



Commission on Correctional Peace Officers Standards and Training

Commission Meeting

Thursday June 28, 2019

11:00 a.m. – 5:00 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

Rob Calderon

Brian Pinneo

Harold Gee

Joshua Eustice

Alternates Present

Timothy Sheldon

Meeting Minutes

Item VI.A, VI.D, and VI.F. in new business taken out of order

I. Call to Order and Welcome

The Executive Director (ED) Annemarie Del Mugnaio called the meeting to order at 11:09 a.m.

- II. ED Del Mugnaio established a quorum by roll call. All Commissioners present except Alternate Commissioner Jason Lowe, Alternate Commissioner Teresa Perez, and Commissioner Connie Gipson

The audience introduced themselves on a voluntary basis.

III. Public Comment

- A. No public comment

IV. Minutes Approval

ED Del Mugnaio asked the Commission to review the draft minutes from the previous meeting on April 24, 2019. Revisions to page 9 of minutes was made regarding recruitment statistics. Commissioner Calderon moved to approve the minutes as amended and Commissioner Pinneo seconded the motion. No public comment. A roll call vote was taken; all in favor, motion carries 5-0.

V. 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 compliance is currently at 74% for March, 82% for April, and 79% for May. Requests have been made for the outstanding reports. There have been some issues with long-term leave at a few institutions and this sheds light on the need for everyone in the In-Service Training (IST) offices to be proficient on apprenticeship reports and processes. This will be addressed at the annual IST conference.

Ms. DeFehr gave the Commission an overview of the status on the Apprenticeship Coordinator's Office (ACO) quarterly completion audit. Q4 2018 has been completed. The Q1 2019 audit was sent out the first of May and had 103 open issues, 13 left to resolve. Quarterly audits show a steady decline in open issues.

Ms. DeFehr then advised the Commission that the ACO 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. The comparison shows approximately 661 open issues in the DAS that are not in the ACO; and approximately 188 open issues in the ACO that are not in the DAS database. ACO staff is working on resolving the remaining open comparison issues. When resolved, the two databases will be reconciled. This comparison audit will be performed on an annual basis.

Ms. DeFehr then advised the Commission that the responses have been received from the CPOST Apprenticeship Program exit evaluations in January. The data will be compiled and reported next month; responses were low - only nine (9) respondents. However, the numbers for February are up due to the outreach efforts with IST on the importance of the feedback. . The ACO is finalizing the Division of Adult Parole Operations (DAPO) specific evaluation and hoping to begin sending these out next month.

Ms. DeFehr then advised the Commission that the ACO has had three (3) outreach visits in May to California City Correctional Facility, California Correctional Institution, and California State Prison, Los Angeles County. The ACO

also visited the Richard J. Donovan Correctional Facility on May 30th for outreach. All visits were positive and productive.

The ACO has four (4) outreach visits scheduled for later this year: California State Prison, Centinela; Calipatria State Prison; Pleasant Valley State Prison; and Avenal State Prison. Pelican Bay State Prison, High Desert State Prison, and California Correctional Center are being slated for September/October. Total outreach visits so far in 2019 is 13, with seven (7) more planned for the second half of 2019.

Ms. DeFehr informed the Commission that the Division of Juvenile Justice (DJJ) memorandum went out to the field on May 9th, addressing notification of the Training Officer and the apprentice during the indenture process. A copy was provided for the Commissioners' information and review.

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

- Correctional Counselor I (CC I) quarterly audit is completed – 155 appointments, 50 indentured (32%); 16 open issues remain and are being resolved.
- DJJ Parole Agent I - three (3) remain open; working with DJJ North to resolve.
- DJJ Casework Specialist - one (1) left to resolve.

Ms. DeFehr introduced the revised DAS 103-A, with changes made from the input at the last meeting. The ACO is requesting approval from the Commission to implement the new form in September 2019. Commissioner Pinneo motioned to implement the revised DAS 103-A, Commissioner Bowlds seconded the motion. A roll call vote taken; all in favor – motion carries 5-0.

Ms. DeFehr introduced the results of the probationary evaluation report survey sent to the field. A total of 39 surveys were sent out to the IST Offices across all institutions and the ACO received responses from 35 Offices (90%). The data was presented to the Commission. These results will be presented at the annual IST conference and the ACO will seek input from the field on how to move forward with re-establishing regular performance evaluations during the apprenticeship period.

- i. Apprenticeship Program Exceptional Apprentice Credit Award

Ms. DeFehr presented an Issue Paper on the revision of the Exceptional Apprentice Credit Award to include work process hours in conjunction with the three (3) months currently awarded.

She provided statistics on the number of apprentices that have received the Exceptional Apprentice Credit Award and associated information on their completion of the program. Currently, approximately 200 apprentices have received the credit award; of those, 95 have completed the program and 93 have had no issues completing and meeting the required number of hours by the estimated completion date. Only two (2) cases have appealed, representing 2% of the completions, and both failed to work the average number of hours due to time off.

The ACO does not support a revision to the credit award process that is currently in place based on the limited number of appeals in this area and the fact that revising the credit award to include work process hours would not likely yield a favorable outcome for the appeals received. The revision process would entail a significant workload which may affect efficiency in other areas. The ACO recommends not revising the credit award and implementing a standardized request memorandum which would outline the details of the Exceptional Apprentice Credit Award and serve as an acknowledgement.

Commissioner Gee motioned to implement the standardized memorandum instead of revising the Exceptional Apprentice Credit Award, Commissioner Calderon seconded. A roll call vote was taken; all in favor – motion carries 5-0.

ii. Apprenticeship Evaluation Program (AEP) Pilot Project

- California State Prison, Sacramento - Roll-out of the AEP went live on April 2nd with BCOA 2-19A. CPOST staff trained 24 mentors. CPOST staff will be visiting next month for a follow-up meeting to address any concerns or issues.
- California Health Care Facility - Pilot will launch the middle of July with 43 trained mentors over four (4) classifications including, Correctional Officer, CC I, Sergeant, Lieutenant and Correctional Counselor III.

- Kern Valley State Prison - Initial meeting held on June 11th with a proposed launch date of August 19th. Recruitment is in full swing and applications will be collected and vetted at the end of July.

B. CPS HR Project Update

Associate Governmental Program Analyst (AGPA), Janette Galvin, gave an update on the CPS HR Job Validation Study. Phase I is wrapping-up with an extension to July 31, 2019 for the online surveys due to some underrepresented institutions. Over the last month CPOST has been concentrating on the survey completions and working closely with CPS HR and the field to get representation from all institutions. CPOST staff has advertised and communicated with the California Correctional Peace Officers Association (CCPOA) Chapter Presidents and institution and facility leadership to encourage staff to complete the surveys.

Feedback has been consistent that the survey is lengthy and there have been access issues, including email set-up issues, which have contributed to the low completion rates. Revisions of the survey to simplify it would be advised when a future job analysis is contracted.

Phase II kicks-off July 1st and the locations have been established for the Correctional Counselor I and Parole Agent I (Adult) classification site visits, interviews, and ridealongs. Gate clearance and ridealong documents have been submitted and are being processed. Nine (9) institutions will be visited, including: Central California Women's Facility; California Institution for Men; California State Prison, Sacramento; Sierra Conservation Center; San Quentin State Prison; California Health Care Facility; California State Prison, Corcoran; Substance Abuse Treatment Facility and State Prison at Corcoran; and California State Prison, Solano. Six (6) parole units have been identified for the Parole Agent I (Adult) classification. AGPA Galvin reviewed the tentative schedule for the site visits, interviews, and ridealongs.

Commissioner Eustice and Gee expressed concerns on the selection process for the Correctional Counselors to participate in the interviews. CPOST staff will address this concern in the next meeting with CPS HR to discuss the selection process for the interviews.

The northern focus groups have been scheduled to be held at the CPS HR offices, which includes the Division of Juvenile Justice Parole Agent I (Institution) and

Casework Specialist classifications. The location for the southern focus groups has not yet been determined.

For all four (4) classifications, CPS HR will be sending the online survey to 100% of the population.

ED Del Mugnaio thanked AGPA Galvin and SSM II Elizabeth Parino for their dedicated efforts to make this project successful.

VI. New Business

A. CPOST Directive on Training Review

ED Del Mugnaio presented a drafted memorandum intended to be sent to the field for clarification on CPOST's role in training review and the processes associated with submitting training for CPOST review. The memorandum would be disseminated to all divisions and units under CPOST's mandated scope of authority. ED Del Mugnaio asked for revisions or additional input from the Commissioners.

Chief Legal Counsel, Phillip Reiser, inquired as to the scope of CPOST's review on the training. ED Del Mugnaio advised that the lesson plan would be reviewed against current approved training standards for compliance. Input suggests that clarification is needed on CPOST's authority to review training. These revisions will be made. Commissioner Gee asked for the source of course content to be included in the training submission process.

Commissioner Gee motions for the memorandum to be sent after revision, Commissioner Bowlds seconded; roll call vote taken, all in favor – the motion carries 5-0.

B. Inmate/Staff Interaction Curriculum Lesson Plan

This item was tabled until the August meeting.

C. Courtroom Testimony Curriculum

ED Mugnaio gave an overview of the review process and the use of outside Subject Matter Experts (SME) to provide recommendations to revise the curriculum and contemporize the training. The goal is to provide training that

will continue to evolve with the needs of the Department. The training will come back to the Commission for approval after the recommendations are provided.

D. **On-the-Job Training Legal Review**

Chief Legal Counsel, Phillip Reiser presented information on the current On-the-Job Training (OJT) procedures and provided legal interpretation of OJT and In-Service Training (IST) related to legal mandates. Mr. Reiser made recommendations to improve the OJT including increasing the local control of OJT, relax OJT lesson plan requirements, and focus on achievement of specific objectives.

These recommendations may present challenges as far as administration of the training and tracking it; but they will enable better site-specific training. Tracking of the OJT will have to be addressed in the process and details will need to be worked out. Peace Officer Selection and Employee Development is aware of the CPOST recommendations and further discussion will ensue.

ED Del Mugnaio shed light on the issue of redefining both OJT and IST to the field because the legal definitions do not match the current practices. This task will present unique challenges to change the mindset of the field and move forward with the recommendations.

Mr. Reiser presented the current 2019 Mandated OJT courses and presented recommendations including, moving the Public Records Act and Information Practices Act course from mandated OJT; evaluating appropriateness of other OJT topics; and adding more local, mission-specific OJT topics.

Further research and discussion will follow on this subject at the annual IST conference.

E. CPOST Strategic Planning - Scheduling

Tentative scheduling will be set for September to address future strategic goals for CPOST. Suggested dates will be sent out. This session shall be separate and in addition to the regular CPOST Commission Meeting.

F. Fire Captain Training Update

Fire Chief (A) Jesse Corrales presented training requirements for the Fire Captain and Fire Chief training schedule resulting from enforcement of legal mandates

and from adoption of California Incident Command Certification System (CICCS) standardized training, which is based on Office of Emergency Services (OES) legal mandates. Training has transitioned from two days to a full week and CDCR is struggling to reach compliance with the new mandates.

At this time only about 50% of the current staff is enrolled in training to be in compliance. This lack of compliance can potentially impact the Department's ability to respond to emergencies with qualified strike teams. These training requirements have been negotiated into the Memorandum of Understanding (MOU) between State of California and CCPOA since 2001, possibly longer. The Department's current Minimum Qualifications (MQ) for appointment do not reflect the State's minimum qualifications for Fire Captains and Fire Chiefs. The MQs need to be updated and training must be brought into compliance. Many of the current staff are receiving refresher courses but may not have received the initial basic training required to meet the compliance standards.

ED Del Mugnaio asked who trains the individuals who provide training to the Department and Chief (A) Corrales gave information on the peer-review process to become a certified trainer.

ED Del Mugnaio surmised that the training would not fall under the purview of CPOST review because it is driven by specific legal mandates and is standardized state training. To the extent the training content is not independently developed by the Department, CPOST would not have authority to override legal mandates governed by another state entity. However, any training developed specifically for Departmental staff or Departmental fire response, may involve CPOST review. The Commissioners agreed this may include refresher training.

Commissioner Calderon made a motion that the Fire Captain training as currently proposed does not require review by CPOST. Commissioner Gee seconded. A roll call vote was taken; all in favor – motion carries 5-0.

G. Alarm Response Training

Retired Annuitant (RA) Marty Jones provided information on the CDCR Alarm Response policy, training, and issues observed in the current training. He provided a brief history on the development of the current Alarm Response Training (ART), and reiterated that ART is an abilities class where the focus is

implementing policy and procedure through action and response.

RA Jones gave an overview of reality-based training and how it relates to ART using scripted scenarios to replicate a “real” situation; the first phase of training is simply scripted and the difficulty increases with time in the position. Modeling and immediate correction during training is essential to effective ART.

Appropriate staffing during ART is also critical and there needs to be three critical roles filled including: leader (Incident Commander), safety officer, and role player “controller.” These roles are defined and explained in the Alarm Response Instructor’s Handbook.

ED Del Mugnaio asked RA Jones if he had the opportunity to observe any Academy training recently. RA Jones outlined some of the issues he has observed in training at multiple locations in ART including, instructors fail to demonstrate the correct techniques and allow the cadets to make errors which they then correct; student role players modify the scenarios and do not always follow the script; an apparent lack of chain of command during the training; overall lack of realism; and too much simulation training. The current Academy lesson plan lacks definitive scenarios which can lead to disorganization.

Commissioner Calderon added that ART should always be a progression of complexities to build the skill set.

General discussion was held amongst the Commissioners pertaining to the lack of standardized training in site-specific ART and the need for practical application for all ART, as opposed to using lecture formats. Commissioner Gee suggested that a standard should be developed to include the need for a practical application segment regarding annual ART. Commissioner Eustice inquired if the Commission should be suggesting a reality-based training standard instead of just an ART standard.

ED Del Mugnaio asked for clarification on the Commission’s directive and assignment for either an ART standard or a reality-based training standard. The Commissioners agreed that there is a need for both as those two concepts stand alone, but also complement one other.

H. Interdisciplinary Treatment Team (IDTT) Training

ED Del Mugnaio explained that Commissioners Eustice and Gipson had provisionally given the training approval, but requested that the full Commission have a chance to discuss it. The Commissioners agreed to hold off on the discussion until the August meeting so that Commissioner Gipson can be present.

This item was tabled until the August meeting.

VII. Round Table/Next Meeting Agenda Items

The following items have been identified for the next agenda: Revision of the Penal Code expansion of training facilities; the CPOST staffing and funding proposal; a reality-based training standard; Alarm Response Training standard; Interdisciplinary Treatment Team Training; Inmate/Staff Interaction curriculum; a roll-up document on CPOST accomplishments for 2018-2019; and possibly the Courtroom Testimony curriculum.

VIII. Public Comment

No public comment.

IX. Closed Session

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

One appeal was heard by the Commission. The appeal was granted.

X. Adjournment

A. Meeting was adjourned at 3:37 p.m.

Correctional Peace Officer Standards and Training Commission

Meeting Minutes Approval Approval Alternate Text Page

Meeting Date: 06/28/2019

This page added to original minutes document to reflect scanned image of signature page (Page 12). The information below provides descriptive information for those unable to read or understand the content on Page 12.

/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: 06/28/2019



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

Approved/Disapproved

8-15-19

Date



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

Approved/Disapproved

8/15/19

Date