

CALIFORNIA CORRECTIONAL SUPERVISORS ORGANIZATION

1481 Ullrey Avenue, Escalon, CA 95320 PH: 1-800-449-2940 FAX: (209) 838-6759 INFO. LINE: 888-906-6100

“Supervisors Representing Supervisors”

AUGUST 15, 2008 ~ WEEKLY UPDATE

17 Legislators Call For Exemption: CCSO is pleased to announce that seventeen California Legislators called for CDCR employees to be exempted from the Governor’s Executive Order. CCSO, along with various labor groups have written letters to legislators, the Governor, and vigorously lobbied at the Capitol calling for CDCR employees to be exempted from the Governor’s Order. Our efforts paid off when seventeen California Legislators, with prisons in their districts, called for a special informational hearing, to exempt CDCR from the Executive Order. Cited below is the letter from the seventeen Legislators, dated August 11th addressed to the Governor:

“Your executive order to layoff part time state workers and reduce the pay of others contains a glaring, hazardous threat to public safety - that we want remedied immediately. You failed to exempt the state's 33 prisons - and the public safety personnel that protect our constituents. Correctional officers and support staff are the **ONLY** public safety unit omitted. You obviously calculated the danger of applying the order to firefighters, given the many conflagrations this year, and the tragic death of nine firefighters this week in Trinity. But exempting Fish and Game wardens? Medical fraud inspectors?

We, the undersigned each represent communities where correctional facilities are located. We believe your order fails to ensure the safety at these prisons, the officers and staff, the 170,000 inmates incarcerated, and anyone who lives within a 50 mile radius. In sum, you have unnecessarily and unarguably placed law abiding, tax paying citizens in proximate physical danger.

We understand that Matt Cate is personally culling through the many classifications and shift assignments at each corrections facility to see who should be exempted from the order. The fuse is lit and now he's assessing the potential carnage? We find this infuriating! Why wasn't this managed before issuing the order or announcing it publicly? (By the way, WE never were forewarned).

If your executive order is not amended to exempt all corrections personnel, our four house leaders have agreed to hold a public hearing on Wednesday. We would like to avoid that spectacle; however, please recognize we believe you have inadvertently placed our communities at risk and in danger. One violent episode will be a law enforcement convulsion from which we will not soon recover.”

Committee on Public Safety Met: On Wednesday, August 13th Senator Gloria Romero chaired the Committee on Public Safety addressing the Impact of the Executive Order, in the Safety and Operations of California prisons. CCSO, CCPOA, SEIU, Community Partnerships and Health and Human Service Professionals in California Prisons were on hand to testify on behalf of exempting CDCR from the Order. Testimony centered on public safety, staff and inmate safety. CCSO Lobbyist Paul Curry testified on the rolling lock downs and diversions that lead to an unsafe and unstable environment. SEIU local 1000(educators) addressed that teachers are being asked to work for free and programs are not being given due to the rolling lock downs. CCPOA Chuck Alexander addressed the parole problems, the rolling lock downs and diversions. All labor representatives stressed the need to exempt immediately CDCR employees from the Governor’s Executive Order to ensure the continual safe operations of CDCR.

Although testimony was taken, the hearing was formally cancelled because Senator Perata opened by saying that it was an insult to the 17 Senators who called for this hearing because CDCR Secretary Matt

Cate was not present, nor was DPA Director Dave Gilb. Senator Perata said this was a slap in the face and he would not conduct this hearing with CDCR Chief Deputy Secretary Scott Kernan, Assistant Secretary for CDCR Legislation Joyce Hayhoe or DPA Chief Deputy Director Debbie Endsley because they were not decision makers nor had the ability to provide the facts the Senators requested. Chairperson Senator Gloria Romero stated that Secretary Matt Cate had been told by the Governor not to attend. She said it was astonishing that CDCR was not exempt from this Executive Order. Senator Romero said, "the prison system should not be held hostage in this no win political situation." She further stated that it was, "shocking that no ranking CDCR administrator was present."

Therefore, there were no comments or questions asked of Scott Kernan, Joyce Hayhoe, or Debbie Endsley by the committee.

CCSO applauds the 17 legislators, but are frustrated that no ultimate decision was made to exempt CDCR from the Order. CDCR Secretary Matt Cate's Office provided CCSO an email citing: **CDCR does not have a blanket exemption from the Executive Order. Limited exemptions related to critical staffing throughout CDCR have been approved and a process is in place to allow for hiring exemptions as needed.**

Federal Receiver Demands \$8 billion: Receiver Kelso asked a judge on August 13th to seize \$8 billion from California's cash-strapped treasury to improve medical care at the state's overcrowded prisons. He needs the money over the next five years to build new medical units for 10,000 sick or mentally ill inmates. Kelso also asked U.S. District Judge Thelton Henderson to hold Gov. Arnold Schwarzenegger and the state's controller in contempt of court if they don't allocate the money soon.

"I cannot permit the state's fiscal and budget meltdown to interfere with my federal constitutional mandate to improve health care in California's prisons," Kelso said. Republicans in the Senate blocked Kelso's request twice last May. The measure must be passed by a two-thirds majority, which requires Republican support in both houses of the Legislature. Assembly Minority Leader Mike Villines, a Republican, called Kelso's figure "a ridiculous sum." He questioned how the state could justify spending that amount on inmate medical care "when hardworking taxpayers can't even get health care in California."

A Vote on Budget? California lawmakers plan to vote on Sunday, August 16th, on a modified version of the Democratic Conference Committee plan, which relies on a tax increase aimed at higher income individuals. Senator Don Perata said that lawmakers are divided over increasing taxes versus borrowing to balance the budget deficit. To resolve the dispute, the Governor has proposed a temporary 1-cent sales tax increase for three to four years, followed by a sales tax decrease as much as a half-cent below the current 6.25 percent rate. The decrease is considered a sweetener to entice Republican lawmakers to vote for the plan, but disagreements have cropped up over how that sales tax would be implemented. Sen. Roy Ashburn has characterized the move as a tax cut because he believes it would result in a permanent sales tax decrease in the long term. Democrats are opposed to making the decrease permanent and believe it should be phased out. Perata said Thursday he isn't focused on sales tax and wants to pursue the Democratic proposal to tax the rich.

Update: Though Perata told reporters he plans to hold a vote this weekend, he has not called a floor vote Sunday, making it uncertain the upper house will actually consider the budget this weekend. The Senate is officially dark Friday and Saturday and on-call for Sunday. At close of session Thursday afternoon, Perata joked that senators should check with their local weather forecasters about whether they need to return Sunday.

Senators may joke about this budget delay, but CCSO does not find anything funny about people being laid off, earning \$6.55 an hour, or working in unsafe conditions because overtime is being used sparingly.

Take Care and Be Safe!