

We cannot rely on the support of the new boss, Rod Hickman. Even though he started out as a correctional officer and knows how much we deserve a pay raise and safer working conditions, he has failed to show any support of line officers.

Our dreams and aspirations are more than reasonable. Most of us did not come from privileged backgrounds. We believe in working hard and earning an honest living. We hope to provide our children with more opportunities than we had. We hope to be able to take care of our parents in their old age; and we hope never to burden our families when we ourselves are old.

We work hard for these dreams — and have built a strong union to help us achieve them.

To those who say we are too powerful, we say to you: Our power is in our dedication to our profession and to each other.

To those who say we control the Department of Corrections and Youth Authority, or have bought off the State Legislature, we say to you: If we had such control, assaults on staff would be significantly lower; there would be a much higher ratio of staff to inmates; there would be more training; prisons would be operating at design capacity; and officers would be treated fairly by management.

To those that say we operate under a Code of Silence, we say to you: We have been blowing the whistle on corruption, waste, mismanagement and misdeeds for over twenty years.

To those politicians and reporters that view us as corrupt, inmate-beating guards, we say to you: We do not support or condone the actions of the few "bad cops" that are out there, just like you don't condone the actions of dirty politicians and lying reporters.

To those that say we can do a better job, we say to you: Give us the opportunity.

We do not apologize for our dreams. We do not apologize for our success. We do not apologize for being correctional officers. We are proud of who we are and we will continue to move this profession forward.

Correctional officers do a tough, dangerous job and they do it extremely well. It takes two correctional officers in many states to do the same amount of work done by one correctional officer in California. We are often subject to sudden, involuntary overtime, because prisons must operate safely and smoothly 24/7. We have one of the worst inmate-to-officer ratios in the nation and the second highest number of assaults on officers.

We ask the media and politicians to take a good, honest look at what we do, and then tell us we don't deserve our pay raise. Tell us you have the courage to do our job. We continue to invite each and every Member of the Legislature to hear our story and tour our prisons.

California Correctional Peace Officers: Polish your badge and wear it with pride. You have taken an oath to protect Californians from the criminal element. We need to stand taller and speak louder.

Together, we can take the Capitol by storm.

UPDATE ON CONTRACT NEGOTIATIONS

By Chuck Alexander, CDC Vice President of Rank and File



California Correctional Peace Officers are under attack and our opponents want money. We are being bombarded with “speiers” (spears) by the media and politicians. They want us to give up our well deserved pay raise. They want to undermine the collective bargaining process.

Our officers are men and women of their word. To us, a deal is a deal. We negotiated and ratified a contract in good faith and in compliance with the state’s collective bargaining laws. We have every intention of abiding by the provisions of the contract for its duration, even the provisions we don’t like. The State, on the other hand, is trying to renege on its commitment.

As you know, CCPOA and the state agreed to a five year contract in 2002. The contract was approved by all but one Legislator and signed by the Governor. We went two years without a pay increase or cost of living adjustment. Our raise simply puts state correctional peace officers at parity with other law enforcement officers such as the Highway Patrol.

The media, Administration, and some politicians now want us to give up our entire pay raise. From the onset, the Governor has made it clear that he would like to renegotiate the pay raise provisions of contracts with state workers as a way of saving money. The Governor’s Budget for 2004-05 calls for a \$400 million reduction in the Department of Corrections. The Department of Finance proposes reducing this spending by reorganizing the DOC as well as renegotiating the CCPOA contract. The Governor’s proposed budget also calls for a \$465 million reduction in pay raises from union contracts — \$300 million would come from the pay raise promised to correctional officers.

Senator Speier recently announced she has secured the 17 votes needed to block the funding of our pay raise. These same 17 Senators, including Speier, voted to approve our contract in 2002. They argue that the state cannot afford to provide us with a pay raise. It is true, California must get its fiscal house in order. And we are willing to do our FAIR share. However, it is absurd to single out and hold correctional officers responsible for the budget deficit.

From day one we have indicated that we are willing to engage in meaningful, good-faith discussions. But to date, we have not been allowed to meet with one individual who has the authority to discuss non-money items.

California correctional peace officers are not responsible for the State’s budget deficit, yet we have offered the Governor’s Office and Legislature proposals that would save the Department of Corrections \$700 million. We are not responsible for the failing prison system, yet we have submitted countless recommendations that could result in a more efficient and effective DOC and Youth Authority.

The “speiers” hurled our way have only strengthened our resolve. We will not allow our collective bargaining rights — our rights and the rights of our brothers and sisters throughout the state — to be undermined or eroded. We will not be forced to hand over a pay raise that is reasonable, well deserved, and long awaited at the negotiating table without additional discussion and negotiation of other provisions.

Protecting our rights and interests requires strength and action. There are two things each member of Unit 6 can do: First, don’t take what you read in the newspaper at face value. Instead, CCPOA will continue to keep Chapter Presidents, and the entire membership, accurately informed. Second, contact your state Assemblymember and state Senator today. Defend your profession, your pay raise, and your future. CCPOA stands ready to help California meet its current challenges. However, we will not shoulder the burden alone, nor will we allow our profession to be harmed in the process. Together, we will protect our future and advance our profession with pride.



OVERVIEW OF RECENT EVENTS AND ACTIVITIES

By Lance Corcoran, CCPOA Vice President



Extensive Media Reports and Coverage

Since the release of the Hager report there have been countless articles and editorials written about CCPOA and correctional officers. In many cases, the media has failed to report accurately and fairly about our profession. CCPOA has written letters to the editor, met with editorial boards, spoken with reporters, and taken reporters on tours of prisons.

Under the leadership of your Executive Council and State Board of Directors, CCPOA has gone on the offensive — we want the Administration, legislators, the media, bureaucrats, and all Californians to understand what we do and the risks we take to protect citizens from the criminal element. CCPOA has produced a program called “Hard Time,” which was distributed to state legislators and the media. We are also distributing copies of our brochure, “In Harm’s Way,” fliers of Suzi Jones who was attacked in March, and our “Assault Alerts.” We have purchased air time in major cities to run a

television advertisement that shows our reality — a female officer being beat up by an inmate.



SALUTE TO GARY GARNETT

By Robert Dean, Supervisory Vice President

I would like to now salute a true soldier in CCPOA's fight to represent its members. During my last three years of fighting for supervisor's rights, it has been my honor and privilege to have worked side by side with my brother, Gary Garnett.

On Sunday, June 6, 2004, CCPOA members lost one of our own — Sergeant Gary Garnett, a Supervisory Vice President of CCPOA Folsom State Prison Chapter. Gary died unexpectedly after having a heart valve replaced last month. He is survived by his wife, children and countless friends.

Three years ago Gary and I were opponents in the race for CCPOA Supervisory Vice President. After the election Gary approached me at the next State Board Meeting, shook my hand, offered me congratulations, and asked what my plans were. When it became clear that we shared a vision, he volunteered to help. I took him up on his offer. One year later he was on full-time release for CCPOA and we have shared an office at CCPOA headquarters ever since. Gary was promoted to Chief of Field Operations of the Supervisory Division of CCPOA and held a seat on the Governor's Excluded Employees Wage Task Force Committee.

Gary believed that supervisors deserved respect. He wanted better pay and benefits for supervisory ranks. Gary's dream was to achieve collective bargaining rights for supervisors. He wanted supervisors to have post and bid, pre and post work activities (7k), ATO time, and call back time guarantees, to name a few. Gary worked tirelessly to achieve these dreams. He was a distinguished gentleman and an unwavering professional. He was admired and respected by all who knew him. He was a character who touched our lives.

Gary's dream lives on in each of us. As we continue our fight for the rights of supervisors, we will never forget his passion and commitment. Although Gary will not be with us in person, he will be with us in spirit as we continue to advance our shared mission.

Gary is my hero and will live in my heart to the end. As the Irish say:

May the road rise to meet you.

May the wind be always at your back.

May the sun shine warm upon your face.

And rains fall soft upon your fields.

And until we meet again,

May God hold you in the hollow of His hand.