



## CPOST COMMISSION MEETING

ADVANCED LEARNING INSTITUTE  
10000 GOETHE RD. SUITE A1, SACRAMENTO, CA 95827  
Room 106 and 107

### AGENDA

February 20, 2020  
10:00 a.m. – 3:00 p.m.  
February 21, 2020  
9:00 a.m. – 1:00 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

\*Item VI.A taken out of order\*

#### I. CALL TO ORDER

A. Del Mugnaio

Executive Director, Annemarie Del Mugnaio called the meeting to order at 10:10 AM.

#### II. Introductions

A. Del Mugnaio

ED Del Mugnaio called for role of attendance. All Commissioners and Alternates were present with the exception of Commissioner Bowlds and alternate Commissioner Lowe. Alternate Commissioner Perez served in place of Commissioner Bowlds for the morning.

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 December 5, 2019 meeting. Commissioner Gipson motioned to approve the

December meeting minutes and Commissioner Gee seconded the motion. A roll call vote was taken, all in favor, motion carries 6-0. Commissioner Gee asked for the minutes to reflect the staff recommendation on the MTA Waiver section of the minutes.

## **V. OLD BUSINESS**

### **A. Apprenticeship Update**

R. DeFehr

Staff Services Manager I (SSM I) Robin DeFehr gave an update on the statewide Apprenticeship Program (AP). The LAS compliance stands at 100% for October, November, and December 2019

The Apprenticeship Coordinator's Office (ACO) quarterly audit for Quarter 4 2019 is being prepped and will go out soon.

The ACO has not received any new completion evaluations despite monthly reminders. Staff is exploring the possibility of facilitating the exit evaluation with a survey monkey tool in hopes of garnering more responses. Without improved response numbers it will prove difficult to accumulate enough data for our proposed measurable.

The ACO visited Salinas Valley State Prison, Correctional Training Facility, Pleasant Valley State Prison, Avenal State Prison, Central California Women's Facility, and Valley State Prison in January 2020 to conduct outreach training and facilitate a records review. In February 2020, the ACO visited California State Prison Centinela, Calipatria State Prison, Ironwood State Prison, and Chuckawalla Valley State Prison for outreach training and records review. In addition, the ACO visited California State Prison Sacramento and California State Prison Solano for outreach training to new staff members.

The following classification audits were reported:

- Correctional Counselor I Quarterly audit- 9 open issues left to resolve, new audit will go out shortly
- Division of Juvenile Justice (DJJ) Parole Agent I audit – 1 file to resolve
- DJJ Casework Specialist audit – all records resolved and 2019 audit conducted with no new open issues
- Parole Agent I audit – 73 open issues to be revisited
- Box 104s audit – Over 300 records have been corrected and resolved

Ms. DeFehr reported that the ACO is continuing to draft a new Apprenticeship Program Standards Package. The last major document to be revised is the Internal Credit Policy, which will be updated after completion of the Fire Captain Job validation study. This will inform any work process category changes to that classification. The updated standards package will be submitted once the work

process category changes have been made, with a goal of submission first part of the new fiscal year.

The ACO received an outline from Pelican Bay State Prison (PBSP) that details their performance evaluation process including apprenticeship feedback in the process. The outline does not close the loop and use the evaluation results as an indicator to direct additional training. This will need to be included in the CPOST proposed implementation plan. This matter will be discussed further at the April 2020 Commission meeting.

Ms. DeFehr provided the Commissioners an update on the Apprenticeship Evaluation Program (AEP) pilot. The pilot continues and we are focused on maintaining momentum. As a result of last meetings discussion on a tracking report, the ACO has drafted a memorandum outlining the CPOST expectations for the pilot program. The ACO has also drafted a quarterly report to gather information on the number of mentors, number of apprentices, number of contacts, and the subject matter of the coaching provided. We hope to begin gathering information on the pilot function and identify opportunities for additional training.

ED Del Mugnaio provided additional information on the pilot effort and specific challenges presented in the effort. The pilot program has provided an opportunity to gather “real-time” feedback from our rank and file officers on their training experience and opportunities for improvement. Eric Espana (SGT) is working with CSP Sac and their new officers. Mike Horn and Anna Bozworth, Correctional Officers, are providing support as well. Officer Horn e is working on a form of peer support training for mentors and is collaborating with Dr. Rojas from the Office of Health and Wellness. . Sgt Moody, from KVSP is shadowing new apprentices to determine what new officers are struggling with once on the job so that the department can improve the training at the academy for upcoming officers.

#### B. CPS HR Project Update

J. Galvin

Associate Governmental Program Analyst (AGPA), Janette Galvin provided an update on the ongoing CPS HR Job Validation Study. On-line surveys have closed:

- Juvenile classifications closed 01/10/2020
- Adult classifications closed 1/31/2020

Results are as follows:

- Correctional Counselor I and II (Supervisory) 1,154 total incumbents 51% completion rate
- Parole Agent I, II (Supervisory), and III 1,488 total incumbents 30% completion rate

- Casework Specialist I and Sup. Casework Specialist (YA) 18 total incumbents 72% completion rate
- Parole Agent I (YA) and Treatment Team Supervisor 56 total incumbents 74% completion rate

CPS HR determined the completion rates to be sufficient for the study. Linkage exercises have been completed for the DJJ classifications. Linkage exercises for the adult classification will be complete soon. A draft report will be produced approximately one week after that.

ED Del Mugnaio inquired when the draft reports would be available. Ms. Galvin anticipates that the report will be available at the April 2020 meeting. ED Del Mugnaio informed the Commissioners how the job validation study relates to the other projects CPOST is tasked to facilitate. The CPS HR studies speaks to many areas of training and affects several current projects such as training validation and relevant On-the-Job training topics.

Commissioner Gee asked how the studies were conducted. ED Del Mugnaio explained the survey process with the assistance of J. Galvin, and explained that staff within the specific classification are randomly selected by CPS HR to complete surveys outlining job requirements by importance/frequency/and competency. The selected staff make up the representative sampling of the population by location, tenure in the position, gender, age, etc.

Ms. Galvin reported that the Phase III project for Fire Captains and Chiefs will be conducting a phone meeting next week to finalize details of the launch. A draft of the work plan for Phase III has been produced. Ten to twelve site visits will be conducted and focus groups will be held in Northern California. Commissioner Gipson asked if the study would include all of the required training pertaining to the classification. ED Del Mugnaio assured Commissioner Gipson that in preparation for the job study, all stakeholders were involved in developing the parameters of the study so that the finished study speaks to the classification requirements and minimum training needed to hold the classification. The plan is to wrap up Phase III by the end of the 2019/2020 fiscal year. The studies purpose is to inform the department on appropriate training standards that are current and relevant for the classification within CDCR.

A training gap analysis is being conducted to assess whether the training opportunities for Correctional Peace Officers support the identified job tasks, Knowledge, Skills, and Abilities. ED Del Mugnaio expanded how this Training Gap Analysis will inform the current and future training initiatives for academy training and on-going annual training.

C. Courtroom Testimony/Miranda

A. Del Mugnaio

Lieutenant Ben Sherrin spoke on the latest progress in developing Courtroom Testimony and Miranda training. Training staff from the Correctional Training Center and CPOST staff met with a few District Attorneys and Deputy District Attorneys from across the state to discuss appropriate curriculum regarding courtroom testimony and Miranda training for both new officers and senior staff in the field. Lt. Ben Sherrin outlined the four areas of concern on the subject including report writing, courtroom testimony, Miranda, and evidence preservation. The revised curriculum will address these areas of concern. Lt. Sherrin also clarified that the Department's current POST training complies with the requirement for Proposition 115 certification and the Department has been in compliance since 2007. An email will be sent statewide to provide the clarification on the Department's training compliance status.

ED Del Mugnaio discussed how the Courtroom Testimony/Miranda training is being developed in the upcoming Sergeants Academy and Subject Matter Experts will be training on this subject in the future.

The Academy is working on how to distribute the revised training and clarification out to the field and how to address training for existing staff. Lt. Sherrin provided the suggestion to expand the details in the report-writing curriculum and provide the training in existing lessons. He also added that the meeting shed light on the political climate in specific counties affecting the cases that will be prosecuted.

Commissioner Pinneo suggested that many institutions do not have a District Attorney (DA) investigator and the lack of this resource affects the number of cases that are prosecuted. Chief Counsel Phil Reiser suggested that continual communication between the institutions and the county resources would help to improve the prosecution numbers. Commissioner Pinneo asserted that getting the revised DA informed training out to the field would help to facilitate more informative reports that will support the legal process.

Lt. Sherrin suggested that this training should be included in the Lieutenants Academy Chief Hearing Officer curriculum and follow up with Lt. Jeremy Brown is needed.

D. Out of Class Assignment in Parole Agent Classification

N. Tran

Commissioner Eustice provided information on the need for Out Of Class (OOC) and Training & Development (T&D) for PA1's. He clarified that the sick call levels necessitate the need for utilizing individuals to assist in covering the excessive caseload numbers resulting from attendance issues.

Parole Agent II, Supervisory Nghia Tran provided a summary of the research gathered regarding the possibility of utilizing Out-of-Class (OOC) or Training and

Development (T&D) assignments in the Parole Agent I classification. CalHR regulations require that anyone performing OOC and T&D assignments must attend the PAI academy. Commissioner Eustice asked if the regulations actually state that or if this is an interpretation of the regulations. Tran could not confirm but will research an answer.

There is discussion on changing the Parole Service Associate (PSA) classification duties to accommodate the need. The concern is that changing the duties would affect the specifications and requirements for PA1's. Commissioner Eustice added information on the approximately 100 vacancies currently in the PA1 classification that these are not true vacancies, but rather are leaves of absence and right to return issues.

Commissioner Calderon added that CalHR will not make any exceptions to their regulations and this might eliminate the use of T&D assignments. Commissioner Eustice identified the preference to explore OOC possibilities.

Chief Counsel Reiser suggested that this project might work better if we try to include it as a factor in accomplishing our Vision and Mission for rehabilitation. We could use the OOC assignment for Officers to understand the challenges of reentry. Paul Bestolarides suggested looking at the DJJ Parole Agent I Institutional classification and researching the development of this position on the adult side. Commissioner Perez added that this classification would be well suited to provide a proposal structure for this project. Commissioner Eustice asked that the CPOST staff explore the DJJ aspect.

ED Del Mugnaio suggested a meeting with CalHR to confirm that OOC and T&D assignments cannot be utilized. Commissioner Perez asked if Parole has tried using an Overtime Avoidance Pool to address the issue. This matter will be discussed in a future meeting.

- E. 2020 Legislative Proposal A. Del Mugnaio  
ED Del Mugnaio discussed that the approved legislative proposal has been split between two trailer bills to separate the Department of Youth and Community Restoration language with that specific to CPOST mandates. The proposals are moving forward and updates will be provided as needed.

## **VI. NEW BUSINESS**

- A. 2020 Fire Staff Training J. Corrales

Fire Chief Jeremy Wakefield presented an overview of the proposed 2020 Fire Staff Training schedule. The training will be held at four centralized locations. ED Del Mugnaio asked how the gap in existing staff training is being addressed to bring all

existing staff up to the minimum qualifications (MQ). Wakefield provided clarification that there is still an issue with officers that have been appointed to the Fire Captain classification under the existing MQs. We need to bring them up to the actual classification-specific MQs to be able to respond to incidents.

ED Del Mugnaio reminded the Commissioners that there is currently a gap in the MQs for Departmental Fire Captain's with that for other state fire personnel. The CPS HR job validation study will inform the current MQs and help close this gap. Chief Wakefield clarified that this training is voluntary for this fiscal year and the intent is to move towards mandatory training after the MQ gap has been addressed.

Commissioner Gee and Commissioner Eustice asked if CPOST would be reviewing any departmentally developed training. ED Del Mugnaio responded and advised that outlines of the courses are included for Commission review. Commissioner Gee inquired about the legal mandates for some of the training and Chief Wakefield added that the legal mandates are in the proposed outlines.

ED Del Mugnaio asked the Commissioners for a motion to approve the proposed training schedule for rollout. Commissioner Eustice motioned to approve the training schedule as presented for the voluntary training developed. Commissioner Calderon seconded the motion. The motion carried 6-0.

## B. Budget Change Proposal Update

## A. Del Mugnaio

ED Del Mugnaio provided an update on the Budget Change Proposal (BCP). The Governor approved the majority of the proposed BCP, but the Legislative Analyst's Office has published their report with some recommendations to disapprove various items. Testimony before the Legislature is scheduled in March 2020. The Legislature is focused on performance outcomes thereby justifying the funding allocation. Retired Annuitant (RA) Bestolarides will devise a system to track the additional training outcomes with a control group to determine the effectiveness of the new training protocols.

### i. Job Shadowing

Successful Budget Change proposal to expand New Employee Orientation and include four weeks of job shadowing, no recommended changes from the LAO.

### ii. Northern California Women's Facility

Approved the California Reality-Based Training Center (CRBTC) with the exception of some maintenance staff. Retired Annuitant (RA) Marty Jones provided a PowerPoint presentation on converting the facility to a training center that may be utilized by any correctional agency to facilitate reality-

based training. . RA Jones explained that the training center would operate like a working prison with operable cells, a command and control center, restricted perimeter with approved props and munitions, safety briefings and communication with watch office.

RA Jones stated that the proposal includes future buildings to be brought up to code between 2020-2022. Fencing will allow multiple users in multiple areas to train using Reality-Based Training (RBT) and provide a broader use for the venue.

Commissioner Gipson asked if the proposal would address some of the inconsistencies in training surrounding the scope of authority in the correctional officer's daily responsibilities. ED Del Mugnaio added that addressing scope of authority is a major component of RBT and additionally can be addressed in the job-shadowing program. The Commission agrees that the CRBTC and the job shadowing efforts present a substantial opportunity to elevate training and provide examples of resolving issues at the lowest level.

iii. CPOST Staff

Captains and Lieutenants position approved thus far in the process to address Supervisory-training standards. Analyst staff not approved and CPOST is moving forward with future funding requests to secure non-custody staff.

iv. In-Service Training (IST) Sergeant Positions

Governor's Office supported the 35 IST Sergeants positions but the LAO recommended reducing the number to 15/16 positions.

C. Draft Training Standards

i. Critical Elements of Effective Training – General

M. Jones

ED Del Mugnaio asked the Commissioners to review the draft-training standard for discussion and preliminary approval to move to stakeholder feedback.

Commissioner Eustice suggested a slight amendment to the background section of the draft standard. He also reiterated the need to include all stakeholders in the general standard feedback process, specifically Bargaining Unit 6 representation. ED Del Mugnaio assured Commissioner Eustice that BU 6 has been included in any pertinent feedback sessions as requested, and CPOST will continue to utilize stakeholders from all levels and representation levels to assure the best final product.

Commissioner Gee motioned to preliminarily approve the draft standard to move forward to stakeholder feedback with the suggested amendment. Commissioner Calderon seconded the motion. Roll call vote taken, all in favor- motion carried, 6-0.

ii. e- Learning Standards

M. Jones

ED Del Mugnaio asked the Commissioners to consider if the proposed Critical Elements of Effective Training draft standard will address all situations that may necessitate a separate e- Learning standard.

Commissioners discussed the challenge of avoiding the over use of the Learning Module System (LMS) as a substitute of effective in person training. Deputy Director Stacy Lopez assured the Commission that the LMS is only intended to deliver training that would be appropriate for the LMS delivery system, and is not intended to replace in person training.

ED Del Mugnaio suggested the need to look at specific Department of Adult Parole (DAPO) training schedules to ensure that appropriate platforms are available to accomplish the annual training. The consensus is that DAPO training and training practices are an area that needs further review and consideration.

ED Del Mugnaio reminded that Commissioners that this is not the venue to negotiate the LMS and the question before the Commission is to decide if there is a need to develop an additional e- Learning draft training standard.

No further decisions were made at this time regarding the e-learning standard, however, the Commission will develop a list of LMS training courses for Commission review.

iii. Arrest and Control – Parole Agent I

N. Tran

Parole Agent II, Specialist Nghia Tran presented the draft proposed training standard that has been revised since the first presentation. ED Del Mugnaio asked the Commissioners to review the revised draft standards.

Commissioner Gee motioned to move the proposed training standard for stakeholder review process. Commissioner Bowlds seconded the motion. Roll call vote taken- all in favor, motion carried, 6-0.

D. Revision of Apprenticeship Program Operating Procedures

R. DeFehr

SSM I Robin DeFehr, provided a summary of the proposed revision including the following changes:

- Removal of the Medical Technical Assistant (MTA) classification
- Renaming of the Correctional Firefighter classification to the Correctional Fire Captain in alignment with MOU
- Clarification regarding Limited-term, permanent, and T & D appointments requiring indenture into the CPOST AP (pg. 6)
- Replace Richard A. McGee Correctional Training Center (CTC) with “ a program sponsor approved academy” (pg. 6)
- Clarification that IST block training should **not** be tracked on the DAS 103 A with OJT hours assigned (pg.7 and 15)
- Addition of the ability to include institutional advisory members on the LAS to provide recommendations on matters involving specialty classifications (CCI and Correctional Fire Captain) (pg. 8)
- Addition of the limitation to serving as a SME not exceeding the applicable classification hourly minimum in additional experience (pg. 12)
- Addition of verbiage to clarify the “one-time” nature of the Exceptional Apprentice Credit Award (pg. 13)
- Addition of the new completion procedure and the Apprenticeship Coordinator’s Office (ACO) responsibilities (pg.16)
- Addition of Performance Expectations during the Apprenticeship Program (AP) (pg. 18)
- Addition of the adjustment to range change procedure in accordance with federal USSERA regulations and the documentation expectations (pg. 20)
- Clarification on the “programmatic” nature of appeals to be filed directly with DAS (pg.21)

Chief Counsel Reiser suggested naming the Correctional Counselor I and Fire Captain Classification specifically instead of using the term specialty classifications. He also suggested including a definition of “programmatic” in appeal section on page 21.

Commissioner Gipson motioned to approve the revisions with the suggested amendments. Commissioner Gee seconded the motion. Roll call vote taken, all in favor – motion carried, 6-0.

E. CPOST Regulation Review

A. Del Mugnaio

SSM I Robin De Fehr provided an overview of the proposed revisions to the CPOST Regulations including:

- Reorder of the regulation numbers
- Reorganize regulations to group apprenticeship and training mandates together
- Addition of training standard development, establishment, and monitoring to the history section
- Addition of the training review process
- Addition of the approval/disapproval process
- Removal of the MTA classification
- Remove the term California Youth Authority to the Department of Youth and Community Restoration (DYCR) in all references
- Removal of specific work process category numbers to generalize the regulation and limit the need for future revision
- Codify current operational procedures

Commissioner Gee asked if the verbiage on § 6001 needs clarification and Chief Counsel Reiser suggested adding the word also to the section. Commissioner Gipson motioned to approve the draft revisions with the noted amendments. Commissioner Bowlds seconded the motion. Roll call vote taken, all in favor – motion carried, 5-0. Commissioner Pinneo was not available for the vote.

#### F. CPOST Operational Procedures Review

A. Del Mugnaio

- Replacement of Human Resource Personnel Administration with Department of Human Resources (pg. 1)
- CPOST AP OP incorporated by reference (pg.2)
- Addition of ad hoc members (pg. 3)
- Revision of the appointment section in accordance with the DYCR transition (pg. 3)
- Addition of Section VIII “Training Review” (pgs. 12,13,14 and 15)

Chief Counsel Reiser suggested striking a sentence in the Section VIII (b) (3) and replacing it with noted, “Exigent circumstances may initiate....” This change will be added to the draft Regulation Revisions. Commissioner Gipson motioned to approve the draft revisions with the noted amendments. Commissioner Gee seconded the motion. Roll call vote taken, all in favor – motion carried, 6-0.

#### i. Training Disapproval Process/Feedback

ED Del Mugnaio outlined the specifics of the disapproval process including the drafting of the training submission form and the process to inform originators of the approval/disapproval of training.

**\*Meeting recessed at 3:15 p.m. until 9:00 a.m. February 21, 2020 \***

**\* Meeting reconvened at 9:13 a.m. February 22, 2020\***

ED Del Mugnaio called role of attendance. All Commissioner and Alternates were present with the exception of Alternate Commissioner Lowe.

The audience introduced themselves on a voluntary basis.

G. Department of Juvenile Justice Transition Status Update

H. Bowlds

Director (A) Heather Bowlds delivered an update on the DJJ transition to the Department of Youth and community Restoration (DYCR). The process has been ongoing for more than a year and the infrastructure Budget Change Proposal (BCP) has been submitted bring DYCR into an independent agency. This proposal includes the transfer of 53 positions from CDCR to YCR and the addition of 112 new executive and management positions to begin to build DYCR's organizational structure.

A large part of the transition is the newly proposed Apprenticeship Mentoring Program (AMP) and the on the job training, mentoring, and guidance that the new program will provide. The BCP supports the transitional vision for DYCR and begins to lay the foundation for the independent agency.

A major struggle of the transition has been staffing the positions that are needed to move forward. The Northern Youth facilities especially suffer from a significant vacancy rate and this presents a challenge to bring the agency to its full potential. The next Basic Correctional Juvenile Academy (BCJA) has 80 cadets. This group will graduate in July 2020.

CPOST will continue to support DYCR and has moved forward with changing legislation to create ad hoc positions on the Commission. The language for these changes will go into effect July 1, 2020. CPOST is currently working to assist YCR in the development of the AMP and the supporting processes and procedures. The first academy will start in August and will graduate in November.

YCR hopes to hold its first independent academy at the Stockton training center in August 2020 and anticipates that the need for new officers will continue because of the steady intake numbers due to legislative directives increasing the age of individuals that are being directed to juvenile facilities. They currently have 760 youth, only 20 of who are between the ages of 21 to 25. Attrition coupled with older youth be sentenced to YCR will result in the demand for more youth correctional staff. Director Bowlds anticipates that the vacancy rate will increase short term and then will level off and remain at approximately 5%.

Commissioner Gipson added clarifying distinctions about the factors that determine if an offender would be housed as an adult youthful offender or be housed in the juvenile system. The determining factor is when the crime was committed, eighteen and older is considered an adult offender.

## H. Training Standards Review

A. Del Mugnaio

### i. Use of Force Training Standard

ED Del Mugnaio presented the approved Correctional Officer Standards and the changes that were proposed because of AB 392. Commissioners discussed the schedule of revisions to the annual use of force changes and if those changes are underway.

Commissioner Gee suggested that component three should be revised and the word “appropriate” should be removed. Commissioner Calderon motioned to approve the revision and to further approve the standard with the noted amendment. Commissioner Eustice seconded the motion. Roll call vote taken, five in favor, one abstention – motion carries, 5-0.

ED Del Mugnaio presented the approved Parole Agent Standard and the changes that were proposed because of AB 392. Commissioner Eustice objected to one sentence on Component 2; and language in Component 3 regarding the use of deadly force, siting that there are other uses of force not provided for in the language. As a result, this sentence was removed from the draft revisions.

Commissioner Eustice asked for the status on the Parole Specific use of force video that had been requested to accompany the use of force training. It was noted by the Commissioners that all of the use of force videos need to be updated. Chief Counsel Phil Reiser researched the regulation language for use of force and suggested minor edits to component two.

Commissioner Bowlds motioned to approve the Parole Agent Standard as revised. Commissioner Gee seconded the motion. Roll call vote taken – motion carries, 6-0.

### ii. Stress Resiliency Training Standard

ED Del Mugnaio presented the proposed revisions to the General Standard for Stress Resiliency. It was noted that revisions were needed to include all classifications and to address the inherent stress in the correctional environment. CPOST wanted the standard to reflect that annual training is the minimum requirement and that Department should strive to provide additional support in an “ongoing” manner.

Commissioner Calderon inquired if the standard is in alignment with the Office of Health and Wellness’s mission. ED Del Mugnaio informed the Commissioners that the Office of Health and Wellness has reviewed the

approved standard and provided input. There will be an effort to track the type of calls received for peer support and to follow up if these issues are covered in the training content.

CPOST is currently working with the Office of Health and Wellness to develop a version of peer support training for the Apprenticeship Evaluation Program (AEP) mentors to support new officers in this capacity. Deputy Director Stacy Lopez stated that additional resources are available via LMS to provide more wellness training to employees at all levels, both custody and non-custody.

Commissioner Gipson motioned to approve the proposed revisions to the training standard. Commissioner Gee seconded the motion. Roll call vote taken, all in favor – motion passes, 6-0.

The revised training standard will be provided to the Office of Health and Wellness as part of the collaborative effort

I. Administrative Remedies for Inmates and Parolees Training H. Mosley

Howard Mosley provided information on developing training as a part of the reforms to the offender grievance and appeals system. The new training is being developed to address consistency and impartiality in the grievance/appeal process. The new system will be a two level system. The first level at the institution and an additional level at the Office of Appeals. The newly revised system does not address the Division of Juvenile Justice, as they will remain in the current system until their transition.

The first level will be referred to as the grievance level and the Office of Grievances will process these complaints. Second level will be referred to as appeals and will be handled by the Office of Appeals. Offenders will no longer be able to file group grievances. The criteria has been streamlined to five areas of applicable grievances; every effort will be made to provide a response to as many grievances as possible.

Staff Services Manager II, Elizabeth Parino asked about grievances that are received with bodily fluids or in a contaminated, state and inquired about grievances received with no supporting documentation. Mr. Mosley stated that those documents would be disallowed due to contamination. He added that those grievances received without supporting documentation would have a follow up request for supporting documentation.

Commissioner Calderon asked if the Allegation Inquiry Management Sections (AIMS) will process all complaints, or if they can be resolved at the lowest level. Mr. Mosley provided clarity regarding what triggers an AIMS review and added that the goal will be to process as many grievances as possible at the lowest level. One of the main

factors in this decision is if the complaint might lead to adverse or disciplinary action.

Mr. Mosley informed the Commission that training is being developed and an outline is being provided because the regulations governing this new system are still in the process of notice and implementation. Factors and details of the processes and training may change if the regulation process dictates the need. The regulations are currently scheduled to go into effect April 1, 2020, pursuant to the Department's authority to issue emergency regulations. All submissions received before the April 1, 2020 date will be processed under the old system.

These regulatory changes will trigger the need for Department Operational Manual (DOM) revisions in various divisions and offices within the Department, these workgroups will begin shortly. Formal training sessions are scheduled to begin in the computer lab at the Advanced Learning Institute (ALI) next week, in 40 person sessions. These sessions will provide a more in depth review of the draft regulations and provide an opportunity to view the computer portal in the existing SOMS system. The intent is to garner feedback during these sessions on revisions that will be included in the final training materials.

Formal training has yet to be developed in the Office of Training and Professional Development (OTPD) and Instructional Design Unit (IDU). This is planned to occur in tandem with the training sessions scheduled. Mr. Mosely advised the Commission the intent to provide the final training to CPOST for review and approval, but he added that the compressed timeline of implementation has necessitated quick turnaround.

Commissioner Gee inquired as to the increased workload that the system will result in at the facilities and Mr. Mosely provided details regarding the hope that a computerized system will actually streamline the processes and the overall workload.

ED Del Mugnaio asked if Commissioners are able to attend one of the training sessions scheduled within the next week. Mr. Mosley encouraged attendance at any training session and further advised that he would need to provide the schedule and asked for his office to suggest a session that has space available for participation. Mr. Mosely added that the union has been noticed regarding the regulation changes and the meet and confer process has been utilized.

J. Rehabilitative Case Plan Study Lesson Plan Review

Captain E. Thomas

Captain Edina Thomas presented an overview of the need for the training and the intended audience. In 2018, the Correctional Counselor (CC) role in the application of the rehabilitative process underwent some revisions and this training introduces a

new process for intake and goal setting for the inmate population. Inmates will receive and complete a self-assessment guide intended to garner participation in the goal setting and rehabilitative process. This guide will be reviewed and recorded by the CC and housed in the Electronic Records Management System (ERMS) section of the inmate record.

Chief Counselor Reiser asked what would happen if the inmate refuses to participate in this self-assessment. Captain Thomas informed the Commissioners that this would be documented in the CDCR 2038 Rehabilitative Case Plan Study (RCPS) and then the opportunity would be revisited regularly to encourage and motivate full participation. The training included an outline of the CC responsibilities. The target audience of the training will be Wardens, Associate Wardens, and CCs at all levels.

This approach is different from the past practices and will elevate the CC's role into a more counseling and advocate aspect of the rehabilitative process. This encouragement of participation from the inmate is intended to gain a higher level of commitment from the inmate in participating in the rehabilitative process. A part of the process will be to advertise the programs and the criteria for participation within the facilities for inmates to educate themselves.

Subject Matter Expert training is currently underway regionally and those trainers will be tasked with providing training to their respective facilities. Implementation of the new process is scheduled for March 9, 2020. Fire Camps will not be involved until March of 2021. Each institution has been assigned one person to gather information on available programs and develop their institution specific catalogs.

Deputy Director Stacy Lopez suggested that the training be added to the Learning Management System (LMS) for future reference by CCs. Commissioner Gipson motioned to approve the training. Commissioner Pinneo seconded the motion to approve. Roll call vote taken, four in favor, one nay, and one abstention – motion carries, 4-1-1.

K. Concealed Carry Weapon Permit

G. Petty/Z. Osborne

Lieutenant Grady Petty and Lieutenant Zackery Osborne presented an update on the implementation of the CPOST recommendations for the concealed carry weapon permit training. The Commission had disapproved the training at the December 2020 CPOST meeting as the materials and intent were not clear nor were the implementing regulations approved. Director Connie Gipson spoke on behalf of the Secretary and reiterated the importance of finalizing the regulations and training associated with this matter. She reminded the audience that the Department faces liability when officers get themselves in trouble off duty and have not been provided training regarding their responsibility for carrying a concealed weapon. Director

Gipson also reminded the Commissioners of the Secretary's priority to implement and provide the training.

Director Gipson inquired if the training would be able to be placed on the 2020 annual training schedule when completed and Deputy Director Lopez responded that depending on the status of completion, it might be possible to adding it to the annual training scheduled.

Commissioner Gee inquired as to the stated requirement of carrying the Correctional Officer badge in addition to the "qual" card, stating that this is not regulation and cannot be mandated as such. Lt. Osborne advised that if this verbiage were in the approved regulations then it would be a Department mandate. Commissioner Gee inquired if the Department would be providing flat badges with this mandate and Lt. Osborne's response was the Department would not provide the flat badges.

Lt. Osborne advised the Commission that the regulations regarding this matter have been under development since 2014 and are near finalization. Training was developed to provide training on Department regulations, federal regulations, Penal Code and DOM.

Lt. Petty provided an overview of the current progress on implementing the changes and recommendations noted in the disapproval. ED Del Mugnaio asked if the final training revisions would be available for the April 2020 CPOST Meeting. Director Gipson asked Deputy Director Lopez if the training is finalized, and approved, could it be added to the annual training schedule mid-year. Deputy Director Lopez confirmed that this is a possibility and every effort will be made to accommodate to need for training. The next negotiation table is not scheduled until May 2020 and Deputy Director Lopez indicated that she would reach out to Candace Murch and attempt to secure an earlier date.

The Commission decided to withhold a vote on the matter until the final revisions are made and the Commission is able to review the training. It is requested that this matter return in April 2020 or, if not complete in June to facilitate a vote.

## **VII. NEXT MEETING AGENDA ITEMS**

- A. Re-establishing the Apprenticeship Performance Evaluation Process
- B. Apprenticeship Standards Package
- C. Apprenticeship Evaluation Program (AEP) Pilot Tracking
- D. CPS HR Job Validation Study Phase II Draft Report
- E. CPS HR Job Validation Study Phase III Work Plan
- F. Training Standards Review

- i. Critical Elements of Effective Training- General
  - ii. Casework Management – Parole Agent
  - iii. Firearms – Parole Agent
  - iv. Arrest and Control – Parole Agent
- G. Concealed Carry Weapon Permit
- H. Administrative Remedies for Inmates and Parolees Training

**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 12:15 p.m.

*Please contact CPOST Staff at (916) 255-1089 or email [CPOST.Mailbox@cdcr.ca.gov](mailto:CPOST.Mailbox@cdcr.ca.gov) to request written material regarding an agenda item or to request special accommodations for persons with disabilities or Non-English language translations. Any person with a disability who wishes to receive this Notice and Agenda in an alternate format, or who wishes to request auxiliary aids or services to participate in the meeting of the Commission on Correctional Peace Officer Standards and Training should contact CPOST staff not later than five (5) business days before the noticed meeting day.*

***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: 02/20/2020

This page added to original minutes document to reflect scanned image of signature page (Page 20). The information below provides descriptive information for those unable to read or understand the content on Page 20.

**/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:** 02/20/2020



HEATHER BOWLDS, Chairperson (A)  
Commission on Correctional Peace Officer Standards and Training  
Deputy Director, Division of Juvenile Justice

Approved/Disapproved

02/23/2020

Date