



California Correctional
Peace Officers Association

Front Street



Fronting the Facts, Watching Your Back

September 2008

CLOSURE NEGOTIATIONS OFFER NO “CLOSURE” FOR OFFICERS

The DJJ has known since April 2007 that they were going to close two institutions — basically due to their inability to implement court ordered changes in a timely manner.

The recent closures have impacted nearly 400 Unit 6 members and their families — not to mention the indirect impact on their childrens’ schools, babysitters, local economies and so forth.

Chief Deputy Secretary Bernie Warner held town hall meetings where he promised that all questions would be answered during the negotiations for the closures — what a crock. We’ve had zero answers, despite these closures. Not a good track record, Bernie.

In May and June of this year, DJJ met with CCPOA representatives from Paso and DeWitt for a total of six days — three sessions lasting two days each. Apparently, they were busy with other unions and this was all the time they had for us.

CCPOA provided a total of 18 proposals to DPA at the closure meetings — but DPA/DJJ said that the proposals were not relevant and had minimal impact on Unit 6 members.

These rationalizations come as no surprise when you consider the source.

These same DPA robots define a “watch” as a timepiece — they’ve never heard of “watches” in the prisons, much less understand that there are three watches in a day. A “post position” to them is the guy in the parking garage tollbooth, and he works from 7 am to 5 pm — and nobody has to relieve him, because the parking garage closes at night. Maybe they think that the prisons close at night too? And they are obviously not concerned with inmate/ward safety. The only prison they’ve seen is on TV, and we all know how accurate THOSE accounts are.

These DPA drones are told what to say, shown how to act and trained to be good puppets. Their only goal is to implement dates and times and cite court cases. And they refused to provide information on changes to inmate/ward programs.

All you have to do is look at who is in charge over at DPA — Dave Gilb doesn’t even know what a Youth Correctional Counselor does in a DJJ prison. He thinks a YCO and CO do the same work.

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He and Randy Fisher don't have a clue — they've been fooling the public for years.

Here are “highlights” from those six shameful days of DPA negotiations with their team of puppets:

1. Refused to alter the areas of layoff resulting in YCO and YCC employees being forced to change residence, transfer to Adult Division, or be laid off — while less senior YCO & YCC employees at other DJJ institutions were unaffected by the closures.
2. Refused to provide a five-year window to return to the DJJ facility, if it is re-opened.
3. Allowed only two days of ATO for employees moving more than 200 miles.
4. Above mentioned ATO would only be allowed if it did not result in the use of overtime.
5. Would not waive the probation period for employees forced to change classifications.
6. Would not guarantee that the receiving institutions would honor pre-approved vacations.
7. Refused to allow YCCs that met the minimum requirements to transfer to a CC1 position. YCCs with insufficient seniority to hold a YCC position were forced to accept a position as a Correctional Officer — resulting in a \$600 a month salary reduction.
8. Refused to allow the SYCs to transfer to Correctional Sergeant.
9. Refused to allow any assistance in the purchase of uniforms for those employees who were YCCs or PA1 OR IPA, who were forced to accept a CO or YCO position.
10. Refused to consider that these were not voluntary transfers — in order to avoid moving expenses and allowance of sufficient time to conduct that move.
11. Rejected all of CCPOA's proposals to safeguard the rights of BU6 employees or to mitigate the impact of this closure on the impacted employees.
12. Did not provide the 60 days required for employees to change their residence.
13. Failed to notice CCPOA of the closures until there was insufficient time to conduct meaningful negotiation on the impact on BU6 staff — despite the fact that they had known about the closures for a year.
14. Refused to change their original positions and give serious consideration to any of CCPOA's proposals.

On August 20, 2008, DPA and CCPOA had another meeting on the closure of DeWitt/Paso. Although they have closed and stand empty, DPA sent the Official Business time-off notice for CCPOA Chapter President Dan Berry to Paso. Brilliant. So he was reported AWOL at CMC.

DPA was minus Randy Fisher at this meeting, so they sent three 3 puppets-in-training. It's assumed that they will declare impasse. They just don't care!!

A FALLEN OFFICER REMEMBERED (BY ALL BUT DPA)

On May 20, 1988, an automobile killed Group Supervisor Les Macarro in the line of duty. Officer Macarro was chasing a ward that had escaped during a medical transportation appointment.

I clearly remember the day Officer Macarro passed away. The Youth Authority family grieved throughout the state at every CYA facility.

The CCPOA chapter, with the assistance of numerous correctional organizations, collected donations and had a marble monument built on-grounds to honor Officer Macarro.

YTS (as it was known in the old days) was and still is the only DJJ institution to suffer two staff fatalities within the last 20 years.

This year marks the 20th Anniversary of the Macarro Memorial. And CCPOA's Executive Council was both heartbroken and angered that they could not attend the memorial event because the DJJ "closure tables" — an event that affected over 400 officers, and was ultimately a charade — was scheduled for the same day.

DPA was well aware of the memorial, yet did not recognize it as a special day, nor would they change the date and time of the meeting. They clearly couldn't care less about a fallen Brother, the work he and all of us do, or the families who wanted to pay tribute and remember a very memorable officer.

Officer Macarro was a proud father and an outstanding officer. His family was present at the unveiling of the monument, and I'm sure that the Department's disrespect for his memory hurt them the most.



Officers gather to remember their fallen brother, Group Supervisor Les Macarro, on the 20th anniversary of his memorial dedication.

THUMBS UP! CHILD PROTECTION PROJECT 2008

CCPOA's "Thumbs Up! Child Protection Project" started in a Madera pizza shop during the summer of 1997.

For more than a decade the Thumbs Up! team has been in high demand from counties, state legislators, hospitals, children's events, health fairs and sporting events across the state. This free program — created, funded and operated solely by correctional officers — has offered an invaluable service to the public, photographing, fingerprinting and providing child safety tips to 100,000 children.

But I'm sorry to say that all good things come to an end.

The Department of Personnel Administration (DPA) has eliminated the Release Time Bank (RTB) section of our contract. RTB was relied upon to ensure a readily available team to conduct the Thumbs Up! Child fingerprinting events. And without RTB, we are without men and women to run the program.

I have shared my concerns with the CCPOA Executive Council and State Board members at every state board meeting this year. Now I share these concerns with all the convention delegates — **all Thumbs Up! events will be canceled for the rest of 2008 and possibly until we get a new Governor.**

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LOGO CONTEST

We will be holding a contest among CCPOA members to create a new design for the back of our Thumbs Up! T-shirts.

Please send all designs to Louie Adame at CCPOA Headquarters
755 Riverpoint Drive
West Sacramento, CA 95605.

Get creative!



See your design here! Enter the contest today!



CCPOA volunteers fingerprint kids at one of our many Thumbs Up! events.

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It's sad, but we have no choice.

This lame duck governor is clearly out of touch with the crimes committed against California's children, who are being abused, murdered and raped daily. The governor's family is well protected by bodyguards, and I'll bet most, if not all, of his appointees live in gated communities. However, the majority of California families do not enjoy these luxuries.

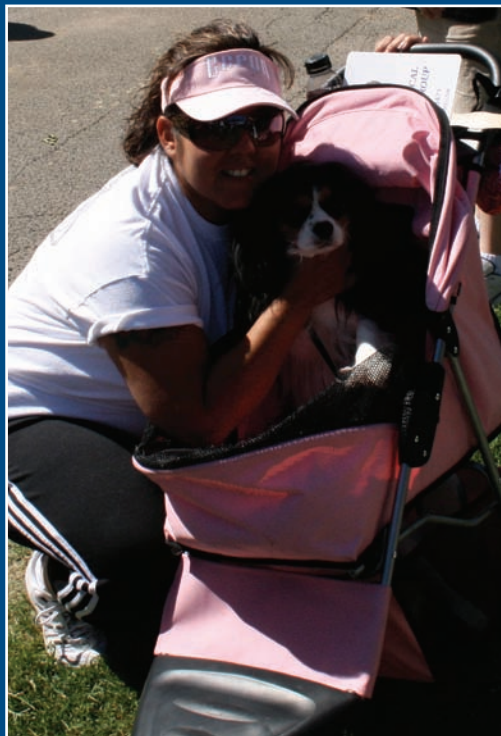
While it is a terrible waste that this program will lay dormant for so long, all will not be lost.

CCPOA will use this down time to update the Thumbs Up! computers and scanning equipment, which are now seriously out of date. The carrying case for one of our current machines can hold up to five laptops — a fact that is not lost on us! The more computers we have, the more kids we can help.

In addition, our technology is outdated. There are fingerprint systems out there today that can scan your fingerprint many times quicker. And if you have babies, or have ever dealt with babies or very young children, you know that every second counts when it comes to making them hold still for any length of time. The shorter the process, the more kids we'll be able to fingerprint. So stay tuned for the return of a new, improved Thumps Up! Program sometime in 2009 or 2010.



CCPOA Vice President, DJJ Louie Adame (right), CIM Chapter Vice President Fred Stevens (left) and CCPOA member Marty Aroian (middle) at CIM Memorial Walk/Run in May.



SCWF Officer Fran Horvath and her pup enjoy the CIM Walk/Run.

WHAT APA MEANS AND HOW IT CAN HURT YOU

With few exceptions, every state agency is required to adopt regulations using the processes established in the Administrative Procedure Act (APA). The Supreme Court made this a mandatory requirement back in 1978, so it should be SOP by now. But it's not.

Today's CDCR/DPA Administrations are continually changing policies and rules that govern Unit 6 members' worksites in order to satisfy federal court mandates — and all too often, these agencies are failing to comply with APA.

However, if a rule looks like a regulation, reads like a regulation and acts like a regulation, the courts will treat it as a regulation — whether or not the issuing agency so labeled it. In short, “Temporary Department Orders (TDOs)” are really UNDERGROUND REGULATIONS. And while there is a process for formally challenging these regulations, it often doesn't happen in time to keep you from being caught in the middle between two potentially contradictory policies.

For this reason, all Unit 6 members MUST be aware of — and question, as necessary — every policy change issued by wardens and superintendents. You need to keep every memo and written document. If it's a verbal directive, write it down. Any time you are told to follow a procedure that is different from what you were originally told or taught, take note! It will more often than not come back to bite you.

Operations within CDCR and DPA are in a state of constant confusion, especially right now. Every Unit 6 member should be memorializing every new policy or procedural change management issues — every week, and at every institution. This is your best protection should your conduct be questioned.

If and when you are accused of any wrongdoing, you need to have sufficient backup to support the procedure you were following. If not, adverse action leading up to and including termination is likely to follow. So be careful, ask questions and keep notes on these policy changes.

You will be held accountable by CDCR's managers. The department will not support you or your family. We all have to watch out for ourselves. And remember, everyone here at CCPOA has your back.



CCPOA Executive Council and PAC Committee interview candidates for the 2008 General Election.