

# California Correctional Supervisors Organization, Inc.

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## *“Supervisors Representing Supervisors”*

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### **WEEKLY UPDATE –AUGUST 24, 2007**

By: Pat Le Sage, Chief Operations & Financial Officer

**New Chapter President @ McFarland CCF:** Chapter President Lt. Brad Freeland of McFarland CCF has stepped down from his position as the CCSO Chapter President. Lt. Freeland has accepted a lateral transfer to PBSP effective September 17<sup>th</sup>. He has appointed Sgt. Scott Werner as the new Chapter #37 President of McFarland. CCSO welcomes Sgt. Werner and will assist him in becoming as active as Lt. Freeland was regarding supervisors' rights within the CCF's. Lt. Brad Freeland will be missed, but we are positive he will remain active as a CCSO member at PBSP.

**CCSO Fire Chiefs Meeting:** Chief Operations & Financial Officer Pat Le Sage and Administrative Liaison Ford Canutt met Thursday, August 23<sup>rd</sup>, in Sacramento, with Fire Chiefs from 20 prisons to consolidate and prioritize issues for CCSO to address with DPA and CDCR in the fiscal year 2007/08. The informal meeting was a necessary tool to network Fire Chiefs. The meeting was successful in that we were able to prioritize issues that Fire Chiefs want CCSO to lobby for on their behalf. Thank you to the 20 Fire Chiefs who participated in this meeting. All participants remained focused, professional and determined to enhance the position of Fire Chief while acquiring the equipment to provide safety in a crises situation.

**New CCSO Parole Representatives:** CCSO welcomes Terrance Burns, Parole Agent III and Roger Watkins, retired annuitant who was a Parole Agent III as the representatives for CCSO parole agents. Mr. Burns and Mr. Watkins will join CCSO state representatives at meetings held with Shirley Poe, the Regional Parole Administrator. The first meeting is scheduled for October 2<sup>nd</sup>.

**Budget Passed:** On Tuesday, August 21<sup>st</sup> California Budget passed. Highlights affecting corrections are:

- The Budget includes \$10 billion (\$9.7 billion General Fund and \$321.5 million other funds) for the California Department of Corrections and Rehabilitation (CDCR). This reflects an increase of \$249.5 million (\$444.6 million General Fund) or 2.6 percent over the revised 2006-07 budget.
- \$200 million in funding to new program expansion within CDCR to reduce recidivism and improve outcome measures for inmates and parolees.
- \$46 million in 2007-08 for facility maintenance and repair, including maintenance of transformers, generators, and high-voltage switchgear; an ongoing preventative maintenance program for roofing; repair and replacement of roads and parking lots; and other critical deferred maintenance.
- \$345.7 million in 2006-07 and \$360 million in 2006-07 for employee compensation costs and adjustments to the retirement contribution rate.
- \$30.4 million in 2006-07 and \$77.3 million in 2007-08 and ongoing to implement Jessica's Law as well as other recently enacted measures related to managing sex offenders. These augmentations include funding for active GPS monitoring and 20:1 parole agent supervision ratios for 3,300 high-risk sex offender parolees, and passive GPS monitoring with 40:1 parole agent supervision ratios for 5,700 other sex offender parolees, pursuant to Proposition 83.
- \$457,000 General Fund for the California Sentencing Commission to review and make recommendations on sentencing guidelines.

CCSO has scheduled a meeting with DPA, on Tuesday August 28th to discuss the Budget passage affects on correctional excluded employees. One major impact will involve staff in the juvenile justice system. The measure SB8 that passed will drastically downsize the juvenile justice institutions.

The bill prohibits counties from sending most nonviolent offenders to the state juvenile facilities, and it allows counties to bring home nonviolent offenders already in the state facilities. The most serious violent crimes that would require state backup are: murders, attempted murders, violent carjacking, arson, assault with a gun, and certain sex crimes.

CCSO will be meeting to discuss possible closures of JJD facilities. To date, the CCSO lobbyist Paul Curry was informed that no official closures of any JJD facilities have been announced.

### **CCSO Lobbyist Paul Curry Reviews Budget:**

*Budget update impact on CCSO Membership* ~ Senate Bill 81 contains what is called budget trailer bill language which is the nuts and bolts of the budget and fleshes out the general comments which are mentioned in the budget document. As the devil is in the details the budget trailer bill contains those details. Here are a couple of major excerpts from Senate Bill 81.

*A real brief analysis is that adult 10 institutions will be expanded and the Juvenile detention operation will be reduced to housing only the most violent and long term wards. The Juvenile component will be phased in starting in September 2007, with counties reducing the number of wards transferred to the state.*

*SECTION 1. Section 15819.40 of the Government Code is amended to read: 15819.40. (a) (1) (A) The Department of Corrections and Rehabilitation shall design, construct, or renovate prison housing units, prison support buildings, and programming space in order to add up to approximately 7,484 beds at the following prison facilities: (i) Pleasant Valley State Prison, (ii) Pelican Bay State Prison, (iii) California State Prison, Los Angeles County, (iv) Calipatria State Prison, (v) Centinela State Prison, (vi) Salinas Valley State Prison, (vii) Kern Valley State Prison, (viii) Wasco State Prison, (ix) North Kern State Prison, (x) Mule Creek State Prison.*

*1731.5. (a) After certification to the Governor as provided in this article, a court may commit to the authority Division of Juvenile Facilities any person convicted of a public offense who comes within paragraphs (1), (2), and (3), or paragraphs (1), (2), and (4), below: who meets all of the following:(1) Is convicted of an offense described in subdivision (b) of Section 707 or paragraph (3) of subdivision (d) of Section 290 of the Penal Code.(1) (2) Is found to be less than 21 years of age at the time of apprehension. (2) (3) Is not sentenced to death, imprisonment for life, with or without the possibility of parole, whether or not pursuant to Section 190 of the Penal Code, imprisonment for 90 days or less, or the payment of a fine, or after having been directed to pay a fine, defaults in the payment thereof, and is subject to imprisonment for more than 90 days under the judgment. (3) (4) Is not granted probation. (4) Was probation, or was granted probation and that probation is revoked and terminated.*

*(b) The Youth Authority Division of Juvenile Facilities shall accept a person committed to it pursuant to this article if it believes that the person can be materially benefited by its reformatory and educational discipline, and if it has adequate facilities to provide that care. (c) Any person under the age of 18 years of age who is not committed to the authority division pursuant to this section may be transferred to the authority by the Director Secretary of the Department of Corrections and Rehabilitation with the approval of the Director of the Youth Authority Chief Deputy Secretary for the Division of Juvenile Justice. In sentencing a person under the age of 18 years of age, the court may order that the person shall be transferred to the custody of the Youth Authority Division of Juvenile Facilities pursuant to this subdivision. When If the court makes this order and the Youth Authority division fails to accept custody of the person, the person shall be returned to court for resentencing.*

The transfer shall be solely for the purposes of housing the inmate, allowing participation in the programs available at the institution by the inmate, and allowing Youth Authority *division* parole supervision of the inmate, who, in all other aspects shall be deemed to be committed to the Department of Corrections *and Rehabilitation* and shall remain subject to the jurisdiction of the Director of Corrections and the Board of Prison Terms *Secretary of the Department of Corrections and Rehabilitation and the Juvenile Parole Board*.

Notwithstanding subdivision (b) of Section 2900 of the Penal Code, the Director of the Department of Corrections *secretary*, with the concurrence of the Director of the Youth Authority *chief deputy secretary*, may designate a facility under the jurisdiction of the Director of the Youth Authority *chief deputy secretary* as a place of reception for any person described in this subdivision. The Director of the Youth Authority *chief deputy secretary* shall have the same powers with respect to an inmate transferred pursuant to this subdivision as if the inmate had been committed or transferred to the Youth Authority *Division of Juvenile Facilities* either under the Arnold-Kennick Juvenile Court Law or subdivision (a). The duration of the transfer shall extend until any of the following occurs: (1) The Director of the Youth Authority *chief deputy secretary* orders the inmate returned to the Department of Corrections *and Rehabilitation*. (2) The inmate is ordered discharged by the Board of Prison Terms *Juvenile Parole Board*. (3) The inmate reaches the age of 18 years *of age*. However, if the inmate's period of incarceration would be completed on or before the inmate's 21st birthday, the Director of the Youth Authority *chief deputy secretary* may continue to house the inmate until the period of incarceration is completed.

*SEC. 25. Section 1766 of the Welfare and Institutions Code is amended to read: 1766. (a) is amended to read as follows: (b) The county of commitment shall supervise the parole of any ward released on parole on or after September 1, 2007, who was committed to the custody of the division for committing an offense other than those described in subdivision (b) of Section 707. The division shall have no further jurisdiction over a ward who is released on parole under the supervision of a county pursuant to this section. Upon receipt of the ward by the county, the court shall set and convene a parole disposition hearing for the purpose of identifying and ordering those parole conditions that are appropriate under all of the circumstances prevailing in the case and best designed for the protection of the public. (b) 97*

Welcome New Members: **The State Board and CCSO Staff welcome the new members who joined CCSO.**

**Thought for the Week:** "If you want to be respected, you must respect yourself." — Spanish Proverb