



California Correctional Peace Officers Association

Front Street



Fronting the Facts, Watching Your Back

November 2003

Message From Louie

*Vice President CYA
Rank and File*

It's Over for Harper, Now Let's Move CYA Forward

You already know the California Youth Authority is in a sad state due to the failed policies of Director Jerry Harper. You've read the accounts and most likely witnessed firsthand the consequences - decreasing ward population, increasing ward violence, management unwilling to address the issues honestly while secretly working to close facilities and endanger the public.

Harper's legacy will include the shameful closure of Karl Holton as well as the proposed closure of both NYCRC and Nelles. The Director has single handedly presided over the worst five-year period in CYA history. I could not envision how things could possibly become any worse.

During the last year, Front Street has exposed CYA's problems and made positive recommendations for needed improvements. It has become clear that in the absence of departmental leadership, Unit 6 staff has become the backbone of the CYA, fighting for reforms that will help wards change their lives and protect the public interest. These efforts continue as CCPOA recently took Assemblymember Rudy Bermudez on a tour of NYCRC so he could see the problems that need to be addressed. As a Unit 6 member, Assemblymember Bermudez knows things need to change.

Similarly, as CCPOA President Mike Jimenez writes in this issue, the change of seasons that has just occurred is much more than summer to fall. The people of California have spoken, and they also want a new direction. They voted to recall the existing Administration and replace it with new leadership, new optimism and positive change.

For CYA and CCPOA, that means new leadership (Hasta la vista, Jerry) and an opportunity to move forward. We believe the incoming administration will be more interested in working cooperatively and being sensitive to the challenges correctional officers face on a daily basis. We've worked with Governor-Elect Schwarzenegger and have seen his appreciation for every man and woman who wear the badge and risk their lives to protect others.

The challenges facing CCPOA and the new administration are great. In this issue of Front Street, Supervisory Vice President Robert Dean outlines our efforts to see that supervisors receive their AB 743 benefits. CDC Vice President Chuck Alexander outlines CCPOA's efforts to get accurate information from the Department before any budgetary agreements are reached. President Mike Jimenez charts a course for our union as we seek to move forward with the Schwarzenegger Administration.

We are willing to do our part to help the State of California fix its budget mess. If the state does its part, the challenges can be resolved without harm to your safety or livelihood. That is our focus and priority.



CCPOA leadership stands with Governor-Elect Arnold Schwarzenegger during the 2002 Annual Convention

***Supervisors are a CCPOA Priority!
If you have any questions,
call immediately***

Robert Dean

Supervisory Vice President

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READY TO TEAM UP FOR CALIFORNIA

MESSAGE FROM MIKE JIMENEZ - CCPOA PRESIDENT

Be a “team player.” We’ve all heard this expression so many times that it has probably lost some of its impact. But the reality is that being a team player produces individual benefits as well as societal value. To CCPOA and the people of California, this has never been more accurate.

The lesson of the October 7 recall election is simple. Californians are looking for leadership, and they want state officials to work together for the public good. Instead of partisanship, the people want real solutions. They know the state faces difficult choices, and they want leaders who can work together successfully.

The peoples’ philosophy mirrors that of CCPOA and the 30,000 men and women who walk the toughest beat in the state. As a public safety association, we know the value of teamwork. In a correctional facility, when officers work together, safety is maximized. When we don’t, our lives are needlessly placed at risk.

The concept of teamwork also describes how CCPOA has worked to be part of the solution to California’s financial challenges. We know sacrifices are needed from everyone if the state is to put its house in order. That is why we proposed more than \$700 million in corrections savings that did not jeopardize officer safety or endanger the public.

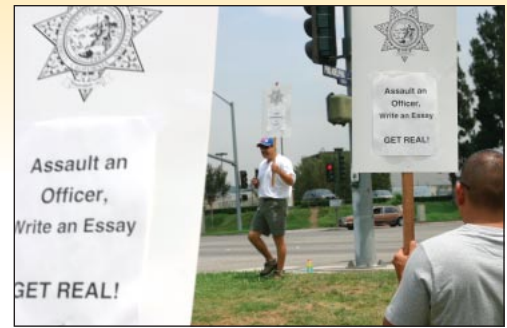
The problem has been that the Department of Corrections (CDC) and Department of the Youth Authority (CYA) have refused to work with CCPOA toward a meaningful resolution. They’ve stonewalled Supervisory Vice President Robert Dean as he worked to ensure supervisors received the appropriate compensation as dictated by Assembly Bill 743. They’ve stonewalled CDC Vice President Chuck Alexander as he tried to get accurate information regarding staffing and budget issues. And they’ve stonewalled CYA Vice President Louie Adame as he has repeatedly warned state officials about how the lack of vision and accountability places staff, wards and society at risk. Executive Vice President Lance Corcoran and I have been clear that these barriers must be removed if any compromise is to occur.

The CDC/CYA problems are symptomatic of the disease that plagued state government and for which the recall is the intended cure. CCPOA recognizes the will of its members and the will of the people, and we continue to be committed toward an appropriate solution.

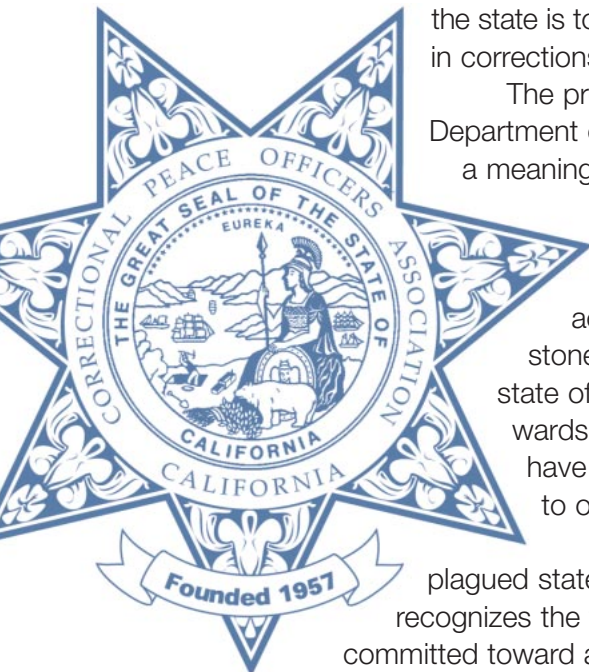
If past history is any indication, then the future is promising. In 2002, CCPOA worked closely with Governor-Elect Arnold Schwarzenegger on behalf of Proposition 49 – the After School Education and Safety Program Act. Proposition 49 is similar to CCPOA’s Thumbs Up program in that it seeks to protect children from becoming associated with or victims of criminal activity. I had the opportunity to work closely with Arnold and found him to be in tune with our philosophy on a variety of public safety issues.

Now that the election has past, and in the spirit of Governor Davis’ commitment to a smooth transition, CCPOA has reached out to the incoming administration as a resource and partner. As always, we will seek to work with the new leadership at all levels of government, but we will always be prepared to fight hard to protect your livelihood and personal safety. To this point, meetings with senior transition officials are building what we believe can be a strong working relationship.

That is the real benefit of teamwork. As it has always done, CCPOA is working to be part of a winning team. We are willing to fight for our members, and we are willing to fight for California. A new day is dawning over California, and we are optimistic that change will be for the better of us all.



We are always willing to fight for our members, and we are willing to fight for California.



SUPERVISOR'S UPDATE: COMPENSATION AND DRUG TESTING

BY ROBERT DEAN – SUPERVISORY VICE PRESIDENT



Robert Dean (center) and CCPOA's Supervisory Committee.

CCPOA's support of AB 743 led to its enactment in October, 1999. AB 743 was a clear message from the California State Assembly that supervisors will receive equitable pay and benefit compensation. CCPOA continues to work with Assembly and Senate members like former Assemblyman Fred Keeley, who authored AB 743, and will continue to do so to protect the rights and to ensure equitable pay and benefit increases for CCPOA supervisory members.

"CCPOA provides outstanding representation for your supervisors as demonstrated by AB 743. Likewise, the Association ably balances its representation of supervisors with advocacy on behalf of rank and file officers....I have worked with CCPOA on a number of legislative measures and have always been impressed by the thorough, professional, and, most importantly, effective representation provided by the Association."

"I have heard that another group has expressed interest in representing supervisors. While I can only comment on representation witnessed and reputation of the CCPOA around the Capitol, I once again emphasize the commitment and effectiveness of the Association to bettering service for all corrections officers. Your sponsorship of AB 743 was certainly a testimonial to that service."

**Former Assemblyman Fred Keeley
Author, AB 743, CCPOA's bill to give
supervisors equitable salary and
benefits**

Historical accuracy is important when your livelihood is at stake. More importantly, you need to know who's looking out for you and what your rights are on the job.

Every single day in institutions throughout California, 30,000 men and women perform their duties honorably – officers and supervisors. In return, management owes us a fair wage and respect for the job we perform.

CCPOA is delivering for its supervisory members, producing tangible benefits that make your job easier. We've forced the state to address our compensation issues by CCPOA's pending lawsuit. You need to know that CCPOA has not dropped its lawsuit, only pulled it off the calendar to let the dust settle around the political change that has occurred with the new administration to see where we stand. Your job as a correctional supervisor is tough, but you're never alone – CCPOA is standing with you, supervisors with rank and file, 30,000 members strong!

Wages and Benefits Update

Corrections and Youth Authority supervisors are important to the overall effectiveness of facility operations. CCPOA recognizes their value, and that is why we have invested time and money to win passage of AB 743 and to hold management accountable for its implementation.

As many of you know, CCPOA actually had to file a lawsuit to get the state to fairly implement AB 743. We were prepared for all out war to protect the rights of supervisors and management knows it. That's why the Department of Personnel Administration (DPA) backed off, and on October 9 issued a pay letter acknowledging their responsibility to provide supervisors with a 6.8 percent compensation package.

As a result of this letter, CCPOA agreed to temporarily suspend its legal action in the hopes that DPA will honor their commitment and deliver a fair increase. There are still details to be addressed, and we are aggressively working to ensure they are resolved. If necessary, the lawsuit remains active and can be placed back on the calendar immediately.

It is unfortunate that instead of supporting supervisors and making real progress, the California Correctional Supervisors Organization (CCSO) is attempting to warp the facts of this issue to their benefit. They are claiming that CCPOA's decision to suspend the lawsuit is a retreat. That is CCSO's approach...all bark no bite. CCSO never lets the facts stand in the way of a good sound bite, and their ignorance is amazing.

Not coincidentally, CCSO is irrelevant and impotent when it comes to legislative advocacy and employee representation. The good news is that you do not need to worry about CCSO, because they are not worried about you. CCPOA is making a difference and protecting supervisors' interests, and – more importantly – we have the ability to impact important public policy decisions that affect your lives.

Know Your Rights – Random Drug Testing

We're fighting to protect your rights regarding the state's random drug testing program for supervisors. CCPOA supports policies to ensure that illegal drug use is identified and punished, but will never allow the process to undermine the integrity and inalienable rights of SO6 members.

Random Drug Testing Supervisor's Rights

1. You have the right to confidential notification
2. You have the right to be tested off site
3. You have the right to representation

Call CCPOA immediately if you have any questions about these rights.

Tear and save for easy reference

Unfortunately, it has been reported to CCPOA that supervisors are not being afforded their rights or even common courtesy by management.

CCPOA's position: Supervisors are entitled to the same due process and rights of confidentiality afforded to other peace officers in the state of California.

While random drug testing is mandatory, do you really know what your rights are with respect to how testing is carried out? It is crucial that you know how to protect yourself as well as your ability to perform your supervisory duties. Here are several key rights you need to know:

■ **You have the right to be notified confidentially.** Random drug testing is a confidential issue between you and the department. State procedures clearly assert that records and any other information pertaining to an employee's drug or alcohol test must be considered confidential. Co-workers or inmates should not be aware of any of your personal details as it may impact your ability to perform your duties.

■ **You have the right to be tested off site.** CCPOA is greatly concerned about the department's decision to conduct random drug testing of its supervisors at their facility in view of inmates and other staff. You have the right to travel to and from an off site testing location on business time with transportation provided by management, same as your brothers and sisters assigned to headquarters and paroles are allowed to do by the department.

■ **You have the right to representation.** And CCPOA is prepared to stand with you to ensure your rights are respected. According to state guidelines, "employees have the right to representation during any discussions with the MRO (Medical Review Officer) and during any discussions that may lead to possible administrative action."

No CCPOA supervisory member ever stands alone. I am always available by cell phone at 916.296.9845 to ensure that your rights are protected. Additionally, you'll see that a "Supervisor's Rights" card is attached to this newsletter. On one side is information to protect your rights, on the other is my phone number. Tear off this card and put it in your wallet so you are always prepared.

As sworn officers and CCPOA members, we hold ourselves to the highest standards of professionalism and ethical conduct. You are among the finest public servants in the world and should be treated with the respect you earn everyday on the toughest beat in the state. If you have any questions, call me immediately. Unlike CCSO, I'll get back to you and make sure you are protected.

CCPOA FIGHTS TO LESSEN IMPACTS OF BUDGET CHALLENGES

Negotiations, incoming administration can open door to new opportunities

To fix its budgetary problems, the state is recommending that approximately 625 positions be cut, but CCPOA will not agree to any reductions without open and honest negotiations, something that the Department of Personnel Administration (DPA) leadership has been unwilling to do.



*CDC State Vice President
Chuck Alexander*

"CCPOA knows the state has budget problems and is willing to do its part to help California," said CDC State Vice President Chuck Alexander. "But before any concessions are made, DPA needs to fully disclose its financial standing."

CCPOA's frustration has grown considerably as evidenced by their shut down of reconciliation drills when, according to Alexander, the DPA chose to play politics rather than make an honest effort to achieve real monetary savings.

"While we were looking for solutions, they were campaigning for votes," he said. "We consider their actions a slap in the face and an insult to CCPOA members who are first and foremost taxpayers."

Adding to CCPOA's dissatisfaction is how the state has ignored the \$700 million in CCPOA proposed budget cuts that did not compromise officer or public safety. Specifically, CCPOA recommended the elimination of Captain's positions and the deferral of two major construction projects: the new death row at San Quentin and the new headquarters office building.

"We analyzed all the options thoroughly and feel these recommendations are feasible," said Alexander. "But rather than discuss these options, the state asked CCPOA to accept concessions without information or further discussion, which is completely unacceptable."

Alexander said that things should be different in Governor-Elect Schwarzenegger's administration. He explained the Davis administration had outlined the 625 position cuts and the new administration has not been made privy to them. CCPOA leadership is working with Governor-Elect Schwarzenegger's team to discuss key issues.

"The new administration needs to become familiar with the situation," he continued. "The CCPOA leadership team looks forward to educating them on the issues, outlining our proposals and working together to come to a solution."

CCPOA FIGHTS TO KEEP NYCRCC OPEN

Leaders vow to create solutions that will protect members

CCPOA leadership sprung into action to investigate alternatives to the closure of the Northern Youth Correctional Reception Center and Clinic (NYCRCC) on March 1, 2004, which the California Youth Authority (CYA) announced last month. CCPOA believes the closure of this facility is unnecessary and dangerous to both wards and staff.

"We have faced challenges at NYCRCC in the past, but this may be our toughest fight yet," said Sharon LaMar, NYCRCC Chapter President. "But by working together, CCPOA stands strong and ready to create solutions and protect the livelihood of members."

CCPOA officials are outraged because the closure notice came suddenly and apparently with little deliberation. According to NYCRCC staff, they had been informed that additional programs from other facilities would potentially move to NYCRCC. The next news they heard was that the facility was closing.

More pressing is the issue of ward and staff safety. One of the major concerns of NYCRCC staff is that relocating Northern wards to Southern facilities creates a volatile mix that will unnecessarily place the safety of both wards and staff at risk.

"A decision of this magnitude should not be made quickly and without considerable thought," said LaMar. "Public safety is at stake!"

But CCPOA has already been working on several fronts to stop or delay the closure of the facility, including conducting outreach to Assemblymember Rudy Bermudez.

A parole agent with more than 20 years of experience with the Department of Corrections and CYA, Bermudez toured the facility with LaMar, NYCRCC Superintendent Adrienne Shaw, NYCRCC Deputy Superintendent Racheal Rios, CCPOA CYA Vice President Louie Adame, CCPOA Supervisory Vice President Robert Dean, Karl Holton Chapter President Ivan R. Walker, SYCRCC Chapter President Stephen Walker and Chief of Labor Steve Weiss. There, Bermudez vowed to staff that he will investigate all available opportunities before a final decision about NYCRCC is made.

"Have faith that we will utilize all our

resources to make sure a prudent decision-making process is put in place," said Bermudez. "Working with CCPOA, we will ensure that the best interests of employees and the public are met."

In addition, Bermudez told CCPOA and NYCRCC staff that he has requested a report from CYA Director Jerry Harper that would explain why this closure was suggested when this type of recommendation should go through the Select Committee on Prison Construction and Operations, which Bermudez chairs.

While CYA officials claim that state budget problems are to blame for the proposed closure, CCPOA had previously recommended more than \$700 million in corrections savings that did not include the closure of any facility.

"We are doing our part to save money without potentially endangering the public," said CCPOA President Mike Jimenez. "We will continue to highlight these cost-saving options as viable solutions."

CCPOA leadership acknowledges that it will be a mentally and physically exhausting next few months for NYCRCC staff, but they assure members they are doing everything possible to protect those who walk the toughest beat in the state.

"Everyday, NYCRCC staff gives their all on the job," continued Jimenez. "We follow in the same tradition and will not give up until a fair and reasonable solution is provided."



Assemblyman Rudy Bermudez tours NYCRCC with Chapter President Sharon LaMar

ASSEMBLYMEMBER RUDY BERMUDEZ TOURS NYCRCC FACILITY

Legislator vows to work with CCPOA to identify alternatives to closure



CCPOA President Mike Jimenez, CYA VP Louie Adame and SYCRCC President Stephen Walker greet Assemblymember Rudy Bermudez (far left) outside NYCRCC and discuss the need to examine all opportunities before closing NYCRCC.



(L to R) NYCRCC Chapter President Sharon LaMar, Bermudez, NYCRCC Superintendent Adrienne Shaw and NYCRCC Deputy Superintendent Racheal Rios travel across the facility to meet staff.



Bermudez speaks with YCO Yong Lee about his concerns of NYCRCC's proposed closure.



Bermudez and Adame reassure YCO Gary Smith that they will work together in the best interest of NYCRCC employees and the public.