



November 18, 2005

“Few will have the greatness to bend history itself; but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation.”

Robert F. Kennedy

VALUABLE WEB SITES www.ccpoa.org - www.calchannel.com – www.screwarnold.com
- www.ccpoa.blogspot.com.

You may e-mail us with information or feedback at: thegreenwire@ccpoa.org.

CHECK FOR UPDATES ON THE CCPOA HOTLINE @ 1-800-304-5150.

NEW LOOK FOR “THE GREEN WIRE”

Beginning with this issue you will see a change to the basic format of this newsletter. Our goal is to produce an issue as often as feasible, and practical. We are constantly striving to share timely information with the membership. New standard sections will include, Staff Assaults, Statewide Incidents, Question of the Week, and Statewide Grievances – Arbitrations - Negotiations. In a perfect world we would like to have a personal e-mail address for every member of CCPOA, in order to share this information in the most cost effective manor (a simple one page mailing, by U.S. mail, to all CCPOA members would exceed \$12,000). In addition to the electronic mailing, the Chapter Presidents of each institution/facility will continue to receive ten hard copies in their weekly Friday mail from CCPOA headquarters. If you need a copy, see your Chapter President.

THANKS

A special thank you to C/O J. Borges, CMC, for the new “Green Wire” logo. Well done.

STAFF ASSAULTS

An Avenal State Prison inmate battered two correctional officers on Nov.4 at about 1040 hours. Force was used to quell the incident. The officers’ injuries included abrasions, scratches, swollen areas around the eyes, and reddened areas around the mouth and neck. They were treated and released.

Preston Youth Correctional Facility reports that at about 1647 hours, on Nov.6, a ward assaulted a youth counselor, knocking him unconscious. The YCC was briefly examined by medical staff then transported to Amador Hospital for observation.

On Nov. 4, a ward at Herman G. Stark assaulted a youth counselor by spitting on him when staff tried to get him to go into his room.

On Nov.8, a ward at Preston Youth Facility gassed a youth counselor with an unknown liquid, striking him in the face, neck, chest and arm area.

On Nov. 8, a youth correctional officer was assaulted by a ward at Ventura YC. The ward physically walked into the YCO. Chemical agents were utilized.

On Nov. 9, a correctional officer at FSP was assaulted when he was in the process of handcuffing an inmate, in an effort to stop his disruptive behavior. A second inmate struck the officer on the left side of his face and back of his head. A third inmate attempted to get involved in the incident but was stopped by a nearby Sergeant.

On Nov. 10, a ward at Paso Robles youth facility, who was angry about being sent to his room, attacked a Youth counselor, striking him in the head and face, knocking him to the floor and rendering him unconscious. The YCC was treated for a broken jaw, laceration to the back of his head, concussion and a broken tooth.

An inmate assaulted a correctional officer at CRC while the officer was transporting a Department of Mental Health patient from Arrowhead Regional Medical Center to Patton State Hospital. The inmate kicked the officer in the leg.

A youth correctional officer was assaulted by a ward at Preston when a group disturbance erupted involving approximately 15 wards.

On Nov. 13, a YCC at Preston was gassed by a ward with an unknown substance.

A VSPW inmate assaulted a correctional officer, hitting the officer in the stomach, through the food port.

STATEWIDE INCIDENTS

Ironwood State Prison reports that on Nov. 5 at about 0940 hours, 300-350 White and Hispanic inmates were involved in a riot on the Facility B main yard. A correctional officer became ill as a result of chemical agent exposure and taken to Palo Verde Hospital. Another correctional officer fell responding to the alarm and dislocated her shoulder and was taken to PVH for treatment. A third officer slipped and fell in his control booth responding to the alarm and twisted his lower back but remained on duty. A fourth officer tripped and fell on the main yard spraining his wrist and was taken to PVH and treated. There were four inmate manufactured weapons found during this incident.

A parolee, wanted by the San Jose P.D. on outstanding warrants, was traced to a local apartment complex. Police attempted to arrest him, but he refused to come out. The parolee and yet another parolee took three hostages, which prompted the police to surround the area. Residents were evacuated and police snipers deployed. The second parolee escaped, however he was shot by a taser and later captured.

A parolee went to his girlfriend's house on Sept. 19. When asked to leave, he forced his way into the house. He grabbed his girlfriend by the throat, banged her head against the wall and attempted to choke her. He left when she blacked out. He then called his father in Florida stating he had killed her. The victim survived the assault from the parolee.

Nov. 9, an incident occurred on an exercise yard at HDSP between approximately 30 Asian/other and 30 Northern Hispanic inmates. A code 3 response was initiated with involved inmates continuing to fight. Several 223 Mini 14 warning shots were fired. No injuries were sustained by staff.

A parolee at large attempted to ram a Ceres unmarked police car. Two plain clothes police officers shot and wounded the parolee when he made a move toward a handgun in his possession.

On Nov. 8 while Centinela staff were attempting to reintegrate the Facility D Gym, a group disturbance erupted between approximately 25 black and Hispanic inmates. One Sergeant suffered respiratory problems from pepper spray exposure.

On Oct. 31 a parolee broke into the Stockton area apartment of a former girlfriend, who he had been stalking. The parolee is alleged to have attacked another male with a knife. The parolee left and law enforcement were notified.

On Nov. 9 a parolee allegedly stabbed a man at the victim's home. The victim was treated and released from the local hospital.

On Nov. 13 a group disturbance occurred at Preston involving approximately 14 wards. Greenbrier Lodge was put on limited program due to the gang related incidents that have been occurring.

STATEWIDE GRIEVANCES – ARBITRATIONS – NEGOTIATIONS

As statewide grievances, arbitrations and negotiations are compiled a synopsis will be made available for viewing on the CCPOA website. This is a work in the beginning stages so be patient as we grow. Statewide negotiations that are currently on going are the **new** education model, the **new** unit 12 cuts, CPR, ad-seg standardization, female clothed body searches and the elimination of time clocks at CTF. The numbers of local negotiations/meet and discuss, or whatever the State is calling it now, seem to be never ending

QUESTION OF THE WEEK

Question: Can a PIE shift swap with a permanent full time employee?

Answer: In a nut shell, yes. However, you need to be extremely careful. The system by which a PIE is paid for hours worked may cause some heartache. There is also the debate over who should work for whom first. Remember it is only possible to swap with a PIE when they are pre-scheduled.

SUPREME COURT DECISION REGARDING POST AND BID

Rumors have been running rampant over a Supreme Court decision with regards to Post and Bid, filed July 29, 2005. In a letter from Department of Personnel Administration, Labor Relations Division the explanation is:

Based on a review of the “post and bid” pilot programs negotiated in the 2002 collective bargaining agreements (MOUs) for Bargaining Units (BU) 1,4, and 11 by the Department of Personnel Administration (DPA) and California State Employees Association (CSEA), the Supreme court issued a decision that “post and bid” is unconstitutional, and violates the merit principle.

As a result of this decision, DPA put out a memo to give guidance to departments who had contracts that have post and bid provisions in them. The information included guidelines regarding contract provisions that are now prohibited or expired, those that remain intact, and those provisions which need to be clarified. A variety of post and bid provisions exist in the following MOUs: 1,4,6,7,8,11,12,13,15,17,18, and 20.

DPA states:

The following post and bid provisions are prohibited **only** in the following BU's based on the Supreme Court decision:

1. The "post and bid concept" commonly known as "post and promote" in the 2002 MOUs for Bargaining Units 1, 4 and 11 (expiration date July 2, 2003).
2. Any post and bid process allowing bidding for provisions involving movement between appointing powers.
3. Any post and bid process allowing bidding for positions involving a change in classification.

DPA has determined that the Supreme Court decision **DOES NOT** impact post and bid processes involving areas other than appointments and promotions. The processes regarding these areas will continue as outlined in the applicable MOUs. The post and bid process, based on seniority, is valid for:

1. Work shifts; work schedules; or days off.
2. Overtime.
3. Job assignments and work unit changes as delineated in existing contract provisions.

In addition, DPA has determined the Supreme Court decision does not impact existing statutes that address seniority considerations. Examples include the layoff process and involuntary transfers.

So, the only bargaining units affected are Bargaining Units 1, 4, and 11. **Unit 6 is NOT affected** by this decision. Let the rumors die a natural death.

INTERESTING FACT OF THE WEEK :

408