

California Correctional Supervisors Organization, Inc.

1481 Ullrey Ave., Escalon, CA 95320 PH: 1-800-449-2940 FAX : (209) 838-6759

**Please Post On Bulletin Board and Distribute to
CCSO Members via Their Institutional Mail Boxes**

WEEKLY UPDATE

To: Chapter Presidents, PAC, and Recruiters
From: Pat Le Sage, Chief Operations & Financial Officer
Date: September 24, 2004

Judge Lloyd Connelly heard the lawsuit against DPA regarding the parity case on behalf of supervisors, Friday, September 17th. This case is critical to how DPA will deal with supervisors in the future. To date, DPA has not properly adhered to Government Code 19849.18, which brings rank and file raises/benefits (R06) over to supervisors (S06). DPA argued that CCSO did not exhaust the administrative process; therefore, should not be requesting parity through the courts. Because DPA's argument revolved around this apparent lack of exhausting the administrative process, they filed a demur. A demur in layman's terms means that DPA was asking the judge to reject CCSO's lawsuit.

The proceedings began with Judge Connelly questioning both CCSO Attorney Mike Lackie and DPA Attorney Wendy Ross on why the California Correctional Peace Officers Association (CCPOA) had dismissed their case. Both attorneys were not able to answer that question. Attorney Lackie stated he had received in the mail the notice that CCPOA was no longer pursuing this case. He had not been given a reason.

Discussion revolved around letters written by CCSO to DPA and the response letters from DPA to CCSO. The letters reflected the numerous times CCSO had requested the law concerning parity be followed, and that wages/benefits received by RO6 employees be given to S06 supervisors. After discussion from the DPA Attorney and the CCSO Attorney the Judge ruled in favor of CCSO in regards to the fact that we had exhausted the administrative process and was in compliance to take the next step, which is the current lawsuit. (Judge Connelly ruled against the demur.)

DPA Attorney Wendy Ross cited that DPA had complied with Government Code 19849.18 and that there was a currently a 10 – 12% pay differential between the ranks. CCSO Attorney Lackie stated DPA statistics do not reflect the benefits that are a big factor regarding the R06 officers

pay versus S06 supervisors.

Judge Connelly scheduled a second hearing for November 5, 2004, at 9:00 a.m. for further specific figures from CCSO relating to wages and benefits received by R06 officers from 2003 until present not given to S06 supervisors.

CCSO took a big step forward, Friday, September 17th, and we are now even more hopeful that Judge Connelly will rule in favor of CCSO, once we provide him the further detailed documentation he has requested.

Please take a day off and join us on November 5th at 9:00 a.m. in the Sacramento Courthouse on 9th Street. The case will be heard in Department 33, which is on the fifth floor. We believe November 5th will be a day when justice is finally accomplished. Supervisors currently are making the same or in some cases less pay than the officers they supervise. If we win this case, it will be a big win for the men and women who have stepped forward to promote and take the lead in corrections, realizing they would no longer be under the umbrella of a collective bargaining contract.

Overview of CYA Director's Meeting

CCSO representatives, and Chaderjian (CHAD) CCSO Chapter President Ross Moore, along with a Chapter Board representative met with CYA Director Walter Allen, Chief Deputy Sylvia Garcia, CHAD Deputy Director Yvette Marc-Aurele, and Brigid Hanson YACA/CYA on Monday, September 20th. Director Allen wanted to state that neither him nor YACA Secretary Hickman wanted to combine CDC with CYA. Director Allen believes CYA has a very different mission statement than CDC. Although he will oppose the Governor's Independent Review Panel's recommendations to combine the two departments, he is open to merging some programs, such as: personnel, training, legal, internal affairs, mental health and health. Even the merging of these programs would have differences due to the difference of CYA's mission versus CDC's. CYA Director Allen wants to create a "Therapeutic Environment" within CYA. His goal is to reduce the living units to 24 or less. A pilot at OH Close will be the first to establish smaller living units of 34 with the ultimate goal of 24.

CCSO brought up the need to relieve sergeants and lieutenants, especially at N.A. Chaderjian. Director Allen is aware of the problem at CHAD and is moving toward relief. Use of Force was discussed, and CCSO will be creating a policy that we will present to CYA for consideration. Too often, CYA supervisors are not sure of what procedure or how far to move with use of force due to the ever-changing mood of the public, legislators, and administration. There needs to be a written policy for all to follow and for CYA administrators to hold too, even under public and

political pressure, in order to keep staff safe and wards in control.

The canine program will be brought back, according to Director Allen. The dogs will only be used to sniff out drugs. They will not be biters. There will be a dog at each institution, once implemented.

CYA has formalized a gang management policy, and will implement it once it has been fine-tuned. Director Allen stated this is the first time CYA has had a formalized gang management policy and is hopeful it will be a benefit to all involved.

Supervisory post and bid was discussed, and will be modified for CYA once it has been implemented for CDC supervisors. CCSO representatives will be involved in this process, and will be of assistance at the local level meetings if requested by our members.

Director Allen stated it has been recommended to the Governor by the Independent Review Panel (IRP) that Preston and Ventura be closed. He wants everyone to know that he is informing senators in order to reduce living units to 24 or less and establish a “therapeutic environment,” CYA cannot afford to close any facilities. He will work toward keeping all facilities open.

Welcome to the new members who joined CCSO this week.

Thought for the week: “Follow the path of the unsafe, independent thinker. Expose your ideas to the dangers of controversy. Speak your mind and fear less the label of “crackpot” than the stigma of conformity. And on issues that seem important to you, stand up and be counted at any cost.”

~ Thomas Watson