

CALIFORNIA CORRECTIONAL SUPERVISORS ORGANIZATION

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“Supervisors Representing Supervisors”

AUGUST 8, 2008 ~ WEEKLY UPDATE

DPA Notices CCSO: DPA noticed CCSO, on August 6th that certain employees in workweek group 2 have been exempted from the Governor’s Executive Order regarding the “no overtime” provisions. The exemption means that employees (WWG 2) of the exempted departments can reasonably be expected to be required to work overtime during the month, and under FLSA, would have to receive their regular paycheck (not minimum wage). The exempted, WWG 2 employees, thus far are:

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| Military | Dept. of Mental Health |
| OES | Dept. of Water Resources |
| CDVA | Dept. of Forestry (CalFire) |
| Calif. Highway Patrol | Dept. of Parks & Recreation |
| Dept. of Transportation | Calif. Conservation Corps |
| Agri. Security & Emergency | Office of Spill Prevention |
| Dept. of Development Svcs. | Dept. of Fish & Game |

CDCR was not exempted and CCSO State Board Member Chris Gold contacted Channel 3 news, one of the CCSO legislative lobbyist John Lovell, the Governor’s Office and the CDCR Executive Office to push for exemption for CDCR because of the safety factors involved without using overtime. CCSO President Tatum sent a letter to the Governor’s Office, legislators, DPA and CDCR lobbying for the exemption for CDCR employees.

CDCR Secretary Matthew Cate’s Office Responds to CCSO: In an email sent on August 7th to CCSO Chief Operations and Financial Officer Pat Le Sage, the following information asked of CDCR Secretary Matt Cate by CCSO were addressed. The following excerpt was taken directly from the email sent to Le Sage:

THE **CDCR IS NOT EXEMPT** FROM THE GOVERNOR’S EXECUTIVE ORDER, AND WILL CONTINUE TO COMPLY WITH THE ORDER IN THE SAFEST MANNER POSSIBLE UNTIL THE STATE OF CALIFORNIA FISCAL YEAR 2008-09 BUDGET IS ADOPTED AND THE DIRECTOR OF THE DEPARTMENT OF FINANCE CONFIRMS AN ADEQUATE CASH BALANCE EXISTS TO MEET THE STATE’S FISCAL OBLIGATIONS.

OF COURSE, THE **SAFETY AND SECURITY OF CDCR INMATES AND STAFF IS OUR TOP PRIORITY**. AS SUCH, ALL **WARDENS AND SUPERINTENDENTS HAVE BEEN GIVEN THE DIRECTION TO EXCLUDE STAFF THAT IS NEEDED TO PROTECT THE SAFETY AND SECURITY OF THE INSTITUTIONS**. ADDITIONALLY, THE CDCR HAS AND WILL CONTINUE TO COMPLY WITH THE FEDERAL RECEIVER’S OFFICE AND ALL COURT ORDERED MANDATES.

Retirement Benefits Not Affected by State Budget Deadlock: The lack of a State budget has absolutely no impact on CalPERS retirees. Our retired members will continue to receive their full CalPERS retirement benefit payments as they normally do because State law guarantees CalPERS retirement benefits. Also, the budget situation will not affect CalPERS members who are in the middle of their retirement application process. CalPERS retirement benefit calculations are based on a worker’s highest average pay rate over a 12 or 36 month period. This holds true despite any potential changes to employee salaries.

Three Top CDCR Officials Resign: Dave Runnels resigned his position as the CDCR Undersecretary effective September 1, 2008. Mr. Runnels has accepted a position with the Office of the Receiver. CDCR loses an individual with 26 years of CDCR experience. He began his career in 1982 as an officer at DVI and promoted up the ranks to his most recent confirmation as Undersecretary. CCSO wishes Dave Runnels the best in his new position with the Office of the Receiver. In addition to Runnels resigning, Wendy Still, CDCR Director for female inmate issues resigned and is heading over to the Receiver's office. A third upper-level corrections manager gave his notice to CDCR, Mr. Scott Carney, the Deputy Director of financial services, who will move to the Department of Health and Human Services. They will join a stream of top corrections officials who have left CDCR and taken new jobs with the Receiver over the past two years.

More Taxes: Governor Schwarzenegger proposed a "temporary three year one-cent" state sales tax increase, along with long-term budget reforms to break the Republican versus Democratic stalemate that has stalled passage of the Budget. As usual, party lines have prevailed. Democrats are in favor of the tax increase while Republicans are opposed. Republican legislators oppose tax increases during a fragile weakened economy. Republicans say raising taxes does not solve the ever-increasing budget gap between revenue and spending. Senator Republican Dave Cogdill said raising taxes instead of reforming the budget is not acceptable.

L.A. Deputy Killed: L.A. Deputy Juan Abel Escalante was shot to death outside his home on Saturday, August 2nd. Deputy Escalante was 27 years old and worked the L.A. Men's Central Jail where he was assigned to the high power unit where dangerous inmates –many violent gang members are housed in single-man cells. Escalante was considered a local success story because he grew up in a neighborhood plagued by gang violence and was pursuing a career in law enforcement. LAPD detectives are investigating the killing along with the Sheriff's Homicide Division and the Gang Unit. Sheriff Baca said Escalante's assignment put him in touch with members of the Mexican Mafia, a gang known to direct street crime and violence from behind prison walls.

CCSO thanks Sgt. Danny Wirth from CIM who represented CCSO at the funeral. Sgt. Wirth said there was a tremendous outpouring of support by law enforcement present at the funeral. Approximately 4,000 people attended the funeral with the funeral procession taking up three lanes of traffic down the L.A. freeway that was closed down to traffic.

Contributions to Escalante's wife and 3 children can be sent to the Men's Central Jail, Attn: Captain's Office Rm. 1014, 441 Bauchet St. Los Angeles, CA 90012. Make your check payable to: MCJ Employee Fund and in the memo section of the check write "Juan Escalante." ~ Rest in Peace Deputy Juan Abel Escalante

Be Safe and Take Care