

OFFICE OF THE INSPECTOR GENERAL

MATTHEW L. CATE, INSPECTOR GENERAL



**FOLLOW-UP REVIEW OF RECOMMENDATIONS
PERTAINING TO THE FORMER COMMISSION ON
CORRECTIONAL PEACE OFFICER STANDARDS AND
TRAINING**

OCTOBER 2006

STATE OF CALIFORNIA

Matthew L. Cate, Inspector General



Office of the Inspector General

October 18, 2006

James Tilton, Secretary
Department of Corrections and Rehabilitation
1515 S Street, Room 502 South
Sacramento, California 95814

Dear Secretary Tilton:

The enclosed report presents the results of the Office of the Inspector General's 2006 follow-up audit of the former Commission on Correctional Peace Officer Standards and Training. The commission has since been abolished and its duties have been assumed by the Corrections Standards Authority and the Office of Training and Professional Development.

The follow-up audit assessed the progress of the successor entities to the former Commission on Peace Officer Standards and Training in implementing the recommendations from a special review conducted of the commission by the Office of the Inspector General in May 2005.

The 2006 follow-up audit determined that the successor entities have made limited progress in addressing the recommendations from the 2005 special review. At the close of the audit fieldwork, the Corrections Standards Authority had met only twice — in March and July 2006 — and had only recently begun work on developing training standards for correctional peace officers by contracting with the California State University, Sacramento Foundation to conduct job analyses on which the standards would be based. Meanwhile, since assuming responsibility for monitoring the department's correctional peace officer apprenticeship program in July 2005, the Office of Training and Professional Development has yet to accomplish the task of bringing the program into compliance with federal and state apprenticeship standards, leaving open the possibility that the program will be decertified.

The enclosed report presents six recommendations to address the deficiencies identified in the audit. The department's response appears as an attachment to the report.


Thank you for the courtesy and cooperation extended to my staff during the course of this project.

Sincerely,

A handwritten signature in black ink that reads "Matthew L. Cate".

MATTHEW L. CATE
Inspector General

Enclosure


Arnold Schwarzenegger, Governor

OFFICE OF THE INSPECTOR GENERAL

MATTHEW L. CATE, INSPECTOR GENERAL



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STATE OF CALIFORNIA

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EXECUTIVE SUMMARY

Most of the recommendations from a 2005 special review of the former Commission on Peace Officer Standards and Training have not been implemented. The Corrections Standards Authority has made limited progress toward developing selection and training standards for correctional peace officers, and the Office of Training and Professional Development has not yet implemented recommendations pertaining to the correctional peace officer apprenticeship program. Of the seven recommendations from the earlier review, only two have been substantially or partially implemented, while four have not been implemented, and one is no longer applicable.

In 2005, the Office of the Inspector General conducted a special review of the former Commission on Correctional Peace Officer Standards and Training, now superseded by the Corrections Standards Authority and the Office of Training and Professional Development. The functions of the former commission and its successor entities are pivotal to the mission of the California Department of Corrections and Rehabilitation. Professional, well-trained, correctional officers are critically necessary to guarding public safety and to protecting staff and inmates in the state's severely overcrowded prisons. Correctional officers must not only learn and practice the latest and best custody techniques, they must also be knowledgeable about current practices required under court orders in areas such as mental health, medical services, and internal affairs. Developing an up-to-date training curriculum and monitoring its implementation, therefore, is essential to successful department operations.

The Office of the Inspector General's 2005 review examined the commission's management practices and administrative operations, focusing on the effectiveness of the commission's executive board and executive director and on the commission's compliance with required statutes and procedures. As a result of the review, the Office of the Inspector General identified a number of deficiencies that impaired the ability of the Commission on Correctional Peace Officer Standards and Training to meet its principal responsibility of developing and monitoring training and selection standards for correctional peace officers.

The 2005 review found the following:

- ◆ The commission's executive board had not met for nearly a year, and the commission was not performing its key function of developing and monitoring training and selection standards for correctional peace officers.
- ◆ The commission had made minimal progress in developing training standards and had inadequately monitored compliance with the few general curriculum standards that already existed.

- ◆ The apprenticeship program administered by the commission was inadequately monitored and faced possible decertification because of non-compliance with federal and state apprenticeship program standards.
- ◆ The commission's independence had been undermined by the influence of both the Youth and Adult Correctional Agency and the California Correctional Peace Officers Association.
- ◆ The commission's membership structure was causing institutional paralysis because of voting deadlocks.

The Office of the Inspector General made seven recommendations to correct the deficiencies identified in the special review.

In June 2004, after studying the issues, the governor's Corrections Independent Review Panel recommended that the Commission on Correctional Peace Officer Standards and Training be eliminated. Citing testimony from stakeholders who called the correctional peace officer apprenticeship program a "paper shuffle nightmare," the panel also recommended that the apprenticeship program be eliminated in favor of a field training officer program. Effective July 1, 2005, the Commission on Correctional Peace Officer Standards and Training was abolished. Responsibility for overseeing correctional peace officer standards and training was transferred to the newly created Corrections Standards Authority, while responsibility for monitoring the correctional peace officer apprenticeship program was transferred to the Office of Training and Professional Development of the California Department of Corrections and Rehabilitation.

The Office of the Inspector General's 2006 follow-up review found that the successor entities to the former Commission on Correctional Peace Officer Standards and Training—the Corrections Standards Authority and the Office of Training and Professional Development—have accomplished little in addressing the recommendations from the 2005 special review. Since assuming the responsibilities of the Commission on Correctional Peace Officer Standards and Training on July 1, 2005, the Corrections Standards Authority has held only two meetings, in March and in July 2006, in which the business of the former commission was on the agenda. Before it was abolished on July 1, 2005, the Commission on Correctional Peace Officer Standards and Training had last met in June 2004, meaning that nearly two years passed in which the commission's business was not conducted.

Although the configuration of the 19-member Corrections Standards Authority appears to have resolved the structural problems that invited voting deadlocks in the former commission, the Corrections Standards Authority has not developed training standards for key correctional officer jobs because it has yet to complete the job analyses on which those training standards will be based. The Corrections Standards Authority estimates that the job analyses for the positions of adult correctional officer, youth correctional officer, and youth correctional counselor will be completed in September 2007 and that the related training standards for those positions will be completed in December 2008.

Those three classifications constitute nearly 80 percent of the correctional peace officer positions in the department.

Meanwhile, since assuming responsibility for monitoring the Department of Corrections and Rehabilitation's correctional peace officer apprenticeship program in July 2005, the Office of Training and Professional Development has not completed the task of bringing the program into compliance with federal and state apprenticeship standards, and the possibility remains that the program will be decertified.

As a result of the follow-up review, the Office of the Inspector General makes the following six recommendations:

FOLLOW-UP RECOMMENDATIONS

The Office of the Inspector General recommends that the Corrections Standards Authority take the following actions:

- ◆ Ensure that board members regularly attend board meetings.
- ◆ Continue to diligently develop job analyses to establish selection and training standards for the department's correctional peace officer classifications while considering alternatives to expedite the project's December 2008 completion date.
- ◆ Continue to develop training standards based on completed job analyses and monitor compliance with the standards once they are established.

The Department of Corrections and Rehabilitation may want to consider eliminating the correctional peace officer apprenticeship program. If the program is retained, however—and unless a new Bargaining Unit 6 contract makes material changes to the meaning and application of the apprenticeship program—the Office of the Inspector General recommends that the Office of Training and Professional Development take the following actions:

- ◆ Obtain the resources required to bring the correctional peace officer apprenticeship program into compliance with standards set by the Department of Industrial Relations, Division of Apprenticeship Standards.
- ◆ Ensure that an appeals and grievances committee, or a comparable apprenticeship program oversight body, meets as needed to address appeals, grievances, and time credit applications.
- ◆ Develop an effective audit function and conduct field audits to ensure compliance by local apprenticeship programs.

INTRODUCTION

This report presents the results of a comprehensive follow-up review of a special review conducted by the Office of the Inspector General between January 26, 2005 and April 21, 2005. The purpose of the 2005 special review was to assess whether the Commission on Correctional Peace Officer Standards and Training was fulfilling its mission of enhancing the training and professionalism of state correctional peace officers by developing and monitoring training and selection standards. The 2006 follow-up review was performed under California Penal Code section 6126, which assigns the Office of the Inspector General responsibility for oversight of the California Department of Corrections and Rehabilitation.

BACKGROUND

The mission of the Commission on Correctional Peace Officer Standards and Training was to enhance the training and professionalism of California's state correctional peace officers through the development of sound selection criteria and training standards. The commission received its initial funding in fiscal year 1998-99. California Penal Code sections 13600 through 13603 defined the commission's structure, rules, duties, and responsibilities. Under those provisions, the Commission on Correctional Peace Officer Standards and Training was responsible for overseeing California's correctional peace officer apprenticeship program and for monitoring selection and training standards for correctional peace officers for the former Department of Corrections and the former Department of the Youth Authority.

With the July 1, 2005 reorganization of the former Youth and Adult Correctional Agency into the newly created Department of Corrections and Rehabilitation, the Commission on Correctional Peace Officer Standards and Training and the former Board of Corrections were abolished in name and structure, and most of their duties and responsibilities were combined into the newly created Corrections Standards Authority. As a result of that reorganization, the Corrections Standards Authority is now responsible for overseeing California's correctional peace officer selection and training standards and is also responsible for the functions and responsibilities of the former Board of Corrections. The Corrections Standards Authority was not assigned responsibility for monitoring the department's correctional peace officer apprenticeship program; instead, that responsibility was transferred to the Office of Training and Professional Development inside the Human Resources Division of the California Department of Corrections and Rehabilitation. As a further result of the reorganization, the Corrections Standards Authority received the duties, responsibilities, and staff of the department's Regulation and Policy Management Branch.

Under California Penal Code section 13600, the Commission on Correctional Peace Officer Standards and Training's executive board was composed of six voting members. Two members were appointed by the management of the former Department of Corrections and one member was appointed by and represented the former Department of the Youth Authority. These three members tended to represent management's perspective, while the

other three voting members were appointed from the membership of the California Correctional Peace Officers Association and generally represented labor's perspective on issues. This even-numbered voting body experienced frequent voting stalemates, delaying decisions and actions.

The former Commission on Correctional Peace Officer Standards and Training and the Board of Corrections had separate members prior to the reorganization, with the commission having six board members and the board having 15 board members. The newly formed Corrections Standards Authority instead consists of 19 board members, with ten board members required to comprise a quorum. The authority's newly appointed executive director has no previous ties with California state government and may provide an independent and objective view in leading the Corrections Standards Authority's day-to-day operations.

The value of the correctional peace officer apprenticeship program has been questioned for several years. Citing testimony from stakeholders who called the program a "paper shuffle nightmare," the governor's Corrections Independent Review Panel recommended in June 2004 that the program be eliminated in favor of a field training officer program. The program continues to exist, however, because of a writ of mandate filed by the California Correctional Peace Officers Association and a subsequent agreement with the union that allows the program to continue with reduced staff and funding.

OBJECTIVES, SCOPE, AND METHODOLOGY

The purpose of the follow-up review was to assess the progress of the successor entities to the Commission on Correctional Peace Officer Standards and Training in implementing the recommendations from the 2005 special review. To conduct the follow-up review, the Office of the Inspector General provided the Corrections Standards Authority with a table listing the May 2005 findings and recommendations and requested the implementation status of each recommendation. The Office of the Inspector General reviewed the responses, along with documentation provided by the Corrections Standards Authority, and evaluated the degree of compliance or noncompliance with the recommendations in accordance with the following criteria:

- ◆ ***Fully implemented:*** The recommendation has been implemented and no further corrective action is necessary.
- ◆ ***Substantially implemented:*** More than half of the corrective actions necessary to fulfill the recommendation have been implemented.
- ◆ ***Partially implemented:*** Half or less than half of the corrective actions necessary to fulfill the recommendation have been implemented.
- ◆ ***Not implemented:*** The recommendation has not been implemented.

Fieldwork for the follow-up review was performed in June 2006. The results are presented in the tables at the end of this report.

SUMMARY OF PREVIOUS FINDINGS

The Office of the Inspector General made the following findings as a result of the 2005 special review:

- ◆ The executive board of the Commission on Correctional Peace Officer Standards and Training had not met since June 3, 2004 and the commission therefore was not performing its key function of developing and monitoring training and selection standards for correctional peace officers. Contributing significantly to the board's failure to meet was an unfilled commissioner's seat, which created a 3-2 imbalance between management and labor representatives, with management holding the majority. Under those circumstances, labor representatives declined to attend meetings, forcing the meetings to be cancelled for lack of a voting quorum. Even before the labor representatives' decision to not attend meetings, the board was failing to meet six times a year as required by the commission's operating procedures, meeting only four times in 2003 and four times in 2004. The board's failure to hold meetings prevented it from handing down the decisions and direction the commission needed to carry out its work.
- ◆ The Commission on Correctional Peace Officer Standards and Training had made minimal progress in developing training standards and had inadequately monitored compliance with the few general curriculum standards that already existed. Of the 27 correctional peace officer classifications for which it had responsibility to develop training standards, the commission had developed standards for only seven. A significant impediment to developing the standards was the department's failure to conduct prerequisite job analyses as required under California Penal Code section 13601. Even for the seven classifications for which standards had been developed, the executive board had not given final approval at the time of the review, opting instead to wait for department and labor union review.
- ◆ The apprenticeship program administered by the commission was inadequately monitored and faced possible decertification because of non-compliance with federal and state apprenticeship program standards. The Department of Industrial Relations, which administers California's apprenticeship laws, noted that the commission's program lacked certain key elements for such a program, including an apprenticeship committee to monitor the program, a local education agency to review training materials, and self-assessment reviews.
- ◆ The commission's independence had been undermined by the influence of both the Youth and Adult Correctional Agency and the California Correctional Peace Officers Association, and its membership structure, and consequent voting deadlocks, caused organizational paralysis. Although established as an independent entity within the Youth and Adult Correctional Agency (the Department of Corrections and Rehabilitation's

predecessor), both management and labor interests sought to influence voting decisions by exerting pressure on the commission's members.

The Office of the Inspector General issued seven recommendations to remedy the deficiencies identified in the 2005 special review.

RESULTS OF THE FOLLOW-UP REVIEW

The Office of the Inspector General determined that the successor entities to the former Commission on Correctional Peace Officer Standards and Training have made only minimal progress in implementing the seven recommendations from the 2005 special review. Three of the seven recommendations fall under the jurisdiction of the new Corrections Standards Authority; three are under the jurisdiction of the Department of Corrections and Rehabilitation's Office of Training and Professional Development; and one is no longer applicable. Of the three recommendations under the jurisdiction of the Corrections Standards Authority, one has been substantially implemented, one has been partially implemented, and the third recommendation has not been implemented. The Office of Training and Professional Development has implemented none of the three recommendations for which it became responsible.

Specifically, the follow-up review determined the following:

- ◆ The structural problems that had impeded the board of the former Commission on Correctional Peace Officer Standards and Training appear to have been resolved with the configuration of the 19-member Corrections Standards Authority.
- ◆ The Corrections Standards Authority has made some progress in conducting the job analyses necessary for the development of the correctional peace officer classifications under its authority, including entering into a contract under which the California State University, Sacramento Foundation will perform the analyses.
- ◆ The Office of Training and Professional Development has not implemented the recommendations pertaining to the correctional peace officer apprenticeship program.

The Office of the Inspector General found that the Corrections Standards Authority's 19-member board is not made up of equal numbers of labor and management representatives, thereby potentially avoiding the voting deadlocks that hampered the Commission on Correctional Peace Officer Standards and Training. The board chair is filled by the department secretary (or a designee) and four board members are subordinate officers of the secretary. At least one subordinate officer must be a manager or administrator of a state correctional facility for adult offenders, and at least one subordinate officer must be a

IMPLEMENTATION REPORT CARD CORRECTIONS STANDARDS AUTHORITY

Previous recommendations still applicable	3
Fully implemented:	0 (0%)
Substantially implemented:	1 (33%)
Partially implemented:	1 (33%)
Not implemented:	1 (33%)

IMPLEMENTATION REPORT CARD OFFICE OF TRAINING AND PROFESSIONAL DEVELOPMENT

Previous recommendations still applicable	3
Fully implemented:	0 (0%)
Substantially implemented:	0 (0%)
Partially implemented:	0 (0%)
Not implemented:	3 (100%)

manager or administrator of a state correctional facility for juvenile offenders. The remaining 14 members are appointed by the Governor after consultation with the secretary and consent of the state senate. Of those 14 members, four must represent rank-and-file employees.

Despite those organizational improvements, as of the date of this follow-up review — one year after the department's reorganization and one year after the 2005 special review— only 13 of the 19 board member positions had been filled and board meetings had only recently begun. Since June 1, 2006, the Governor appointed four additional board members to the Corrections Standards Authority, bringing the total number of board members to 17. The last board meeting of the former Commission on Correctional Peace Officer Standards and Training occurred in June 2004 and the Corrections Standards Authority held no board meetings related to the responsibilities of the former commission until March 2006. A meeting of the board scheduled for May 17, 2006 was cancelled due to the possibility that a quorum of ten board members would not be present. The board did meet on July 19, 2006 and its agenda did include discussions of correctional officer training standards and progress of the job analyses.

The Office of the Inspector General identified several reasons for the authority's delay in holding board meetings, including the department-wide reorganization, turnover in the department's executive management, and priorities directed toward other issues, such as inmate overcrowding and the department's delivery of health care services. The ability of the Corrections Standards Authority to hold board meetings also depends on the timeliness of the Governor and the department executive management in selecting and appointing board members to establish a quorum.

The Office of the Inspector General also found that the Corrections Standards Authority has taken steps toward developing correctional peace officer selection and training standards by contracting with the California State University, Sacramento Foundation. Under the contract, the foundation will develop the job analyses needed for the standards and will also assist in developing the standards. The contract totals \$382,000 and the entire project is expected to be completed in December 2008. The Corrections Standards Authority reported it anticipates that the job analyses for correctional officer, youth correctional officer, and youth correctional counselor classifications will be completed by September 2007. These three classifications cover nearly 80 percent of the correctional peace officer positions in the department.

The follow-up review determined in addition that limited progress has been made in bringing the correctional peace officer apprenticeship program into compliance with state and federal standards. The bargaining agreement between the state and the labor union representing the state's correctional peace officers requires an apprenticeship program for employees learning to be correctional peace officers. Although the bargaining agreement expired on July 3, 2006 it remains in force until a new agreement is negotiated and agreed upon by the parties. It is possible, therefore, that a new agreement could eliminate or significantly modify provisions pertaining to the apprenticeship program. The California Department of Corrections and Rehabilitation's Office of Training and Professional Development reported that the apprenticeship program remains out of compliance with

state and federal standards because the department has had limited staff assigned to address the program. A representative of the Department of Industrial Relations advised the Office of the Inspector General that the status of the apprenticeship program has not changed since the Office of the Inspector General's 2005 special review. The representative also reported that the Department of Industrial Relations has not taken action to decertify the California Department of Corrections and Rehabilitation's apprenticeship program due to its own staff shortages.

The functions of the former Commission on Correctional Peace Officer Standards and Training and its successor entities are pivotal to the mission of the California Department of Corrections and Rehabilitation. Professional, well-trained, correctional officers are critically necessary to guarding public safety and to protecting staff and inmates in the state's severely overcrowded prisons. Correctional officers must not only learn and practice the latest and best custody techniques, they must also be knowledgeable about current practices required under court orders in areas such as mental health, medical services, and internal affairs. Developing an up-to-date training curriculum and monitoring its implementation, therefore, is essential to successful department operations.

As a result of the follow-up review, the Office of the Inspector General, therefore, makes the six recommendations listed on the following page.

FOLLOW-UP RECOMMENDATIONS

The Office of the Inspector General recommends that the Corrections Standards Authority take the following actions:

- ◆ Ensure that board members regularly attend board meetings.
- ◆ Continue to diligently develop job analyses to establish selection and training standards for the department's correctional peace officer classifications while considering alternatives to expedite the project's December 2008 completion date.
- ◆ Continue to develop training standards based on completed job analyses and monitor compliance with the standards once they are established.

The Department of Corrections and Rehabilitation may want to consider eliminating the correctional peace officer apprenticeship program. If the program is retained, however—and unless a new Bargaining Unit 6 contract makes material changes to the meaning and application of the apprenticeship program—the Office of the Inspector General recommends that the Office of Training and Professional Development take the following actions:

- ◆ Obtain the resources required to bring the correctional peace officer apprenticeship program into compliance with standards set by the Department of Industrial Relations, Division of Apprenticeship Standards.
- ◆ Ensure that an appeals and grievances committee, or a comparable apprenticeship program oversight body, meets as needed to address appeals, grievances, and time credit applications.
- ◆ Develop an effective audit function and conduct field audits to ensure compliance by local apprenticeship programs.

The following table summarizes the results of the follow-up review.

ORIGINAL FINDING NUMBER 1

The Office of the Inspector General found that the executive board of the Commission on Correctional Peace Officer Standards and Training has not met for nearly a year and the commission therefore is not performing its function of developing and monitoring training and selection standards for correctional peace officers.

ORIGINAL RECOMMENDATION	STATUS	COMMENTS
<p>If the Commission on Correctional Peace Officer Standards and Training is abolished – to avoid the structural problems described in Finding 1 and in Finding 4 – the Office of the Inspector General recommends that its replacement entity either not be made up of equal numbers of representatives from labor and management or that an alternative mechanism be established to break voting deadlocks.</p>	<p>SUBSTANTIALLY IMPLEMENTED</p>	<p>The passage of Senate Bill 737 abolished the Commission on Correctional Peace Officer Standards and Training and created the Corrections Standards Authority, which consists of 19 members and requires the presence of ten board members for a quorum to avoid the structural problems described in Findings 1 and 4. While the Corrections Standards Authority fully implemented the Office of the Inspector General's recommendation to change the board's composition, the Office of the Inspector General notes that one year after the special review and the department's reorganization, board meetings have only recently begun. The former Commission on Correctional Peace Officer Standards and Training's last board meeting occurred in June 2004, and no subsequent board meetings related to the former commission's responsibilities took place until March 2006. Although the board meeting scheduled for May 17, 2006 was cancelled due to the possibility that a quorum would not be present, the Corrections Standards Authority did meet on July 19, 2006 and its agenda included discussions of correctional officer training standards and progress of the job analyses.</p> <p>Effective July 1, 2005, the composition of the Corrections Standards Authority's board increased from six to 19 members, 14 of whom are appointed by the Governor. Consequently, the Corrections Standards Authority's ability to hold meetings depends on the timeliness of the department's executive management and the Governor's Office in selecting and appointing board members to establish a quorum. As of the date of this follow-up review, only 13 of the 19 board member positions had been filled. Since June 1, 2006, the Governor appointed four additional board members to the Corrections Standards Authority, bringing the total number of board members to 17.</p>

FOLLOW-UP RECOMMENDATION

The Office of the Inspector General recommends that the Corrections Standards Authority ensure that board members regularly attend board meetings.

ORIGINAL FINDING NUMBER 2

The Office of the Inspector General found that the Commission on Correctional Peace Officer Standards and Training has made minimal progress in developing training standards and has inadequately monitored compliance with the few general curriculum standards that already existed.

ORIGINAL RECOMMENDATION	STATUS	COMMENTS
<p>If the Commission on Correctional Peace Officer Standards and Training is abolished and its functions are assumed by the Corrections Standards Authority or by another state agency, the Office of the Inspector General recommends the following:</p>		
<p>The responsible entity should promptly conduct job analyses on all correctional peace officer classifications subject to the provisions of the <i>Federal Uniform Guidelines on Employee Selection Procedures</i>.</p>	<p>PARTIALLY IMPLEMENTED</p>	<p>The Corrections Standards Authority reported that it is currently conducting job analyses of the 47 correctional peace officer classifications for which it has responsibility to develop selection and training standards. The Office of the Inspector General confirmed that the Corrections Standards Authority has a contract with the California State University, Sacramento Foundation to develop the job analyses and assist in developing selection and training standards based on these job analyses. The contract totals \$382,000 and the expected project completion date is in December 2008. In conducting the job analyses, the Corrections Standards Authority is using a "job family" approach that identifies overlapping job tasks, including the prerequisite knowledge, skill, and abilities required for successful job performance. By combining similar classifications into one job analysis, this approach precludes the need for exhaustive individual studies of each of the 47 classifications. According to the Corrections Standards Authority, the completed job analyses will comply with the provisions of the <i>Federal Uniform Guidelines on Employee Selection Procedures</i>. The Corrections Standards Authority also reported that it anticipates that the job analyses for</p>

		<p>correctional officer, youth correctional officer, and youth correctional counselor classifications will be completed by September 2007. These three classifications constitute nearly 80 percent of the correctional peace officer positions in the department.</p>
<p>The responsible entity should develop and monitor compliance with appropriate training standards based on completed job analyses.</p>	<p>NOT IMPLEMENTED</p>	<p>The Corrections Standards Authority reported that it intends to develop an appropriate compliance monitoring system after completing the job analyses and developing the selection and training standards in December 2008.</p>

FOLLOW-UP RECOMMENDATIONS

The Office of the Inspector General recommends that the Corrections Standards Authority take the following actions:

- ◆ Continue to diligently develop job analyses to establish selection and training standards for the department's correctional peace officer classifications while considering alternatives to expedite the project's December 2008 completion date.
- ◆ Continue to develop training standards based on completed job analyses and monitor compliance with the standards once they are established.

ORIGINAL FINDING NUMBER 3

The Office of the Inspector General found that the apprenticeship program administered by the commission is inadequately monitored and faces possible decertification because of non-compliance with federal and state apprenticeship program standards.

ORIGINAL RECOMMENDATION	STATUS	COMMENTS
<p>Even if the commission is abolished, until the State of California modifies its agreement with the California Correctional Peace Officers Association, it will still be required to administer and support an apprenticeship program. Therefore, the Office of the Inspector General</p>		

<p>recommends that the agency take the following actions:</p>		
<p>Obtain the required resources to bring the correctional peace officer apprenticeship program into compliance with standards set by the Department of Industrial Relations, Division of Apprenticeship Standards.</p>	<p>NOT IMPLEMENTED</p>	<p>Responsibility for monitoring the department's correctional peace officer apprenticeship program was assigned to the Office of Training and Professional Development within the Human Resources Division of the California Department of Corrections and Rehabilitation upon the department's reorganization in July 2005. The training office reported that since that time, two positions were transferred from the Corrections Standards Authority to the training office to restructure and enhance the correctional peace officer apprenticeship program. The department also reported that because of the limited staff assigned to the apprenticeship program, the program remains out of compliance with state and federal standards. The department reported that the training office, the Corrections Standards Authority, and the department's Labor Relations Office are working together to identify a process to achieve compliance by October 2006.</p> <p>A representative of the Department of Industrial Relations confirmed that the apprenticeship program's status has not changed since the Office of the Inspector General's 2005 special review. The representative also verified that due to its own staff shortages, the Department of Industrial Relations has taken no action to decertify the apprenticeship program.</p>
<p>Ensure that the commission's Appeals and Grievances Committee, or a comparable apprenticeship program oversight body, meets as needed to address appeals, grievances, and time credit applications.</p>	<p>NOT IMPLEMENTED</p>	<p>The department's training office affirmed that the Division of Human Resources, the Labor Relations Office, and the Corrections Standards Authority are working collectively to bring the apprenticeship program into compliance.</p> <p>The training office reported that once compliance is met, the responsible entity within the department will ensure that the apprenticeship oversight body meets regularly to address needed issues.</p>
<p>Develop an effective audit function and conduct field audits to ensure compliance by local apprenticeship programs.</p>	<p>NOT IMPLEMENTED</p>	<p>The department's training office reported that once the apprenticeship program achieves compliance, the responsible entity within the department will assess the resources needed to develop an effective audit function to maintain compliance.</p>

FOLLOW-UP RECOMMENDATIONS

The Department of Corrections and Rehabilitation may want to consider eliminating the correctional peace officer

apprenticeship program. If the program is retained, however—and unless a new Bargaining Unit 6 contract makes material changes to the meaning and application of the apprenticeship program—the Office of the Inspector General recommends that the Office of Training and Professional Development take the following actions:

- ◆ Obtain the resources required to bring the correctional peace officer apprenticeship program into compliance with standards set by the Department of Industrial Relations, Division of Apprenticeship Standards.
- ◆ Ensure that an appeals and grievances committee, or a comparable apprenticeship program oversight body, meets as needed to address appeals, grievances, and time credit applications.
- ◆ Develop an effective audit function and conduct field audits to ensure compliance by local apprenticeship programs.

ORIGINAL FINDING NUMBER 4

The Office of the Inspector General found that the commission's independence has been undermined by the influence of both the Youth and Adult Correctional Agency and the California Correctional Peace Officers Association and that its membership structure causes organizational paralysis.

ORIGINAL RECOMMENDATIONS	STATUS	COMMENTS
<p>If the commission is not abolished, the Office of the Inspector General recommends that the following action be taken: The administration and the Legislature should either amend the California Penal Code to end the practice of appointing equal numbers of commissioners from labor and management, which has resulted in a perpetual stalemate, or establish an alternative mechanism for breaking voting deadlocks.</p>	<p>NOT APPLICABLE</p>	<p>With the passage of Senate Bill 737, effective July 1, 2005, California Penal Code section 13600 was amended to abolish the Commission on Correctional Peace Officer Standards and Training. Also amended were California Penal Code sections 6024 and 6025 to establish the Corrections Standards Authority and alter the structural composition of the board. The problems associated with board composition were thereby addressed, as described in the comments in Finding 1, above.</p>

FOLLOW-UP RECOMMENDATIONS

None.

**RESPONSE OF THE CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION**

Memorandum

Date : October 3, 2006

To : Matthew L. Cate, Inspector General
Office of the Inspector General
PO Box 348780
Sacramento, CA 95834-8780

Subject: **RESPONSE TO THE OFFICE OF THE INSPECTOR GENERAL'S FOLLOW-UP REVIEW
PERTAINING TO THE FORMER COMMISSION ON CORRECTIONAL PEACE OFFICER
STANDARDS AND TRAINING**

This memorandum is prepared as the California Department of Corrections and Rehabilitation's (CDCR) response to the Office of the Inspector General's (OIG) Follow-Up Review of Recommendations Pertaining to the Former Commission on Correctional Peace Officer Standards and Training.


After careful review, CDCR concurs with the overall findings and intent of the recommendations. Subsequent to the dissolution of the Commission on Correctional Peace Officer Standards and Training, the Corrections Standards Authority (CSA) and the Office of Training and Professional Development (OTPD) made significant advances toward implementing the intent of the agency-wide reorganization. While CDCR agrees that minimal visible progress in implementing the OIG's prior recommendations from the 2005 special review have been made, it must be recognized that CSA and OTPD have made considerable progress in planning and resource development, without which, little advancement can be made.

- CSA addressed the structural issue of the Board's configuration and is holding regular meetings since additional gubernatorial appointments were made to the newly formed positions. CSA's Board is almost fully constituted with 17 of its 19 members, and it is anticipated that the remaining two vacancies will be appointed by November 2006.
- CSA has been working diligently in research, data gathering, and planning activities since July of 2005. This initial work is essential in the development of selection and training standards for correctional peace officer personnel. Specific procedures are followed to ensure adherence to professional standards and compliance with the Federal Uniform Guidelines. While traditional job analysis is generally the basis for developing these standards, the sheer number of State correctional job classifications (47) that need analyzing makes any traditional approach prohibitively expensive and time consuming.
- CSA's Standards and Training Division along with staff from the California State University, Sacramento and contracted consultants were initially tasked with the development of the project methodology. This major step has been completed and will provide economies of scale with regard to time, effort, and cost. This innovative approach has been utilized in other arenas with positive results and will provide an avenue for consistent review allowing the opportunity to ensure the continued competence of State correctional peace officer personnel. CSA has successfully completed the developmental stages of the research and will be advancing into the field work necessary to complete the analysis for these various

classifications. This work is consistent with best practices in the field and will provide the research data needed in developing legally defensible standards and updated selection tools for CDCR.

- OTPD assumed responsibility for the operations of the apprenticeship program in September 2005 and at that time initiated steps to rename and reinstate the apprenticeship process. CDCR was unable to secure the agreement of labor representatives (the California Correctional Peace Officers Association), and OTPD continues to have limited resources with which to operate the program. OTPD has developed a new proposal for reconstituting the apprenticeship program and is committed to making the program functional. It will be shared with interested parties once the internal review is complete.

We would like to thank the OIG for its continued professionalism and guidance in CDCR's efforts to improve its operations. CDCR's commitment is evident and while transformation is not always visible, significant improvements are being made. Should you have any questions or concerns, please call my office at 323-6001.


JAMES E. TILTON
Secretary
California Department of Corrections and Rehabilitation

