



## Commission on Correctional Peace Officers Standards and Training

### Commission Meeting

Thursday April 25, 2019

9:00 a.m. – 3:00 p.m.

Advanced Learning Institute

10000 Goethe Rd. Suite A1

Sacramento, CA 95827

Room 113(Mt. Cuyama Room)

Teleconference Call-in Number: (916) 490-4379

Collaboration code: 734992

#### Members Present

Annemarie Del Mugnaio

Heather Bowlds

Brian Pinneo

Harold Gee

Connie Gipson

Joshua Eustice

#### Alternates Present

Teresa Perez

Timothy Sheldon

### Meeting Minutes

Items IV.D, V.C, and V. F. taken out of order

#### I. Call to Order and Welcome

The Executive Director (ED) Annemarie Del Mugnaio called the meeting to order at 9:17 a.m. ED Del Mugnaio established a quorum by roll call introduction. All Commissioners present except Alternate Commissioner Lowe.

The audience introduced themselves on a voluntary basis.

#### II. Public Comment

A. No public comment

#### III. Minutes Approval

ED Del Mugnaio asked the Commission to review the draft minutes from the previous meeting on February 21, 2018. Commissioner Gee moved to approve the minutes and Commissioner Calderon seconded the motion. No public comment. A roll call vote was taken; all in favor, motion carries 6-0.

#### IV. Old Business

A. Apprenticeship Update

CPOST staff member Robin DeFehr presented an update on the Apprenticeship Program to the Commission, she advised that the monthly Local Apprenticeship Subcommittee (LAS) compliance is currently at 97% for January and 95% for February. Requests have been made for the outstanding reports.

Ms. DeFehr gave the Commission an overview of the status on the Apprenticeship Coordinator's Office (ACO) quarterly completion audit. Q4 2018 has 36 open issues left. The Q1 2019 audit will be sent out the first of May.

Ms. DeFehr then advised the Commission that our annual self-assessment has been completed for calendar year 2018. This produced an updated active list which staff used to compare the Division of Apprenticeship Standards (DAS) database information and the ACO database information. A report of these findings will be presented at the June 2019 meeting.

Ms. DeFehr then advised the Commission that the first responses have been received from the CPOST Apprenticeship exit evaluations for the month of November 2018. The data proved a bit vague and the evaluation form was revised in an attempt to gather more discerning responses. Requests were sent to 31 facilities and 5 returned responses. 154 evaluations were sent out and CPOST received 45 completed to date, this is a 29% return rate. The ACO is working on a Division of Adult Parole Operations (DAPO) specific evaluation.

Ms. DeFehr then advised the Commission that the ACO has had three Outreach visits in February to Kern Valley State Prison, North Kern State Prison, and Wasco State Prison (KVSP, NKSP, and WSP). The ACO went to Sierra Conservation Center (SCC) for Outreach in March and it was very positive. The Institutional Personnel Officer (IPO) attended the meeting and discussed how to address the In-Service Training (IST) notification during out-of-class (OOC), Acting, and appointments. The ACO will invite the IPO at all outreach visits moving forward. Three outreach visits were held in April at California Rehabilitation Center, California Institution for Women, and California Institution for Men (CRC, CIW, and CIM). The IPO attended at CIW with the same positive discussions held.

The ACO has four outreach visits scheduled for May: California Correctional Institution, California City Correctional Facility, Los Angeles County State

Prison, and Richard J. Donovan Correctional Facility (CCI, CAC, LAC, and RJD). Total outreach visits so far in 2019 is ten, with four planned in May and another three more proposed for the second half of 2019.

The ACO has resumed participation in the Field Training Support Unit (FTSU) IST Conference calls. The platform is used to discuss issues such as apprenticeship completion documentation, timely indentures, and apprenticeship program changes and improvements.

Ms. DeFehr informed the Commission that the ACO is currently working on a Division of Juvenile Justice (DJJ) memorandum similar to that of the recently disseminated Division of Adult Institutions (DAI) memorandum regarding indenturing of apprentices.

Ms. DeFehr advised the Commission the ACO has completed or is in the process of wrapping up the following classification audits:

- Correctional Counselor I (CC I) - complete
- DJJ Parole Agent I- 7 remain open (working with DJJ North to resolve)
- DJJ Casework Specialist- 5 left to resolve.
- Youth Correctional Officer/Youth Correctional Counselor (YCO/YCC) – complete

Ms. DeFehr introduced an Issue Paper on the revised DAS 103-A, requesting approval from the Commission to implement the new form as of September 2019.

Ms. DeFehr introduced an Issue Paper on re-establishing the quarterly apprenticeship evaluation process (probationary report) that would be facilitated through the IST Offices using a revised Probationary Evaluation Form. The ACO is requesting approval to begin realigning the evaluation process with the apprenticeship program.

i. Apprenticeship Program Operational Procedures Updates

Ms. DeFehr reviewed proposed additions to the Apprenticeship Program Operational Procedures including the addition of the LAS responsibility in the evaluation process. This section was in the 2010 Operating Procedures (OP) and was omitted in the 2017 revision.

ii. Apprenticeship Evaluation Program (AEP) Pilot Project

Ms. DeFehr provided an update on the AEP progress.

- California State Prison-Sacramento (CSP SAC) launched on April 2<sup>nd</sup> with Basic Correctional Officer Academy (BCOA) 2-19A. CPOST staff trained and certified 22 Correctional Officer (CO) Mentors. Three more have applied and training will be scheduled. CPOST staff attended the New Employee Orientation (NEO) session on April 5<sup>th</sup>. Monthly check-ins will continue to monitor the progress of the new program.
- California Health Care Facility (CHCF) had their second meeting and launch is scheduled for May 20<sup>th</sup> with BCOA 3-19A. Scheduling meeting with first line and second line supervisors in late April. Mentor applications will be vetted and collected by May 1<sup>st</sup> (approximately 30 received). The Apprenticeship Evaluation Program (AEP) Mentor Selection Subcommittee will review the applications on May 7<sup>th</sup>. Mentor Training will be scheduled for the week of May 13<sup>th</sup>.
- KVSP has their initial visit scheduled for June 11<sup>th</sup>. Launch is tentatively scheduled for August 19<sup>th</sup> with BCOA 5-19A.
- Programmatic developments - CPOST has identified initial performance measures to track the benefits of mentoring: analyzing staff retention, reduction in staff complaints at mentoring facilities, and apprenticeship exit evaluations. As discussed in the evaluation issue paper, the re-establishment of performance evaluations through IST will assist in tying the apprenticeship to formal On-the-Job Training (OJT). The job retention project is a joint collaboration with California Department of Corrections and Rehabilitation (CDCR) Executive staff and CPOST; CPOST will spearhead the data collection and report the results to all stakeholders. An exit evaluation will be developed to capture the reasons for attrition in a manner that will provide usable data to devise training or on-boarding methods to increase staff retention.

B. CPS HR Project Update

Associate Government Program Analyst (AGPA) Janette Galvin updated the Commission on the status of the project. Online surveys began on

April 15<sup>th</sup>. There are over 7700 Correctional Officers (CO) chosen and all of DJJ YCO's and YCC's will be surveyed. In the first day, 113 CO's completed the survey. The staff was initially allotted one hour to complete the survey and some institutions are reporting that the surveys are taking staff 90 minutes or more. Some surveys are being deleted due to being delivered to the "junk mail" folder. CPOST will draft a memorandum to address the time allotment and more specific direction on accessing and completing the surveys. CPS HR will run a status report to establish completion rates and if the target population is responsive. CPOST has made arrangements to address the time allocation for staff having issues with completion of the survey by the allotted timeframe. Proctoring of the surveys has helped to keep the task within the time limit. Commissioner Gipson reminded the group that there are extenuating circumstances at some intuitions which present challenges in completion of the surveys. These constraints need to be considered in communications.

C. Training Standards Development Review

i. General Standards – Stakeholder Feedback

Retired Annuitant (RA), Paul Bestolarides gave an update on the Training Standards that were reviewed in the stakeholder feedback session in January. RA Bestolarides provided a list of attendees to the Commissioners for review. ED Del Mugnaio advised the Commissioners that the presented Training Standards have been reviewed by legal before the meeting.

Female Offenders - minor changes were proposed to the body of the standard and some changes made to the citations. Commissioners reviewed the changes. Commissioner Calderon motioned to approve the standard, Commissioner Gee seconded the motions. ED Del Mugnaio called roll call vote, all in favor- motion carries.

Mental Health - minor changes to authority and the addition of Correctional Peace Officer in place of Correctional Officer for applicability to all correctional staff. ED Del Mugnaio gave an overview of the discussion on the concerns during the stakeholder feedback session. Sergeant Espana expressed concern regarding using any verbiage that related to diagnosis and to assure that there was not an expectation for Correctional Peace Officers to diagnose. Commissioner Gee voiced his

concern that effective communication should be used in all situations. Commissioner Bowlds asked that “psychiatrically disturbed” be removed. Commissioner Gipson motioned to approve the standard as revised, Commissioner Pinneo seconded. Roll call vote taken, all in favor- Motion carries.

Physical Fitness - ED Del Mugnaio gave an overview of the stakeholder discussion on the standard stating “ongoing” training being provided to CDCR Correctional Peace Officers. Commissioner Gipson voiced concern that this would not be a general standard and the differences in Academy training should be considered. A general discussion was held on the authority of establishing training standards in physical fitness and the implications of establishing this standard. Legal Counsel Phil Reiser suggested that the subject of physical fitness might fit better under the subject of stress resiliency. Commissioner Eustice voiced concerns about the word “ongoing”, stating that he would be fine with the training standard without the word “ongoing” because of the budgetary implications. The passing of this standard would require a discussion on how it will be addressed in the new Correctional Counselor I Academy. Discussion was held on the word “shall” and the possibility of changing that word to should. Staff Services Analyst (SSA) Jason Morlock offered that the verbiage be changed to “CDCR shall offer physical fitness training to Correctional Peace Officers in order that they will be able to perform the physical demands of their job classification” and this was acceptable to all Commissioners. Additional wordsmithing will be needed for flow and ease of reading. This standard will be revised and further discussions under Health and Wellness will be held before the standard coming back for consideration.

Report Writing - Mr. Bestolarides gave an overview of the minor changes to the authority and background sections. Only a small addition was made to the standard itself. Commissioner Gipson gave information on the availability of an OJT, Miranda Rights in areas of report writing and Courtroom Testimony. Commissioner Eustice voiced a concern that we need to address continuing review of our report writing standard to ensure that the standard keeps up with changing trends. Further discussion was held on the need for current trends and best practices to be considered when developing lesson plans. This will happen in the CPOST auditing process but also needs to be addressed in the current

curriculum development process. It was agreed that the standard should contain verbiage about the need for report elements to evolve with current trends. Commissioner Gee suggested adding “chronological” to the list of examples in the skills and abilities section. Chairperson Pinneo suggested that this standard be tabled to next meeting. Discussion is held on the delaying of setting a standard will not fix the problem; a standard needs to be set to begin to address curriculum deficiencies.

Commissioner Pinneo motioned to approve the standard with the suggested changes, Commissioner Calderon seconded. Roll call vote was held, all in favor, motion carries 6-0..

D. Division of Adult Parole Operations Field Training Program **(Taken out of order)**

Robert Underwood, Parole Administrator, advised the Commission that he is prepared to address the concern of the DAPO Field Training Program (FTP) running as a pilot. Mr. Underwood confirmed that the proposed FTP will run as a pilot for a minimum of six months. The details of the pilot are open for discussion and development. The pilot will commence in the next fiscal year. There will be set measurables in place to assess the effectiveness of the proposed FTP, one proposed rollout plan would be to have half the graduating academy class participate in the FTP and half remain on current program and used for comparison. Measures would include how well they handle their caseloads, and how their evaluations are developing. Proposed evaluations would be daily and periodically to cover the development of skills throughout the FTP. ED Del Mugnaio commented that our current efforts to develop a DAPO specific exit evaluation will align with the effort to measure the non-participants training experience. These evaluations can be used as a comparison to those participating in the FTP.

Commissioner Eustice expressed concerns on how the FTP will quantify the amount of time that PA II's will have to dedicate to FTP tasks and how this will affect the workload in the high volume units. Mr. Eustice asked that these affected supervisors be surveyed to find out if there are any major negative impacts. Mr. Underwood agreed to return with updates on the pilot efforts.

Commissioner Eustice proposed that CPOST makes a formal recommendation for DAPO to launch the proposed FTP pilot and bring back measurable data. Commissioner Eustice motioned to make the recommendation, Commissioner Pinneo seconded. Roll call voted established, all in favor, motion carries 6-0.

E. Qualifying Course of Fire

ED Del Mugnaio gave an update on behalf of Alternate Commissioner Lowe. The new qualifying course of fire requirements have been taught to two BCOA classes and the academy has reported that there have been no cadet failures documented with the additional training given. CDCR and California Correctional Peace Officers Association (CCPOA) have agreed on a one hundred and twenty (120) day review period to review the success of the new standard. The timeframe for this implementation will end in May and a report is expected to provide results on the effectiveness of the new process.

V. New Business

A. Inmate Staff Relations Curriculum Lesson Plan

This matter is tabled until the June meeting.

B. Courtroom Testimony Curriculum

This matter is tabled until the June meeting.

C. Division of Juvenile Justice Legislative Proposal (Taken out of order)

Vice Chairperson Heather Bowlds presented the trailer bill language for the separation of DJJ from CDCR. The new name for DJJ will be the Department of Youth and Community Restoration. The entirety of the trailer bill language is for assuring that the new Department will have provisions in place for the transition which will be implemented July 1, 2020. The trailer language establishes the authority to develop inter-departmental contracts and collaborations. Other areas of importance are the connection to CPOST, the ACO, training standards, the ability to transfer youth offenders to adult facilities, and the ability to have additional trailer language for statutory clean up in the future. The new Department wishes to remain in a collaborative relationship with CPOST. Ed Del Mugnaio spoke to the need for future revisions to Penal Code which would impact the governance of CPOST. These changes may necessitate the

need for ad hoc seats on the CPOST Executive Board; these changes would need further development. Discussion was held on how the ad hoc structure may be devised.

Ms. Bowlds described the next 14 months as being the development of the “nuts and bolts” of establishing the new Department and many issues will still be in development when the implementation of the new Department goes into effect.

D. On-the-Job Training Legal Review

This matter is tabled until June.

E. CPOST Strategic Planning- Scheduling

This matter tabled until June.

F. OPOS Update on Recruitment (Taken out of order)

Commissioner Calderon and Staff Services Manager II (SSM II) Rosanna Rodriguez provided the group with information on the recruitment procedures and efforts to address recruitment challenges. Recruitment covers the entire state and conforms to all Minimum Qualifications (MQs) and requirements of Peace Officer Standards and Training (POST) standards governing Peace Officers. State Personnel Board (SPB) also governs recruitment and those guidelines must be followed as well. During the ramp up a few years ago, there were over 5,000 applications per month in process at any time. This number is now down to 2,000 applications. Our Department shares commonalities with other law enforcement agencies. The economy and the job market in general have a large effect on recruitment numbers, as do generational expectations, and the media portrayal of law enforcement can have a negative impact on the recruitment effort. Attrition rates are approximately 135-145 per month which is down from the 2013-2014 numbers which initiated the ramp up at the academy.

Mr. Calderon gave an overview of the application process 6% to 10% of the 2,000 applicants make it through the selection process. 50% of the 2,000 applicants “no show” to the written exam, of the remaining 1,000, 15% will fail the written exam. 850 left and 50% of those will “no show” to the Physical Fitness Test (PFT). Of the 360 left that go through backgrounds, 40% will be disqualified for cause. 216 left and 15% won’t pass medical/vision or psych evaluations. Roughly 184 candidates will move into the Academy.

Associate Director Stacy Lopez added that the no show rates have been an issue in the past and OPOS is addressing the issue through additional efforts. Ms.

Rodriguez gave an overview of the trend in application numbers statewide and by regions, Northern, Central, and Southern. Ms. Rodriguez provided information on the DJJ classifications which only allow application submissions twice a year on average.

Mr. Calderon provided information on process improvements including the 3-rank rule and implementing a pass/fail standard to have a smaller number of ranks to pull from. This means that the actual score on the written evaluation does not carry as much weight and other factors can be considered in the application process. DAI formulates the vacancy lists and these needs are applied to the application process. Looking at revision of the reapply dates now that the application numbers are down from the 5,000 level and the backlog is gone. Candidate Application Processing System (CAPS) is being developed to close the loop on some background requirements. This is an electronic database that would make it a more streamlined background process. OPOS is also piloting Proctor U Pilot, a secured online written exam to reach applicants that may live in outlying areas. Commissioner Calderon assured the group that OPOS is always open to new ideas and suggestions to improve the recruitment process.

Commissioner Calderon gave an overview of retention efforts customer service during the recruitment process, testing availability on weekends, and self-rescheduling for some components. These efforts have resulted in a drop in disqualifications by omissions. Weekend PFTs are also a possibility in the future. Other efforts include education seminars for the candidates on the background process and completing the personal history statement, and reaching out to candidates who fell out of the selection process due to “no shows”, which has resulted in 958 candidates brought back into the recruitment process.

Ms. Rodriguez informed the group that over 200 trained recruitment team members are working statewide at facilities and local events to increase the recruitment numbers. Trained recruiters will also attend the PFTs to speak to the candidates and provide information and encouragement. Marketing and advertising efforts are underway with iHeart Radio, local media advertising with CBS, commercials (pre-Super Bowl and 16 counties), and advertising at Giants and River Cats games. CDCR will be featured in 12 movie theatres across Northern and Central regions. California Prison Industry Authority (PIA) has wrapped a few of their vehicles and CDCR has an ad running in 6 DMV offices. Now that the recruitment teams are fully trained, they will attend hundreds of recruitment events. Two one-stop hiring events are being held to reach isolated areas including Marina and Redding which showed a higher level of attendance

at the PFTs. Approximately 200 candidates were gained from these one-stop events. OPOS is also working with University of Phoenix and Work for Warriors. Future recruitment efforts will include billboards, airport advertising, continued one-stop events, Officer Recruitment Training Conferences, collaboration with other organizations, and researching other marketing opportunities.

#### VI. Round Table/Next Meeting Agenda Items

The following agenda items were noted for the next CPOST meeting: AP Exceptional Credit, CPOST directive on training review, OJT, schedule Inmate Staff Interactions, Courtroom Testimony, Strategic Planning, and tabled Physical Fitness standard.

#### VII. Public Comment

Dan Ross, Associate Warden Receptions Centers, presented information on the development of an LMS 16 module training that is seeking approval to rollout. The training is intended for Senior Hearing Officers to attain certification. This training would attempt to change the current certification process which requires a great deal of shadowing and attendance of hearings. The current certification process is plagued with limitations for the officer providing the training. Some of the elements that are proposed to be taught in LMS format are: 1) basic due process requirements, 2) time constraint requirements related to the Rules Violation Report (RVR) process, 3) inmates rights, 4) required staff assistance to inmates throughout the RVR process, 5) mental health assessment requirements as well as first knowledge review, 6) instruction on document review, 7) actions taken, 8) conducting an RVR hearing, 9) outlines responsibilities for documenting interactions and accommodations with inmates with disabilities, 10) how and when witnesses should be called for hearings as well as how to document testimony, 11) responsibilities in presenting and documenting confidential information, 12) how to document findings on the Hearings Results Forms, 13) responsibility to consider all information on the Mental Health Assessment as well as how to properly document such considerations, 14) responsibility to document and identify which evidence is relied upon to reach a finding, 15) identifies how/when to document mandated sanctions, and 16) details how/when to document mitigation and suspension of sanctions.

Commissioner Gipson provided some background on why the training was developed and some of the procedural challenges that brought about the need for standardized training. Commissioner Gipson shared that the intention of the training is to catch many current issues in the classification process. This training is a start in a multi-pronged process.

Chairperson Pinneo expressed concerns on the allotment of time off post to complete the training. Ms. Gipson clarified that the training is about to be noticed and these details will all be negotiated before rollout.

Commissioner Eustice asked about how the training has been quantified to provide an improvement to the current process. Ms. Gipson replied that the training has been developed in collaboration with Office of Legal Affairs to ensure that it will provide improved training to the Senior Hearing Officers. This matter will be referred to Advisory Subcommittee for approval and an update will be provided at the June Meeting.

VIII. Closed Session

The Commission convened in Close Session Pursuant to Government Code Section 11126(a) (1), to discuss individual appeals regarding credit earned/granted toward an apprenticeship program.

Two appeals were heard by the Commission. The Commission denied both appeals.

IX. Adjournment

- A. Meeting was adjourned at 4:00 p.m.

Correctional Peace Officer Standards and Training Commission

Meeting Minutes Approval Approval Alternate Text Page

Meeting Date: 04/25/2019

This page added to original minutes document to reflect scanned image of signature page (Page 14). The information below provides descriptive information for those unable to read or understand the content on Page 15.

**/Original document signed and approved by Brian Pinneo, Vice Chairperson,**

**Commission on Correctional Peace Officer Standards and Training**

**/Original document signed and approved by Heather Bowlds, Vice Chairperson,**

**Commission on Correctional Peace Officer Standards and Training**

**Correctional Peace Officer Standards and Training  
Commission Meeting Minutes Approval**

**Meeting Date:** 04/25/2019



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BRIAN PINNEO, Chairperson  
Commission on Correctional Peace Officer Standards and Training  
Correctional Lieutenant, California Health Care Facility



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Approved/Disapproved

6-28-19

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Date



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HEATHER BOWLDS, Vice-Chairperson  
Commission on Correctional Peace Officer Standards and Training  
Deputy Director, Division of Juvenile Justice

\_\_\_\_\_  
Approved/Disapproved

6/28/19

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Date