

# CALIFORNIA CORRECTIONAL SUPERVISORS ORGANIZATION

March 27, 2009 - Weekly Update

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**HDSP Sgt. Assaulted Off Duty:** The HDSP CCSO Chapter President Lt. Rebecca Ingwerson contacted the CCSO office to inform us that Sgt. Todd Posch was assaulted, March 27<sup>th</sup>, while driving to work. Apparently, three men stabbed him in the neck and head when he pulled off the road for some unknown reason. Chief Operations Officer Le Sage left a message on his home phone, and then contacted the Seneca Hospital where she was informed that Sgt. Posch had been discharged. CCSO will follow through until contact has been made with Sgt. Posch and we will update our membership next week on his condition.

**3.125% CCSO Court Action Moves Forward:** On March 23, 2009, Chris Wrabel, attorney for Goyette and Associates appeared before the Sacramento Superior Court to argue that the stay issued in the 3.125% CCSO and Gold v. DPA case should now be lifted. The stay was issued on June 13, 2008 due to the existence of a similar case in which CCPOA was suing DPA. Despite arguments from DPA counsel that the stay should continue pending the end of the appeals process in the other case, Judge McMaster sided with CCSO Attorney Wrabel. Judge McMaster has **lifted the stay**, and the case, **which seeks 3.125% retroactive pay** for correctional supervisors to July 1, 2005 for Defendant DPA's violation of Government Code Sections 19849.18 and 19849.22, **will now proceed**.

**Judge Rules to Keep Receiver:** A San Francisco federal judge refused to fire the independent Receiver of health care for California's prisons, ruling his presence remains necessary to achieve the court's constitutional goal. "Based on the entire record in this case, the court is far from confident that (state officials) have the will, capacity, or leadership to provide constitutionally adequate medical care in the absence of a receivership, and (they) have presented no evidence to the contrary," U.S. District Judge Thelton E. Henderson said. Governor Arnold Schwarzenegger is appealing this court decision.

CDCR Secretary Cate stated that, "The state will appeal Judge Henderson's order and continues to believe that it is time for the state to re-take control of prison health care. We welcome court supervision in the form of a Special Master, but do not believe that the Prison Litigation Reform Act authorizes appointment of a Receiver. While the state is committed to providing a constitutional level of care to inmates, we must do so in an economically viable way. The return of control of inmate medical care to the state is the best way to accomplish this. During this transition from federal to state control we will continue to work very hard to have a collaborative relationship with the Receiver, and to jointly provide for the health and security of the inmates under our jurisdiction."

**Scholarship Fund:** CCSO mailed out to all members, on March 24<sup>th</sup>, information and an application for the CCSO Scholarships that are given each year. CCSO awards three \$500 scholarships to deserving students. If you have not received your application, go to [www.ccsenet.org](http://www.ccsenet.org) and click on "Member Benefits" to download an application and obtain detailed information.

The CCSO Scholarship Fund was established to recognize outstanding high school students who have a solid GPA, active in the community and who have a determination and drive for excellence. The CCSO scholarship program is open to the immediate families of CCSO members. If your child is a senior in high school and plans to attend college, obtain a CCSO application form and follow the instructions for submitting your application. Who May Apply: The child of a CCSO member who is a High School Senior with an average GPA of 3.5 or higher (9 – 12). The **deadline** for submitting your scholarship application is **April 30th**. Applications postmarked after this date will not be included for consideration. Questions – Call 800-449-2940 or go to [www.ccsenet.org](http://www.ccsenet.org).

**Agenda Items:** Just a reminder to Chapter Presidents that **April 1<sup>st</sup>** is the **deadline** to submit agenda items for the General Meeting and/or the State Board meeting that will be held April 24<sup>th</sup> in Sacramento. Submit your topic to [ccso@charterinternet.com](mailto:ccso@charterinternet.com) or simply call 800-449-2940 and ask for Pat.

**Chapter Nomination Deadline: April 1<sup>st</sup> is the deadline for the CCSO Chapter nominations.** All CCSO members with a chapter that have an odd number 1, 3, 5, etc were mailed a chapter board nomination list on March 2<sup>nd</sup>. If you are interested in becoming active as a CCSO representative on the local level, put your name as an interested nominee and get it back to the CCSO office by April 1<sup>st</sup>. Call 800-449-2940 for additional information and ask for Nicole.

**March 18<sup>th</sup> Conference Deadline:** The deadline to attend the CCSO Conference and General Meeting in April has passed. We will no longer accept reservations as the rooming list and attendance count have been given to the hotel per the contract.

**4 Oakland Police Officers Killed:** Saturday, March 21<sup>st</sup> in Oakland 4 police officers were fatally shot. Killed were Sgt. Mark Dunakin, Sgt. Ervin Romans, Sgt. Daniel Sakai, and Officer John Hege. Governor Schwarzenegger said in a written statement that Saturday was, “a tragic day for law enforcement officers everywhere.” Not since four CHP Officers were killed in the line of duty 40 years ago, have so many officers died in California in one day.

CDCR parolee, Lovelle Mixon, used a semiautomatic pistol to shoot and kill Officer Hege and Sgt. Dunakin, two motorcycle officers, when they pulled Mixon over for a routine traffic stop. Two hours later, parolee Mixon, who was in his sister’s apartment, opened fire with an AK-47 assault rifle, killing SWAT team Sergeants Romans and Sakai. The SWAT team officers returned fire and killed Mixon. Lovelle Mixon was convicted in 2002 of assault with a deadly weapon after an armed robbery in San Francisco, and served time in San Francisco County Jail and Corcoran State Prison. He had been released on parole in 2007, then was sent back to prison for nine months in 2008 after he had violated his parole. Our prayers go out to the families of the four slain Oakland Police Officers. The memorial service was held, March 27<sup>th</sup>, at the Oracle Arena where hundreds of law enforcement officers came together to honor their fallen brother.

REST IN PEACE,  
SGT. MARK DUNAKIN, SGT. ERVIN ROMANS, SGT. DANIEL SAKAI, AND OFFICER JOHN HEGE

**Take Care and Be Safe!**