



## CPOST COMMISSION MEETING

ADVANCED LEARNING INSTITUTE  
10000 GOETHE RD. SUITE A1, SACRAMENTO, CA 95827  
Room 114 (Mount Diablo)

### AGENDA

December 5, 2019

9:00 a.m. – 3:00 p.m.

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

Collaboration Code: 734992

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### COMMISSION MEMBERS

Robert Calderon, OPOS Correctional Administrator  
Heather Bowlds, DJJ Director (A)  
Connie Gipson, DAI Director  
Brian Pinneo, CHCF Correctional Lt.  
Josh Eustice, CDCR Parole Agent I  
Harold Gee, CMC Correctional Officer

### ALTERNATE MEMBERS

Jason Lowe, CTC Administrator  
Teresa Perez, DJJ Associate Director  
Tim Sheldon, KVSP Correctional Lt.

### EXECUTIVE DIRECTOR

Annemarie Del Mugnaio

**\*Items V.I.C & E taken out of order\***

#### I. CALL TO ORDER

A. Del Mugnaio

Executive Director, Annemarie Del Mugnaio called the meeting to order at 9:41AM.

#### II. Introductions

A. Del Mugnaio

ED Del Mugnaio called for role of attendance. All Commissioner and Alternates were present with the exception of Commissioner Gipson. Alternate Lowe served in Commissioner Gipson's seat. Alternate Commissioner Perez and Alternate Commissioner Sheldon were not present.

The audience introduced themselves on a voluntary basis.

#### III. PUBLIC COMMENT

No public comments.

#### IV. MEETING MINUTES

A. Del Mugnaio

ED Annemarie Del Mugnaio asked the Commissioners to review the meeting minutes from the September and October meetings. Commissioner Bowlds motioned to approve the September meeting minutes, Commissioner Gee seconded the motion. A roll call

vote was taken, all in favor, motion carries 6-0. Commissioner Gee motioned to approve the October meeting minutes. Commissioner Bowlds seconded the motion. Roll call vote was taken, all in favor, motion carried 6-0.

**V. OLD BUSINESS**

A. Apprenticeship Waiver Request Medical Technical Assistant R. DeFehr

Executive Director Del Mugnaio provided summary of the table negotiations as shared by the Office of Labor Relations that had taken place since the last meeting. The issue for further consideration before the commission is the requirement for Medical Technical Assistants (MTAs) to complete a new term of Apprenticeship upon transfer to another correctional peace officer classification. Currently the Apprenticeship Program Operating Procedures (APOP) gives transfer credit of 1300 work process hours and 33 weeks of credit coming from the MTA classification to the CO classification. Ms. Del Mugnaio asked the Commissioners if this would satisfy the request by the California Peace Officer Association (CCPOA) for credit from the MTA Apprenticeship. Commissioner Eustice asked if it is a possibility to hold the MTA transfers to the minimum Department of Industrial Relations (DIR) requirement of a term of six month's apprenticeship, instead of the time remaining after the standard transfer between classification credit award. Robin DeFehr suggested that this was not in line with the intent of the Apprenticeship Program which is to provide on-the-job training to better prepare entry-level correctional peace officers for the responsibilities of their new classification.

The Commissioners discussed the ramifications of making an exception in this case, and how the decision regarding MTAs may impact the transition of staff from the Division of Juvenile Justice (DJJ) to the Division of Adult Institutions or vice versa. Commissioner Bowlds provided more detail on the intentions of DJJ and the timeline of transfer packages that are not being processed due to DJJ being over the 10% vacancy rate. She informed the Commission that there will be a large number of individuals who might be affected by the decision to make an exception. The general discussion is that the criteria for an exception must be very specific and the Commission must be careful to avoid inconsistent application of its standards.

Ms. Del Mugnaio stated that the Apprenticeship Program (AP) is based on the premise that new staff must receive job experience in their specific classification prior to reaching journey status. The AP as a benefit to the employee in the classification is valid. The question is how the requirement of completing a term of apprenticeship negatively effects the MTA(s) when all of the other journey level considerations were previously negotiated.

Commissioner Eustice motioned that the term of apprenticeship be reduced to the DIR required six month term and 900 work process hours based on the specific criteria of elimination of the MTA classification. This exception would only apply to

journey person level individuals. Commissioner Gee seconded the motion. Roll call vote taken, 3 nays, 2 ayes, and 1 abstention- the motion was defeated. Commissioner Bowlds abstained.

B. Apprenticeship Update

R. DeFehr

Staff Services Manager I Robin DeFehr gave an update on the statewide Apprenticeship Program (AP). The LAS compliance stands at 95%, 95%, and 90% for July, August and September respectively.

The Apprenticeship Coordinator's Office (ACO) quarterly audit for Quarter 2 rolled over and the Quarter 3 ACO audit went out with 132 open issues. This is a small jump from the 93 open issues last time but there was carry over. There are currently 64 open issues left to resolve.

The ACO is planning future trips in 2020. Possible visits include; High Desert State Prison /California Correctional Center, Pelican Bay State Prison and Salinas Valley State Prison, Correctional Training Facility, Pleasant Valley State Prison, Avenal State Prison.

Division of Adult Parole Operations (DAPO) North Regional training Officer asked for assistance in transferring their tracking records from Access to the standardized ACO tracker. The ACO transferred 177 active apprentice records.

The following classification audits were reported:

- CCI Quarterly audit- 15 open issues left to resolve
- DJJ Parole Agent I audit- 2 left to process from the 2018
- DJJ Casework Specialist audit has 1 open issue, and a new audit will go out next month
- Fire Captain audit has been completed and all records are resolved
- Parole Agent I audit has completed with 1230 active PAI (s), 89 open issues have been noted. The ACO believes these to be historical record issues and anticipates that resolution of the Box 104s may resolve many of these open issues. An update will be provided at the February meeting.

The ACO is continuing to draft a new Apprenticeship Program Standards Package. The ACO has sought recommendations for work process category updates. The ACO received feedback on all classifications except Fire Captain. The recommendations are based on the data extracted from the job validation reports which have been used to draft new job task pamphlets. These recommendations serve to update verbiage in the content areas and categories of the classifications and aligns them for a formal on the job training program. The most notable change was combining many categories on the Casework Specialist and DJJ Parole Agent to align them with the other classifications. The APOP has been updated as well and all recommended

changes will be presented in detail at the February 2020 CPOST meeting. The goal is to submit the new Standards Package in March of 2020.

The ACO reached out to Pelican Bay State Prison (PBSP) and Central California Women's Facility (CCWF) to request suggestions for developing a statewide process for completing probationary reports on Apprenticeship. The goal is to facilitate a consistent process for probationary evaluations regardless of the number of apprentices. PBSP has responded and confirmed that they do indeed facilitate quarterly evaluations for their Apprentices and offered to send an outline of their process to present at next meeting.

Sergeant Erick Espana gave a brief update on the Apprenticeship Evaluation Program (AEP) pilot. CSP SAC is currently checking in monthly. There has been a change in IST staff and we will be scheduling a meet and greet soon. CHCF is checking in monthly, as well as KVSP. The focus for staff is on gathering data and finding the measurable outcomes to the mentoring program.

Ms. Del Mugnaio provided some additional information on how the various pilot institutions are facilitating the AEP. KVSP has embraced the program and made the mentoring practices part of their culture; however, some of the facilities have not had the same success due to cultural barriers. Sgt. Espana informed the Commission about some specific challenges at CSP SAC regarding the communication between mentors, apprentices, and various stakeholders. CPOST staff is working on assisting CSP SAC with some of the communication barriers so that new officers get the benefits of the AEP.

Commissioner Lowe suggested a meet and greet at the Academy during the last week of training for the pilot apprentices and available mentors at the institutions to start building the expectation of communication. As a possibility also Mr. Lowe suggested that the mentors could be present at the extra COSSIT to SAC.

Chairperson Pinneo suggested exploring ways to encourage communication between the pilot facilities to align their efforts. He also suggested that it may be necessary to issue the expectations of the AEP as more of a directive with the hope that they will have a greater understanding of the need to facilitate a successful pilot with measurable outcomes. Ms. Del Mugnaio added that there have been changes to the Chapter President as well and the Warden has asked for additional support in the form of additional training in communication for newer officers. CPOST staff is exploring possibilities of creating additional mentor training in the areas of Peer Support and Communication. Specifically, in the areas of communication with offenders who may have mental health issues.

The Commission discussed possible ways to encourage and document contact between apprentices and mentors. The suggestion was made to have a pilot 103 that provides a spot to document mentor interaction. The ACO will look into developing documentation as soon as possible.

C. CPS HR Project Update

J. Galvin

Associate Governmental Program Analyst (AGPA), Janette Galvin provided an update on the ongoing CPS HR Job Validation Study. Phase II should be wrapping up this month. The completed report will be presented to the Commission when available. Phase III will include the occupational analysis for Fire Captains and Fire Chief's and is in the contract process with and anticipated project date of March of 2020.

D. Training Standards

i. Alarm Response Standard

M. Jones

RA Jones gave an overview of the minor changes made during the stakeholder feedback process. Commissioner Lowe pointed out that if this training standard is approved, it will significantly impact the way that quarterly Alarm Response training is facilitated moving forward.

Commissioner Gee advised that some of the facilities do incorporate scenarios during their Alarm Response training.

ED Del Mugnaio called for a motion to accept the proposed training standard, Commissioner Gee motioned to approve the Scenario Based Training Standard. Commissioner Bowlds seconded the motion, roll call vote taken, four in favor- motion passes 4-0. Commissioner Lowe and Commissioner Pinneo abstained from a vote.

ii. Scenario Based Training

M. Jones

Retired Annuitant, Martin Jones, provided an update on the approval process and stakeholder feedback process associated with the Scenario Based Training (SBT) Standard. He asked the Commissioners to review the minor changes resulting from the stakeholder feedback process and took questions.

Commissioner Eustice asked for CPOST staff to audit statewide compliance in scenario based training with the SBT standard. He requested percentage statistics on the number of facilities that currently provide standard compliant training. Lt. Jeremy Brown suggested that CPOST review the Office of Correctional Safety (OCS) audits for history on this matter. ED Del Mugnaio suggested asking OCS representatives to give a report on the audit project and to establish if this is something that they currently track in their existing audit processes.

ED Del Mugnaio asked the Commissioners for a motion to accept the standard as amended; Commissioner Gee motioned to approve the Scenario Based Training Standard. Commissioner Bowlds seconded the motion, roll call vote taken, all in favor- motion passes 6-0.

**VI. NEW BUSINESS**

**A. Draft Training Standards- Parole Agent I**

- i. Firearms Training N. Tran

Commissioner Eustice provided feedback on the changes he would recommend for the draft standard to move to stakeholder process.

- ii. Arrest and Control N. Tran

The draft standard will be tabled until further clarification is reached on the intended verbiage. This will be brought back in February 2020.

- iii. Casework Management N. Tran

Commissioner Eustice had recommended changes to the background section of this draft standard. Several changes were made to the draft standard to move forward to stakeholder process. Commissioner Gee motioned to approve Firearms Training and Casework Management Training Standards to move forward to the stakeholder feedback process. Commissioner Calderon seconded the motion. Roll call vote taken, all in favor- motion carried 6-0.

**B. Revision of Apprenticeship Program Operational Procedures R. DeFehr**

Executive Director, Annemarie Del Mugnaio advised the Commissioners that an update on this matter was provided in the Apprenticeship Update and that the recommended revisions will be presented at the February 2020 Meeting.

**C. Integrated Substance Use Disorder Treatment J. Lowe**

ED Del Mugnaio advised the general audience that there is a need to establish a deadline moving forward for training rolling out in the coming year in order to provide the Commission sufficient time to place the matter on the agenda and provide feedback on the training. A discussion was held and decision to establish a submission deadline of no later than September 30<sup>th</sup> of the previous year to assure the opportunity for thorough review. When training is submitted after this timeframe, it is challenging to assimilate any recommendation that CPOST may have for changes to the curriculum.

M. Thorpe, Correctional Counselor III and B. Dube, RN/NCPR provided an overview of the Integrated Substance Use Disorder Treatment (ISUDT) informational curriculum. The presenters provided a summarized view of the ISUDT presentation and outlining key points of the curriculum to provide the Commissioners an overview.

Chairperson Pinneo asked if this is an overview that will have additional training to come at a later date. He inquired if this would be part of block training. Commissioner Lowe provided clarification that this module is an introduction to a much larger program that will be implemented in stages. ED Del Mugnaio suggested that a few of the learning objectives state that information in the curriculum will be given to provide a stated outcome, and they are not fulfilled by the contents of the lesson plan. Because this is more of an introduction to the program and its goals, the training may not be held to the same review standards. However, if this module were viewed as training for correctional officers where there was a defined change of job tasks, responsibilities, or conduct, than the training would be subject to defined CPOST Training Standards.

Commissioner Lowe assured the audience that this new program will not impact the authority of the Correctional Officer in their current roles. Sgt. Espana asked about the impact of the program being mandatory and how this will affect the current disciplinary process. Ms. Thorpe informed the audience that the program has an assigned CO that would be the primary on these cases. The ISUDT program would initiate special housing to increase the effectiveness of the program. ED Del Mugnaio reminded everyone that this presentation is an introduction and the subsequent training will need to be developed in a manner to ensure that expected outcomes and defining officer roles and responsibilities.

ED Del Mugnaio reminded the Commission that because this is not traditionally defined training the Commission would be voting on not having any objections to the lesson being delivered for informational purposes. Commissioner Eustice asked that the approval include a caveat for the need to include HIPPA training for both sides of the house on sharing medical information with each other during this program. ED Del Mugnaio also reminded the presenters of the need to remove the objectives that are not met from the lesson plan. Commissioner Gee motioned to rollout the ISUDT introductory lesson plan. Commissioner Calderon seconded the motion. Roll call vote taken- all in favor, motion carried 6-0.

D. Transgender, Intersex, & non-Binary

A. Miller

There is no presenter in attendance for this lesson plan so the Commissioners reviewed the PPT for clarity and discussed the concerns with the visual representations on Identity, Attraction, Expression, and Sex. The major concern is

that the visual representation of the Genderbread Person could potentially lead to an oversimplification of the subject matter.

Lt. Brown provided additional information on the intent to hold a specialized T4T class for the individuals that will be teaching this course and that the local hiring authorities chose the instructors that they felt comfortable to present this material in a professional manner.

ED Del Mugnaio summarized the options before the Commission to disapprove, approve with recommendations, or approve "as is". Commissioner Bowlds advised that the subject matter will inherently produce a great deal of discussion and that it will be necessary to allow time for the discussion related to understanding of the subject matter.

Commissioner Lowe expressed concern that the lesson plan contains search practices and this highlights the need for a custody representative to teach the material. There is a concern that a dual teaching team may be needed and the current call out for instructors may not have taken this into consideration.

ED Del Mugnaio summarized the recommendations for approval as the sensitive nature of the material, some of the visual representations used may need to be substituted, and the need for both a custody staff and an individual with specialized knowledge of the subject matter.

Lt. Brown suggested that since the call out has already produced a list of T4T attendees, the institutions could use a clinician or other personnel such as a psychologist to team teach with a custody staff member who has attended T4T. Female Offender Programs and Services/Special Housing (FOPS) intends to hold regular T4T sessions to produce several individuals at each facility who are trained to instruct the course.

ED Del Mugnaio called for a vote to approve the training with the previously stated recommendations. Commissioner Bowlds motioned to approve the training with the recommendations. Commissioner Gee seconded the motion. Roll call vote taken, all in favor- motion carried 4-0.

E. Weapons Research/Concealed Carry

M. Jones

RA Jones presented an overview of the research conducted thus far on Weapons Qualification. He pointed out that the matter is more complicated than he initially realized and much more research will be needed. Information was presented on the differences noted statewide in facilitation of the weapons qualifications.

At least seven different courses of fire were noted in the facilities surveyed to date. Institutions may use different targets and thus score differently which means it's difficult to confirm one qualification standard statewide. There are also differences between the 45 qualification and the Glock requirements. The 45-round course of fire has two different scoring thresholds depending on the unit you are assigned to. Finally, the timeframe for qualification is different among armed posts and unarmed post, with armed posts requiring quarterly qualification and unarmed posts requiring annual requalification. Parole has a 25-Round Handgun Course of fire and their course of fire is not codified in DOM.

RA Jones gave an overview of the statistics he has compiled on the current ranges being utilized in DAI. The consensus is that there are many differences in the ranges, their conditions, and what they are utilized for. Many of the ranges are being used for scenario based training. As information has been compiled, the questions being covered in the proposed survey have evolved. This has delayed the launch of the national survey project. Most of the institutions have been surveyed and some of DAPO ranges have been surveyed as well.

ED Del Mugnaio suggested that all of this data be included in a report that accompanies the final CPOST recommendations; highlighting any inconsistencies with policy and practice.

CPOST staff will continue to collect data and compile the information for future updates.

Lt. Grady Petty presented the upcoming lesson plan on Concealed Carry, including the need for the training resulting from an increase in incidents of off duty discharge of weapons by Correctional Officers. Commissioner Lowe added that CDCR is one of the last agencies to create a lesson plan covering this subject matter. Ms. Del Mugnaio asked why the course was not offered in an OJT format to only those officers who held a concealed carry permit. She also asked if the Department knew the percentage of officers who carried. Commissioner Lowe added that providing the training as an OJT would be challenging due to limitation of line staff utilizing LMS and the fluctuation in officers who renew the concealed carry permit.

The plan is to provide the training to all custody staff in IST training and then in future years, provide the training as an LMS delivery. Discussion was held on other training content which covers gun safety and storage safety. Ms. Del Mugnaio suggested that the existing training, as formatted, may not deliver the intended message of safe handling and staff responsibility designed to prevent accidents involving discharge of the weapon. Commissioner Lowe reported that the training has been modified to include additional instructor notes to highlight sections of focus. Retired Annuitant (RA) Paul Bestolarides added that the training is definitely needed, but not in the current format. The regurgitation of Penal Code 1798 in its



- A. Critical Elements of Effective Training Standard
- B. Training Disapproval Process/ Feedback
- C. CPOST Regulation Review
- D. CPOST Operational Procedures Updates
- E. Apprenticeship Program Operational Procedure Revisions
- F. Apprenticeship Standards Package
- G. Arrest and Control Parole Agent I Standard
- H. Use of Force Standards and Stress Resiliency revisited
- I. Out of Class Assignments in the Parole Agent Classification

**VIII. PUBLIC COMMENT**

No public comment at this time.

**IX. CLOSED SESSION – APPEALS**

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

No closed session appeals were noted at this meeting.

**X. ADJOURNMENT**

Meeting adjourned at 4:21PM.

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***All items are held in public session unless otherwise noted. All items are subject to action by the Commission.***

Correctional Peace Officer Standards and Training Commission

Meeting Minutes Approval Approval Alternate Text Page

Meeting Date: 12/05/2019

This page added to original minutes document to reflect scanned image of signature page (Page 13). The information below provides descriptive information for those unable to read or understand the content on Page 13.

**/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**

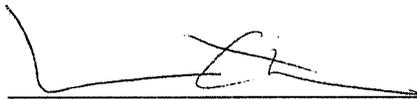
**Meeting Date: 12/05/2019**



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

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

2-20-2020  
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

2/20/2020  
Date