



December 2, 2005

“If history repeats itself, and the unexpected always happens, how incapable must man be of learning from experience!”

George Bernhard Shaw

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STATEWIDE INCIDENTS

A riot occurred at CSP-Solano, Nov. 17 involving approximately 150-200 Black and Hispanic inmates on Facility II yard. 37mm, CN projectiles, pepper spray and batons were utilized to control the incident. Two inmates were transported for medical treatment, one with multiple stab wounds. No staff injuries were reported.

At FSP approximately 25-30 White inmates attacked a group of Black inmates (approximately 14) in the alley on the main yard. Two 40mm rounds and pepper spray were utilized to stop the incident.

Two Southern Hispanic inmates were stabbed at CSP-Sac, Nov.17. Reports indicate possibly as many as six other Southern Hispanic were involved in the stabbing.

On Nov. 16, a group disturbance occurred at Wasco State Prison. Staff utilized significant amounts of pepper spray, side handle baton and two 40 mm rounds.

The LASD requested assistance from the Adult Operations Division L.A. Fugitive Apprehension in arresting a parolee. The parolee was wanted for shooting an unoccupied vehicle, armed robbery, and as a suspect in a gang related homicide. Law enforcement attempted a felony vehicle stop, the parolee exited the vehicle, and ran to a residence. Containment of the area was established and approximately six hours later the parolee was arrested.

MCSP ISU executed a search warrant on a visitor. While being served, the visitor relinquished a bag containing tobacco and a green leafy substance. The visitor also turned over a pornographic magazine and other contraband secreted in her bra. The visitor was transported and booked into the Amador County jail.

On Nov. 15, parole agents arrested a high risk sex offender parolee who had been present at the Adventure City in Anaheim. Adventure City is an outdoor theme park for children under 13 years of age.

On Nov. 16 O.H. Close Youth Facility had two separate incidents. The first in Del Norte Hall involved 13 Blacks, 10 Northern Hispanics, 12 Southern Hispanics and 1 bulldog.

Approximately an hour later in Calaveras Hall another group disturbance occurred involving 15 Southern Hispanics and 3 Northern Hispanic wards. No staff were injured.

Juvenile Parole Operations reported a parolee was standing in his driveway talking on a cell phone. He was approached by a male Hispanic who fired six rounds into him. Only one round hit him....in the leg.

Region III paroles conducted a large sweep, including about 40 officers from the Whittier, Montebello, Downey, La Habra and Buena Park police departments arresting 11 suspects, confiscating guns, knives, drugs and paraphernalia.

Parole Region I arrested a parolee when he was identified as the person who had posed as a police officer and had sexually assaulted a 12 year old middle school student.

Three Northern Hispanics were attacked by several Southern Hispanic inmates on the Facility E minimum support facility at Kern Valley State Prison.

Nov. 19, approximately 15 Southern Hispanic and 9 Black inmates were involved in a riot on Fac. G. at CSATF. Two inmate manufactured slashing weapons were found.

At WASCO approximately 25 White and 31 Southern Hispanic inmates were involved in a riot. Staff utilized pepper spray and gas grenades to quell the incident.

At DVI White and Southern Hispanics were involved in a riot in the East Hall culinary. Pepper spray and batons were utilized. One staff was battered during the incident.

A ward was assaulted at El Paso Youth Facility when another ward scaled the recreation yard fence.

At CTF a riot took place involving approximately 20 Black and Asian inmates. Several 40mm rounds were discharged, striking one inmate in the shoulder. One mini-14 round was fired as a warning to control the incident.

STAFF ASSAULTS

Two Kern Valley correctional officers were battered by an inmate in the Facility A, medical clinic. The officers were taken to the hospital, treated and released. Another officer was exposed to pepper spray.

An officer at CMC was pushed in the chest as the inmate attempted to grab the officer's baton.

STATEWIDE GRIEVANCES, ARBITRATIONS AND NEGOTIATIONS

PROTECTIVE VESTS (copied from the desk of Steve Weiss @ CCPOA.org)

On or about November 15, 2005, the state will implement the [Protective Vest Policy](#) (DOM section 33020.16.2).

Our negotiations over the impact of the policy went to impasse on October 13, 2005.

Very simply put, the policy falls short of the MOU requirements in section 7.05 I. Per the new policy, not all Correctional Peace Officers will be provided an individually fitted protective vest.

Many C/Os who have daily direct inmate contact, are working today without the safeguards provided by a fitted protective vest.

MTA's and CCs who were previously provided an individually fitted vest, are now required to return them. Management asserts that this is necessary so that management can create a Replacement Vest Pool and a Standby Vest Pool for use by employees who are required to wear a vest, but have not yet been issued their own individually fitted vest.

The vest policy also states, "For normal wear, the Ballistic Vest shall be worn concealed under the outer uniform shirt, blouse/shirt, or jumpsuit for the duration of the shift...." It was made known by management at the negotiating table that if this requirement cannot be met, the employee must purchase a new uniform.

CCPOA maintains that not all C/Os have been issued vests and that many vests are worn out or defective. The state responded to this as follows: "We have no ability to investigate or respond to these claims. We will be happy to do so if you can tell us where you think the problems are." Apparently the state lacks the will, or the ability to talk to the institutions and ask them if they are using outdated or defective vests. With respect to CCPOA's claim that many vests are defective as the protective fabric "sags", the states response was "some protection is better than no protection."

CCPOA has filed for an [Immediate Arbitration](#) in accordance with section 6.11 c. of the BU6 MOU.

QUESTION OF THE WEEK

What is the employer's referral and reporting responsibility when a staff assault occurs?

Sections 7.03 and 7.04 of the MOU clearly outline their responsibility.

7.03 A. – At all times, supervisors of all employees must complete the appropriate "Report of Injury" form within twenty-four (24) hours of being notified.....

7.04 A. – With the consent of the employee, the Department shall take pictures, as soon as is reasonably possible...The photographs will be included as part of the incident file....

B. – The departments shall report each staff assault to the local CCPOA Chief Job Steward.

C. - The departments shall refer all cases involving a ward/inmate assault and/or battery to the appropriate prosecuting authority.

D. – Each appointing authority shall have a joint labor/management committee that shall review all staff assaults. A primary purpose of said committee shall be to review the circumstances surrounding each staff assault...The committee shall meet on a regular basis to ensure that all assaults are reviewed within thirty (30) days of occurrence.