

# SCOPO ROUND TABLE REPORTS, MARCH 2013

## CONTRA COSTA

Regarding the "Terminal Pay" lawsuit against the Contra Costa County Employees Retirement Board, which the PPOACCC has intervened, the State is a part of the lawsuit and will defend the new law, Assembly Bill 197, which we and other unions, associations and organizations are challenging in court.

While this is happening the Court's stay remains in effect. The Court has ordered the retirement board to continue to include terminal pay, as it has for years (one's years' worth of vacation and/or personal holiday accruals), in employees' "final compensation." Under the Court's order, terminal pay will continue to be included in final compensation for at least 60 days after it decides the case.

The Court is meeting at the end of March for a Case Management Conference. It is not anticipated that any decision on the merits of the case will be made at that time.

As reported in this space, we are moving closer from the "middle burner" to the "front burner" for some of our Officers being armed.

For safety purposes, Management has approved a recommendation by the PPOACCC to install a metal detector mainly for probationers meeting with their P.O.'s as a pilot program at the main office in Martinez.

It is anticipated that more secure employee parking will be installed at the Juvenile Hall.

The Department celebrated a series of events to celebrate Black History Month, including a Soul Food lunch on February 19<sup>th</sup>.

Congratulations to the followings for all their years of dedicated services as Probation Peace Officers and who will be retiring by the end of March: Joe Briseno, Pam Collinshill, John Schooley and Joe Velez. Good Luck in your Second Life!

## FRESNO

Chief Probation Officer, Linda Penner, has announced her retirement as of March 29, 2013. However, she will return as interim chief for six months following her retirement until a replacement is selected. Realignment number have been exceeded, AB 109 officers are very busy trying to manage caseloads. Fresno County Probation Officer's Association is getting ready to enter negotiations.

## **MERCED**

Our union, AFSCME, jointly with Teamsters for Merced County Sheriffs Correctional Officers has filed a law suit against the Merced County Employees Retirement Association. Due to the new pension reform eliminating terminal pay towards final compensation this will affect us since our vacation hours are paid post retirement. Eliminating the Ventura hours will affect our retirement considerably, for most people it can average out between \$200 and \$300 a month. Before the pension reform, the labor unions had agreed to a tier 3 which took affect around November 2012. As of January 2013, we now have a tier 4 for new hires.

Since the inception of AB109, Merced County has added 600 to their caseloads. In partnership with the Sheriff's Department, we have moved our officers handling these caseloads to a separate location from our adult office.

The chief is hoping to hire at least two additional officers. However until final budget we won't know where we stand. Our employees took a 5% pay reduction in January 2012 with set furlough days, and 40 additional hours. The labor unions negotiated the furlough hours with the County with the agreement that the 5% will have a definite reinstatement date in January 2014. Our contract is up in June 2013, and we will enter into negotiations shortly after the 5% reinstatement.

## **MODOC**

The Department has continued to stay busy with the implementation of AB109 and AB12. The Juvenile Officer continues to learn the process of AB12, as we are sure most counties are, with the limited information, templates, and experiences. The Adult Officer's (which happen to be our Chief and Assistant Chief) have also been busy with the implementation of AB109, and learning the in's and outs of that as well. It appears the funding, what goes to whom and for what purpose, is a big discussion in this county. Modoc County also recently purchased the Accruint Lexis Nexis Family Finding tool to utilize in our best efforts of finding appropriate and possible family members for placement or lifelong connections with our Foster Care Youth. We are hoping to hiring another Deputy Probation Officer in the near future. Though our county has struggled financially for the past few years, our Department is fortunate to be able to financially hire another Deputy.

## **ORANGE**

We are still in contract negotiations, next month we will be 1 year out of contract. The hearings for VLF funding have begun and we are awaiting a verdict on that. If the funding is not restored we anticipate major changes, possible layoffs, etc.

## **SAN BENITO**

San Benito County is dealing with our recent contract negotiations for concessions in which the Probation Officers within the DSA were subjected to another year of Furloughs, step freezes and our third year of delaying our raise. We had a Probation Supervisor demoted due to cuts leaving one supervisor for the entire department. The department has also had two Probation Officers leave in the last few months leaving the other officers to take on extra duties, yet there are currently two people in background for the Probation Officer positions. The department is ensuring all Officers are trained in a cognitive based program called "Thinking for a Change" with plans that all trained officers will rotate teaching the program to groups of offenders. The AB 109 and 1170 h caseload has recently been divided among two Probation Officers to alleviate some of the work as well as all other caseloads have been revamped.

With the loss of clerical staff from layoffs and budget cuts, Probation Officers have also taken on clerical duties covering the front window and locking/unlocking the department during their OD coverage. The Department did implement a Kiosk in the front lobby for payments to alleviate payments being made at the front window. With this implementation also came the official implementation of the Department Office Hours from 9 am to 4 pm. This requires someone to cover the front window during business hours although offenders can be seen during non-business hours if they have a scheduled appointment.

## **SAN BERNARDINO**

The San Bernardino Co. Probation Officers Association signed a final contract with the county. The employees took a 4.6% pay decrease by way of reduced retirement benefits. We also received no raises and step increases were reduced from 5% to 2.5% per step. Those givebacks were demanded by the county for all county employees. The association was in a position where continued resistance would have resulted in the county unilaterally imposing the contract on us. The county also gave "me too" language to every bargaining unit, thereby making it impossible to get a pay raise without everyone getting a pay raise. We were able wring some offsets out of the county by way of \$1000 annual training pay. We also have a vacation buyout up to 60 hours per year and longevity pay starting at 2% for 15 years serve, 2% starting at 20 years and another 4% at 25 years of service. (25 yr employee gets 8% total pay increase.)

The vacation buyout allows for spiking annual salary for retirement purposes. If we face the same situation on next contract, we will try to increase the benefits we listed above and also try to get arming pay.

AB109 has increased probation's budget dramatically. We now have 394 PO II's and PO III's. I remain concerned that we hired to be fired. It appears the AB109 cases will for the most part expire after a year. When that pipeline runs dry, split sentencing will be the order of the day. So far, the majority of split sentences are max county jail sentences with no terms. Our judges believe they are protecting the community by doing this. We need to protect society by maintaining low caseloads and by having supervision on these guys.

## **SAN JOAQUIN**

Since my last update, the requested pocket packs and Sharps containers have been distributed and installed respectively. Each field officer's vehicle will have a pocket pack, in case of emergency – trauma related incident. Three Sharps containers for needles were installed throughout the Department – one at our Adult Division, one in the Juvenile Division, and one in Detention. Additionally, the Department is now looking into the possibility of introducing Tasers instead of ASPs; which was a bit of a surprise to us initially, but makes sense. Knowing that other departments have used them successfully, and that they're perhaps a more suitable intermediate use of force weapon for our officers, gives us hope that the Department will make the decision to adopt them sometime this year.

Our Association and the Department have gone back and forth over the last two plus years about the need for a security guard, screening station and other safety measures for the building. In that time, there has been at least one handgun brought into the building, another alleged to have taken place, an assault, and dozens of other officer safety issues that were brought to the Department's attention. The Department has yet to implement a screening station on the first floor of the building, nor have they positioned security to monitor the main entrance. They've said that summer 2013 is the target to get everything installed and running, but that remains to be seen.

Born out of Labor Management meetings and a Meet & Confer, both sides developed an EBP Programming Committee in the hope of being able to discuss related issues and solve problems. Besides a lack of communication from our Department, there have been some operational inconsistencies in implementing evidence based practices. We've told our membership to forward concerns to our members on the committee, and given the committee the ability to make decisions on issues which impact all of our members facilitating classes; which is nearly everyone at this point.

Lastly, at recent CCP meetings our Department and the Sheriff's Office have worked on the details of operating a local community corrections center. The plan would be for the sheriff to apply for the funding and have the Probation Department run the facility – a 400-500 bed center where inmates would be allowed to come and go under supervision. Conceptually, qualifying inmates would be transferred to the center 30 to 60 days from their scheduled release date, provided they meet good behavior standards and other criteria. The plan also calls for partner agencies to provide services such as gang intervention, mental health programs, and

substance abuse treatment. One concern for us is that even though our Department will be assuming the responsibility to run the facility, neither our probation officer nor our juvenile detention officers will be staffing it. Is the Department's plan to run a privatized facility? Time will tell.

## **SAN LUIS OBISPO**

Update from the Adult Division

Realignment / Adult Probation Highlights:

PRCS population has stabilized in terms of discharges from state prison, on average, since November 2012 we are seeing less than 10 releases per month, PRCS offenders recidivism was less when compared to our "high risk" probation population between Oct.1, 2011 and Oct, 31, 2012.

Regional treatment hubs have been established throughout to County to service PRCS and mandatory supervision offenders will be fully operational by summer.

Implementing Jail Re-entry DPO position in April.

Active probation supervision caseload numbers are growing, hope to drive numbers down by filling vacancies in April.

Veterans Treatment Court being implemented in SLO County

Update from the Juvenile Division

Juvenile Hall uses of force up but staff injuries are down.

## **SANTA CRUZ**

The Department has been impacted by recent tragic events in which two Santa Cruz Police officers were killed in the line of duty. A SCCPOA meeting and several debriefings have been scheduled to allow officers an opportunity to address their concerns. Probation officers were present at services for officers. Numerous Probation officers assisted as ushers, as requested by the Santa Cruz Police department. Some Probation Officers had daily contact with these officers as they were stationed out of the police department.

The department has hired a total of 9 new officers. Despite some staff having been in sworn officers for nearly a year, they have yet to complete CORE Probation Officer training. Officer Safety training continued to be an issue. On numerous occasions, the SCCPOA has requested continued officer safety training and yet officers have only been provided with very basic safety training. In light of the recent events, the SCCPOA has decided further action needs to be taken to have officers properly trained. Current policy does not allow Probation officers to wear protective armor or use their badge to identify themselves when out in the field unless accompanied by other law enforcement, i.e., police department.

Nominations have been open for Vice President, Sgt @ Arms and Treasurer. The SCCPOA recently voted to pay the restitution balance for a minor, who was on Probation, and was killed in a car accident.

All officers were recently trained in EPICS, Effective Practices in Community Supervision. Continued “boosters” have been scheduled and are mandated for all officers. Contact Standards have been rolled out for both juvenile and adult officers. The standards dictate more contacts with probationers and require either weekly or monthly EPICS sessions.

## **SOLANO**

Greetings from Solano County,

We continue to await a final outcome to our PERB claim related to our last round of negotiations. Once that is finalized, we will most likely return to the table to renegotiate our previously imposed terms and conditions.

Our PRCS unit continues to be very “fluid” as we determine how to best handle this population. A “Day Reporting Center” was just recommended by our Community Corrections Partnership and was finally approved by our Board of Supervisors. We will be opening one center in Vallejo and one center in Fairfield where specialized services will be implemented. We continue to learn new “evidence based practices” and some of us our being trained to facilitate corresponding groups to assist this population.

We have yet to hire all the staff previously approved through AB109 funds and we have just recently opened recruitment. Our last recruitment yielded over 200 applicants, yet very few made it through the hiring process. We were able, thankfully, to bring back all the interested previously laid off Journey Probation officers. Unfortunately, we had a different lay off list expire with two Senior Probation Officers still on it.

We recently closed recruitment for our Group Counselor series which yielded several hundred applicants for the two vacant positions. We are looking for both full-time and extra help.

We continue to work with our new Management to come up with ways to better facilitate improved morale. So far so good.

While we are not yet armed, Probation Officers have all now been assigned bullet proof vests, hand cuffs and pepper spray, and more importantly we are now connected to Sheriff’s Dispatch through radios. Our Juvenile Detention Facility also now has vests, as well as radios, and we continue to work towards acquiring those in our detention facility the equipment and training we feel they deserve.

Progress indeed.

Stay safe my friends.

## **TUOLUMNE**

Things are continuing to move forward in Tuolumne County. We have hired another DPO and two more techs for the adult division. Additionally, we have armed a third officer and will likely be arming the rest of our adult supervision staff in the months to come. Our adult court and supervision units continue to be very busy, and we are seeing the strains realignment is placing on our county, with jail space becoming increasingly hard to come by. On the juvenile side however, wardship is down.

With negotiations looming the county is once again talking about budget cuts, and relations between ourselves and the Sheriff's Office have gotten tense as both departments struggle for a piece of the pie.

## **VENTURA**

On December 24, 2012, one of our members, and former VCPPOA Board Member, Senior Deputy Probation Officer Jennifer Krewski was involved in a head-on collision while on her way home from working a shift at the Juvenile Facilities. The other party, allegedly intoxicated at the time of the collision, crossed the center median of the highway and collided into Jennifer's vehicle. Jennifer sustained major, life-threatening injuries as a result. An incident of this caliber has not occurred within our Agency, so it was unclear as to how everyone would respond. Thankfully, from our Chief Probation Officer, Mark Varela, to our management staff and our line-staff personnel alike, we all came together as a family and immediately did anything and everything we could for Jennifer and her family. In addition, VCPPOA reached out to its fellow law enforcement associations, who responded in kind as well. Over two months have passed since the collision and Jennifer has endured a multitude of surgeries. She has made incredible progress and is so thankful for all the support that she has received. Although she still has a long road to recovery ahead of her, Jennifer maintains a positive and hopeful outlook that she will make a full recovery. On behalf of Jennifer, her family, and the VCPPOA membership, I would like to thank SCOPO and the various other Probation Associations that have offered their thoughts and prayers, as well as their generous monetary donations.

VCPPOA will soon enter contract negotiations with the County of Ventura. While they are still riding the wave of the anti-public pension rhetoric, the County Administration has already started crying the blues about their current financial condition. While several county unions are headed back to the bargaining table this year, the tone for the process has already been established. VCPPOA remains hopeful that with Public Safety Realignment and the fact that our profession has been under-represented for many, many years, we continue to remain optimistic that we will make forward progress, instead of continuing to fall further behind our partner law enforcement agencies in the county.

Lastly, VCPPOA is honored and we look forward to hosting the May 2013 SCOPO meeting in Ventura County. We will get the information on location, room reservations, the night-before-the-meeting dinner, and our guest speaker out to all SCOPO members in the coming weeks.

## **YOLO**

Yolo County recently ran recruitment for Chief Probation Officer. However, due to the small pool of qualified candidates, the recruitment was closed and interviews canceled. The County will be reviewing the next steps, and we believe a new recruitment for CPO will be run in the very near future.

The Association would like to congratulate Deputy Probation Officer Christina Tranfaglia, LMFT, on her recent appointment to the position of Mental Health Court Coordinator.

The Association would also like to congratulate Senior Deputy Probation Officer Leanna Libolt on her recent appointment as the Felony Drug Court Officer.

Congratulations Christina and Leanna! We wish you well in your new positions.

## **YUBA**

Yuba County 3 Probation Officers just completed the Core class and we just hired 2 Probation Officers and 4 Juvenile Hall Counselors in the last month. We just promoted one of the Program Managers to the position of Assistant Chief Probation Officer.

Currently we are in negotiations with the County. We will see how that plays out in the near future.

YCPPOA was recognized by the County in June 2012 after a lot of hard work by a few individuals. Since the inception there have been a few trials and hurdles but the organization seems to be running smoothly with the help of all parties involved.