

California Correctional Supervisors Organization, Inc.

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“Supervisors Representing Supervisors”

SPECIAL WEEKLY UPDATE – TUESDAY, JANUARY 23, 2007

By: Pat Le Sage, Chief Operations & Financial Officer

DPA ~ Reviews Their Decision on 3.125%:

Late Friday, January 19th, CCSO received a call from DPA informing this Organization that DPA was “**reviewing its decision**” on passing the 3.125% pay raise that R06 officers received via the recent CCPOA arbitration over to S06 and/or M06 employees. This “review of their decision” is very disturbing to CCSO as we were told by DPA, in a meet and confer, that they would “follow the law and pass the raise to S06 supervisors” on January 10, 2007. CCSO has been in constant contact with DPA this week, and are adamantly voicing our objections to DPA’s “review of their decision.” They have repeatedly stated they would follow the law and pass the raise over to S06. What has happened?

CCSO has scheduled a meeting with DPA Director Dave Gilb, next Wednesday, January 31st regarding this issue. It is the intent of CCSO to litigate at the end of this month if DPA cannot provide a positive decision by January 31st.

Hard Internal Freeze for all Parole R06 and S06 Employees:

CCSO received from CDCR a memorandum dated January 16, 2007 which directs that effective immediately, a hard internal freeze for lateral transfers between regions of all Parole R06 and S06 employees is in effect for CDCR and replaces any freeze directives currently in effect for these classifications.

This hard internal freeze of lateral transfers applies to CDCR statewide with the exception of the following:

- Richard A. McGee Correctional Training Academy
- Stockton Training Facility
- Lateral transfers within the employees’ current region under the same hiring authority

No lateral transfers regardless of tenure and time base are allowed unless approved via the freeze exemption process described below. Appointments made by means other than lateral transfers, such as Certification List appointments, State Personnel Board actions, mandatory reinstatements, etc., are not prohibited by this freeze and, therefore, do not require a freeze exemption. Commitments made and accepted prior to the date of this memorandum will be honored.

The hard internal freeze is necessary due to the significant vacancy rates at parole regions statewide and specifically those located in remote and/or high cost of living areas. The level of vacancies has been compounded by the reduced number of cadets currently graduating from the academy and an unprecedented increase in parolee population. Steps are being taken to address these issues. Therefore, this is viewed as a temporary measure. This freeze directive will be continually monitored and will be modified or lifted as soon as feasible.

If an exemption to the hard internal freeze is required, an Internal Hiring Freeze Exemption Request (IHFER) form must be completed and signed by the Regional Administrator.

Chapter 1 ~ 16 Election Results:

The elections for Chapter 1 through 16 are completed. CCSO congratulates all candidates that ran and bids farewell in incumbents who ran but were not re-elected. On behalf of the CCSO State Board and staff we thank all past Chapter Presidents and Chapter representatives for their dedication, support, and time given to CCSO.

CCSO congratulates and welcomes aboard the following Chapter Presidents:

Sierra Conservation Center #1	Lt. Harold Hughes
Deuel Vocational Institution #2	Lt. Louie Olivas
Pelican Bay State Prison #3	Sgt. Don Gallian
California Institution for Men #4	Sgt. Dan Wirth
Mule Creek State Prison #5	Lt. Ernie Palubicki
Ironwood State Prison #6	Lt. Robert Shaull
Richard J. Donovan Correctional Facility #7	Dr. Fredric Seldin
California State Prison – Solano #8	Sgt. Jose Montalban
California Correctional Institution #9	Lt. Charles Schuyler
Avenal State Prison #10	Lt. Tim Smith
North Kern State Prison #11	Lt. Vince Gonzales
Valley State Prison for Women #12	Lt. John Anderson
California Rehabilitation Center #14	Lt. Richard Compton
California Institution for Women #15	Lt. Will Braden
Folsom State Prison #16	Sgt. Darrel Ayers

Supreme Court Finds Sentencing Law Flawed:

The Supreme Court struck down part of California’s sentencing law Monday, January 22nd in a ruling that could give thousands of recently convicted state prisoners a chance for a shorter sentence. In a 6-3 decision, the high court said California’s system is flawed because it gives judges too much power to add extra years to a prison sentence. The Supreme Court ruled the Constitution gives defendants a right to a trial by a jury, which includes the right to have jurors – not a judge acting alone deciding all the “aggravating facts” that turn an ordinary crime into one deserving of a long prison term.

The sentencing reform law passed in 1977 sought to take some power away from judges in the hopes that prison terms would be fairer. For each crime, the new California law set a lower, middle and upper term. The law also said the judge “shall order imposition of the middle term,” unless the judge decides certain “aggravating circumstances” that call for the upper term.

In California, “the middle term...not the upper term, is the relevant statutory maximum,” Ginsburg said, and therefore, the extra prison term violated the defendant’s rights. Regardless of how the system is changed, Governor Schwarzenegger said he was not in favor of shorter prison terms for serious crimes, “I support longer sentences for criminals who deserve them. As a Governor, I will work to ensure that this decision will not be a threat to public safety.”

Welcome New Members: The State Board and staff, welcome the new members who have joined CCSO.

Thought of the Week: “The best morale exists when you never hear the word mentioned. When you hear a lot of talk about it, it’s usually lousy.” – Dwight D. Eisenhower