



Commission on Correctional Peace Officers Standards and Training

Commission Meeting

Thursday February 21, 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(B) and V(D) were taken out of order

I. Call to Order and Welcome

The Executive Director (ED) Annemarie Del Mugnaio called the meeting to order at 9:25 a.m. ED Del Mugnaio established a quorum by roll call introduction.

ED Del Mugnaio introduced the new CPOST staff to the meeting attendees. She invited Undersecretary Ken Pogue to give an update regarding the direction of CPOST during the gubernatorial transition. Undersecretary Pogue updated the Commission on the announcement of the Division of Juvenile Justice (DJJ) transition from California Department of Corrections and Rehabilitation (CDCR) to Department of Health Services (DHS); this transition is under development and a committee has been established to navigate the logistics of the move of DJJ to another agency. Undersecretary Pogue also updated that Governor Newsome announced that California will cease the use of private prisons to house its offenders; this project is still under development and more details are expected.

ED Del Mugnaio gave a brief update on the intention of DJJ to maintain a relationship with CPOST beyond the transition from CDCR. Deputy Director Bowlds stated that a deep dive into legislation verbiage relating to DJJ, CDCR, and Youth Authority is underway to assure a thorough revision and update.

ED Del Mugnaio asked Director Viera Rosa to introduce himself to the attendees. Director Viera Rosa updated the attendees on the mission of his newly reorganized division, consisting of the Office of Research, the Office of Internal Affairs, the Office of Correctional Safety, the Office of Appeals, the Office of Audits and Court Compliance, the Office of Civil Rights, Peace Officer Selection and Employee Development, and for organizational purposes, CPOST. The purpose of the reorganization is to align the division, create better collaboration within the individual offices and provide services with more direct reporting. CPOST will benefit from the support but the independence of CPOST remains untouched. Commissioner Pinneo asked about the independence of CPOST and wanted to stress the importance of keeping politics out of our mission; he expressed concern about the connection with the new division. Undersecretary Pogue assured the Commission that there should be no perceivable change, CPOST has always been under his office and this new alignment is simply a change of Directors. Director Viera Rosa agreed and reiterated that any concerns should be directed to him.

ED Del Mugnaio gave the public an opportunity to speak.

- 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 December 13, 2018. Commissioner Gipson moved to approve the minutes and Commissioner Pinneo 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 as currently at 100% for 2018.

Ms. DeFehr then gave the Commission an overview of the status on the Apprenticeship Coordinators Office (ACO) quarterly completion audit. The first quarter audit started with 131 open issues, this is down 8% from the last audit. Many of these open issues are extensions, withdrawals, and leaves

that are not processed by the ACO, this area will be a priority moving forward.

Ms. DeFehr then advised the Commission that the Department of Industrial Relations (DIR) annual self-assessment has been completed. This produced an updated active list which was used to compare the Division of Apprenticeship Standards (DAS) database information and the ACO database information; the two databases are only 84 people or 3% apart. A similar comparison was performed comparing the DAS and ACO demographics which showed that the two databases are less than 1% off. These comparisons show that the ACO database is tracking efficiently and the ACO will move forward with tracking AP retention.

Ms. DeFehr then advised the Commission that the CPOST Apprenticeship exit evaluations have been sent out for November, December, and January completions. No data has been received yet but it is anticipated soon. The ACO is currently working on drafting a Parole Specific Evaluation to support the Division of Adult Parole Operations (DAPO) Field Training Officer (FTO) implementation. Commissioner Gipson asked to be cc'd on the requests for evaluations sent to the institutions moving forward so that she might help to boost participation.

Ms. DeFehr then advised the Commission that the ACO completed two Outreach visits at Mule Creek State Prison (MCSP) and Deuel Vocational Institution (DVI); both went very well and all records were in order. The ACO was able to provide training to the new OT at DVI during our visit. Three Outreach visits are scheduled for next week at North Kern State Prison (NKSP), Kern Valley State Prison (KVSP), and Wasco State Prison (WSP). Training for new staff will be provided at KVSP and NKSP during the visit. California Health Care Facility (CHCF) requested a training session for their new OT and the ACO provided the training on 1/28/2019. San Quentin (SQ) IST came to the ACO for training on 1/24/2019. Sierra Conservation Center (SCC) has scheduled an Outreach visit for 3/12/2019 to provide training to their new IST Staff. Commissioner Eustice requested that the CCPOA Chapter Presidents be advised when the ACO is going to do an outreach visit; so that they can make contact during the visit if needed.

Ms. DeFehr advised the Commission that we are continuing to work with HQ on resolving the indenture delays for institutionally generated indentures. Commissioner Connie Gibson sent out a memorandum requesting assistance from personnel on this matter. The ACO will follow up with DJJ and DAPO to request a similar memorandum on this matter. The CC I indentures appear to be coming in a timelier manner.

Ms. DeFehr further advised the Commission that CPOST had revised its completion process documentation to align with the authority to recommend range changes. A Personnel Information Bulletin has been sent to advise all personnel representatives of this change and all completions are processed according to the new procedure as of January 19, 2019.

Ms. DeFehr advised the Commission that the DAS apprenticeship database has been updated to a web-based program. The new database launched 1/17/2019. Some significant issues with the usability and efficiency caused increased workload initially. DAS has resolved some of the larger issues and the ACO is hopeful that the speed of data entry will increase with the remaining requested fixes.

Ms. DeFehr advised the Commission the ACO is working on the following classification audits:

- CC I- complete classification audit showing a 3% non-indenture rate with 904 active and 35 not indentured. This is down from a 53% non-indenture rate at the first audit. Only two historical cases open, all current CC I's are indentured.
- DJJ Parole Agent I - 6 remain open (working with DJJ North to resolve)
- Fire Captain- Audit completed
- DJJ Casework Specialist- audit prepared showing 15 active statewide and 8 not indentured. 8 left to resolve.
- YCO/YCC – audit completed with 4.6% of the original 436 records needing to be resolved. Southern DJJ is complete; Northern DJJ has 20 remaining records.

i. Apprenticeship Program Operational Procedures Updates

Ms. DeFehr Reviewed proposed additions to the Apprenticeship Program Operational Procedures including the addition of the First-Line Supervisor on page 7 and addition of “no associated work process hours to two

sections on page 13. Commissioner Eustice asked if the addition changed any intent and Ms. DeFehr confirmed that the addition does not change any current practices or intent. Commissioner Gipson motioned to approve the changes. Commissioner Gee seconded, Rollcall vote taken, all in favor; motion carries 6-0.

ii. Apprenticeship Evaluation Program (AEP) Pilot Project

Ms. DeFehr provided an update on the AEP progress.

- A CSP SAC follow up meeting was held on 1/31/2019. The letters of interest will be collected shortly from SAC and vetted by the CPOST staff. The AEP Mentor Selection Subcommittee will be scheduled for the first week of March to select the Mentors. Commission needs to decide if the candidates will be interviewed or if the Subcommittee will make its selections based on the information gathered by the CPOST staff. Sgt./Lt. training was held on 2/5/19 and 2/7/19 and there is a great deal of interest in supporting the program. Mentor training is scheduled for the week of March 19th. The CPOST staff will attend CSP SAC NEO in the first week of April to assist in the launch of the AEP.
- CHCF Initial meeting was held on 1/28/2019. Some management was very supportive of the program and expressed a need for mentoring as there is a higher volume of new staff at this institution. CHCF has experienced a change in leadership, therefore, CPOST will revisit with the Acting Warden on timing for rolling out a mentoring program.

B. CPS HR Project Update

Associate Government Program Analyst Janette Galvin updated the Commission on the status of the project. CPS HR Consulting has visited 18 adult institutions and 3 DJJ facilities. One remaining DJJ camp will be visited next week. Staffing and schedules for focus groups have been finalized and those meetings are scheduled for next month. Overall, the project is progressing on schedule.

CPS HR Consultant Hilary updated the Commission on the wrap-up of site visits. Focus groups will be conducted in March for all three classifications. Representatives from the classifications will review the findings from the site visits and the information will be used to develop

the job validation survey instruments that will be send to staff in April. ED Del Mugnaio updated the Commission on the plan to launch a “dummy” survey to assure that no technical issues will arise during the survey process in April.

ED Del Mugnaio updated the Commission on the plan to prepare the contract for Phase II of the job validation study for the remaining DJJ classifications, Parole Agent I, and CC I’s. CPOST hopes to launch Phase II in July 2019 and wrap up the project by December 2019.

C. Training Standards Development Review

i. General Standards – Stakeholder Feedback

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

Use of Authority Standard – Commissioners reviewed the track change document for final approval. Chairperson Pinneo stated that Department Operations Manual (DOM) also provides clarification on use of authority. Commissioner Gee suggested adding “to provide” in the background before the word “public”. Commissioner Gee motioned to approve as amended, Commissioner Bowlds seconded. Rollcall vote, all in favor; motion carries 6-0.

Communication Standard – Commissioners reviewed the track change document for final approval. Commissioner Gee asked about the term in parenthesis “adaptive support accommodations”. ED Del Mugnaio explained that this feedback was intended to include situations that necessitate unique communication situations. Commissioners decided rearranged language from the background section to the components of the standard section. Commissioners also suggested addressing crisis communication in the components. Commissioner Calderon motioned to approve standard as amended. Commissioner Gee seconded. Rollcall vote, all in favor, motion carried 6-0.

Ethics Standard – Commissioners reviewed the track change document to for final approval. Commissioner Gee suggested replacing “a reasonable”

in place of “the appropriate” in the first section of the components. A discussion ensued regarding appropriate DOM citations. Commissioner Gipson motioned to approve the standard as amended, Chairperson Pinneo seconded. Rollcall vote, all in favor, motion carried 6-0.

Safety Standard – Commissioners reviewed the track change document for final approval of standard. ED Del Mugnaio reviewed the stakeholder feedback. Chairperson Pinneo motioned to approve the standard, Commissioner Calderon seconded. Rollcall vote, all in favor, motion carried 6-0.

Commissioner Bowlds departed the meeting.

ii. Update to Training Standards Audit Tool

ED Del Mugnaio reviewed the revisions made to the Training Standards Audit Tool: The boxes including the “type” of curriculum were revised, Pilot/Classroom/Field boxes were added, check boxes for the General Standards applied were added to assist the field in using the audit tool, N/A added on question 3 and 5 for more comprehensive review, order of the questions changed for flow, and text boxes were cleaned up and streamlined. Audit tool will be provided to all stakeholders reviewing curriculum at any level to help alignment with established standards. ED Del Mugnaio asked the Commissioner to approve the revised tool. Commissioner Pinneo motioned to approve the revised tool, Commissioner Calderon seconded. Rollcall vote, all in favor, motion carried 5-0.

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

Parole Administrator Bob Underwood advised the Commission that he was present to answer any remaining questions from initial overview of the FTP program at the last Commission meeting. ED Del Mugnaio advised the attendees that Commissioner Eustice and Mr. Underwood met and discussed the DAPO FTO program; she wanted to acknowledge that this is not a violation of the Bagley Keene Open Meeting Act. ED Del Mugnaio asked Mr. Underwood to update the Commission on the previous pilot of the FTO Program. Mr. Underwood stated that the program was piloted in 2010 and DAPO believes that an additional pilot is not needed because changes were made to the current FTO Program

based on the findings of the previous pilot. Commission Eustice expressed concerns about the high turnover areas and the need to pilot in these areas to assure success. Commissioner Eustice stated that the workload has changed in the PA II classification since the previous pilot and therefore should be addressed in the current rollout. ED Del Mugnaio asked if these concerns could be negotiated to allow notice of the FTO Program. Commissioner Eustice had concerns about the ratio of PA II's to new staff.

ED Del Mugnaio and Chairperson Pinneo asked for suggestions on how to move the FTO Program forward. Commissioner Eustice suggested the CPOST recommend a six month pilot. Commissioner Gipson asked how a targeted site rollout would impact DAPO and she expressed concerns about how the pilot would be measured. Legal Counsel Phil Reiser inquired as to why six months was suggested when the program is only 10 weeks. Commissioner Eustice reiterated that he suggests multiple classes go through the pilot and specifically, multiple classes in high turnover areas and offices.

ED Del Mugnaio asked again about the measures used in the previous pilot and how DAPO tracked program benefits. Mr. Underwood stated that he would need to research the governing regulations regarding pilots. Commissioner Eustice again stated that he had discussed the proposal with PA II's in the field and there were concerns over being able to maintain the additional workload during the FTO Program. Mr. Underwood reiterated that the PA II's would have some of their regular workload transferred to PA III's to accommodate the additional workload during FTO Program. ED Del Mugnaio reminded the Commissioners that CPOST should be focused on the training aspects of the FTO Program and the workload aspects should be discussed in negotiation.

ED Del Mugnaio suggested that CPOST can recommend support of the FTO Program with the noted workload concerns to be discussed in negotiations. Chairperson Pinneo suggested that the onus of moving forward is on DAPO to flush out the details. Commissioner Gipson suggested that DAPO should more thoroughly develop the proposal in the areas of measurement and expected outcomes and report back to the Commission in April. ED Del Mugnaio clarified that communication

has been sent to DAPO that they are free to notice the FTO program pending approval by CPOST.

Commissioner Eustice stated that he wanted CPOST to make a recommendation to DAPO to notice their program as well as develop clear program expectations and come back in April to give an update. Commissioner Eustice motioned and Commissioner Gipson seconded. Rollcall vote was taken, motion carried 4-0, with Chairperson Pinneo abstaining.

E. Weapons Retention Training Research

CPOST Correctional Officer Anna Bozworth gave an overview of the organizations that CPOST has reached out to in garnering feedback to accumulate research on standards for weapons retention training. CPOST findings to date are that weapons retention training is normally threaded in basic academy training. Ongoing training is usually given in an informal manner. CPOST is awaiting outstanding responses and will continue to gather research on this matter.

ED Del Mugnaio asked specifically about the response from CA Highway Patrol in regards to specific techniques. Sergeant Erick Espana spoke to the response from CHP that the current techniques taught in the Weapon Retention training are appropriate; but the repetition of training is needed to establish a conditioned response. Commissioner Calderon stated that CDCR's disparity of peace officers classifications presents an additional layer of consideration when attempting to establish standardized training requirements. Chairperson Pinneo suggested that if we are to apply the feedback that has been presented, then our direction would be to individualize the training to specific needs of the institution. Commissioner Gee expressed concerns that weapons retention training should be aligned with the current quarterly firearms training.

ED Del Mugnaio stated that the task of researching current practices was requested by Associate Director Stacy Lopez to begin to look at the future schedule of weapons retention training. Continued research will be needed to establish a recommendation. Commissioner Gee expressed a concern that we need to establish minimum standards regardless of what

the research suggests. CPOST will prepare a formalized recommendation when the research is completed.

V. New Business

A. Sergeant Mentoring Program

Commissioner Gipson addressed the Commission to give an overview of the Sergeant Mentoring Program. Commissioner Gipson gave background on the need for the program and her request for meaningful Supervisory training for new Sergeants. The initial program was developed simultaneously with cultural training being given. These two directives combined will revamp the Basic Supervision Academy. The new program will start with the first day on the job as a Sergeant in training before they perform duties in their newly appointed position. First week of training will continue to be with other classifications, second week will be Sergeant specific training, and the third week will be at their institution with facility specific topics. The facilitation of training prior to assignment will be addressed through a system of location specific cohorts that would hire during assigned windows to assure the training requirements are met.

Commissioner Gipson added that this program is modeled after other agencies including CHP and focuses on the first year of job performance. The program will align well with the CPOST AEP mentoring program. Commissioner Gipson is hopeful to notice soon with a target rollout date of July 2019. ED Del Mugnaio asked about the Competency Checklist document and when these competencies will be measured. Commissioner Gipson advised that this form will be used over the entire year of mentoring. Commissioner Gipson discussed the eventual need for competency evaluations to assure that the program is making an impact. ED Del Mugnaio expressed the need to mirror these competency measures in the AEP. Commissioner Perez asked about the possibility of a DJJ comparative program and Commissioner Gipson confirmed that this is a possibility. ED Del Mugnaio asked if Commissioner Gipson is interested in having a CPOST vote of support at a future meeting after Commissioner Gipson has the final issue paper to present. Commissioner Gipson confirmed that a CPOST vote is requested.

B. Inmate Staff Relations Curriculum Lesson Plan

ED Del Mugnaio tabled this matter until April to allow Commissioner Gipson to participate in the discussion as she had to leave the meeting early.

C. Courtroom Testimony Curriculum

Sergeant Espana gave an overview of the research gathered from other organizations regarding the level of training assigned to courtroom testimony. Sgt. Espana had asked an attorney from Southern California, Mildred O'Linn, to look over the training CDCR currently provides and the feedback was that the training is technically correct but lacks the mock trial scenario experience to allow Correctional Peace Officers to experience cross-examination. Continued research will be conducted to formulate a final recommendation.

D. Draft Training Standards Review - Taken out of order

ED Del Mugnaio gave the conceptual need for these standards to be addressed at this time.

- i. Mental Health Standard – New lesson plan revisions drove the need for this standard.
- ii. Female Offender Standard – New lesson plan developed drove the need for this standard.
- iii. Physical Fitness Standard – Stakeholder review should include Union representation and the stakeholder pool should reflect OPOS representation.
- iv. Report Writing Standard – On-going need for additional training as requested by the field.

The proposed training standards were assessed as a group for movement to stakeholder feedback. ED Del Mugnaio advised the Commissioners that the job validation study currently underway will inform the details regarding the physical fitness standard. Commissioner Perez motioned to preliminarily approve the four proposed standards to be moved to stakeholder review. Commissioner Perez also noted that there might be a need to revisit the approved standards after DJJ separates from CDCR. Commissioner Gee seconded. Rollcall vote was taken, all in favor, motion carried 4-0.

E. Expansion of Correctional Counselor I Academy Training

Associate Director Stacy Lopez gave an update on the expansion of the CC I Academy Training for non-custody appointed CC I's. The training is 280 hours of curriculum. A DOM revision is underway to align the regulations with the Academy Training. Three CC I's are currently attending the pilot of this training.

Chairperson Pinneo inquired about Glock training for the CC I Academy and Commissioner Calderon confirmed that this is covered in the CC I Academy. Associate Director Lopez advised that this was a “hard sell” and POSED took the initiative to move forward and implement the training. Commissioner Gee expressed his appreciation for Associate Director Lopez’s initiative and the training efforts of this program. Commissioner Eustice asked if the proposed physical fitness standard will apply to the CC I Academy and how this will be addressed in the training. Further details will need to be explored as the training is implemented.

F. New Employee Orientation for Custody

ED Del Mugnaio advised that research was requested on the current timeline requirements for NEO training. Commissioner Eustice reviewed the need for NEO training to be facilitated before a Correctional Peace Officer assumes any post in a facility. The specific concern is that a tour of the facility is imperative to allow an Officer to perform their duties with efficiency. Commissioner Gee advised that at CMC there is regularly a “mini” NEO to cover the facility specific information when possible. Commissioner Eustice requested that some standardization of information be provided to the graduating cadets. Associate Director Lopez advised that efforts are underway to supply a more uniformed dissemination of institutional information to the cadets.

Jana Sanford Miller suggested that the information be delivered under a DAI directive to have assigned procedures established for this request. The Instructional Design Unit and the Academy are currently working on site specific computer based modules available to cadets on laptops to begin to familiarize the cadets with their assigned institutions. CPOST will coordinate with POSED to further explore this matter.

VI. Round Table/Next Meeting Agenda Items

The following agenda items were noted for the next CPOST meeting: CPOST Strategic Planning, On-the-Job Training Legal Review, Inmate Staff Relations, DAPO FTO Program, stakeholder Feedback on standards, proposed standards, OPOS update on recruitment, Weapons Retention Research Recommendation, and updates on AP OP.

ED Del Mugnaio requested that the April CPOST Commission Meeting be moved to the 25th at 9 AM. Updated invites will be sent out on the change of date.

VII. Public Comment

- A. Associate Director Lopez advised CPOST of the need for CPOST to review the Emergency Medical Response training from California Correctional Health Care Services (CCHCS). The training is proposed to be included in this year's off-post training; but this might be a discussion for next year.

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 scheduled to be heard by the Commission. The Commission will schedule a telephonic closed session to address the appeals because there was not a quorum present after Commissioner Gipson, Perez, and Bowlds were called away from the meeting.

IX. Adjournment

- A. Meeting was adjourned at 2:42 p.m.

Correctional Peace Officer Standards and Training Commission
Meeting Minutes Approval Approval Alternate Text Page
Meeting Date: 02/21/2019

This page added to original minutes document to reflect scanned image of signature page (Page 15). 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: 02/21/2019



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

Approved/Disapproved

4-25-19
Date



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

Approved/Disapproved

5/31/19
Date