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Implementation

While the recommendations presented in this report may provide the best opportunity for success in reforming California's correctional system, the scope and volume of the recommendations are such that implementation may appear to be daunting. Accordingly, the Corrections Independent Review Panel offers the following implementation guidelines:

- ***Develop a strategic plan.*** A strategic plan should be developed that includes a detailed plan for implementation. The strategic plan should also include metrics to track progress. The strategic planning process should begin immediately with a select team that includes all involved entities, led by experienced strategic planners. The panel suggests three principles to guide the development of the strategic plan:
 1. ***Vision –values.*** This principle seeks to answer the fundamental question, *If all things were possible and there were no financial or resource limits on what could be accomplished, what would you want the future to be like?* This permits planning to an envisioned future and an articulation of values.
 2. ***Mission - goals/strategies.*** This principle describes a short-term plan of one to three years to attain and measure progress. A clear mission is necessary to guide goals and strategies.
 3. ***Objectives –action plan.*** This principle describes what will be done and in what order it will be accomplished. The plan should state clearly what is to be accomplished in the very short term and what actions are required to do so. Action plans are needed to align the units of the organization and begin the implementation of the new structure, such as establishing Adult and Youth Operations, Regional Directors, and subordinate parole offices.

Implementation planning should prioritize objectives based on the vision, values, mission, and goals/strategies of the organization. Steps involved in such a process include organizing the recommendations according to current priorities; identifying recommendations that can be undertaken without changing statutory authority; determining those that require new law; gauging the impact of the Governor's Reorganization plan; and identifying the resources required during the implementation period.

- ***Provide continuing strategic management.*** A continuing process of strategic management is needed to engage both management and staff in re-creating the organization. This requires establishing a guiding task force responsible for oversight and for taking action to overcome barriers to implementation. Given the magnitude of the current effort, several such groups focused on specific aspects may be appropriate. These entities are also essential to generating the extensive

- communications needed and effective collaboration required to carry organizational change forward.
- ***Implement certain recommendations immediately.*** Implementation can begin immediately on certain recommendations, even under the current Youth and Adult Correctional Agency structure. These include the policy changes recommended for the operation of internal affairs, personnel and training, information technology, risk management, and the code of conduct, as well as continued development of financial management and health care administration. These policy changes should be incorporated into the strategic plan.
 - ***Give population management recommendations priority.*** Recommendations affecting institution and parole population management should be at the forefront of organizational planning. These recommendations deal primarily with the management and programming of wards, inmates, and parolees. Actions critical to the success of the organization are needed now in institutions and parole operations. These include adoption of a violence control program for adult institutions, pursuing legislation to change sentence credit policies and sentencing practices, expanding support for the "new parole model" for adults, and developing community aftercare for youthful offenders.
 - ***Begin the groundwork for long-term changes as soon as possible.*** Many of the panel's recommendations require substantial time and investment in both human capital and technology before their effects can be realized. These investments should be determined and made over successive budget cycles, although some significant and early cost savings can be expected by merging department-wide policy and support functions. Planning for long-term change should begin even before legislative approval is obtained for reorganization.
 - ***Begin implementing changes in health care administration.*** The changes recommended in health care administration involve many areas of the new organization, including risk management, financial and contract management, and legal services. While implementing the changes will require a long-term effort, the changes can be initiated now. The organization should without delay develop a plan to: (1) define and establish its new central administrative organization; (2) enter into collaboration with University of California officials to build an effective partnership; (3) identify and develop the data necessary for understanding correctional health care demands; (4) establish a task force to determine the types of contracts that best support delivery of health care in specific institutions; (5) develop a master set of contracting documents; and (6) establish field contract managers to obtain health care providers and train the contract managers. Internal organizational changes — such as moving the present quality management assessment program to a new risk

management function, and the program support unit, to a new financial management operation—should also be undertaken immediately.

Legal Discussion

Some of the recommendations in this report can be implemented under existing statutory authority, but others will require new legislation, and two recommendations will require amendments to the California Constitution.

The first proposed constitutional amendment involves providing the new Secretary of Correctional Services with the ability to appoint and remove those in certain key exempt positions within the department. Under current law, the Secretary would be able to make no more than one exempt appointment. Accordingly, in the legislation proposed below, the Secretary would appoint only the Undersecretary. In order to attract the most qualified candidates who are free of outside allegiances, however, the Secretary must be free to appoint and remove exempt Assistant Secretaries, Deputy Secretaries, Directors of Operations, and Regional Directors within the new Department of Correctional Services. This recommendation requires a constitutional amendment permitting the Secretary to make these additional exempt appointments.

The second proposed constitutional amendment involves replacing the State Personnel Board's involvement in the disciplinary appeal process for employees of the new Department of Correctional Services with an internal employee discipline appeal panel and eliminating the appeal process for lower level penalties. The discipline appeal panel would consist of designated departmental managers and one member selected by the Civilian Corrections Commission. At present, the California Constitution requires the State Personnel Board to review disciplinary actions taken against all state civil service employees. [*See California Constitution, Article VII, Section 3, subdivision (a)*] Accordingly, this recommendation requires a constitutional amendment exempting the employees of the new department from the State Personnel Board's appeal process.

In addition to these constitutional amendments, legislation will be required to fully accomplish the proposed reorganization of the Youth and Adult Correctional Agency and its component entities into a single Department of Correctional Services, which will be overseen by the Civilian Corrections Commission. While the California Performance Review may propose a sweeping reorganization of state government through a Governor's reorganization plan that includes a similar reorganization of the correctional system, as permitted by California's Government Code Sections 12080-12081.2, the changes envisioned in this report cannot be adequately accomplished by such a reorganization plan alone. Following are a few of the fundamental reasons that the panel is instead recommending separate legislation:

- In order to create accountability and change the culture of the new correctional organization, this panel recommends that the Civilian Corrections Commission's five members be the only individuals in the new structure whose appointments require Senate confirmation. A Governor's reorganization plan may not abolish

existing Senate confirmation requirements for the positions transferred to the new department (for example, the Inspector General and wardens). Separate legislation, on the other hand, could specifically abolish these requirements.

- The proposed organizational structure includes a Civilian Corrections Commission with five members serving five-year staggered terms. A Governor’s reorganization plan would not allow appointments for a term of more than four years. Accommodating this limitation would have a significant impact on the commission. For example, having only three members with staggered, three-year terms would not allow the diversity of opinion envisioned for such an important commission. Similarly, having four members with staggered, four-year terms would create the possibility of tie voting, which makes little sense and would create unnecessary problems. In addition, having more than one member complete a term at the same time would disrupt the continuity of the membership. Separate legislation, on the other hand, could provide for the staggered, five-year terms exactly as proposed.
- There are additional recommendations in this report that require specific legislation (for example, legislation regarding the new term of the Inspector General, inmate and ward health care), which would not be accomplished by a Governor’s reorganization plan. Separate legislation, on the other hand, allows all of the Corrections Independent Review Panel’s recommendations not otherwise requiring constitutional amendments to be introduced to the legislature at one time.

The proposed legislation outlined in these appendices includes new code sections and revisions to existing code sections. While the new legislation would create some of the legal framework for the new organization and implement a few of the recommendations, these revised code sections reflect the changes necessary to implement additional recommendations and transition all of the functions and responsibilities from the existing organizational structure to the new one. The proposed legislation set forth below is not exhaustive, but it provides the language necessary for specified changes. The Legislative Counsel and the new department will have to spend considerable time reviewing and updating the existing codes.

Other features presented in this report would require additional legal changes. For instance, the report recommends creating a system of blended sentences for some youthful offenders in order to encourage wards sentenced to the Department of Correctional Services –Division of Youth Operations to succeed in that program; otherwise, they would be transferred to the Division of Adult Operations for the remainder of their sentence. These youths would be distinguished from those who are tried in adult court and receive only adult sentences. In order to implement this type of blended sentencing system under the jurisdiction of the juvenile courts, which are arguably better suited than the adult courts to monitor the progress of youth committed in their courtrooms, youthful offenders would have to receive all adult criminal procedural safeguards in the juvenile courts, including the right to a jury

trial. As a practical matter, it would be an unnecessary burden and expense to provide adult criminal procedural safeguards for all youth matters; therefore, the district attorney would have to move to have the youth tried under the blended sentencing system with its adult criminal procedural safeguards at the outset of the prosecution. This system of sentencing would require a task force to propose significant legislation to develop the parameters of the blended sentences— a measure that is not proposed in the appendices below. Furthermore, there would be practical and budgetary considerations with regard to implementation of adult criminal procedural safeguards within the existing juvenile court system.

Similarly, this report recommends a system of presumptive sentencing for adult offenders. In order to accomplish a sentencing system that gives prisoners incentives for improvement for eventual re-entry into society, a task force of sentencing, corrections, and legal experts should be formed to develop the parameters of the new model with all of its nuances and limitations. Additional research will have to be conducted before a plan could be advanced. Eventually, this fully-formulated plan would have to be presented to the Legislature for codification.

Legislative language is included below for the following categories of changes:

Managing Inmate and Ward Health Care

Risk Management

Personnel and Training

Population Management-Youth

Population Management-Adult

Organizational Structure

Proposed Statutory and Constitutional Changes

A. MANAGING INMATE AND WARD HEALTH CARE

PROPOSED NEW LEGISLATION

The Legislature hereby finds and declares that the functions of the Department of Correctional Services includes the provision of legally required, medically necessary health care for wards and inmates. The Legislature further finds and declares that managing and providing for the health care needs of wards and inmates under the jurisdiction of the Department of Correctional Services are not sufficiently met by civil service employees, cannot be performed satisfactorily by civil service employees, and can be of such a highly specialized or technical nature that the necessary expert knowledge, experience, and ability are not available through the civil service system. Commencing January 1, 2005, the Department of Correctional Services is hereby authorized pursuant to Government Code Section 19130(b)(3) to seek personal services contracts to replace its medical care system until such time that these services can be provided by an organization that is constitutionally exempt from civil service, pursuant to Government Code Section 19130(b)(1).

AMEND PENAL CODE SECTION 2684-2685

The existing language of sections 2684 and 2685 are repealed and replaced with the following:

2684. The legislature finds that the Department of Correctional Services has established and operates a mental health services delivery system for the treatment of inmates who have serious mental disorders, and that such inmates are treated in the following levels of care: (1) clinical case management, (2) enhanced outpatient care, (3) crisis care, and (4) long-term and acute inpatient care, with all inpatient care provided in state hospitals or other facilities operated by the Department of Mental Health, or its successor, pursuant to renewable agreements between the Department of Correctional Services and the Department of Mental Health, or its successor.

The legislature finds further that the Department of Correctional Services identifies inmates with serious mental disorders through screenings and other methods with diagnoses made by qualified psychologists and psychiatrists in accordance with accepted mental health practices.

The legislature declares that it is in the best interests of the state and of inmates with serious mental disorders requiring enhanced outpatient care, crisis care or inpatient care that they be provided such care and treatment by the Department of Mental Health, or its successor, in the most appropriate setting within either state prisons or state hospitals without the need for a renewable agreement between the departments.

(a)The Director of the Department of Mental Health, or his/her successor, shall be responsible for and shall accept for treatment any inmate under the jurisdiction of the Department of Correctional

Services that has been determined by either the Department of Correctional Services or the Department of Mental Health, or its successor, to have a serious mental disorder and who requires enhanced outpatient, crisis or inpatient care and treatment as such levels of care are defined in the Mental Health Program Guides governing the Department of Correctional Services mental health service delivery system.

(b) In order to achieve an effective transition of responsibility for providing the services required by this section, the Department of Correctional Services and the Department of Mental Health shall enter into a collaborative process in which to determine a plan for implementing the requirements of this section. The plan shall include: (i) the determination of the facilities in which the enhanced outpatient, crisis care and inpatient services are to be provided, (ii) the security required for such facilities, (iii) staff and budget requirements, (iv) and the date upon which the required services will be implemented by the Department of Mental Health, or its successor, which shall not occur later than one year from the effective date of this section. The Department of Mental Health, or its successor, shall be responsible for all care and treatment required by this section including staffing, medications and materials. The Department of Correctional Services shall be responsible for providing security for staff and inmates who are in the care of the Department of Mental Health, or its successor, within a state prison, and for providing security for the perimeter of a state hospital in which such care is provided.

(c) When in the opinion of the Department of Mental Health, or its successor, an inmate treated pursuant to the requirements of this section is in remission such that the particular level of care provided by the Department of Mental Health is no longer clinically required as determined by the Department of Mental Health, or its successor, the inmate may be discharged into the care and custody of the Department of Corrections. Such discharged inmates shall be received by the Department of Correctional Services and retained within the case management level of care until clinically discharged from that care, or until the inmate's release date from prison, whichever date arrives first.

(d) Any inmate whose prison sentence expires while under treatment by the Department of Mental Health, or its successor, pursuant to this section shall be released in accordance with procedures determined by the Department of Correctional Services.

(e) The Department of Mental Health, or its successor, and the Department of Correctional Services shall consult with one another to determine if the treatment of seriously disordered youthful offenders should be included in the provisions of the transition plan described in subsection (b) above and the required treatment for such youthful offenders be provided by the Department of Mental Health, or its successor.

B. RISK MANAGEMENT

PROPOSED NEW LEGISLATION

Commencing January 1, 2005, the Department of Correctional Services and the Office of the Attorney General shall negotiate a binding Memorandum of Understanding no later than March 1st of each calendar year for the succeeding fiscal year. The Memorandum of Understanding shall include the terms and scope of representation by the Office of the Attorney General of the Department of Correctional Services and its employees. Included in those terms shall be the mutually agreed upon remedies available to the parties in the event of conflicts arising from the agreement. In the event that the Attorney General is unable to provide legal services for Department of Correctional Services' legal matters, the department is authorized to employ attorneys at law and such assistant attorneys as are necessary, said attorneys to act as the attorneys and legal advisers of the department on those matters. The department shall report to the Department of Finance, or its successor, an annual summary of resulting expenditures incurred for these services.

PROPOSED NEW LEGISLATION AND REVISION OF PENAL CODE SECTION 5058.1¹

The Legislature hereby finds and declares that the Department of Correctional Services is uniquely tasked with serving the interest of public safety. This service is best provided by the uniform and timely implementation of new and/or revised policies throughout the correctional system. In the safety and welfare interests of inmates, wards, parolees, employees and the public-at-large, the Department of Correctional Services shall be exempt from the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340), Chapter 4 (commencing with Section 11370), Chapter 4.5 (commencing with Section 11400), and Chapter 5 (commencing with Section 11500)). This section shall apply to actions taken by the department and the Civilian Corrections Commission with respect to the California Code of Regulations, Title XV. The Civilian Corrections Commission shall hold public meetings prior to the consideration or adoption of any permanent changes to the California Code of Regulations, Title XV proposed by the Secretary of Correctional Services.

5058.1. (a) For the purposes of this section, "pilot program" means a program implemented on a temporary and limited basis in order to test and evaluate the effectiveness of the program, develop new techniques, or gather information.

(b) Commencing January 1, 2005, the adoption, amendment, or repeal of a regulation by the ~~director~~ Secretary, subject to the oversight of the Civilian Corrections Commission, to implement a legislatively mandated or authorized pilot program or a departmentally authorized pilot program, is exempt from Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, if the following conditions are met:

¹ The revision to Penal Code Section 5058.1 must only be enacted in conjunction with the enactment of the new legislation.

(1) A pilot program affecting male inmates affects no more than 10 percent of the total state male inmate population; a pilot program affecting female inmates affects no more than 10 percent of the total state female inmate population; and a pilot program affecting male and female inmates affects no more than 10 percent of the total state inmate population.

(2) The ~~director~~ Secretary certifies in writing that the regulations apply to a pilot program that qualifies for exemption under this section. The certification shall include a description of the pilot program and of the methods the department will use to evaluate the results of the pilot program.

(3) The certification and regulations are filed with the Office of Administrative Law and the regulations are made available to the public by publication pursuant to subparagraph (F) of paragraph (3) of subdivision (b) of Section 6 of Title 1 of the California Code of Regulations.

(4) An estimate of fiscal impact is completed pursuant to Sections 6650 to 6670, inclusive, of the State Administrative Manual.

(c) The adoption, amendment, or repeal of a regulation pursuant to this section becomes effective immediately upon filing with the Secretary of State.

(d) A regulation adopted pursuant to this section is repealed by operation of law, and the amendment or repeal of a regulation pursuant to this section is reversed by operation of law, two years after the commencement of the pilot program being implemented, unless the adoption, amendment, or repeal of the regulation is promulgated by the ~~director~~ Secretary pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. For the purpose of this subdivision, a pilot program commences on the date the first regulatory change implementing the program is filed with the Secretary of State.

C. PERSONNEL AND TRAINING

AMEND PENAL CODE SECTIONS 13600-13602 & 6126.2

13600. (a) *The Legislature finds and declares that peace officers of the state correctional system, including youth and adult correctional facilities, fulfill responsibilities that require creation and application of sound selection criteria for applicants and standards for their training prior to assuming their duties. For the purposes of this section, correctional peace officers are peace officers as defined in Section 830.5 and employed or designated by, commencing January 1, 2005, the Department of Corrections and the Department of the Youth Authority Department of Correctional Services.*

The Legislature further finds that sound applicant selection and training are essential to public safety and in carrying out the missions of the ~~Youth and Adult Correctional Agency~~ Department of Correctional Services in the custody and care of the state's offender population. The greater degree of professionalism which will result from sound screening criteria and a significant training curriculum will greatly aid the ~~Youth and Adult Correctional Agency~~ Department of Correctional Services in maintaining smooth, efficient, and safe operations and effective programs ~~in the Department of Corrections and the Department of the Youth Authority.~~

(b) ~~There is within the Youth and Adult Correctional Agency a Commission on Correctional Peace Officer Standards and Training, hereafter referred to as the CPOST.~~ Commencing January 1, 2005, any reference to the Commission on Correctional Peace Officer Standards and Training, or "CPOST", shall refer to the Corrections Standards Authority. The Department of Corrections-Department of the Youth Authority Joint Apprenticeship Committee, as referred to in the Memorandum of Understanding for Unit 6, is hereby renamed the also formerly named the Commission on Correctional Peace Officer Standards and Training, shall refer to the Corrections Standards Authority. Any reference to the Department of Corrections-Department of the Youth Authority Joint Apprenticeship Committee shall be deemed to refer to the CPOST.

(c) (1) ~~The executive board of the CPOST shall be composed of six voting members.~~
~~—(A) Two members from, appointed by, and representing the management of, the Department of Corrections and one member from, appointed by, and representing the Department of the Youth Authority.~~
~~—(B) Three members from, and appointed by the Governor upon recommendation by, and representing the membership of, the California Correctional Peace Officers' Association. Two members shall be rank and file persons from State Bargaining Unit 6 and one member shall be supervisory.~~
~~—(C) Appointments shall be for four years.~~
~~—(D) Promotion of a member of CPOST shall invalidate the appointment of that member and shall require the recommendation and appointment of a new member if the member was appointed from~~

² While the statutory change may be made, the contractual obligation remains through July 2, 2006 unless there is mutual assent to the abolition of the Commission of Correctional Peace Officer Standards and Training (CPOST) by the California Correctional Peace Officers Association.

~~rank and file or from supervisory personnel and promoted out of his or her respective rank and file or supervisory position during his or her term on CPOST.~~

~~—(2) Each appointing authority shall appoint one alternate member for each regular member who they appoint pursuant to paragraph (1). Every alternate member shall possess the same qualifications as the regular member and shall substitute for, and vote in place of, the regular member whenever he or she is absent.~~

~~—(d) The rules for voting on the executive board of the CPOST shall be as follows:~~

~~—(1) Decisions shall be made by a majority vote.~~

~~—(2) Proxy voting shall not be permitted.~~

~~—(3) Tentative approval of a decision may be taken by a telephone vote. The CPOST members' decision shall be documented in writing and submitted to the CPOST for confirmation at the next scheduled CPOST meeting so as to become a part of the permanent record.~~

~~—(e) The executive board of the CPOST shall adopt rules as it deems necessary for efficient operations, including, but not limited to, the appointment of advisory members for forming whatever committee it deems necessary to conduct its business. These rules shall be in conformance with the State Personnel Board rules and regulations, the Department of Personnel Administration rules and regulations, and the provisions of the State Bargaining Unit 6 Memorandum of Understanding.~~

~~—(f) The CPOST shall appoint an executive director. The Governor may appoint a subordinate officer to the secretary, subject to confirmation by the Senate, under this section who shall hold office at the pleasure of the Governor. Commencing January 1, 2005, t~~The executive director subordinate officer shall appoint staff as provided for in the annual Budget Act, beginning in fiscal year 1999–2000.~~~~

13601. (a) ~~The CPOST~~ Commencing January 1, 2005, the Corrections Standards Authority shall develop, approve, and monitor standards for the selection and training of state correctional peace officer apprentices. Any standard for selection established under this subdivision shall be subject to approval by the State Personnel Board. Using the psychological and screening standards established by the State Personnel Board, or its successor, the State Personnel Board or the Department of the Youth Authority, or their successors, shall ensure that, prior to training, each applicant who has otherwise qualified in all physical and other testing requirements to be a peace officer in either a youth or adult correctional facility, is determined to be free from emotional or mental conditions that might adversely affect the exercise of his or her duties and powers as a peace officer.

(b) ~~The CPOST~~ Corrections Standards Authority may approve standards for a course in the carrying and use of firearms for correctional peace officers that ~~is~~ are different from that prescribed pursuant to Section 832. The standards shall take into consideration the different circumstances presented within the institutional setting from that presented to other law enforcement agencies outside the correctional setting.

(c) Notwithstanding Section 3078 of the Labor Code, the length of the probationary period for correctional peace officer apprentices shall be determined by the ~~CPOST~~ Corrections Standards Authority subject to approval by the State Personnel Board, pursuant to Section 19170 of the Government Code.

(d) The CPOST Corrections Standards Authority shall develop, approve, and monitor standards for advanced rank-and-file and supervisory state correctional peace officer and training programs for the Department of ~~Corrections~~ Correctional Services. When a correctional peace officer is promoted within the ~~Department of Corrections~~ department, he or she shall be provided with and be required to complete these secondary training experiences.

(e) The CPOST Corrections Standards Authority shall develop, approve, and monitor standards for the training of state correctional peace officers in the Department of ~~Corrections~~ Correctional Services in the handling of stress associated with their duties.

(f) Toward the accomplishment of the objectives of this act, the CPOST Corrections Standards Authority may confer with, and may avail itself of the assistance and recommendations of, other state and local agencies, boards, or commissions.

(g) Notwithstanding the authority of the CPOST Corrections Standards Authority, the ~~departments~~ department shall design and deliver training programs, shall conduct validation studies, and shall provide program support. The CPOST Corrections Standards Authority shall monitor program compliance by the departments.

(h) The CPOST Corrections Standards Authority may disapprove any training courses created by the ~~departments~~ department pursuant to the standards developed by the commission if it determines that the courses do not meet the prescribed standards.

(i) The CPOST Corrections Standards Authority shall annually submit an estimate of costs to conduct those inquiries and audits as may be necessary to determine whether the ~~departments~~ department and each of their institutions and parole regions are adhering to the standards developed by CPOST Corrections Standards Authority, and shall conduct such inquiries and audits consistent with the annual Budget Act.

(j) The CPOST Corrections Standards Authority shall establish and implement procedures for reviewing and issuing decisions concerning complaints or recommendations from interested parties regarding CPOST Corrections Standards Authority rules, regulations, standards, or decisions.

13602. (a) Commencing January 1, 2005, the ~~The~~ Department of ~~Corrections~~ Correctional Services shall use the training academy at Galt-, ~~This academy shall be known as the Richard A. McGee Academy.~~ ~~The Department of the Youth Authority shall use~~ and the training center at Stockton. The training divisions, in using the funds, shall endeavor to minimize costs of administration so that a maximum amount of the funds will be used for providing training and support to correctional peace officers while being trained by the ~~departments~~ department.

(b) Each new cadet who attends an academy shall complete the course of training, pursuant to standards approved by CPOST Corrections Standards Authority before he or she may be assigned to a post or job as a peace officer. Every newly appointed first-line or second-line supervisor in the Department of ~~Corrections~~ Correctional Services shall complete the course of training, pursuant to standards approved by CPOST Corrections Standards Authority for that position.

(c) The Department of ~~Corrections and the Department of the Youth Authority~~ Correctional Services shall ~~make every effort to provide training prior to commencement of supervisorial duties.~~ ~~If this training is not completed within six months of appointment to that position, any first line or second line supervisor shall not perform supervisory duties until the training is completed.~~ ensure that peace officers appointed to a first-line or second-line supervisory position shall complete the

course of training pursuant to standards approved by the Corrections Standards Authority prior to assuming the responsibilities for that position.

6126.1. (a) ~~Commencing January 1, 2005, in consultation with the Commission on Correctional Peace Officer Standards and Training~~ Corrections Standards Authority and the Inspector General, the Youth and Adult Correctional Agency ~~Department of Correctional Services~~ shall establish a certification program for investigators under the jurisdiction of the Inspector General, Civilian Corrections Commission, the Youth and Adult Correctional Agency, the Department of the Youth Authority, the Department of Corrections, the Board of Corrections, the Youthful Offender Parole Board, and the Board of Prison Terms ~~Department of Correctional Services~~. The investigators' training course shall be consistent with the standard courses utilized by other major investigative offices, such as county sheriff and city police departments and the California Highway Patrol.

(b) ~~Beginning January 1, 1999, all~~ All internal affairs investigators conducting investigations for the office of the Inspector General, the Civilian Corrections Commission ~~Youth and Adult Correctional Agency, the Department of the Youth Authority, the Department of Corrections, the Board of Corrections, the Youthful Offender Parole Board, and the Board of Prison Terms~~ Department of Correctional Services shall complete the investigation training and be certified ~~within six months of employment~~ prior to conducting any internal affairs investigations.

(c) ~~Beginning January 1, 1999, all~~ All internal affairs investigators shall successfully pass a psychological screening exam before becoming employed with the office of the Inspector General, the Civilian Corrections Commission ~~the Youth and Adult Correctional Agency, the Department of the Youth Authority, the Department of Corrections, the Board of Corrections, the Youthful Offender Parole Board, or the Board of Prison Terms~~ Department of Correctional Services.

D. POPULATION MANAGEMENT – YOUTH

AMEND WELFARE & INSTITUTIONS CODE SECTIONS 912.1, 1176, & 1719

912.1. (a) ~~The Department of the Youth Authority~~ Correctional Services – Division of Youth Operations shall present to each county, not more frequently than monthly, a statement of per capita institutional cost.

(b) ~~As of July 1, 2003~~ January 1, 2005, "per capita institutional cost," as used in this section and Section 912.5, means ~~thirty-six thousand five hundred four~~ fifty thousand dollars (\$~~36,504~~ 50,000).

(c) The "per capita institutional cost" set forth in subdivision (b) shall be adjusted annually, on July 1, to reflect any increases in the California Consumer Price Index for All Urban Consumers, as published by the California Department of Industrial Relations, based on regional data from the United States Department of Labor, Bureau of Labor Statistics.

1176. ~~Commencing January 1, 2005, When, in the opinion of the Youth Authority Board~~ Department of Correctional Services – Division of Youth Operations Hearing Administration any person committed to or confined in any such school deserves parole according to regulations established for the purpose, and it will be to his or her advantage to be paroled, ~~for any ward categorized pursuant to sections 4951-4954 of Title 15 of the California Code of Regulations, Division 4.5, Chapter 2, the board~~ Hearing Administration may grant parole under conditions it deems best. A reputable home or place of employment shall be provided for each person so paroled.

1719. (a) ~~Commencing January 1, 2005, The following powers and duties shall be exercised and performed by the Youth Authority Board~~ Department of Correctional Services – Division of Youth Operations Hearing Administration, ~~as such, or all of which~~ may be delegated to a panel, member, or case hearing representative as provided in Section 1721: discharges of commitment, orders to parole and conditions thereof for any ward categorized pursuant to sections 4951-4954 of Title 15 of the California Code of Regulations, Division 4.5, Chapter 2, revocation or suspension of parole for any ward categorized pursuant to sections 4951-4954 of Title 15 of the California Code of Regulations, Division 4.5, Chapter 2, and disciplinary appeals ~~appeals of disciplinary action for any ward categorized pursuant to sections 4951-4954 of Title 15 of the California Code of Regulations, Division 4.5, Chapter 2 resulting in an extension of the ward's parole consideration date or appeals of departmental disciplinary recommendations to extend a ward's parole consideration date for any ward categorized pursuant to sections 4955-4957 of Title 15 of the California Code of Regulations, Division 4.5, Chapter 2. Any recommendation by the department to deny parole or probation for any ward categorized pursuant to sections 4955-4957 of Title 15 of the California Code of Regulations, Division 4.5, Chapter 2 will automatically be referred for final determination to the ward's committing court, who will have the authority to discharge the ward's commitment, order or deny probation and conditions thereof within their respective county or order parole by the Department of Correctional Services. Any recommendation by the department to grant parole or probation for any ward categorized pursuant to sections 4955-4957 of Title 15 of the California Code of Regulations, Division 4.5, Chapter 2 will automatically be referred to the ward's committing court for placement,~~

who will have the authority to discharge the ward's commitment, order or deny probation and conditions thereof within their respective county or order parole by the Department of Correctional Services. Revocation or suspension of parole or probation for any ward categorized pursuant to sections 4955-4957 of Title 15 of the California Code of Regulations, Division 4.5, Chapter 2 shall be exercised and performed by the ward's committing court. In those instances where the committing court orders county probation and the conditions thereof in lieu of parole by the Department of Correctional Services, the committing county shall receive from the state a payment of \$1,250 on a quarterly basis for as long as the juvenile continues to receive probation services from the county pursuant to annual review and approval of continuation by the Department of Correctional Services.

(b) Any ward categorized pursuant to sections 4951-4954 of Title 15 of the California Code of Regulations, Division 4.5, Chapter 2 may appeal an adjustment to his or her parole consideration date to a panel comprised of at least two ~~board~~ hearing administrators. Any ward categorized pursuant to sections 4955-4957 of Title 15 of the California Code of Regulations, Division 4.5, Chapter 2 may appeal a recommendation by the department to adjust his or her parole consideration date to a panel comprised of at least two ~~board~~ hearing administrators.

(c) The following powers and duties shall be exercised and performed by the Department of ~~the Youth Authority~~ Correctional Services: return of persons to the court of commitment for redispotion by the court, determination of offense category, setting of parole consideration dates, conducting annual reviews, treatment program orders, institution placements, furlough placements, return of nonresident persons to the jurisdiction of the state of legal residence, disciplinary decision-making, and referrals pursuant to Section 1800.

(d) The Department of ~~the Youth Authority~~ Correctional Services shall promulgate policies and regulations implementing a department wide system of graduated sanctions for addressing ward disciplinary matters. The disciplinary decision-making system shall be employed as the disciplinary system in department institutions, and shall provide a framework for handling disciplinary matters in a manner that is consistent, timely, proportionate, and ensures the due process rights of wards. The department shall develop and implement a system of graduated sanctions which distinguishes between minor, intermediate, and serious misconduct. The department may extend a ward's parole consideration date for any ward categorized pursuant to sections 4951-4954 of Title 15 of the California Code of Regulations, Division 4.5, Chapter 2, subject to appeal pursuant to subdivision (b), from one to not more than 12 months, inclusive, for a sustained serious misconduct violation if all other sanctioning options have been considered and determined to be unsuitable in light of the ward's previous case history and the circumstances of the misconduct. In any case in which a parole consideration date has been extended, the disposition report shall clearly state the reasons for the extension. Commencing January 1, 2005, ~~the~~ department may recommend to the ward's committing court, who has sole jurisdiction to extend the length of stay an extension of ~~extend~~ a ward's parole consideration date for any ward categorized pursuant to sections 4955-4957 of Title 15 of the California Code of Regulations, Division 4.5, Chapter 2, subject to appeal pursuant to subdivision ~~(b)~~, from one to not more than 12 months, inclusive, for a sustained serious misconduct violation if all other sanctioning options have been considered and determined to be unsuitable in light of the ward's previous case history and the circumstances of the misconduct. In any case in which a parole consideration date has been extended, the disposition report shall clearly state the reasons for the extension. The length of any parole consideration date extension shall be based on the seriousness of

the misconduct, the ward's prior disciplinary history, the ward's progress toward treatment objectives, the ward's earned program credits, and any extenuating or mitigating circumstances. The department shall promulgate regulations to implement a table of sanctions to be used in determining parole consideration date extensions. The department ~~also~~ may promulgate regulations to establish a process for granting wards who have successfully responded to disciplinary sanctions a reduction of up to 50 percent of any time acquired for disciplinary matters.

E. POPULATION MANAGEMENT – ADULT

NEW LEGISLATION

The Department of Correctional Services shall identify and implement the use of an objective, actuarial-based risk assessment tool to be used for identification of offenders of low risk to society by no later than July 1, 2005. Notwithstanding any other provision of law, any person referred to in Penal Code Section 3000 (b)(1), who was not imprisoned for offenses requiring registration as listed in Penal Code Section 290(a)(2), or were not imprisoned for "violent felonies" as defined in Penal Code Sections 667.5, or for "serious felonies" as listed in Penal Code Sections 1192.7(c) and 1192.8 shall be assessed with this objective, actuarial-based risk assessment tool prior to release from prison. Commencing July 1, 2005, the Department of Correctional Services – Division of Adult Operations may recommend as early as 90 days after release from prison the discharge of those parolees objectively identified as low risk. The division shall otherwise submit to the Hearing Administration a recommendation either justifying discharge or retention on parole no later than 180 days from the parolee's release from prison. The Hearing Administration shall review the division's recommendations and may elect to either discharge or retain the parolee. Notwithstanding this early discharge provision, any parolee retained on parole by the Hearing Administration shall still be subject to the provisions of Penal Code Section 3001.

The Department of Correctional Services shall develop and implement a program utilizing objective, actuarial-based criteria to periodically identify eligible, low risk prisoners age 60 or older, who were not imprisoned for offenses which are listed in Penal Code Sections 290, 667.5, 1192.7(c) or 1192.8. Commencing January 1, 2006, under regulations prescribed by the department, the Secretary of Correctional Services may recommend, that the previously ordered sentences and commitments of eligible, low risk prisoners age 60 or older, who were not imprisoned for offenses requiring registration as listed in Penal Code Section 290(a)(2), or were not imprisoned for "violent felonies" as defined in Penal Code Sections 667.5, or for "serious felonies" as listed in Penal Code Sections 1192.7(c) and 1192.8., be recalled and that the prisoners be resentenced by their courts of commitment pursuant to Penal Code Section 1170(d).

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...

(e) Under regulations prescribed by the Department of Correctional Services by no later than July 1, 2005, prisoners assigned to a worktime credit qualifying program may be awarded supplemental worktime credit upon completion of specified educational, vocational, or substance abuse treatment programs. The department may award up to 90 days of supplemental worktime credit per specified program up to a maximum of 360 days supplemental worktime credit per commitment. Under no circumstances shall a prisoner's aggregate credit per term of imprisonment result in the prisoner serving less than one-third of his/her total sentence.

F. ORGANIZATIONAL STRUCTURE**NEW LEGISLATION**

There is hereby created in state government the Department of Correctional Services.

The Civilian Corrections Commission is hereby created and will function as the board of directors for the Department of Correctional Services. It will consist of five (5) members, each to be appointed by the Governor and confirmed by the Senate for staggered 5 year terms. No commissioner shall serve more than two consecutive terms plus no more than 2 years of an un-expired term. A vacancy is filled for the remainder of the term. There shall be at least one commissioner selected on the basis of his or her expertise in the area of youthful offender treatment and rehabilitation serving on the commission at all times. The Governor may remove any of the five members for incompetence, neglect of duty, or corruption. No commissioner shall be eligible for appointment if he or she has been affiliated with the California Department of Correctional Services or its predecessor entities prior to his or her appointment. The salaries for these positions shall be fixed by the legislature. The annual compensation provided for shall be increased in any fiscal year in which a general salary increase is provided for state employees. The amount of the increase shall be comparable to, but shall not exceed, the percentage of the general salary increases provided for state employees during that fiscal year.

The Commission shall elect a Chairperson from its members who shall serve for a period not to exceed two consecutive years.

The Civilian Corrections Commission, or any member of it who is authorized by a resolution of the Civilian Corrections Commission, may make investigations and conduct hearings concerning all matters and subjects under the jurisdiction of Department of Correctional Services, or may request such investigations to be performed by the Inspector General.

At the recommendation of the Civilian Corrections Commission, the Governor shall appoint a Secretary of the Department of Correctional Services, to be referred to hereafter as the Secretary of Correctional Services or secretary, who shall serve at the pleasure of the Commission. An Undersecretary for the Department of Correctional Services shall be appointed by the secretary and shall serve at the pleasure of the secretary. The salaries for these positions shall be fixed by the legislature.

Commencing January 1, 2005, the office of the Inspector General shall be a subdivision of the Civilian Corrections Commission. The Civilian Corrections Commission shall appoint the Inspector General, who shall serve a five-year term. The term may be renewed for one additional term of five years at the discretion of the Civilian Corrections Commission. The Civilian Corrections Commission may otherwise remove the Inspector General for incompetence, neglect of duty, or corruption at any time.

The Civilian Corrections Commission will perform the following functions:

- A. Adopt integrated plans for the Department of Correctional Services.*
- B. Adopt policies for the Department of Correctional Services.*
- C. Conduct departmental performance oversight.*
- D. Approve the overall department budget.*
- E. Issue directives to the Secretary of Correctional Services*
- F. Perform other duties as may be appropriate to a board of directors.*

The Department of Correctional Services hereby succeeds to, and is vested with, all the powers, duties, responsibilities, obligations, liabilities, and jurisdiction of the following Agency, Boards, Departments, and Commissions which effective January 1, 2005, shall no longer exist:

- A. Youth and Adult Correctional Agency;*
- B. Department of Corrections;*
- C. Department of the Youth Authority;*
- D. Prison Industry Authority*
- E. Prison Industry Board*
- F. Board of Prison Terms*
- G. Narcotic Addict Evaluation Authority*
- H. Commission on Correctional Peace Officer Standards and Training*
- I. Youth Authority Board*

For purposes of this article, the above entities shall be known as predecessor entities.

The following entities shall, effective January 1, 2005, be organized within the Department of Correctional Services and shall retain existing functions, powers, responsibilities and jurisdiction:

- A. Board of Corrections, which shall be known as the Corrections Standards Authority*
- B. Council on Mentally Ill Offenders*
- C. California Council for Interstate Adult Offender Supervision*
- D. State Commission on Juvenile Justice, Crime and Delinquency Prevention*

The Civilian Corrections Commission may add duties to the Corrections Standards Authority from predecessor entities in Section 5 hereinabove.

For purposes of this article, these shall be known as continuing entities.

The Secretary of the Department of Correctional Services shall serve as the Chief Executive Officer of the Department of Correctional Services and shall have all of the powers and authority which are conferred upon a head of a state department by Chapter 2 (commencing with Section 11150) of Part 1 of Division 3 of Title 2 of the Government Code.

Without limiting any other powers or duties, the secretary shall assure compliance with the terms of any state plans, memoranda of understanding, administrative orders, interagency agreements, assurances, single state agency obligations, federal statutes and regulations, and any other form of agreements or obligations that vital government activities rely upon or are a condition to the continued receipt by the department of state or federal funds or services. This includes, but is not limited to the designation, appointment, and provision of individuals, groups, and resources to fulfill specific obligations of any agency, board or department that is abolished pursuant to Section 4.

There shall exist within the Department of Correctional Services, the Division of Youth Operations, to be headed by a subordinate officer who shall be appointed by the Governor upon the recommendation of the secretary and whose salary shall be fixed by the legislature. The annual compensation provided for shall be increased in any fiscal year in which a general salary increase is provided for state employees. The amount of the increase shall be comparable to, but shall not exceed, the percentage of the general salary increases provided for state employees during that fiscal year. This subordinate officer may be removed by the secretary, whose decision shall be final.

There shall be within the Department of Correctional Services, the Division of Adult Operations, to be headed by a subordinate officer who shall be appointed by the Governor upon the recommendation of the secretary and whose salary shall be fixed by legislature. The annual compensation provided for shall be increased in any fiscal year in which a general salary increase is provided for state employees. The amount of the increase shall be comparable to, but shall not exceed, the percentage of the general salary increases provided for state employees during that fiscal year. This subordinate officer may be removed by the secretary, whose decision shall be final.

The following subordinate positions shall exist within the Office of the Secretary of Correctional Services and shall be appointed by the Governor upon the recommendation of the secretary: General Counsel, Assistant Secretary for External Affairs, Assistant Secretary for Victim Services, Assistant Secretary for Legislative Affairs, Assistant Secretary for Equal Employment Opportunities, and Assistant Secretary for Inspection & Control. The salaries for these positions shall be fixed by the Department of Personnel Administration, or its successor. The annual compensation provided for shall be increased in any fiscal year in which a general salary increase is provided for state employees. The amount of the increase shall be comparable to, but shall not exceed, the percentage of the general salary increases provided for state employees during that fiscal year. These subordinate officers may be removed by the secretary, whose decision shall be final.

There shall be within the Department of Correctional Services, the following offices: Fiscal Management, Health Care Administration, Information Technology, Internal Affairs, Labor Relations, Personnel & Training Development, Research & Planning, and Risk Management. Each office shall be headed by a subordinate officer who shall be appointed by the Governor upon the recommendation of the secretary. This subordinate officer may be removed by the secretary, whose decision shall be final. The salaries for these positions shall be fixed by the legislature. In setting these salaries, the Legislature shall consider the salaries of positions comparable to each of these

officers in both the public and private sector. The annual compensation provided for shall be increased in any fiscal year in which a general salary increase is provided for state employees. The amount of the increase shall be comparable to, but shall not exceed, the percentage of the general salary increases provided for state employees during that fiscal year.

All regulations adopted by the predecessor entities, continuing entities and any of their predecessors are expressly continued in force. Any statute, law, rule, or regulation now in force, or that may hereafter be enacted or adopted with reference to the predecessor entities and any of their predecessors shall mean the Department of Correctional Services. Any action concerning these duties, responsibilities, obligations, liabilities, and functions shall not abate but shall continue in the name of the Department of Correctional Services, and the Department of Correctional Services shall be substituted for the predecessor entities and continuing entities by the court wherein the action is pending. The substitution shall not in any way affect the rights of the parties to the action.

No contract, lease, license, or any other agreement to which the predecessor entities, continuing entities and any of their predecessors are a party shall be void or voidable by reason of this act, but shall continue in full force and effect, with the Department of Correctional Services assuming all of the rights, obligations, and duties of the predecessor entities. That assumption by the Department of Correctional Services shall not in any way affect the rights of the parties to the contract, lease, license, or agreement.

Bonds issued by the predecessor entities, continuing entities and any of their predecessors on or before January 1, 2005, shall become the indebtedness of any newly created entity. Any on-going obligations or responsibilities of the predecessor entities, continuing entities and any of their predecessors for managing and maintaining bond issuances shall be transferred to the newly created entity without impairment to any security contained in the bond instrument.

On and after January 1, 2005, the unencumbered balance of all money available for expenditure by the predecessor entities, continuing entities and any of their predecessors in carrying out any functions transferred to the Department of Correctional Services by this act shall be made available for the support and maintenance of the Department of Correctional Services. All books, documents, records, and property of the predecessor entities shall be transferred to the Department of Correctional Services.

On and after January 1, 2005, positions filled by appointment by the Governor in the predecessor entities or continuing entities shall be transferred to the Department of Correctional Services, unless otherwise abolished. Individuals in positions transferred pursuant to this section shall serve at the pleasure of the Governor, unless otherwise provided for. Titles of positions transferred pursuant to this section shall be determined by the secretary with the approval of the Governor. Salaries of positions transferred shall remain at the level established pursuant to law on December 31, 2004.

Any officer or employee of the predecessor entities who is engaged in the performance of a function specified in this reorganization and who is serving in the state civil service, other than as a temporary

employee, shall be transferred to the Department of Correctional Services pursuant to the provisions of Government Code Section 19050.9.

Any officer or employee of the continuing entities who is engaged in the performance of a function specified in this reorganization and who is serving in the state civil service, other than as a temporary employee, shall continue such status with the continuing entity pursuant to the provisions of Government Code Section 19050.9.

The status, position, and rights of any officer or employee of the predecessor entities shall not be affected by the transfer and shall be retained by the person as an officer or employee of the Department of Correctional Services, as the case may be, pursuant to the State Civil Service Act (Part 2 [commencing with Section 18500] of Division 5 of Title 2 of the Government Code), except as to a position that is exempt from civil service.

PROPOSED REVISIONS TO PENAL CODE

2036. *The Deuel Vocational Institution shall be an intermediate security-type institution. Its primary purpose shall be to provide custody, care, industrial, vocational and other training, guidance and reformatory help for young men, too mature to be benefited by the programs of institutions under the jurisdiction of the ~~Youth Authority~~ Department of Correctional Services – Division of Youth Operations and too immature in crime for confinement in prisons.*³

2038. *Commencing January 1, 2005, tThe Director of Corrections-Secretary of Correctional Services shall make rules and regulations for the government of the Deuel Vocational Institution and the management of its affairs, subject to the oversight of the Civilian Corrections Commission.*⁴

2043.3. *Commencing January 1, 2005, tThe Director of Corrections-Secretary of Correctional Services shall make rules and regulations for the government of the California Correctional Center at Susanville and the management of its affairs, subject to the oversight of the Civilian Corrections Commission.*⁵

2045.3. *Commencing January 1, 2005, tThe Director of Corrections-Secretary of Correctional Services shall make rules and regulations for the government of said institution and the management of its affairs, subject to the oversight of the Civilian Corrections Commission.*⁶

³ This section pre-dates the creation of the current Department of Corrections and should be considered for repeal altogether.

⁴ This section pre-dates the creation of the current Department of Corrections and should be considered for repeal altogether.

⁵ This section pre-dates the creation of the current Department of Corrections and should be considered for repeal altogether.

⁶ This section pre-dates the creation of the current Department of Corrections and should be considered for repeal altogether.

2046.3. Commencing January 1, 2005, ~~t~~The Director of Corrections Secretary of Correctional Services shall make rules and regulations for the government of the said prison and the management of its affairs, subject to the oversight of the Civilian Corrections Commission.⁷

2048.3. Commencing January 1, 2005, ~~t~~The Director of Corrections Secretary of Correctional Services shall make rules and regulations for the government of the California Correctional Institution at Tehachapi and the management of its affairs, subject to the oversight of the Civilian Corrections Commission.⁸

2048.7. Notwithstanding other provisions of the law, commencing January 1, 2005, the Director of Corrections Secretary of Correctional Services shall have the authority to modify the percentage of the inmate population of the Southern Maximum Security Complex to be employed by the Prison Industry Authority, or its successor, or to participate in vocational training commensurate with security requirements in relation to the type of inmates housed therein, provided that the percentage of the inmate population to be employed by the Prison Industry Authority, or its successor, or to participate in vocational training shall be no less than 60 percent of the inmates in the general population. Authority is also vested in the ~~director~~ Secretary of Correctional Services to utilize up to 100 percent of the cells of the facility to house special cases. The ~~director~~ Secretary of Correctional Services may also choose to double occupy each cell if system wide overcrowding demands that measure.

The ~~Director of Corrections~~ Secretary of Correctional Services may implement the provisions of this section only if the encumbrance of those funds is authorized by the Department of Finance, or its successor, not sooner than 30 days after notification in writing of the necessity therefore, to the chairman of the committee in each house which considers appropriations and the Chairman of the Joint Legislative Budget Committee.

2052. (a) The department shall have power to contract for the supply of electricity, gas and water for said prisons, upon such terms as the department shall deem to be for the best interests of the state, or to manufacture gas or electricity, or furnish water itself, at its option. It shall also have power to erect and construct or cause to be erected and constructed, electrical apparatus or other illuminating works in its discretion with or without contracting therefore, on such terms as it may deem just. The department shall have full power to erect any building or structure deemed necessary by it, or to alter or improve the same, and to pay for the same from the fund appropriated for the use or support of the prisons, or from the earnings thereof, without advertising or contracting therefore.

~~—(b) With respect to any facility under the jurisdiction of the Prison Industry Authority, or its successor, the Prison Industry Authority, or its successor, shall have the same powers which are vested in the department pursuant to subdivision (a).~~

⁷ This section pre-dates the creation of the current Department of Corrections and should be considered for repeal altogether.

⁸ This section pre-dates the creation of the current Department of Corrections and should be considered for repeal altogether.

2081.5. Commencing January 1, 2005, the ~~The Director of Corrections~~ Secretary of Correctional Services shall keep complete case records of all prisoners under custody of the department, which records shall be made available to the Board of Prison Terms at such times and in such form as the board may prescribe.

Case records shall include all information received by the ~~Director of Corrections~~ Secretary of Correctional Services from the courts, probation officers, sheriffs, police departments, district attorneys, State Department of Justice, Federal Bureau of Investigation, and other interested agencies and persons. Case records shall also include a record of diagnostic findings, considerations, actions and dispositions with respect to classification, treatment, employment, training, and discipline as related to the institutional correctional program followed for each prisoner.

The ~~director~~ Secretary of Correctional Services shall appoint, ~~after consultation with the Board of Prison Terms,~~ such employees of the various institutions under his control as may be necessary for the proper performance of the duties of the ~~Board of Prison Terms~~ Hearing Administration and when requested shall also have in attendance at its hearings of the Board of Prison Terms psychiatric or medical personnel. ~~The director shall furnish, after consultation with the Board of Prison Terms and the Director of General Services, such hearing rooms and other physical facilities at such institutions as may be necessary for the proper performance of the duties of the Board of Prison Terms.~~

2400. Commencing January 1, 2005, any reference to the Department of Corrections – Parole and Community Services Division or “division” shall refer to the Department of Correctional Services. There is in the Department of Corrections, a division known as the Parole and Community Services Division.

~~2401.5. The head of the Parole and Community Services Division shall be appointed by the director pursuant to the State Civil Service Act.~~

~~2402. The director shall organize the division.~~

~~2403. The division shall perform such functions and duties as specified from time to time by the director.~~

2651. No punishment, except as may be authorized by the ~~Director of corrections~~ Secretary of Correctional Services, shall be inflicted and then only by the order and under the direction of the wardens. Nothing in this section shall be construed as a limitation or impairment of the authority of the ~~Board of Prison Terms~~ Hearing Administration in exercising its functions.

2684. (a) Commencing January 1, 2005, if-If, in the opinion of the ~~Director of Corrections~~ Secretary of Correctional Services, the rehabilitation of any mentally ill, mentally deficient, or insane person confined in a state prison may be expedited by treatment at any one of the state hospitals under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services, the ~~Director of Corrections~~ Secretary of Correctional Services, with the approval of the ~~Board of Prison Terms~~ Hearing Administration for persons sentenced pursuant to subdivision (b) of

Section 1168, shall certify that fact to the director of the appropriate department who shall evaluate the prisoner to determine if he or she would benefit from care and treatment in a state hospital. If the director of the appropriate department so determines, the superintendent of the state hospital shall receive the prisoner and keep him or her until in the opinion of the superintendent the person has been treated to the extent that he or she will not benefit from further care and treatment in the state hospital.

(b) Whenever the ~~Director of Corrections~~ Secretary of Correctional Services receives a recommendation from the court that a defendant convicted of a violation of Section 646.9 and sentenced to confinement in the state prison would benefit from treatment in a state hospital pursuant to subdivision (a), the ~~director~~ Secretary shall consider the recommendation. If appropriate, the ~~director~~ Secretary shall certify that the rehabilitation of the defendant may be expedited by treatment in a state hospital and subdivision (a) shall apply.

2691. No person imprisoned for a felony listed in Section 667.6 shall be removed or released under Section 2690 from the detention institution where he or she is confined for the purpose of attending college classes in any city or county nor shall that person be placed in a community correctional center pursuant to Chapter 9.5 (commencing with Section 6250) of Title 7 of Part 3. No person under the jurisdiction of the adult court and confined under the jurisdiction of the Department of ~~the Youth Authority~~ Correctional Services – Division of Youth Operations for conviction of a felony listed in Section 667.6 shall be removed or released from the place of confinement for attendance at any educational institution in any city or county.

2700. Commencing January 1, 2005, ~~The Department of Corrections~~ Correctional Services shall require of every able-bodied prisoner imprisoned in any state prison as many hours of faithful labor in each day and every day during his or her term of imprisonment as shall be prescribed by the rules and regulations of the ~~Director of Corrections~~ Secretary of Correctional Services, subject to the oversight of the Civilian Corrections Commission.

Whenever by any statute a price is required to be fixed for any services to be performed in connection with the work program of the Department of ~~Corrections~~ Correctional Services, the compensation paid to prisoners shall be included as an item of cost in fixing the final statutory price.

Prisoners not engaged on work programs under the jurisdiction of the Prison Industry Authority, or its successor, but who are engaged in productive labor outside of such programs may be compensated in like manner. The compensation of such prisoners shall be paid either out of funds appropriated by the Legislature for that purpose or out of such other funds available to the Department of ~~Corrections~~ Correctional Services for expenditure, as the Director of Finance may direct.

When any prisoner escapes, the ~~director~~ Secretary shall determine what portion of his or her earnings shall be forfeited and such forfeiture shall be deposited in the State Treasury in a fund known as the Inmate Welfare Fund of the Department of ~~Corrections~~ Correctional Services.

2701. (a) The Department of ~~Corrections~~ Correctional Services is hereby authorized and empowered to cause the prisoners in the state prisons of this state to be employed in the rendering of services as are now, or may hereafter be, needed by the state, or any political subdivision thereof, or that may be

needed for any state, county, district, municipal, school, or other public use, or that may be needed by any public institution of the state or of any political subdivision thereof, or that may be needed for use by the federal government, or any department, agency, or corporation thereof, or that may be needed for use by the government of any other state, or any department, agency, or corporation thereof, except for services provided by enterprises under the jurisdiction of the Prison Industry Authority, or its successor. The Department of ~~Corrections~~ Correctional Services may enter into contracts for the purposes of this article.

(b) The Department of ~~Corrections~~ Correctional Services may cause prisoners in the prisons of this state to be employed in the rendering of emergency services for the preservation of life or property within the state, whether that property is owned by public entities or private citizens, when a county level state of emergency has been declared due to a natural disaster and the local governing board has requested the assistance of the Department of ~~Corrections~~ Correctional Services.

2717.4. (a) Commencing January 1, 2005, the Joint Venture Policy Advisory Board or "board" is hereby abolished. There is hereby established within the Department of Corrections the Joint Venture Policy Advisory Board. The Joint Venture Policy Advisory Board shall consist of the Director of Corrections, who shall serve as chair, the Director of the Employment Development Department, and five members, to be appointed by the Governor, three of whom shall be public members, one of whom shall represent organized labor and one of whom shall represent industry. Five members shall constitute a quorum and a vote of the majority of the members in office shall be necessary for the transaction of the business of the board. Appointed members of the board shall be compensated at the rate of two hundred dollars (\$200) for each day while on official business of the board and shall be reimbursed for necessary expenses. The initial terms of the members appointed by the Governor shall be for one year (one member), two years (two members), three years (one member), and four years (one member), as determined by the Governor. After the initial term, all members shall serve for four years.

(b) The board shall advise the Director of Corrections of policies that further the purposes of the Prison Inmate Labor Initiative of 1990 to be considered in the implementation of joint venture programs.

2800. Commencing January 1, 2005, any reference to the Prison Industry Authority, "authority", Prison Industry Board, "board", or Department of Corrections shall refer to the Department of Correctional Services. There is hereby established the Prison Industry Authority. As used in this article "authority" means the Prison Industry Authority.

2801. The purposes of the authority, or its successor, are:

(a) To develop and operate industrial, agricultural, and service enterprises employing prisoners in institutions under the jurisdiction of the Department of ~~Corrections~~ Correctional Services, which enterprises may be located either within those institutions or elsewhere, all as may be determined by the ~~authority~~ Department of Correctional Services.

(b) To create and maintain working conditions within the enterprises as much like those which prevail in private industry as possible, to assure prisoners employed therein the opportunity to work productively, to earn funds, and to acquire or improve effective work habits and occupational skills.

(c) To operate a work program for prisoners which will ultimately be self-supporting by generating sufficient funds from the sale of products and services to pay all the expenses of the program, and one which will provide goods and services which are or will be used by the Department of Corrections Correctional Services, thereby reducing the cost of its operation.

2802. ~~Commencing January 1, 2005, the authority, or its successor, shall be under the policy direction of a board of directors the Civilian Corrections Commission, to be known as the Prison Industry Board, and to be referred to hereafter as the board. The board shall consist of eleven members:~~

~~—(a) The Director of Corrections shall be a member.~~

~~—(b) The Director of the Department of General Services, or his or her designee, shall be a member.~~

~~—(c) The Secretary of the Trade and Commerce Agency, or his or her designee, shall be a member.~~

~~—(d) The Speaker of the Assembly shall appoint two members to represent the general public.~~

~~—(e) The Senate Rules Committee shall appoint two members to represent the general public.~~

~~—(f) The Governor shall appoint four members. Of these, two shall be representatives of organized labor, and two shall be representatives of industry. The initial term of one of the members appointed by the Speaker of the Assembly shall be two years, and the~~

~~initial term of the other shall be three years. The initial term of one of the members appointed by the Senate Rules Committee shall be two years, and the initial term of the other shall be three years. The initial terms of the four members appointed by the Governor shall be four years. All subsequent terms of all members shall be for~~

~~four years. Each member's term shall continue until the appointment and qualification of his successor. The Governor may appoint a subordinate officer to the secretary under this section who shall hold office at the pleasure of the Governor.~~

2803. ~~The Director of Corrections shall be the chairman of the board. The chairman shall be the administrative head of the board and shall exercise all duties and functions necessary to insure that the responsibilities of the board are successfully discharged. The board shall meet regularly at least four times during each fiscal year, and shall hold extra meetings on the call of the chairman or a majority of the board. Six members of the board, including the chairman, shall constitute a quorum. The vote of a majority of the members in office is necessary for the transaction of the business of the board.~~

2804. ~~The appointed members of the board shall receive a per diem to be determined by the chairman, but not less than the usual per diem rate allowed to the Department of Corrections employees during travel out of state. All members, including the chairman, shall also receive their actual and necessary expenses of travel incurred in attending meetings of the commission and in making investigations,~~

~~either as a board or individually as members of the board at the request of the chairman. All the expenses shall be paid from the Prison Industries Revolving Fund.~~

2805. ~~The authority~~ Department of Correctional Services shall assume jurisdiction over the operation of all industrial, agricultural, and service operations formerly under the jurisdiction of the Correctional Industries Commission and the Prison Industry Authority. In addition, ~~the authority~~ Department of Correctional Services shall have the power to establish new industrial, agricultural and service enterprises which it deems appropriate, to initiate and develop new vocational training programs, and to assume jurisdiction over existing vocational training programs. ~~The authority~~ Department of Correctional Services shall have control over and the power to buy and sell all equipment, supplies and materials used in the operations over which it assumes control and jurisdiction.

2806. There is hereby constituted a permanent revolving fund in the sum of not less than seven hundred thirty thousand dollars (\$730,000), to be known as the Prison Industries Revolving Fund, and to be used to meet the expenses necessary in the purchasing of materials and equipment, salaries, construction and cost of administration of the prison industries program. The fund may also be used to refund deposits either erroneously made or made in cases where delivery of products cannot be consummated. The fund shall at all times contain the amount of at least seven hundred thirty thousand dollars (\$730,000), either in cash or in receivables, consisting of raw materials, finished or unfinished products, inventory at cost, equipment, or any combination of the above. Money received from the rendering of services or the sale of products in the prisons and institutions under the jurisdiction of the board shall be paid to the State Treasurer monthly and shall be credited to the fund. At any time that the authority and the Director of Finance jointly determine that the balance in said revolving fund is greater than is necessary to carry out the purposes of the authority, they shall so inform the Controller and request a transfer of the unneeded balance from the revolving fund to the General Fund of the State of California. The Controller is authorized to transfer balances upon request. Funds deposited in the revolving fund are not subject to annual appropriation by the Legislature and may be used without a time limit by the authority, or its successor.

The Prison Industries Revolving Fund is not subject to the provisions of Articles 2 (commencing with Section 13320) and 3 (commencing with Section 13335) of Chapter 3 of Part 3 of Division 3 of Title 2 of the Government Code.

The revolving fund created by Section 2714 known as the Correctional Industries Revolving Fund is abolished, and the Controller shall transfer the balance in that revolving fund to the Prison Industries Revolving Fund. Any major capital outlay project undertaken by the authority, or its successor, shall be subject to review by the Public Works Board pursuant to the provisions of Part 10.5 (commencing with Section 15752) of Division 3 of Title 2 of the Government Code.

2807. (a) Commencing January 1, 2005, the ~~The authority~~ Department of Correctional Services is hereby authorized and empowered to operate industrial, agricultural, and service enterprises which will provide products and services needed by the state, or any political subdivision thereof, or by the federal government, or any department, agency, or corporation thereof, or for any other public use.

Products may be purchased by state agencies to be offered for sale to inmates of the department and to any other person under the care of the state who resides in state-operated institutional facilities. Fresh meat may be purchased by food service operations in state-owned facilities and sold for onsite consumption.

(b) All things authorized to be produced under subdivision (a) shall be purchased by the state, or any agency thereof, and may be purchased by any county, city, district, or political subdivision, or any agency thereof, or by any state agency to offer for sale to persons residing in state-operated institutions, at the prices fixed by the board. State agencies shall make maximum utilization of these products, and shall consult with the staff of the authority to develop new products and adapt existing products to meet their needs.

2808. Commencing January 1, 2005, ~~the board~~ Secretary of Correctional Services shall, in the exercise of its duties, have all the powers and do all the things which the board of directors of a private corporation would do, except as specifically limited in this article, including, but not limited to, the following:

(a) To enter into contracts and leases, execute leases, pledge the equipment, inventory and supplies under the control of the authority and the anticipated future receipts of any enterprise under the jurisdiction of the authority as collateral for loans, and execute other necessary instruments and documents.

(b) To assure that all funds received by the authority are kept in commercial accounts according to standard accounting practices.

(c) To arrange for an independent annual audit.

(d) To review and approve the annual budget for the authority, in order to assure that the solvency of the Prison Industries Revolving Fund is maintained.

(e) To contract to employ a general manager to serve as the chief administrative officer of the authority, or its successor. The person so appointed shall serve at the pleasure of the ~~chairman~~ Secretary of Correctional Services. The general manager shall have wide and successful experience with a productive enterprise and have a demonstrated appreciation of the problems associated with prison management.

(f) To apply for and administer grants and contracts of all kinds.

(g) To establish, notwithstanding any other provision of law, procedures governing the purchase of raw materials, component parts, and any other goods and services which may be needed by the ~~authority department or~~ in the operation of any enterprise under its jurisdiction. Such procedures shall contain provisions for appeal to the ~~board~~ Secretary of Correctional Services, or a subordinate officer as may be designated by the Secretary, from any action taken in connection with them.

(h) To establish, expand, diminish, or discontinue industrial, agricultural and service enterprises under its jurisdiction to enable the authority to operate as a self-supporting organization, to provide as much employment for inmates as is feasible, and to provide diversified work activities to minimize the impact on existing private industry in the state.

~~—(i) To hold public hearings pursuant to paragraph (h) above to provide an opportunity for persons or organizations who may be affected to appear and present testimony concerning the plans and activities of the authority. The authority shall assure adequate~~

~~public notice of such hearings. No new industrial, agricultural, or service enterprise which involves a gross annual production of more than fifty thousand dollars (\$50,000) shall be established unless and until a hearing concerning the enterprise has been held by a committee of persons designated by the board including at least two board members. The board shall take into consideration the effect of a proposed enterprise on California industry and shall not approve the establishment of the enterprise if the board determines it would have a comprehensive and substantial adverse impact on California industry which cannot be mitigated.~~

(j) To periodically determine the prices at which activities, supplies, and services shall be sold.

(k) To report to the Legislature in writing, on or before February 1 of each year, regarding:

(1) The financial activity and condition of each enterprise under its jurisdiction.

(2) The plans of the board regarding any significant changes in existing operations.

(3) The plans of the board regarding the development of new enterprises.

(4) A breakdown, by institution, of the number of prisoners at each institution, working in enterprises under the jurisdiction of the authority, said number to indicate the number of prisoners which are not working full time.

The Civilian Corrections Commission shall hold public hearings pursuant to paragraph (h) above to provide an opportunity for persons or organizations who may be affected to appear and present testimony concerning the plans and activities of the authority, or its successor. The commission shall assure adequate public notice of such hearings. No new industrial, agricultural, or service enterprise which involves a gross annual production of more than fifty thousand dollars (\$50,000) shall be established unless and until a hearing concerning the enterprise has been held by a committee of persons designated by the commission including at least two board members. The commission shall take into consideration the effect of a proposed enterprise on California industry and shall not approve the establishment of the enterprise if the board determines it would have a comprehensive and substantial adverse impact on California industry which cannot be mitigated.

2809. Commencing January 1, 2005, notwithstanding ~~Notwithstanding~~ any other provision of law, the ~~authority department~~ may recruit and employ such civilian staff as may be necessary to carry out the purposes of this article, and shall establish recruiting, testing, hiring, promotion, disciplinary, and dismissal procedures and practices which will meet the unique personnel needs of the authority, or its successor. The practices may include incentives based on productivity, profit-sharing plans, or other criteria which will encourage civilian employee involvement in the productivity goals of the authority. The procedures and practices shall apply to all employees working in enterprises under the jurisdiction of the ~~authority department~~. The ~~Director of Corrections~~ Secretary of Correctional Services shall be the appointing authority for all personnel of the authority, or its successor ~~other than the general manager~~.

2810. Commencing January 1, 2005, ~~t~~The board Secretary of Correctional Services may authorize the borrowing of money by the authority, or its successor, for purposes of:

(a) Operating the business affairs ~~of the authority~~.

(b) Purchasing new equipment, materials and supplies.

(c) Constructing new facilities, or repairing, remodeling, or demolishing old facilities. Funds may be borrowed from private sources, upon such terms as the ~~board~~ Secretary deems appropriate, including but not limited to, the use of equipment under the jurisdiction of the authority, or its successor, and of the future income of an enterprise under the jurisdiction of the authority, or its successor, as collateral to secure any loan.

2810.5. Notwithstanding any other provision of law, commencing January 1, 2005, the Pooled Money Investment Board, or its successor, may grant loans to the ~~authority~~ Department of Correctional Services when money is appropriated for that purpose by the Legislature, upon application by the ~~Prison Industry Board~~ Secretary of Correctional Services, in order to finance the establishment of a new industrial, agricultural, or service enterprise. All loans shall bear the same interest rate as the pooled money market investment rate and shall have a maximum repayment period of 20 years from the date of approval of the loan.

Prior to making its decision to grant a loan, the Pooled Money Investment Board, or its successor, shall require the ~~authority~~ department to demonstrate all of the following:

(a) The proposed industry project cannot be feasibly financed from private sources under Section 2810. The ~~authority~~ department shall present proposed loan conditions from at least two private sources.

(b) The proposed industry project cannot feasibly be financed from proceeds from other ~~Prison Industry Authority~~ enterprises.

(c) The proceeds from the proposed project provide for a reasonable payback schedule to the General Fund.

2811. Commencing January 1, 2005, ~~t~~The board Secretary of Corrections shall adopt and maintain a compensation schedule for prisoner employees. Such compensation schedule shall be based on quantity and quality of work performed and shall be required for its performance, but in no event shall such compensation exceed one-half the minimum wage provided in Section 1182 of the Labor Code, except as otherwise provided in this code. This compensation shall be credited to the account of the prisoner.

Such compensation shall be paid from the Prison Industries Revolving Fund.

2815. Commencing January 1, 2005, ~~t~~The authority ~~department~~ may, under rules prescribed by the ~~board~~ Secretary of Correctional Services, with oversight by the Civilian Corrections Commission, dispose of products developed from the operations of industrial enterprises in prisons and institutions under the jurisdiction of the authority, or its successor, by sale to foreign governments, corporations for distribution in foreign countries, and private persons or their agents in markets outside the United States and in countries which permit the importation of prison-made goods. All sales made pursuant to this section shall be reported to the Legislature in the ~~board~~ or its successor's annual report pursuant to Section 2808.

2816. With the approval of the Department of Finance, there shall be transferred to, or deposited in, the Prison Industries Revolving Fund for purposes authorized by this section, money appropriated from any source including sources other than state appropriations.

Notwithstanding subdivision (i) of Section 2808, commencing January 1, 2005, the chairman, in consultation with the board, the Secretary of Correctional Services, with oversight by the Civilian Corrections Commission, may order any authorized public works project involving construction, renovation, or repair of prison facilities to be performed by inmate labor when the total expenditure does not exceed the project limit established by Section 10108 of the Public Contract Code. Projects entailing expenditure of greater than the project limit established by Section 10108 of the Public Contract Code shall be reviewed and approved by the ~~board~~ Civilian Corrections Commission.

Money so transferred or deposited shall be available for expenditure by the department for the purposes for which appropriated, contributed or made available, without regard to fiscal years and irrespective of the provisions of Sections 13340 and 16304 of the Government Code. Money transferred or deposited pursuant to this section shall be used only for purposes authorized in this section.

5000. Commencing January 1, 2005, any reference to the Department of Corrections or "department" shall refer to the Department of Correctional Services. There is in the Youth and Adult Correctional Agency the Department of Corrections.

5001. ~~The department is composed of the Director of Corrections and the Prison Industry Authority.~~

5002. (a) Commencing January 1, 2005, tThe department shall succeed to and is hereby vested with all of the powers and duties previously exercised and performed by the following departments, boards, bureaus, commissions, and officers when such powers and duties are not otherwise vested by law:

- (1) The Department of Penology.
- (2) The State Board of Prison Directors.
- (3) The Bureau of Paroles.
- (4) The warden and the clerk of the California State Prison at San Quentin.
- (5) The warden and the clerk of the California State Prison at Folsom.
- (6) The warden of and the clerk of the California Institution for Men.
- (7) The California Crime Commission.
- (8) The Youth and Adult Correctional Agency
- (9) The Department of Corrections
- (10) The Prison Industry Authority
- (11) The Prison Industry Board
- (12) The Narcotic Addict Evaluation Authority
- (13) The Commission of Correctional Peace Officer Standards and Training⁹
- (14) Department of the Youth Authority
- (15) The Youth Authority Board

⁹While the statutory change may be made, the contractual obligation remains through July 2, 2006 unless there is mutual assent to the abolition of the Commission of Correctional Peace Officer Standards and Training (CPOST) by the California Correctional Peace Officers Association.

(b) Commencing January 1, 2005, whenever any designation of any of the departments, boards, bureaus, commissions, or officers mentioned in subdivision (a) is contained in any provision of law and this designation is expressly made to refer to the Department of ~~Corrections~~ Correctional Services, the ~~Board of Corrections~~ or the ~~Board of Prison Terms~~ Corrections Standards Authority, then the Department of ~~Corrections~~ Correctional Services, the ~~Board of Corrections~~ or the ~~Board of Prison Terms~~ Corrections Standards Authority, to whichever one the designation is made to refer, shall exercise the power or perform the duty heretofore exercised or performed by the particular departments, boards, bureaus, or officers mentioned in subdivision (a).

(c) The powers and duties of the State Board of Prison Directors, ~~and~~ of the clerks of the state prisons and the California Institution for Men, and the Department of ~~Corrections~~ Correctional Services are transferred to and shall be exercised and performed by the Department of ~~Corrections~~ Correctional Services, except as may be otherwise expressly provided by law.

(d) The powers and duties of ~~wardens~~ of the state prisons and the California Institution for Men, presently or hereafter, expressly vested by law in them shall be exercised by them but such exercise shall be subject to the supervision and control of the ~~Director~~ Secretary of ~~Corrections~~ Correctional Services. All powers and duties not expressly vested in the wardens are transferred to and shall be exercised and performed by the Department of ~~Corrections~~ Correctional Services. When the designation of warden is expressly made to refer to the Department of ~~Corrections~~ Correctional Services, the department shall exercise the power and perform the duty heretofore exercised or performed by the warden.

(e) Commencing January 1, 2005, any reference to the Board of Prison Terms or "board" shall refer to the Department of Correctional Services. Commencing January 1, 2005, ~~the~~ The Department of Correctional Services ~~Board of Prison Terms~~ shall succeed to and is hereby vested with all of the powers and duties previously exercised and performed by the following boards when such powers and duties are not otherwise vested by law:

- (1) The Board of Prison Terms and Paroles.
- (2) The Advisory Pardon Board.
- (3) The Adult Authority.
- (4) The Women's Board of Terms and Paroles.
- (5) The Community Release Board.
- (6) The Board of Prison Terms

~~5003.5. The Board of Prison Terms is empowered to advise and recommend to the Director of Corrections on general and specific policies and procedures relating to the duties and functions of the director. The director is empowered to advise and recommend to the Board of Prison Terms on matters of general and specific policies and procedures, relating to the duties and functions of the board. The director and the board shall meet for purposes of exchange of information and advice.~~

~~It is the intention of the Legislature that the Board of Prison Terms and the Director of Corrections shall cooperate with each other in the establishment of the classification, transfer, and discipline policies of the Department of Corrections, to the end that the objectives of the State Correctional System can best be attained. The director and the Board of Prison Terms shall, not less than four times each calendar year, meet for the purpose of discussion of classification, transfer, and discipline policies and problems and it is the intent of the Legislature that whenever possible there shall be~~

~~agreement on these subjects. But for the purpose of maintaining responsibility for the secure and orderly administration of the prison system, the Director of Corrections shall have the final right to determine the policies on classification, transfer and discipline.~~

~~In the event there is no agreement the Board of Prison Terms shall file in writing with the Board of Corrections a statement of its proposals or recommendations to the director, and the director shall answer such statement in writing to the Board of Prison Terms, and a copy of both documents shall be transmitted to the Governor and to the Board of Corrections.~~

5050. Commencing January 1, 2005, any reference to the Director of Corrections or to the Director of the Youth Authority shall refer to the Secretary of Correctional Services. The Office of Director of Corrections is hereby created. The office of Director of Corrections is hereby abolished.

~~5051. The director shall be appointed by the Governor with the advice and consent of the Senate. He or she shall hold office at the pleasure of the Governor, but before the director may be removed, charges against him or her, which charges may be preferred by any person, shall be heard by the Board of Corrections. The Board of Corrections shall make detailed findings with respect to the charges and submit the findings to the Governor. The Governor may, but need not, abide by the findings of the Board of Corrections, and may retain or remove the director. If the Governor removes the director his or her action shall be final. He or she shall receive an annual salary provided for by Chapter 6 (commencing with Section 11550) of Part 1 of Division 3 of Title 2 of the Government Code, and shall devote his or her entire time to the duties of his or her office.~~

5051.5. Commencing January 1, 2005, the ~~The Governor~~ Civilian Corrections Commission may request the State Personnel Board to use extensive recruitment and merit selection techniques and procedures to provide a list of persons qualified for appointment as ~~Director of Corrections~~ Secretary of Correctional Services. The Governor, with the recommendation of the Commission, may appoint any person from such list of qualified persons or may reject all names and appoint another person who meets the requirements of this chapter.

~~5052. The Director of Corrections and any other officer or employee of the Department of Corrections designated in writing by the director, shall have the power of a head of a department pursuant to Article 2 (commencing at Section 11180) of Chapter 2, Part 1, Division 3, Title 2, of the Government Code.~~

~~5053. The Director of Corrections is the chief administrative officer of the Department of Corrections.~~

5054. Commencing January 1, 2005, ~~t~~The supervision, management and control of the State prisons, and the responsibility for the care, custody, treatment, training, discipline and employment of persons confined therein are vested in the ~~director~~ Secretary of Correctional Services, subject to the oversight of the Civilian Corrections Commission.

5055. Commencing January 1, 2005, ~~A~~all powers and duties granted to and imposed upon the Department of Corrections and the Board of Prison Terms shall be exercised by the ~~Director~~ Secretary

of ~~Corrections~~ Correctional Services, except where such powers and duties are expressly vested by law in the ~~Board of Prison Terms~~ Civilian Corrections Commission.

Whenever a power is granted to the ~~Director of Corrections~~ Secretary of Correctional Services or a duty is imposed upon the ~~director~~ Secretary, the power may be exercised or the duty performed by a deputy ~~of the director~~ or by a person authorized pursuant to law by the ~~director~~ secretary.

5057. Subject to the powers of the Department of Finance, or its successor, under Section 13300 of the Government Code, the ~~director~~ secretary must establish an accounting and auditing system for all of the agencies and institutions including the prisons which comprise the department, except the ~~Youth Authority~~ Division of Youth Operations in such form as will best facilitate their operation, and may modify the system from time to time.

The accounting and auditing system must include such accounts and records as are found necessary to properly account for all money and property of the prisoners and the inmates.

Except where other disposition is provided by law, all money belonging to the state received by the department, shall be reported to the Controller and deposited in the State Treasury monthly.

5058. (a) Commencing January 1, 2005, tThe ~~director~~ Secretary of Correctional Services may prescribe and amend rules and regulations, subject to oversight by the Civilian Corrections Commission, for the administration of the prisons and for the administration of the parole of persons sentenced under Section 1170 except those persons who meet the criteria set forth in Section 2962.

~~The rules and regulations shall be promulgated and filed pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, except as otherwise provided in this section and Sections 5058.1 to 5058.3, inclusive.~~ All rules and regulations shall, to the extent practical, be stated in language that is easily understood by the general public.

For any rule or regulation filed as regular rulemaking as defined in paragraph (5) of subdivision (a) of Section 1 of Title 1 of the California Code of Regulations, copies of the rule or regulation shall be posted in conspicuous places throughout each institution and shall be mailed to all persons or organizations who request them no less than 20 days prior to its effective date.

(b) The ~~director~~ Secretary shall maintain, publish and make available to the general public, a compendium of the rules and regulations promulgated by the ~~director~~ Secretary pursuant to this section and Sections 5058.1 to 5058.3, inclusive.

(c) The following are deemed not to be "regulations" as defined in Section 11342.600 of the Government Code:

(1) Rules issued by the director applying solely to a particular prison or other correctional facility, provided that the following conditions are met:

(A) All rules that apply to prisons or other correctional facilities throughout the state are adopted by the ~~director~~ Secretary pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(B) All rules except those that are excluded from disclosure to the public pursuant to subdivision (f) of Section 6254 of the Government Code are made available to all inmates confined in the particular prison or other correctional facility to which the rules

apply and to all members of the general public.

(2) Short-term criteria for the placement of inmates in a new prison or other correctional facility, or subunit thereof, during its first six months of operation, or in a prison or other correctional facility, or subunit thereof, planned for closing during its last six months of operation, provided that the criteria are made available to the public and that an estimate of fiscal impact is completed pursuant to Sections 6650 to 6670, inclusive, of the State Administrative Manual.

(3) Rules issued by the director that are excluded from disclosure to the public pursuant to subdivision (f) of Section 6254 of the Government Code.

5067. ~~There is, in the Department of Corrections, a Correctional Conservation Camp Services Division, which shall be headed by a Deputy Director of Corrections, appointed by the Governor, on the recommendation of the Director of Corrections to serve at the pleasure of the Governor. Commencing January 1, 2005, t~~The Department of Correctional Services shall operate the conservation centers, branches thereof, and permanent, temporary and mobile camps operating therefrom, and shall have charge, subject to the general direction of the Director-Secretary of Corrections-Correctional Services, of all other institutions in the department and activities of persons in the custody of the director-secretary relating to conservation work. The director-secretary shall appoint such personnel as are necessary to enable the division to carry out its functions.

5069. (a) ~~Commencing January 1, 2005, tThe administrative director of the Division of Industrial Accidents~~ Department of Correctional Services shall formulate procedures for the selection and orderly referral of injured inmates of state penal or correctional institutions who may be benefited by rehabilitation services and retrained for other positions upon release from incarceration. The State Department of Rehabilitation, or its successors, shall cooperate in both designing and monitoring results of rehabilitation programs for the disabled inmates. The primary purpose of this section is to rehabilitate injured inmates in order that they might engage in suitable and gainful employment upon their release.

(b) ~~The director-Secretary shall notify the injured inmate of the availability of rehabilitation services in those cases where there is continuing disability of 28 days and beyond. A copy of such notification shall be forwarded to the State Department of Rehabilitation, or its successors.~~

(c) ~~The initiation of a rehabilitation plan shall be the responsibility of the director-Secretary.~~

(d) ~~Upon establishment of a rehabilitation plan, the injured inmate shall cooperate in carrying it out.~~

(e) ~~The injured inmate shall receive such medical and vocational rehabilitative services as may be reasonably necessary to restore him to suitable employment.~~

(f) ~~The injured inmate's rehabilitation benefit is an additional benefit and shall not be converted to or replace any workmen's compensation benefit available to him.~~

5075. Commencing January 1, 2005, any reference to the Board of Prison Terms or the "board" shall refer to the Department of Correctional Services. There shall be a Hearing Administration within the Department of Correctional Services – Division of Adult Operations.

a) The Board of Prison Terms shall be composed of nine commissioners, each of whom shall be appointed by the Governor, with the advice and consent of the Senate, for a term of four years and until the appointment and qualification of his or her successor.

Commissioners shall be eligible for reappointment.

—(b) The chair of the board shall be designated by the Governor from time to time. The chair shall be the administrative head of the board and shall exercise all duties and functions necessary to insure that the responsibilities of the board are successfully discharged. He or she shall be the appointing authority for all civil service positions of employment in the board.

—(c) The terms of the commissioners shall expire as follows: two on March 15, 1978, two on March 15, 1979, two on March 15, 1980, and three on March 15, 1981. Successor commissioners shall hold office for terms of four years, each term to commence on the expiration date of the term of the predecessor. The Governor shall fill every vacancy for the balance of the unexpired term. The selection of persons and their appointment by the Governor and confirmation by the Senate shall reflect as nearly as possible a cross-section of the racial, sexual, economic, and geographic features of the population of the state. The Governor may appoint a subordinate officer to the secretary under this section who shall hold office at the pleasure of the Governor.

It is the further intent of this section that the ~~board~~ Civilian Corrections Commission shall adopt policies and practices as will permit continuing operations and improvements without any further increase in the number of its commissioners.

(d) Each commissioner shall participate in hearings on each workday, except when it is necessary for a commissioner to attend training, en banc hearings or full board meetings, or other administrative business requiring the participation of the commissioner. For purposes of this subdivision, these hearings shall include parole documentation hearings, parole consideration hearings, parole rescission hearings, parole progress hearings, mentally disordered offender hearings, and sexually violent predator hearings.

5075.5. All ~~commissioners and deputy commissioners~~ hearing administrators who conduct hearings for the purpose of considering the parole suitability of prisoners or the setting of a parole release date for prisoners, shall receive initial training on domestic violence cases and battered women's syndrome.

5076. Each commissioner of the board shall devote his entire time to the duties of his office and shall receive an annual salary provided for by Chapter 6 (commencing with Section 11550) of Part 1 of Division 3 of Title 2 of the Government Code.

5076.1. The ~~board~~ hearing administrators shall meet at each of the state prisons at such times as may be necessary for a full and complete study of the cases of all prisoners whose applications for parole come before ~~it~~ them. Other times and places of meeting may also be fixed by the ~~board~~ Hearing Administration. Each commissioner of the board shall receive his actual necessary traveling expenses incurred in the performance of his official duties. Where the board performs its functions by meeting en banc in either public or executive sessions to decide matters of general policy, at least five members

~~shall be present, and no such action shall be valid unless it is concurred in by a majority vote of those present.~~

The ~~board~~ Hearing Administration may meet and transact business in panels. Each panel shall consist of at least three persons. No action shall be valid unless concurred in by a majority vote of the persons present.

Consideration of parole release for persons sentenced to life imprisonment pursuant to subdivision (b) of Section 1168 shall be heard by a panel of hearing administrators, ~~a majority of whose commissioners are commissioners of the Board of Prison Terms~~. A recommendation for recall of a sentence under subdivisions (d) and (f) of Section 1170 shall be made by a panel of hearing administrators, ~~a majority of whose commissioners are commissioners of the Board of Prison Terms~~.

The ~~board~~ Secretary of Correctional Services may employ ~~deputy commissioners subordinate officers~~ to whom ~~he~~ she may assign appropriate duties, including that of hearing cases and making decisions. Such decisions shall be made in accordance with policies approved by ~~a majority of the total membership of the board~~ the Civilian Corrections Commission.

5076.2. (a) Any rules and regulations regarding the Hearing Administration within the Department of Correctional Services – Division of Adult Operations, including any resolutions and policy statements, promulgated by the Civilian Corrections Commission ~~Board of Prison Terms~~, shall be promulgated and filed pursuant to Chapter (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, and shall, to the extent practical, be stated in language that is easily understood by the general public.

(b) The ~~Board of Prison Terms~~ Secretary shall maintain, publish and make available to the general public, a compendium of its rules and regulations, including any resolutions and policy statements, promulgated pursuant to this section.

(c) ~~The exception specified in this subdivision to the procedures specified in this section shall apply to the Board of Prison Terms. The chairperson may specify an effective date that is any time more than 30 days after the rule or regulation is filed with the Secretary of State. However, no less than 20 days prior to that effective date, copies of the rule or regulation shall be posted in conspicuous places throughout each institution and shall be mailed to all persons or organizations who request them.~~

5076.3. ~~The Chairman of the Board of Prison Terms shall have the authority of a head of a department set forth in subdivision (e) of Section 11181 of the Government Code to issue subpoenas as provided in Article 2 (commencing with Section 11180) of Chapter 2 of Division 3 of Title 2 of the Government Code. The board shall adopt regulations on the policies and guidelines for the issuance of subpoenas.~~

5077. Commencing January 1, 2005, the ~~The Board of Prison Terms~~ Hearing Administration shall review the prisoners' requests for reconsideration of denial of good-time credit, and setting of parole length or conditions, and shall have the authority to modify the previously made decisions of the ~~Department of Corrections~~ department as to these matters. The revocation of parole shall be determined by the ~~Board of Prison Terms~~ Hearing Administration.

5078. (a) Commencing January 1, 2005, ~~the Board of Prison Terms~~ Department of Correctional Services shall succeed to and shall exercise and perform all powers and duties granted to, exercised by, and imposed upon the Board of Prison Terms, Adult Authority, the California Women's Board of Terms and Paroles, and the Community Release Board.

(b) The Board of Prison Terms, Adult Authority and California Women's Board of Terms and Paroles are abolished.

5080. Commencing January 1, 2005, ~~the Director~~ Secretary of Corrections Correctional Services may transfer persons confined in one state prison institution or facility of the Department of Corrections Correctional Services – Division of Adult Operations to another. The Board of Prison Terms Hearing Administration may request the Director Department of Corrections Correctional Services – Division of Adult Operations to transfer an inmate who is under its parole-granting jurisdiction if, after review of the case history in the course of routine procedures, such transfer is deemed advisable for the further diagnosis, and treatment of the inmate. The ~~director~~ Secretary shall as soon as practicable comply with such request, provided that, if facilities are not available he shall report that fact to the Board of Prison Terms Hearing Administration and shall make the transfer as soon as facilities become available; provided further, that if in the opinion of the Director of Corrections Division of Adult Operations such transfer would endanger security, ~~it~~ he may report that fact to the Board of Prison Terms, Hearing Administration and refuse to make such transfer.

When transferring an inmate from one state prison, institution, or facility of the Department of Corrections Correctional Services – Division of Adult Operations to another, the ~~director~~ secretary may, as necessary or convenient, authorize transportation via a route that lies partly outside this state.

5081. The Governor may remove any member of the Board of Prison Terms for misconduct, incompetency or neglect of duty after a full hearing by the Board of Corrections.

5082. (a) Any number of employees of the Board of Prison Terms Hearing Administration as are needed to carry out its functions shall be selected and appointed pursuant to the State Civil Service Act. Nothing shall prohibit the Board of Prison Terms Hearing Administration from employing any person employed formerly by the Adult Authority, ~~or Women's Board of Terms and Paroles, or Board of Prison Terms.~~

(b) The provisions of Chapter 6 (commencing with Section 6050) of Title 7 of Part 3, relating to the employment of personnel by the department, do not apply to the employees of the Board of Prison Terms.

6001. The establishment, organization, jurisdiction, powers, duties, responsibilities, and functions of the Youth Authority Department of Correctional Services - Division of Youth Operations are continued as provided in the Youth Authority Act (Chapter 1 (commencing with Section 1700) of Division 2.5 of the Welfare and Institutions Code).

6003. The Youth Authority Department of Correctional Services – Division of Youth Operations and the Director of Corrections Division of Adult Operations may, pursuant to Section 11253 and Sections 11256 to 11259, inclusive, of the Government Code, provide for the performance of any of

the duties or the exercise of any of the powers of the ~~Youth Authority~~ Division of Youth Operations by the ~~Department of Corrections~~ Division of Adult Operations subject to the direction and control of the ~~Youth Authority~~ Division of Youth Operations except that the power of classification and segregation of persons committed to the ~~authority~~ Division of Youth Operations shall be exercised by the ~~authority~~ Division of Youth Operations and shall not be exercised by any other agency.

6004. Whenever the ~~Director of Corrections~~ Division of Adult Operations or the ~~Department of Corrections~~ exercises any power or performs any duty of the ~~Youth Authority~~ Division of Youth Operations pursuant to the authorization in Section 6003:

(a) The exercise of the power or the performance of the duty by the ~~Director of Corrections~~ or the ~~Department of Corrections~~ Division of Adult Operations shall constitute an exercise of the power or a performance of the duty by the ~~Youth Authority~~ Division of Youth Operations for the purposes of the Youth Authority Act (Chapter 1 (commencing with Section 1700) of Division 2. 5 of the Welfare and Institutions Code).

(b) The operation of any service, place, institution, hospital, agency, or facility by the Department of ~~Corrections~~ Correctional Services under the authorization in Section 6003 shall be deemed operation by the ~~Youth Authority~~ Division of Youth Operations.

(c) All public officers and other persons under a duty to make any reports or provide any information, access, or assistance to the ~~Youth Authority~~ Division of Youth Operations in respect to the power or duty so exercised shall make the reports, or provide the information, access, or assistance to the ~~Director of Corrections~~ or the ~~Department of Corrections~~ Division of Adult Operations.

6005. Whenever a person confined to a correctional institution under the supervision of the Department of ~~the Youth Authority~~ Correctional Services - Division of Youth Operations is charged with a public offense committed within the confines of that institution and is tried for that public offense, the appropriate financial officer or other designated official of a county or the city finance officer of a city incurring any costs in connection with that matter must make out a statement of all the costs incurred by the county or city for the investigation, and the preparation of the trial, and the actual trial of the case, and of all guarding and keeping of the person, and of the execution of the sentence of the person, properly certified to by a judge of the superior court of the county. The statement shall be sent to the department for its approval. After the approval the department must cause the amount of the costs to be paid out of the money appropriated for the support of the department to the county treasurer of the county or the city finance officer of the city incurring those costs.

6024. Commencing January 1, 2005, any reference to the Board of Corrections or "board" shall refer to the Corrections Standards Authority. There is in the Youth and Adult Correctional Agency a Board of Corrections. There is in the Department of Correctional Services, a Corrections Standards Authority.

6025. (a) Commencing January 1, 2005, t~~The Board of Corrections~~ Corrections Standards Authority shall be composed of 15 members, one of whom shall be the Secretary of ~~the Youth and Adult Correctional Agency~~ Correctional Services who shall be designated as the chairperson, one of whom

shall be the subordinate officer of the Secretary of Correctional Services, who is responsible for the Division of Adult Operations ~~Director of Corrections~~, one of whom shall be the ~~Director of the Youth Authority~~ subordinate officer of the Secretary of Correctional Services, who is responsible for the Division of Youth Operations, and 12 of whom shall be appointed by the Governor after consultation with, and with the advice of, the Secretary of ~~the Youth and Adult Correctional Agency~~ Correctional Services, and with the advice and consent of the Senate. The gubernatorial appointments shall include all of the following:

(1) A county sheriff in charge of a local detention facility which has a ~~Board of Corrections~~ Corrections Standards Authority rated capacity of 200 or less inmates.

(2) A county sheriff in charge of a local detention facility which has a ~~Board of Corrections~~ Corrections Standards Authority rated capacity of over 200 inmates.

(3) A county supervisor or county administrative officer.

(4) A chief probation officer from a county with a population over 200,000.

(5) A chief probation officer from a county with a population under 200,000.

(6) A manager or administrator of a county local detention facility.

(7) An administrator of a local community-based correctional program.

(8) Two public members.

(9) Two rank and file representatives from one or more local corrections facilities, as described in Section 6035. One representative shall be a juvenile probation officer at the level of the first line supervisor or below, with a minimum of five years of experience in a juvenile facility, and one representative shall be a deputy sheriff with the rank of sergeant or below, with a minimum of five years experience in an adult facility.

(10) A representative of a community-based youth service organization.

(b) Of the members first appointed by the Governor, two shall be appointed for a term of two years, three for a term of three years, and three for a term of four years. The length of the original term to be served by each member first appointed shall be determined by lot. Their successors shall serve for a term of three years and until appointment and qualification of their successors, each term to commence on the expiration date of the term of the predecessor.

(c) The ~~board~~ Authority shall select a vice chairperson from among its members. Seven members of the board shall constitute a quorum.

(d) When the ~~board~~ Authority is hearing charges against any member, the individual concerned shall not sit as a member of the board for the period of hearing of charges and the determination of recommendations to the Governor.

(e) If any appointed member is not in attendance for three consecutive meetings the ~~board~~ Authority shall recommend to the Governor that the member be removed and the Governor shall make a new appointment, with the advice and consent of the Senate, for the remainder of the term.

6025.5. The ~~Director of Corrections, Board of Prison Terms, the Youthful Offender Parole Board, and the Director of the Youth Authority~~ Secretary of Correctional Services shall file with the ~~Board of Corrections Standards Authority~~ Authority for information of the ~~board~~ Authority or for review and advice to the respective agency as the ~~board~~ Authority may determine, all rules, regulations and manuals relating to or in implementation of policies, procedures, or enabling laws.

6026. ~~The Board of Corrections Standards Authority shall be the means whereby the Department of Corrections and the Department of the Youth Authority Correctional Services may correlate their individual programs for the adults and youths under the its jurisdiction of each.~~

6028.2. ~~Commencing January 1, 2005, tThe Secretary of the Youth and Adult Correctional Agency Correctional Services may furnish for the use of any such commission such facilities, supplies, and personnel as may be available therefore.~~

6030. (a) ~~The Board of Corrections Standards Authority shall establish minimum standards for local detention facilities by July 1, 1972. The Board of Corrections Standards Authority shall review such standards biennially and make any appropriate revisions.~~

(b) ~~The standards shall include, but not be limited to, the following: health and sanitary conditions, fire and life safety, security, rehabilitation programs, recreation, treatment of persons confined in local detention facilities, and personnel training.~~

(c) ~~Such standards shall require that at least one person on duty at the facility is knowledgeable in the area of fire and life safety procedures.~~

(d) ~~The standards shall also include requirements relating to the acquisition, storage, labeling, packaging, and dispensing of drugs.~~

(e) ~~In establishing minimum standards, the Board of Corrections Standards Authority shall seek the advice of the following:~~

(1) ~~For health and sanitary conditions:~~

~~The State Department of Health Services, physicians, psychiatrists, local public health officials, and other interested persons.~~

(2) ~~For fire and life safety:~~

~~The State Fire Marshal, local fire officials, and other interested persons.~~

(3) ~~For security, rehabilitation programs, recreation, and treatment of persons confined in local detention facilities:~~

~~The Department of Corrections, the Department of the Youth Authority Correctional Services, local juvenile justice commissions, local correctional officials, experts in criminology and penology, and other interested persons.~~

(4) ~~For personnel training:~~

~~The Commission on Peace Officer Standards and Training, Ppsychiatrists, experts in criminology and penology, the Department of Corrections, the Department of the Youth Authority Correctional Services, local correctional officials, and other interested persons.~~

6050. (a) ~~Commencing January 1, 2005, the Governor, upon recommendation of the director Secretary of Correctional Services, and with the advice and consent of the Senate, shall appoint the wardens of the various state prisons. Each warden shall be subject to removal by the Secretary of Correctional Services director. If the director Secretary of Correctional Services removes the warden, his or her action shall be final. The wardens shall be exempt from civil service.~~

(b) ~~The Department of Personnel Administration, or its successor, shall fix the compensation of the wardens and superintendents of the state prisons.~~

6104. ~~The Director Secretary of Corrections~~ Correctional Services shall make rules and regulations for the government of the Medical Facility and the management of its affairs, subject to the oversight of the Civilian Corrections Commission.

6125. Commencing January 1, 2005, There is hereby created the independent there shall be within the Civilian Corrections Commission an office of the Inspector General, ~~which shall not be a subdivision of any other governmental entity.~~ The ~~Governor~~ Civilian Corrections Commission shall appoint the Inspector General ~~subject to Senate confirmation of that appointment,~~ who shall serve a five-year term. The term may be renewed for one additional term of five years at the discretion of the Civilian Corrections Commission. The Civilian Corrections Commission may otherwise remove the Inspector General for incompetence, neglect of duty, or corruption. If the Civilian Corrections Commission removes the Inspector General, its action shall be final. The Inspector General shall be exempt from civil service.

6126. (a) Commencing January 1, 2005, tThe Inspector General shall be responsible for reviewing departmental policy and procedures for conducting audits of investigatory practices and other audits, as well as conducting investigations of the ~~Department of Corrections, the Department of the Youth Authority, the Board of Prison Terms, the Youthful Offender Parole Board, the Board of Corrections, the Narcotic Addict Evaluation Authority, the Prison Industry Authority, and the Youth and Adult Correctional Agency~~ Department of Correctional Services, as requested by either ~~the Secretary of the Youth and Adult Correctional Agency~~ or (1) a Member of the Legislature, pursuant to the approval of the Inspector General under policies to be developed by the Inspector General, or (2) as directed by the Civilian Corrections Commission. The Inspector General may, under policies developed by the Inspector General, initiate an investigation or an audit on his or her own accord. The Civilian Corrections Commission shall not prevent or prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation.

(b) Upon completion of an investigation or audit, the Inspector General shall provide a response to the requester.

(c) The Inspector General shall, during the course of an investigatory audit, identify areas of full and partial compliance, or noncompliance, with departmental investigatory policies and procedures, specify deficiencies in the completion and documentation of investigatory processes, and recommend corrective actions, including, but not limited to, additional training with respect to investigative policies, additional policies, or changes in policy, as well as any other findings or recommendations that the Inspector General deems appropriate.

6126.2. Commencing January 1, 2005, tThe Inspector General, ~~the Youth and Adult Correctional Agency, the Department of the Youth Authority, the Department of Corrections, the Board of Corrections, the Youthful Offender Parole Board, the Civilian Corrections Commission, and the Board of Prison Terms~~ Department of Correctional Services shall not hire as an internal affairs investigator any person known to be directly or indirectly involved in an open internal affairs investigation being conducted by any federal, state, or local law enforcement agency or the Inspector General.

6128. (a) *The office of the Inspector General may receive communications from any individual, including those employed by any department, board, or authority who believes he or she may have information that may describe a variance from departmental investigatory policies and procedures. The identity of the person providing the information as well as the information provided shall be held as confidential by the Inspector General and may be disclosed, in confidence, only to the secretary, the Governor, the appropriate director or chair, or a law enforcement agency in the furtherance of their duties. It is not the purpose of these communications to redress any single disciplinary action or grievance that may routinely occur.*

(b) *Commencing January 1, 2005, in order to properly respond to any allegation of improper governmental activity, the Inspector General shall establish a toll-free public telephone number for the purpose of identifying any alleged wrongdoing by an employee of the Department of Correctional Services ~~Corrections, the Department of the Youth Authority, the Board of Prison Terms, the Youthful Offender Parole Board, the Board of Corrections, the Narcotic Addict Evaluation Authority, the Prison Industry Authority, or the Youth and Adult Correctional Agency.~~ This telephone number shall be posted by the above-named departments, and their respective subdivisions, in clear view of all employees and the public. When appropriate, the Inspector General shall initiate an investigation or audit of any alleged wrongdoing. However, any request to conduct an investigation shall be in writing. The request shall be confidential and is not subject to disclosure under the Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).*

(c) *The identity of the person providing the information that initiated the investigation shall not be disclosed without the person's written permission, except to a law enforcement agency in the furtherance of its duties.*

6129. (a) (1) *Commencing January 1, 2005, for purposes of this section, "employee" means any person employed by the Department of Correctional Services, Civilian Corrections Commission ~~Youth and Adult Correctional Agency, the Department of Corrections, the Department of the Youth Authority, the Board of Corrections, the Board of Prison Terms, the Youthful Offender Parole Board, or the Inspector General.~~*

(2) *For purposes of this section, "retaliation" means intentionally engaging in acts of reprisal, retaliation, threats, coercion, or similar acts against another employee who has done either of the following:*

(A) *Has disclosed or is disclosing to any employee at a supervisory or managerial level, what the employee, in good faith, believes to be improper governmental activities.*

(B) *Has cooperated or is cooperating with any investigation of improper governmental activities.*

(b) (1) *Upon receiving a complaint of retaliation from an employee, the Inspector General may commence an investigation. All investigations conducted pursuant to this section shall be performed, where applicable, in accordance with the requirements of Chapter 9.7 (commencing with Section 3300) of Title 1 of Division 4 of the Government Code.*

(2) *When investigating a complaint, in determining whether retaliation has occurred, the Inspector General shall consider, among other things, whether any of the following either actually occurred or were threatened:*

- (A) Unwarranted or unjustified staff changes.
- (B) Unwarranted or unjustified letters of reprimand or other disciplinary actions, or unsatisfactory evaluations.
- (C) Unwarranted or unjustified formal or informal investigations.
- (D) Engaging in acts, or encouraging or permitting other employees to engage in acts, that are unprofessional, or foster a hostile work environment.
- (E) Engaging in acts, or encouraging or permitting other employees to engage in acts, that are contrary to the rules, regulations, or policies of the workplace.
- (3) Upon authorization of the complainant employee, the Inspector General may release the findings of the investigation of alleged retaliation to the State Personnel Board for appropriate action.
- (c) Any employee at any rank and file, supervisory, or managerial level, who intentionally engages in acts of reprisal, retaliation, threats, coercion, or similar acts against another employee, pursuant to paragraph (2) of subdivision (a), shall be disciplined by adverse action as provided in Section 19572 of the Government Code. If no adverse action is taken, the State Personnel Board shall invoke adverse action proceedings as provided in Section 19583.5 of the Government Code.
- (d) (1) In addition to all other penalties provided by law, including Section 8547.8 of the Government Code or any other penalties that the sanctioning authority may determine to be appropriate, any state employee at any rank and file, supervisory, or managerial level found by the State Personnel Board to have intentionally engaged in acts of reprisal, retaliation, threats, or coercion shall be suspended for not less than 30 days without pay, and shall be liable in an action for damages brought against him or her by the injured party. If the State Personnel Board determines that a lesser period of suspension is warranted, the reasons for that determination must be justified in writing in the decision.
- (2) Punitive damages may be awarded by the court if the acts of the offending party are proven to be malicious. If liability has been established, the injured party also shall be entitled to reasonable attorney's fees as provided by law.
- (e) Nothing in this section shall prohibit the employing entity from exercising its authority to terminate, suspend, or discipline an employee who engages in conduct prohibited by this section.
- (f) ~~The Inspector General, the Youth and Adult Correctional Agency, the Department of the Youth Authority, the Department of Corrections, the Board of Corrections, the Youthful Offender Parole Board, Civilian Corrections Commission and the Department of Correctional Services Board of Prison Terms~~ shall refer matters involving criminal conduct to the proper law enforcement authorities in the appropriate jurisdiction for further action. The entity making a referral to the local district attorney shall also notify the Attorney General of the action. If the local district attorney refuses to accept the case, he or she shall notify the referring entity who shall subsequently refer the matter to the Attorney General. If the local district attorney has not acted on the matter, the referring entity shall notify the Attorney General. It is the intent of the Legislature that the Department of Justice avoid any conflict of interest in representing the State of California in any civil litigation that may arise in a case in which an investigation has been or is currently being conducted by the Bureau of Investigation by contracting when necessary for private counsel.
- (g) Upon the completion of any investigation, the Inspector General shall prepare a written report, which shall be held as confidential and disclosed in confidence, only to the Secretary of the ~~Youth and Adult Correctional Agency~~ Department of Correctional Services, the Governor, and the appropriate

director or law enforcement agency. A summary of the report's findings and conclusions shall be made available, upon request, to the person who requested the investigation, the person or persons who were the subjects of the investigation, and to any Member of the Legislature.

(h) Nothing in this section shall preclude the office of the Inspector General from following all applicable laws regarding confidentiality, including, but not limited to, the California Public Records Act, the Public Safety Officers Procedural Bill of Rights, the Information Practices Act of 1977, the Confidentiality of Medical Information Act, and the provisions of Section 832.7 relating to the disposition notification for complaints against peace officers.

6204. The Director of Corrections Secretary of Correctional Services shall make rules and regulations for the government of the conservation centers in the management of their affairs, subject to the oversight of the Civilian Corrections Commission.

6252. The Director of Corrections Secretary of Correctional Services shall make rules and regulations for the government of the community correctional centers in the management of their affairs, subject to the oversight of the Civilian Corrections Commission

REVISIONS TO THE WELFARE AND INSTITUTIONS CODE

1000. Commencing January 1, 2005, any references to the ~~The~~ Department of the Youth Authority shall refer to the Department of Correctional Services, which has jurisdiction over all educational training and treatment institutions now or hereafter established and maintained in the State as correctional schools for the reception of wards of the juvenile court and other persons committed to the department.

1703. Commencing January 1, 2005, as ~~As~~ used in this chapter

- (a) "Public offenses" means public offenses as that term is defined in the Penal Code;
- (b) "Court" includes any official authorized to impose sentence for a public offense;
- (c) "Youth Authority", "Authority", "authority", ~~or "department"~~, "Board" or "board" means the Department of Correctional Services ~~the Youth Authority~~;
- (d) "Board" or "board" means the Youth Authority Board.
- (e) The masculine pronoun includes the feminine.

1710. Commencing January 1, 2005, any reference to ~~There is in~~ the Youth and Adult Correctional Agency, ~~or the~~ Department of the Youth Authority, and the Youth Authority Board shall refer to the Department of Correctional Services.

1711. ~~The Director of the Youth Authority shall be appointed by the Governor with the advice and consent of the Senate. He or she shall hold office at the pleasure of the Governor but before the director may be removed, the procedures set forth in Section 5051 of the Penal Code shall be followed. He or she shall receive an annual salary~~

~~provided for by Chapter 6 (commencing with Section 11550) of Part 1 of Division 3 of Title 2 of the Government Code, and shall devote his or her entire time to the duties of his or her office. Commencing January 1, 2005, any reference in this division to the Director of the Youth Authority shall refer to the Secretary of Correctional Services. The office of the Director of the Youth Authority is hereby abolished.~~

1712. (a) All powers, duties, and functions pertaining to the care and treatment of wards provided by any provision of law ~~and not specifically and expressly assigned to the Youth Authority Board~~ shall be exercised and performed by the ~~director~~ Secretary of Correctional Services. The ~~director~~ Secretary of Correctional Services shall be the appointing authority for all civil service positions of employment in the department. The ~~director~~ Secretary of Correctional Services may delegate the powers and duties vested in him or her by law, in accordance with Section 7.

(b) ~~Commencing January 1, 2005, the~~ Secretary of Correctional Services is authorized to make and enforce all rules appropriate to the proper accomplishment of the functions of the Department of ~~the Youth Authority~~ Correctional Services, ~~subject to the oversight of the Civilian Corrections Commission~~. The rules shall be promulgated and filed pursuant to Chapter 4.5 (commencing with Section 11371) of Part 1 of Division 3 of Title 2 of the Government Code, and ~~shall~~, to the extent practical, be stated in language that is easily understood by the general public.

(c) The ~~Department of the Youth Authority~~ Secretary shall maintain, publish, and make available to the general public, a compendium of rules and regulations promulgated by the department pursuant to this section.

~~(d) The following exceptions to the procedures specified in this section shall apply to the Department of the Youth Authority:~~

~~(1) The department may specify an effective date that is any time more than 30 days after the rule or regulation is filed with the Secretary of State; provided that no less than 20 days prior to that effective date, copies of the rule or regulation shall be posted in conspicuous places throughout each institution and shall be mailed to all persons or organizations who request them.~~

~~(2) (d) The department may rely upon a summary of the information compiled by a hearing officer; provided that the summary and the testimony taken regarding the proposed action shall be retained as part of the public record for at least one year after the adoption, amendment, or repeal.~~

1713. (a) The ~~Director of the Youth Authority~~ Secretary of Correctional Services shall have wide and successful administrative experience in youth or adult correctional programs embodying rehabilitative or delinquency prevention concepts.

(b) ~~The Governor may request the State Personnel Board to use extensive recruitment and merit selection techniques and procedures to provide a list of persons qualified for appointment as Director of the Youth Authority. The Governor may appoint any person from such list of qualified persons or may reject all names and appoint another person who meets the requirements of this section.~~

1714. The ~~Director of the Youth Authority~~ Secretary of Correctional Services may transfer persons confined in one institution or facility of the Department of ~~the Youth Authority~~ Correctional Services – Division of Youth Operations to another.

1716. (a) Commencing January 1, 2005, the Youth Authority Board is hereby abolished. There is a Hearing Administration in the Department of Correctional Services – Division of Youth Operations. There is in the Department of the Youth Authority a Youth Authority Board, which shall be composed of six members, one of whom shall be the Director of the Youth Authority who shall serve as the ex officio nonvoting chair of the board. Other than the chair, who is subject to appointment pursuant to Section 1711, the members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of four years, and shall devote their entire time to its work. The Governor may appoint a subordinate officer to the secretary under this section who shall hold office at the pleasure of the Governor.

(b) ~~The individuals who were members of the Youthful Offender Parole Board immediately prior to the effective date of this section shall continue in their respective terms of office as members of the Youth Authority Board as provided in this section. The positions held by one of the members whose term ends on March 15, 2007, and by one of the members whose term ends on March 15, 2006, shall be eliminated on the effective date of this section, reducing the composition of the board to five members, not including the position held by the Director of the Youth Authority. All other members shall continue to serve out their respective terms. Their successors shall hold office for terms of four years. The members shall be eligible for reappointment and shall hold office until the appointment and qualification of their successors, with the term of each new appointee to commence on the expiration date of the term of his or her predecessor.~~

(c) ~~All appointments to a vacancy occurring by reason of any cause other than the expiration of a term shall be for the unexpired term.~~

(d) ~~If the Senate, in lieu of failing to confirm, finds that it cannot consider all or any of the appointments to the Youth Authority Board adequately because the amount of legislative business and the probable duration of the session does not permit, it may adopt a single house resolution by a majority vote of all members elected to the Senate to that effect and requesting the resubmission of the unconfirmed appointment or appointments at a succeeding session of the Legislature, whether regular or extraordinary, convening on or after a date fixed in the resolution. This resolution shall be filed immediately after its adoption in the office of the Secretary of State and the appointee or appointees affected shall serve subject to later confirmation or rejection by the Senate.~~

1717. (a) ~~Persons~~ The subordinate officer appointed to the Department of Correctional Services pursuant to section 1716 above Youth Authority Board shall have a broad background in and ability for appraisal of youthful law offenders and delinquents, the circumstances of delinquency for which those persons are committed, and the evaluation of the individual's progress toward reformation. Insofar as practicable, members hearing administrators shall be selected who have a varied and sympathetic interest in youth correction work including persons widely experienced in the fields of corrections, sociology, law, law enforcement, mental health, and education.

(b) ~~The selection of persons and their appointment by the Governor and confirmation by the Senate shall reflect as nearly as possible a cross section of the racial, sexual, economic, and geographic features of the state.~~

~~(c) The Director of the Youth Authority shall serve as the ex officio nonvoting chair of the board. The chair shall be the administrative head of the board and shall exercise all duties and functions necessary to ensure that the responsibilities of the board are successfully discharged.~~

~~(d) Within 60 days of appointment and annually thereafter, persons appointed to the Youth Authority Board, the subordinate officer shall undergo a minimum of 40 hours of training in the following areas: treatment and training programs provided to wards at Department of Correctional Services – Division of Youth Operations Authority institutions, including, but not limited to, educational, vocational, mental health, medical, substance abuse, psychotherapeutic counseling, and sex offender treatment programs; a review of current national research on effective interventions with juvenile offenders and how they compare to department program and treatment services; parole services; board member duties and responsibilities; and a review of factors influencing ward lengths of stay and ward recidivism rates and their relationship to one another.~~

~~1718. (a) The members of the board shall receive an annual salary as provided for by Chapter 6 (commencing with Section 11550) of Part 1 of Division 3 of Title 2 of the Government Code and their actual necessary traveling expenses to the same extent as is provided for other state offices.~~

~~—(b) The Governor may remove any member of the board for misconduct, incompetency or neglect of duty after a full hearing by the Board of Corrections.~~

~~1720. (a) The case of each ward shall be reviewed by the Department of the Youth Authority Correctional Services within 45 days of arrival at the department, and at other times as is necessary to meet the powers or duties of the ~~board~~ Hearing Administration.~~

~~(b) The department shall periodically review the case of each ward for the purpose of determining whether existing orders and dispositions in individual cases should be modified or continued in force. These reviews shall be made as frequently as the department considers desirable and shall be made with respect to each ward at intervals not exceeding one year.~~

~~(c) The ward shall be entitled to notice if his or her annual review is delayed beyond one year after the previous annual review hearing. The ward shall be informed of the reason for the delay and of the date the review hearing is to be held.~~

~~(d) Failure of the department to review the case of a ward within 15 months of a previous review shall not of itself entitle the ward to discharge from the control of the Youth Authority Department of Correctional Services but shall entitle him or her to petition the superior court of the county from which he or she was committed for an order of discharge, and the court shall discharge him or her unless the court is satisfied as to the need for further control.~~

~~(e) Reviews conducted by the department pursuant to this section shall be written and shall include, but not be limited to, the following: verification of the treatment or program goals and orders for the ward to ensure the ward is receiving treatment and programming that is narrowly tailored to address the correctional treatment needs of the ward and is being provided in a timely manner that is designed to meet the parole consideration date set for the ward; an assessment of the ward's adjustment and responsiveness to treatment, programming, and custody; a review of the ward's disciplinary history and response to disciplinary sanctions; an updated individualized treatment plan for the ward that makes adjustments based on the review required by this subdivision; an estimated~~

timeframe for the ward's commencement and completion of the treatment programs or services; and a review of any additional information relevant to the ward's progress.

(f) The department shall provide copies of the reviews prepared pursuant to this section to the court and the probation department of the committing county.

1721. (a) ~~The Youth Authority Board~~ Civilian Corrections Commission shall adopt policies governing the performance of ~~its—the~~ functions by the ~~full board~~ Hearing Administration, ~~or, pursuant to delegation, by panels, or referees. Whenever the board performs its functions meeting en banc in either public or executive sessions to decide matters of policy, four members shall be present and no action shall be valid unless it is concurred in by a majority vote of those present.~~

~~—(b) Case hearing representatives from the Department of the Youth Authority may be employed to participate with the board in the hearing of cases and authority may be delegated to those persons as provided in this section.~~

~~—(c) The board may delegate its authority to hear, consider, and act upon cases to members or case hearing representatives, sitting either on a panel or as a referee. A panel may consist of two or more members, a member and a case hearing representative, or two case hearing representatives. Two members of a panel shall constitute a quorum, and no action of the panel shall be valid unless concurred in by a majority vote of those present.~~

~~—(d) When delegating its authority, the board may condition finality of the decision of the panel or referee to whom authority is delegated on concurrence of a member or members of the board. In determining whether, in any case, it shall delegate its authority and the extent of such delegation, the board shall take into account the degree of complexity of the issues presented by the case.~~

~~—(e) (b)The board~~ Secretary shall adopt rules, with oversight by the Civilian Corrections Commission, under which a person under the jurisdiction of the ~~Youth Authority~~ Department of Correctional Services ~~–Division of Youth Operations~~ or other persons, as specified in those rules, may appeal any decision of a ~~case hearing representative~~ hearing administrator. Any departmental decision resulting in the extension of a parole consideration date or recommendation to the ward's committing court seeking the extension of a parole consideration date, as the case may be, shall entitle a ward to appeal the decision to a panel of at least ~~two board~~ three hearing administrators. ~~The board~~ panel shall consider and act upon the appeal in accordance with those rules.

1722. (a) Any rules and regulations, including any resolutions and policy statements, promulgated by the ~~Youth Authority Board~~ Civilian Corrections Commission, shall be promulgated and filed pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the ~~Government Code, and~~ shall, to the extent practical, be stated in language that is easily understood by the general public.

(b) ~~The board~~ Secretary shall maintain, publish, and make available to the general public, a compendium of its rules and regulations, including any resolutions and policy statements, promulgated pursuant to this section.

~~(c) The following exception to the procedures specified in this section shall apply to the board: The chairperson may specify an effective date that is any time more than 30 days after the rule or regulation is filed with the Secretary of State; provided that no less than 20 days prior to that effective~~

~~date, copies of the rule or regulation shall be posted in conspicuous places throughout each institution and shall be mailed to all persons or organizations who request them.~~

1723. (a) Except as provided in Sections 1716 and 1721, every order granting and revoking parole and issuing final discharges to any person under the jurisdiction of the ~~Youth Authority~~ Department of Correctional Services –Division of Youth Operations shall be made by the ~~Youth Authority Board~~ Hearing Administration of the Department of Correctional Services –Division of Youth Operations or its designee, as authorized by this article.

~~(b) All other powers conferred to the Youth Authority Board may be exercised through subordinates or delegated to the Department of the Youth Authority under rules established by the board. Any person subjected to an order of those subordinates or of the department pursuant to that delegation may petition the board for review. The board may review those orders under appropriate rules and regulations.~~

~~(c) All board Hearing Administration designees shall be subject to the training required pursuant to subdivision (d) of Section 1717.~~

1725. ~~The Department of Correctional Services~~ The Youth Authority Board shall succeed to and shall exercise and perform all powers and duties granted to, exercised by, and imposed upon the Youthful Offender Parole Board and Youth Authority Board, as authorized by this article. The Youthful Offender Parole Board is abolished.

3150. (a) Commencing January 1, 2005, any reference to the Narcotic Addict Evaluation Authority or "authority" shall refer to the Department of Correctional Services. There is in the Youth and Adult Correctional Agency a Narcotic Addict Evaluation Authority, hereafter referred to in this article as the "authority." ~~The authority shall be composed of seven members, each of whom shall be appointed by the Governor, for a term of four years and until the appointment and qualification of his successor. Members shall be eligible for reappointment. The chairman of the authority shall be designated by the Governor from time to time. The terms of the members first appointed to the authority shall expire as follows: one on January 15, 1965, one on January 15, 1966, one on January 15, 1967, and one on January 15, 1968. The terms of the three members first appointed to the authority pursuant to amendments to this section enacted at the 1979~~

~~–80 Regular Session of the Legislature shall expire as follows: one on January 15, 1983, one on January 15, 1984, and one on January 15, 1985. Their successors shall hold office for terms of four years, each term to commence on the expiration date of the term of the predecessor. The Governor shall fill every vacancy for the balance of the unexpired term. The Governor may appoint a subordinate officer to the secretary under this section who shall hold office at the pleasure of the Governor. Insofar as practicable, persons appointed to the authority subordinate office shall have a broad background in law, sociology, law enforcement, medicine, or education, and shall have a deep interest in the rehabilitation of narcotic addicts.~~

~~(b) Each member of the authority shall devote such time to the duties of his or her office as required for performance of his or her duties and shall be entitled to an annual salary of nine thousand five hundred dollars (\$9,500) for attendance upon business of the~~

authority. The chairman shall be entitled to an annual salary of ten thousand dollars (\$10,000). In addition, each member shall be allowed actual expenses incurred in the discharge of his duties, including travel expenses.

(c) The authority, or its successor, shall maintain its headquarters at the California Rehabilitation Center and shall be provided with necessary office space, equipment and services from funds appropriated to the California Rehabilitation Center.

(d) The ~~authority~~ Hearing Administration of the Department of Correctional Services – Division of Adult Operations shall ~~meet at the center or its branches at such times as may be necessary for~~ conduct a full and complete study ~~fair hearing~~ of the cases of all patients who are certified by the ~~Director of Corrections subordinate officer previously identified in subsection (a)~~ to the authority as having recovered from addiction or imminent danger of addiction to such an extent that release in an outpatient status is warranted. ~~Other times and places of meetings may also be fixed by the authority. Where the authority performs its functions by meeting en banc in either public or executive sessions to decide matters of general policy at least three members shall be present, and no such action shall be valid unless it is concurred in by a majority vote of those present. The authority may meet and transact business in panels. Each authority panel shall consist of at least two members of the authority. Two members of the authority shall constitute a quorum for the transaction of business of a panel. No action shall be valid unless concurred in by a majority of the members present.~~

(e) Members of other similar boards may be assigned to hear cases and make recommendations to the ~~authority~~ Hearing Administration. Such recommendations shall be made in accordance with policies established by ~~a majority of the total membership of the authority~~ the Secretary of Correctional Services, with oversight by the Civilian Corrections Commission.

3151. ~~Commencing January 1, 2005,~~ After ~~after~~ an initial period of observation and treatment, and subject to the rules and policies established by the ~~Director of Corrections~~ Secretary of Correctional Services, with oversight by the Civilian Corrections Commission, whenever a person committed under Article 2 or Article 3 of this chapter has recovered from his addiction or imminent danger of addiction to such an extent that, in the opinion of the ~~Director of Corrections subordinate officer,~~ release in an outpatient status is warranted, the ~~director subordinate officer~~ shall certify such fact to the ~~authority~~ Hearing Administration. If the ~~director subordinate officer~~ has not so certified within the preceding 12 months, in the anniversary month of the commitment of any person committed under this chapter his case shall automatically be referred to the ~~authority~~ Hearing Administration for consideration of the advisability of release in outpatient status. Upon any such certification by the ~~director subordinate officer~~ or such automatic certification, the ~~authority~~ Hearing Administration may release such person in an outpatient status subject to all rules and regulations adopted by the ~~authority~~ Civilian Corrections Commission, and subject to all conditions imposed by the Hearing Administration, whether of general applicability or restricted to the particular person released in outpatient status, and subject to being retaken and returned to inpatient status as prescribed in such rules, regulations, or conditions. The supervision of such persons while in an outpatient status shall be administered by the Department of ~~Corrections~~ Correctional Services. Such persons are not subject to the provisions of Penal Code Section 2600.

~~A single member of the authority~~ A hearing administrator may by written or oral order suspend the release in outpatient status of such a person and cause him to be retaken, ~~until the next meeting of the authority~~. The written order of ~~any member of the authority~~ shall be a sufficient warrant for any peace officer to return such persons to physical custody.

It is hereby made the duty of all peace officers to execute any such order in like manner as ordinary criminal process.

3154. A person released in an outpatient status from the California Rehabilitation Center may, with the approval of the ~~Director of Corrections~~ Secretary of Correctional Services and the ~~Narcotic Addict Evaluation Authority~~ subordinate officer identified in Section 3150 above, voluntarily participate in a narcotic treatment program approved under Section 11876 of the Health and Safety Code.

Participation in a narcotic treatment program shall not be construed to break the abstention from the use of narcotics for the purpose of Section 3200.

3157. Commencing January 1, 2005, t~~The Chairman of the Narcotic Addict Evaluation Authority~~ Secretary of Correctional Services shall have the authority of a head of a department set forth in subdivision (e) of Section 11181 of the Government Code to issue subpoenas as provided in Article 2 (commencing with Section 11180) of Chapter 2 of Division 3 of Title 2 of the Government Code. ~~The authority secretary, with oversight by the Civilian Corrections Commission, shall adopt regulations on the policies and guidelines for the issuance of regulations-subpoenas.~~

3158. Notwithstanding Section 11425.10 of the Government Code, Chapter 4.5 (commencing with Section 11400) of Part 1 of Division 3 of Title 2 of the Government Code does not apply to a release hearing or other adjudication concerning rights of a person civilly committed as narcotic addicts to the custody of the Director of Corrections Secretary of Correctional Services conducted by the ~~Narcotic Addiction Evaluation Authority~~ Hearing Administration as discussed in this chapter.

3200. (a) If at any time the ~~Director of Corrections~~ subordinate officer identified in Section 3150 above is of the opinion that a person committed pursuant to Article 3 (commencing with Section 3100) while in outpatient status has abstained from the use of narcotics, other than as medically prescribed in a narcotic treatment program pursuant to Section 3154, for at least six consecutive months and has otherwise complied with the conditions of his or her release, the ~~director~~ subordinate officer shall recommend to the ~~Narcotic Addict Evaluation Authority~~ Hearing Administration that the person be discharged from the program. If the ~~authority~~ Hearing Administration concurs in the opinion of the ~~director~~ subordinate officer, it shall discharge the person from the program.

(b) If at any time the ~~director~~ subordinate officer is of the opinion that a person committed for a period of 24 months, or less, pursuant to Article 2 (commencing with Section 3050) while in outpatient status has abstained from the use of narcotics, other than as medically prescribed in a narcotic treatment program pursuant to Section 3154, for at least 12 consecutive months and has otherwise complied with the conditions of his or her release, or if at any time the ~~director~~ subordinate officer is of the opinion that a person committed for a period of more than 24 months pursuant to Article 2 (commencing with Section 3050) while in outpatient status has abstained from the use of narcotics, other than as medically prescribed in a narcotic treatment program pursuant to Section 3154, for at least 16 consecutive months and has otherwise complied with the conditions of his or her

release, the ~~director subordinate officer~~ shall so advise the ~~Narcotic Addict Evaluation Authority Hearing Administration~~. If the ~~authority Hearing Administration~~ concurs in the opinion of the ~~director subordinate officer~~, it shall file with the superior court of the county in which the person was committed a certificate alleging those facts and recommending to the court the discharge of the person from the program. The ~~authority subordinate officer~~ shall serve a copy of the certificate upon the district attorney of the county. Upon the filing of the certificate, the court shall discharge the person from the program. The court may, unless otherwise prohibited by law, modify the sentence, dismiss the criminal charges of which the person was convicted, or suspend further proceedings, as it deems warranted in the interests of justice. Where the person was certified to the superior court pursuant to Section 3050 the person shall be returned to the court that certified the person, which may dismiss the original charges. In any case where the criminal charges are not dismissed and the person is sentenced thereon, time served in custody while under commitment pursuant to Article 2 (commencing with Section 3050) shall be credited on the sentence. The dismissal shall have the same force and effect as a dismissal under Section 1203.4 of the Penal Code, except the conviction is a prior conviction for purposes of Division 10 (commencing with Section 11000) of the Health and Safety Code.

3201. (a) Except as otherwise provided in subdivisions (b) and (c) of this section, if a person committed pursuant to this chapter has not been discharged from the program prior to expiration of 16 months, the ~~Director of Corrections~~ Secretary of Correctional Services shall, on the expiration of such period, return him or her to the court from which he or she was committed, which court shall discharge him or her from the program and order him or her returned to the court in which criminal proceedings were adjourned, or the imposition of sentence suspended, prior to his or her commitment or certification to the superior court.

(b) Any other provision of this chapter notwithstanding, in any case in which a person was committed pursuant to Article 3 (commencing with Section 3100), such person shall be discharged no later than 12 months after his or her commitment.

(c) Any person committed pursuant to Article 2 (commencing with Section 3050), whose execution of sentence in accordance with the provisions of Section 1170 of the Penal Code was suspended pending a commitment pursuant to Section 3051, who has spent, pursuant to this chapter, a period of time in confinement or in custody, excluding any time spent on outpatient status, equal to that which he or she would have otherwise spent in state prison had sentence been executed, including application of good behavior and participation credit provisions of Article 2.5 (commencing with Section 2930) of Chapter 7 of Title 1 of Part 3 of the Penal Code, shall, upon reaching such accumulation of time, be released on parole under the jurisdiction of the ~~Narcotic Addict Evaluation Authority department~~, subject to all of the conditions imposed by the ~~authority Hearing Administration~~, and subject to the provisions of Article 1 (commencing with Section 3000) of Chapter 8 of Title 1 of Part 3 of the Penal Code. A person on parole who violates the rules, regulations or conditions imposed by the ~~authority Hearing Administration~~ shall be subject to being retaken and returned to the California Rehabilitation Center as prescribed in such rules, regulations, or conditions and in accordance with the provisions of Sections 3151 and 3152. At the termination of this period of parole supervision or of custody in the California Rehabilitation Center, the person shall be returned by the ~~Director~~ Secretary of Corrections Correctional Services to the court from which

such person was committed, which court shall discharge him or her from the program and order him or her returned to the court which suspended execution of such person's sentence to state prison. Such court, notwithstanding any other provision of law, shall suspend or terminate further proceedings in the interest of justice, modify the sentence in the same manner as if the commitment had been recalled pursuant to subdivision (d) of Section 1170 of the Penal Code, or order execution of the suspended sentence. Upon the ordering of the execution of such sentence, the term imposed shall be deemed to have been served in full.

Except as otherwise provided in the preceding paragraph, or as otherwise provided in Section 3200, the period of commitment, including outpatient status, for persons committed pursuant to Section 3051, which commitment is subsequent to a criminal conviction for which execution of sentence to state prison is suspended, shall equal the term imposed under Section 1170 of the Penal Code, notwithstanding good time and participation credit provisions of Article 2.5 (commencing with Section 2930) of Chapter 7 of Title 1 of Part 3 of such code. Upon reaching such period of time, such person shall be released on parole under the jurisdiction of the ~~Narcotic Addict Evaluation Authority department~~, subject to all of the conditions imposed by the ~~authority~~ Hearing Administration and subject to the provisions of Article 1 (commencing with Section 3000) of Chapter 8 of Title 1 of Part 3 of the Penal Code. A person on parole who violates the rules, regulations, or conditions imposed by the ~~authority~~ Hearing Administration shall be subject to being retaken and returned to the California Rehabilitation Center as prescribed in such rules, regulations, or conditions and in accordance with the provisions of Sections 3151 and 3152. At the termination of this period of parole supervision or of custody in the California Rehabilitation Center the person shall be returned by the ~~Director of Corrections~~ Secretary of Correctional Services to the court from which he or she was committed, which court shall discharge such person from the program and order him or her returned to the court which suspended execution of the person's sentence to state prison. Such court, notwithstanding any other provision of law, shall suspend or terminate further proceedings in the interest of justice, modify the sentence in the same manner as if the commitment had been recalled pursuant to subdivision (d) of Section 1170 of the Penal Code, or order execution of the suspended sentence. Upon the ordering of the execution of such sentence, the term imposed shall be deemed to have been served in full.

Nothing in this section shall preclude a person who has been discharged from the program from being recommitted under the program, irrespective of the periods of time of any previous commitments.

3300. There is hereby established an institution and branches, under the jurisdiction of the Department of ~~Corrections~~ Correctional Services, to be known as the California Rehabilitation Center. Branches may be established in existing institutions of the ~~Department of Corrections or of the Department of the Youth Authority~~ Department of Correctional Services, in halfway houses as described in Section 3153, in such other facilities as may be made available on the grounds of other state institutions, and in city and county correctional facilities where treatment facilities are available. Branches shall not be established on the grounds of such other institutions in any manner which will result in the placement of patients of such institutions into inferior facilities. Branches placed in a facility of the State Department of Mental Health, or its successor, shall have prior approval of the Director of Mental Health, or his/her successor, and branches placed in a facility of the

State Department of Developmental Services, or its successor, shall have the prior approval of the Director of Developmental Services, or his/her successor. Commencing January 1, 2005, tThe branches in the ~~Department of the Youth Authority~~ Division of Youth Operations shall be established on order of the Secretary of ~~the Youth and Adult Correctional Agency~~ Correctional Services and shall be subject to the ~~administrative policy~~ direction of the ~~Director of the Youth Authority~~ Civilian Corrections Commission. Branches placed in city or county facilities shall have prior approval of the legislative body of the city or county. Persons confined pursuant to this section in branches established in city and county correctional facilities shall be housed separately from the prisoners therein, and shall be entitled to receive treatment substantially equal to that which would be afforded such persons if confined in the main institution of the California Rehabilitation Center.

3309. ~~Commencing January 1, 2005, tThe Director of Corrections~~ Secretary of Correctional Services shall make rules and regulations for the government of the community correctional centers in the management of their affairs, subject to the oversight of the Civilian Corrections Commission.

C. REVISIONS TO THE BUSINESS AND PROFESSIONS CODE

23.9. Notwithstanding any other provision of this code, commencing January 1, 2005, any individual who, while imprisoned in a state prison or other correctional institution, is trained, in the course of a rehabilitation program approved by the particular licensing agency concerned and provided by the prison or other correctional institution, in a particular skill, occupation, or profession for which a state license, certificate, or other evidence of proficiency is required by this code shall not, when released from the prison or institution, be denied the right to take the next regularly scheduled state examination or any examination thereafter required to obtain the license, certificate, or other evidence of proficiency and shall not be denied such license, certificate, or other evidence of proficiency, because of his imprisonment or the conviction from which the imprisonment resulted, or because he obtained his training in prison or in the correctional institution, if the licensing agency, upon recommendation of the ~~Adult Authority or the Department of the Youth Authority~~, as the case ~~may be~~, Department of Correctional Services finds that he is a fit person to be licensed.

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Individual Contacts

Alphabetical Listing

Name (Last, First), Title	Organization
Acosta, Lucille, Chief, Division of Apprenticeship Services	Department of Industrial Relations
Adame, Louie, Rank & File Vice President CYA	California Correctional Peace Officers Association
Addington, Mike, Director	Alaska Department of Correctional Institutions
Alexander, Chuck, Rank & File Vice President CDC	California Correctional Peace Officers Association
Allen, Calleen, Personnel Technician.....	California Youth Authority
Allen, Vivian	Citizen Correspondence
Allen, Walter III, Director.....	California Youth Authority
Allen, Ward, Coordinating Instructor	Sacramento Unified School District
Alvarado, Yan Sum, Parole District Administrator	California Department of Corrections
Alvarez, Laurel, Manager.....	Commission on Correctional Peace Officer Standards & Training
Ambrocelli, Robert, Parole Administrator	California Department of Corrections
Anderson, Capril, Administrative Assistant	California Department of Corrections
Antenen, Thomas, Deputy Commissioner.....	New York Department of Corrections
Antista, Janice.....	Citizen Correspondence
Aoyagi, Naomi, Assistant Secretary, Admin. & Oversight	Youth and Adult Correctional Agency
Applesmith, Jacob, Deputy Attorney General.....	Office of the Attorney General
Aros, Michael, Parole District Administrator	California Department of Corrections
Ashbrook, Debra, Assistant Chief Counsel, Legal Affairs Division	California Department of Corrections
Ater, Mark, Correctional Counselor II.....	California Department of Corrections
Atkinson, Jay, Chief, Estimates & Statistical Analysis Section.....	California Department of Corrections
Autrey, Mandy, Sergeant, Emergency Operations Unit	California Department of Corrections
Ayers, Robert, Retired Warden.....	California Department of Corrections
Babich, Pam, Senior Information System Analyst	California Youth Authority
Bacigalupo, Dave, Assistant Superintendent.....	California Youth Authority
Baldo, Jeffrey, Chief Information Officer	Youth and Adult Correctional Agency

Baldwin, Nancy, Assistant Deputy Director.....	California Youth Authority
Ballard, Daryl, Assistant Superintendent.....	California Youth Authority
Barbara, Joe, Senior Staff Counsel III	California Department of Corrections
Barnet, Mary, Training Officer.....	California Department of Corrections
Barretta, Judith, Community Liaison.....	California Department of Corrections
Bazar, Edmond, Director of Professional Standards.....	Georgia Department of Corrections
Beales, David, Chief Counsel	Prison Industry Authority
Beauregard, Charles, Director, Internal Affairs.....	Tennessee Department of Corrections
Belnas, Jenny, Student Assistant.....	California Youth Authority
Bernstein, Catherine, Assistant Chief Counsel, Legal Affairs Division	California Department of Corrections
Bestolarides, Paul, Academy Administrator.....	California Department of Corrections
Beverage, Julie.....	Citizen E-Mail Suggestion
Bikowski, Mary	Citizen E-Mail Suggestion
Birotte, Andre, Inspector General.....	Los Angeles Police Department
Bishoff, Marshall M.D., Surveyor	National Commission on Correctional Healthcare
Blalock, Jan, Asst. Superintendent of Correctional Education	California Department of Corrections
Block-Brown, Robert, Assistant Deputy Director, Education Services Branch	California Youth Authority
Blonien, Rodney J., Attorney.....	Government Relations
Borg, Bob, Retired Warden.....	California Department of Corrections
Boyle, Diana, Use of Force Coordinator	California Department of Corrections
Boynton, Ann, Managing Consultant	IBM
Braswell, Milton, Assistant Deputy Director	California Youth Authority
Breed, Allen F.....	Criminal Justice Consultant
Bromberg, Martha.....	Citizen E-Mail Suggestion
Brooks, Murray, Program Administrator.....	Florida Department of Corrections
Brown, Jim	Citizen E-Mail Suggestion
Brown, Peter, Director, Labor Relations	New York Department of Corrections
Brown, Shellvina, Use of Force Coordinator.....	California Department of Corrections
Brown, William, Chief, Lompoc Police Department	California Police Chiefs Association
Burkhart, Toni	Citizen Correspondence
Burrell, Sue, Attorney.....	Youth Law Center
Burrows, Richard L., Deputy Regional Parole Administrator	California Department of Corrections

Butler, Kristina, Staff Services Manager II	California Department of Corrections
Calabrese, Wayne H., President	The GEO Group Inc.
Caldwell jr., Floyd	Citizen E-Mail Suggestion
Cambra, Steven, Retired Director.....	California Department of Corrections
Campbell, John, Chief, Program Support Unit.....	California Department of Corrections
Campbell, Rosanne, Deputy Director, Health Care Services Division	California Department of Corrections
Canutt, Ford, Field Services Representative	California Correctional Supervisors Organization
Cardiff, Mike, Parole Agent III	California Youth Authority
Cardoza, Sandy, Equal Employment Officer.....	California Department of Corrections
Carruth, Kevin, Agency Undersecretary.....	Youth and Adult Correctional Agency
Carter, Sharon, Personnel Operations	California Department of Corrections
Carver, Doug, Chief Probation Officer	Nevada County Probation Department
Cate, Matt, Inspector General	Office of the Inspector General
Cevola, Michael, Recruitment Manager	California Department of Corrections
Chantal, Gibbs.....	Citizen E-Mail Suggestion
Chavez, Frank	Citizen Correspondence
Chen Jr., Arthur, Director of Facilities Programs.....	Foundation for Community Colleges
Chung, Arthur, Chief, Offender Information Services Branch	California Department of Corrections
Churchill, Rob, Supervisor of Correctional Education Programs...	California Department of Corrections
Clanton, Daniel, Associate Governmental Program Analyst	California Department of Corrections
Coder, Jacqui, Research Manager II, Population Projections Unit	California Department of Corrections
Colwell, Mike, Inmate Employability	Prison Industry Authority
Commander Maislin	Los Angeles Police Department
Conover, Robin, Staff Services Analyst	California Department of Corrections
Cooper, Gary, Legislative Advocate	Criminal Justice Consultant
Corcoran, Lance, Executive Vice President.....	California Correctional Peace Officers Association
Cornelius, May, Supervisor of Education Programs	California Department of Corrections
Cornwell-Spencer, Sharon.....	Citizen E-Mail Suggestion

Costa, Bill, Assistant Superintendent, Business Operations	California Youth Authority
Couzens, Richard, Judge.....	Placer County Superior Court
Covington, Carole, Associate Governmental Program Analyst.....	Board of Prison Terms
Cox, Diane, Sergeant, Internal Affairs	California Highway Patrol
Crumpton, Art, Assistant Director, Intelligence & Investigations.	Alabama Department of Corrections
Currier, Lisa, Human Resources Administrator	New Hampshire Department of Corrections
Curtis, Richard, RN, Selections & Standards	California Department of Corrections
Daley, Robert.....	Citizen E-Mail Suggestion
Datig, Creg, Chief Deputy District Attorney	Riverside County District Attorney's Office
Davis, Arlan, Risk Management Specialist	Florida Department of Corrections
Davis, Paul, Lieutenant.....	California Highway Patrol
Dean, Robert, Supervising Vice President.....	California Correctional Peace Officers Association
DeGrood, Phil, Asst. Superintendent of Correctional Education .	California Department of Corrections
DeJesus, Robert, Probation Manager	Santa Clara County Probation Department
DeMaio, Carl, President.....	The Performance Institute
DiCarlo, Lori, Warden.....	California Department of Corrections
Dillard, Paul J., Associate Warden	California Department of Corrections
DiMiceli, Michael C., Assistant Executive Director	California Commission on Peace Officer Standards & Training
Dixon, Sam, Sergeant, Internal Affairs	California Highway Patrol
Doke, Darryl, Deputy Attorney General	Office of the Attorney General
Domen, Patricia, Supervisor of Education Programs	California Department of Corrections
Dovey, John, Chief Deputy Director, Field Operations.....	California Department of Corrections
Drake, Michael V. M.D., Vice President, Health Affairs	University of California
Drews, Paul, Western Sales Manger	General Dynamics/Veritirecks
Dulay, Dennis, Retired Parole Agent III.....	California Youth Authority
Dunkin, John, Special Agent-In-Charge, Internal Affairs	California Youth Authority
Duque, Kathy, Deputy Chief.....	Santa Clara County Probation Department
Easterwood, Sue, Research Program Specialist I.....	California Youth Authority
Edwards, Leonard	Citizen Correspondence
Ehar, Sandra, Public Affairs Officer	Federal Bureau of Prisons
Elmer Jr., E.D., Deputy Regional Parole Administrator	California Department of Corrections
English, Sharon, Crime Victim Coordinator	Youth and Adult Correctional Agency
Escoto, David.....	Citizen Correspondence
Everett, Randy, Investigative Administrator	Oregon Department of Corrections

Facha, Cindy, Case Records Manager	California Department of Corrections
Fackler, Martie	Citizen E-Mail Suggestion
Fagot, Jeff, Deputy Regional Parole Administrator	California Department of Corrections
Farmer, Terry, Chief Counsel.....	Board of Prison Terms
Farris, Jim, Retired Annuitant, Youth Authority Board	California Youth Authority
Fedullo, Dave, Sergeant.....	California Highway Patrol
Fernandez, David, Parole Agent I.....	California Department of Corrections
Fetzer, Sheila	Citizen Correspondence
Fincel, Ed, Assistant Chief.....	California Highway Patrol
Fitzgerald, Pat, Assistant General Manager.....	Prison Industry Authority
Flores, Loida, Associate Personnel Analyst	California Youth Authority
Florez-Delyon, Cynthia, Assistant Deputy Director.....	California Youth Authority
Ford, Anita, Personnel Director.....	Los Angeles Unified School District
Ford, Bob.....	Employment Background Investigations Inc.
Ford, Dave, Parole Agent I.....	California Youth Authority
Forren, John R., President & Chief Executive Officer	Correctional Systems Inc.
Franco, Patricia, Parole Agent III.....	California Youth Authority
Frazier, Valerie, Bureau Chief, Training Services Division	California Youth Authority
Free, Max, Supervisor of Correctional Education Programs	California Department of Corrections
Funkhouser, Linda	Citizen Correspondence
Gallagher, Pete, Associate Warden	California Department of Corrections
Gallegos, Mike, Retired Deputy Director, Institutions & Camps ...	California Youth Authority
Gantt, Mark, Asst. Director, Office of Professional Standards.....	California Youth Authority
Garcia, Carolina, Parole Agent III	California Youth Authority
Garcia, Sylvia, Chief Deputy Director	California Youth Authority
Gastreich, Kathy	Washington Department of Corrections
Gieda, Deb, Manager, Office of Professional Responsibility	Pennsylvania Department of Corrections
Gillen, Richard, Parole Agent I.....	California Department of Corrections
Giurbino, George J., Warden.....	California Department of Corrections
Godown, Jeff, Detective, Computer Statistics.....	Los Angeles Police Department
Gomez, James, Former Director	California Department of Corrections
Gonzalez, Melissa, Use of Force Coordinator.....	California Department of Corrections
Goodloe, John, Research Division.....	U.S. Army
Gordon, JoAnn, Warden.....	California Department of Corrections

Gotivich, Erin, Internal Affairs	Massachusetts Department of Corrections
Goya, Steve, Regional Parole Administrator	California Department of Corrections
Grannis, Nola, Chief, Inmate Appeals	California Department of Corrections
Grater, Lindsay, Staff Services Manager	California Department of Corrections
Graves, Bob, Co-Founder.....	E-Republic
Green, Robin Ph.D., Former Chief of Training	Los Angeles Police Department
Grenz, Rick, Chief, Regulation & Policy Management Branch	California Department of Corrections
Griggs, J.R., Program Support Analyst, Joint Venture Program	California Department of Corrections
Grunder, Frances, Senior Assistant Attorney General	Office of the Attorney General
Gusman, Shane, Legislative Representative	California Public Defenders Association
Haapanen, Rudy, Chief, Research Division.....	California Youth Authority
Hahn, Donna, Juvenile Justice Specialist.....	Wisconsin Department of Corrections
Hale, Arzell.....	Citizen Correspondence
Halford, Jamie, Executive Secretary I, Prison Industry Board	Prison Industry Authority
Hamilton, Kris, Associate Governmental Program Analyst.....	California Department of Corrections
Hampton, Diane, Training Officer II.....	California Department of Corrections
Hansen, Doug.....	Citizen Correspondence
Harding, Doug, Internal Affairs	Maryland Department of Corrections
Hargrove, M., Sergeant	California Department of Corrections
Harper, Judith, Assistant Chief Counsel, Legal Affairs.....	California Department of Corrections
Harrison, Michael, Parole Agent II.....	California Department of Corrections
Hartwig, Jack T., Director	Management & Training Corporation
Hayhoe, Joyce, Deputy Secretary, Legislative	Youth and Adult Correctional Agency
Haywood, Fred, Parole Administrator	California Department of Corrections
Hazelton, Mark	Citizen E-Mail Suggestion
Henry, Haunani, Retired Warden	California Department of Corrections
Hensley, Candice, Officer	Los Angeles Police Department
Hernandez, Susan, Associate Governmental Program Analyst.....	California Department of Corrections
Herrera, David	Citizen Correspondence

Herron, Ronald, Vice Chairman, Youth Authority Board	California Youth Authority
Hickman, Roderick Q., Agency Secretary	Youth and Adult Correctional Agency
Hikcernell, Douglas.....	Citizen Correspondence
Hill, Curtis, Sheriff, San Benito County.....	California State Sheriffs' Association
Holman, Lana, Juvenile Justice Specialist	Oregon Department of Corrections
Holt, Nikki.....	Citizen E-Mail Suggestion
Horel, Robert A., Chief of Fiscal Programs.....	Youth and Adult Correctional Agency
Hoshino, Martin, Assistant Director, Office of Investigative Services.....	California Department of Corrections
Hotto, Bill, Chief, Inmate Transportation Unit.....	California Department of Corrections
Howard, Elizabeth, Legislative Representative	California State Association of Counties
Hubbard, Suzan, Assistant Deputy Director	California Department of Corrections
Huegen, Gena, Internal Affairs.....	Missouri Department of Corrections
Hutchison, Kacy, Deputy Cabinet Secretary	Office of Governor Arnold Schwarzenegger
Inge, Peter, Background Investigator	California Youth Authority
Ingram, Kevin, Personnel Operations Manager.....	Nevada Department of Corrections
Jackson, Gwen, Administrator I	California Youth Authority
Jackson, Otis, Staff Services Manager	California Department of Corrections
Jackson, Sharon, Regional Parole Administrator	California Department of Corrections
Jacobson, Susan, Joint Venture Program.....	California Department of Corrections
Jarue, Todd, Budget Analyst.....	Department of Finance
Jenkins, Ron, Facilitator	Board of Corrections
Jimenez, Mike, State President.....	California Correctional Peace Officers Association
Johnson, Deborah, Supervising Casework Specialist I.....	California Youth Authority
Johnson, Gary L., Executive Director.....	Texas Department of Corrections
Johnson, Ken, Program Administrator.....	Florida Department of Corrections
Johnson, Mary, Director, Programs & Treatment	Connecticut Department of Corrections
Johnson, Scott, Lieutenant, Risk Management Bureau.....	Los Angeles Sheriff's Department
Johnston-Brito, Anne, Sergeant, Departmental Training Division	California Highway Patrol
Jones, Georgia, Use of Force Coordinator	California Department of Corrections
Jones, Martin, Retired Chief, Office of Departmental Training.....	California Department of Corrections
Kai, Richard, Deputy Director, Education Services Branch.....	California Youth Authority
Kalvelage, Marilyn, Chief, Institution Operations.....	California Department of Corrections

Kamberian, Van, Staff Counsel.....	California Youth Authority
Kanan, Rene M.D., Assistant Deputy Director	California Department of Corrections
Kane, Cindy, Parole Agent I.....	California Department of Corrections
Kearns, Lura, Internal Affairs	Federal Bureau of Prisons
Keeshen, Kathleen M., Deputy Director, Legal Affairs Division ...	California Department of Corrections
Kemp, Mark.....	Citizen Correspondence
Kennedy, Phillip, Jr.	Citizen Correspondence
Kernan, Scott, Warden	California Department of Corrections
Kicker, Lee, Regional Sales Manager	Pro Tech Monitoring Inc.
Kim, Amy, Parole Outpatient Clinic.....	California Department of Corrections
Kim, Paul, Commander, Training Office.....	Los Angeles Police Department
Kindred, Richard	Citizen Correspondence
King, Don, Regional Administrator	California Youth Authority
Kirkland, Richard, Chief Deputy Warden.....	California Department of Corrections
Kopf, Paul, Staff Counsel.....	California Youth Authority
Koshell, Merrie, Correctional Counselor III.....	California Department of Corrections
Kramer, Matthew C., Warden.....	California Department of Corrections
Kravitz, Joe, Health Program Coordinator.....	California Department of Corrections
Krisberg, Dr. Barry, President.....	National Council on Crime & Delinquency
Krolowsky, Lorraine, Sergeant, Internal Affairs	California Highway Patrol
Kuhns, Ann-Lousie, Associate Director of Governmental Affairs	Bristol-Meyers Squibb Co.
Kuty, Paula, Chief Assistant District Attorney.....	Santa Clara County District Attorney's Office
Kwong, Tina, Hiring & Selections	California Highway Patrol
LaBahn, Dave, Executive Director.....	California District Attorneys Association
Lackner, Heidi, Facility Captain	California Department of Corrections
Langlois, Renauld, Chief Inspector, Special Investigations Unit ...	Rhode Island Department of Corrections
Larson, Carl, Retired Assistant Deputy Director.....	California Department of Corrections
Leber, Jon	Citizen E-Mail Suggestion
Lediju, Tonia, Staff Management Auditor	California Highway Patrol
Lee, Joey, Departmental Budget Officer	California Youth Authority
Lehman, Joseph D., Secretary	Washington Department of Corrections

Lemke, Tom, Captain.....	California Department of Corrections
LeSage, Pat, Chief Financial Officer.....	California Correctional Supervisors Organization
L'Etoile, Jim, Chief, Office of Substance Abuse Programs.....	California Department of Corrections
Levine, Robin, Retired Deputy Public Defender.....	San Francisco Public Defenders Office
Lewis, Beth, Assistant Chief, Labor Relations.....	Ohio Department of Corrections
Lewis, Donald, Assistant Director, Labor Relations.....	New Jersey Department of Corrections
Lewis, Gail, Retired Warden.....	California Department of Corrections
Lewis, Terry, Captain, Background Investigations Bureau.....	California Youth Authority
Losco, Frank, Chief, Office of Public Affairs.....	Prison Industry Authority
Loustalot, Sue, Deputy Secretary, Fiscal and Programs.....	Youth and Adult Correctional Agency
Ludeman, Sarah, Information Officer, Public Affairs.....	California Youth Authority
Lungren, Nancy, Assistant Director, Public Affairs.....	California Youth Authority
Lupineti, Jim, Director, Internal Affairs.....	Delaware Department of Corrections
Lynch, Therese, Parole Agent.....	Illinois Department of Corrections
Lyons, Nancy, Deputy Executive Director.....	Little Hoover Commission
Macallair, Dan.....	Center on Juvenile and Criminal Justice
Mack, Larry A., Retired Annuitant.....	California Department of Corrections
MacMurray-Muzquiz, Rebecca.....	Citizen E-Mail Suggestion
Maislin, Stuart, Commander.....	Los Angeles Police Department
Mak, Ken, Chief, Internal Audits.....	California Youth Authority
Maltbie, John, County Manager, San Mateo County.....	California State Association of Counties
Mandella, Rick, Executive Officer.....	Council on Mentally Ill Offenders
Manual, Rick, Assistant Chief, Inmate Appeals.....	California Department of Corrections
Marc-Aurele, Yvette, Deputy Director (A), Institutions & Camps.....	California Youth Authority
Mariscal, Linda.....	Citizen Correspondence
Martin, Christine, Chief, Telemedicine Services.....	California Department of Corrections
Maurino, Jaquelyn, Pharmacy Manager.....	California Department of Corrections
Mayer, James P., Executive Director.....	Little Hoover Commission
McAtee, Gail, Director of Administration.....	Texas, State Office of Risk Management
McCarthy, Thomas, Editorial Director.....	New York Department of Corrections

McCarty, Bert, Parole Agent II.....	California Department of Corrections
McConnell, Thomas E., Executive Director.....	Board of Corrections
McCracken, W., Lieutenant.....	California Department of Corrections
McDaniel, Roger.....	Florida Department of Corrections
McGill, Leslie, Executive Director.....	California Police Chiefs Association
McGrath, Joe, Warden.....	California Department of Corrections
McIntyre, Barbara, Assistant Manager, Human Resources.....	Nebraska Department of Corrections
Mechling, Jerry, President.....	E-Government and Public Policy
Medina, Rene, Lieutenant, Backgrounds & Investigations.....	California Department of Corrections
Meisner, Gary, Detective, Risk Management Unit.....	Los Angeles Police Department
Micu, Mike, Internal Affairs.....	Montana Department of Corrections
Miller, Art, Lieutenant, Public Information Office.....	Los Angeles Police Department
Milliken, James, Retired Judge.....	San Diego County Superior Court
Minor, Michael, Major.....	California Youth Authority
Miraglio, Valeta, Parole Agent III.....	California Department of Corrections
Mitchell, Don.....	Citizen Correspondence
Modena, P., Use of Force Coordinator.....	California Department of Corrections
Molina, Sergio, Information Officer.....	Illinois Department of Corrections
Moore, Bob, Major.....	California Youth Authority
Morgan, Brett.....	Citizen Correspondence
Morris, B., Lieutenant.....	California Department of Corrections
Mraz, Cassie, Training Officer.....	California Department of Corrections
Nave Mayberry, Lucibeth, Sr. Director.....	Corrections Corporation of America
Newland, Anthony Ph.D., Retired Warden.....	California Department of Corrections
Niedermann, Nathalie.....	Citizen E-Mail Suggestion
Nielson, Jim, Deputy Commissioner (Former State Senator).....	Board of Prison Terms
Nobili, Mark, President, Public Relations & Government Affairs.....	MN & Associates
Norris, Randall Ph.D., Chief Psychologist.....	California Department of Corrections
Norris, Steve, Lieutenant.....	California Department of Corrections
Northrup, Kay, Deputy Director, Health Care.....	Ohio Department of Corrections
O'Brien, Ken, Executive Director.....	California Commission on Peace Officer Standards & Training
O'Brine, Jillian.....	Citizen Correspondence
Olson, Henry, Executive Director.....	Manhattan Institute for Policy Research

O'Neal, Marty, District Parole Administrator	California Department of Corrections
O'Niell, Barry, Associate Warden.....	California Department of Corrections
Ottolini, Pat, Director, Health Care.....	Connecticut Department of Corrections
Overman, R., Lieutenant.....	California Department of Corrections
Owen, Brook.....	Citizen E-Mail Suggestion
Ozawa, Naomi, Casework Specialist	California Department of Corrections
Page, Yvette, Superintendent of Correctional Education.....	California Department of Corrections
Pank, Karen, Deputy Legislative Secretary.....	Office of Governor Arnold Schwarzenegger
Pannel, Sue, Research Specialist	California Youth Authority
Panora, Joe, Chief Information Officer	California Youth Authority
Parks, Gary	Citizen E-Mail Suggestion
Patterson, R., Sergeant	California Department of Corrections
Patterson, Robert	Citizen E-Mail Suggestion
Pederson, Jere, President	University of Texas Medical Branch
Pena, Zeke, Program Administrator	Texas Department of Corrections
Penland, Beverly, Supervisor of Vocational Instruction	California Department of Corrections
Perez, Margarita E., Chairwoman	Board of Prison Terms
Perez, Steve, Lieutenant.....	California Department of Corrections
Perrin, Cecilia, Associate Personnel Analyst	California Youth Authority
Peters, Winston, Bureau Chief	Los Angeles County Public Defenders Office
Pinkert, Michael, President	MHM Correctional Services Inc.
Pinto, Alvaro & Adozinda.....	Citizen Correspondence
Pipes,Susan.....	Citizen E-Mail Suggestion
Pliler, Cheryl, Deputy Director, Institutions Division.....	California Department of Corrections
Poe, Shirley, Regional Parole Administrator	California Department of Corrections
Pope, Kathy, Staff Counsel.....	Department of Personnel Administration
Powers, Matt, Assistant Professor	California State University, Long Beach
Presley, Robert, Former Agency Secretary (Former State Senator)	Youth and Adult Correctional Agency
Proby, Lee	Citizen Correspondence
Prosper, Kathleen, Warden	California Department of Corrections

Quinlan, Christy, Deputy Director, Information Systems Div.....	California Department of Corrections
Quintar, Al, Executive Assistant.....	U.S. Medical Center for Federal Prisons
Rackley, Ron, Lieutenant.....	California Department of Corrections
Ramos, P., Sergeant.....	California Department of Corrections
Reed, Dick, Assistant Executive Director.....	California Commission on Peace Officer Standards & Training
Remington, Calvin, Chief.....	Ventura County Probation Department
Renwick, Frank E., Deputy Director, Administrative Services Division.....	California Department of Corrections
Richman, Keith S., Assembly Member.....	Legislature
Rimmer, Richard, Deputy Director, Parole & Community Services Division.....	California Department of Corrections
Ritchie, Peggy.....	National Institute of Corrections
Rives, Larry, Special Agent, Office of Internal Affairs.....	California Department of Corrections
Robbins, De Ahn, Use of Force Coordinator.....	California Department of Corrections
Roberts, Anthony, Director.....	U.S. Medical Center for Federal Prisons
Robinson, Cil, Juvenile Justice Specialist.....	Montana Department of Corrections
Robinson, Ken, President.....	Correctional Counseling Inc.
Rodarte, Steve.....	Citizen E-Mail Suggestion
Rodriguez, Gil, Deputy Parole Administrator.....	California Department of Corrections
Rodriguez, John, Deputy Director.....	Department of Mental Health
Rogers, Debra, Use of Force Coordinator.....	California Department of Corrections
Romero, Gloria, Senator.....	Legislature
Romero, Raul, Asst. Superintendent of Correctional Education....	California Department of Corrections
Roos, Robert Ph.D., Deputy Commissioner.....	Board of Prison Terms
Rosenthal, Matthew, Executive Director.....	Institute for the Study and Prevention of Hate Crimes
Rosko, Thomas M.D., Consultation Psychiatry.....	Cedars-Sinai Medical Center
Runnels, David, Warden.....	California Department of Corrections
Saito, Brady, Parole Agent III Supervisor.....	California Department of Corrections
Sanchez, Carlos, Chief, Office of Departmental Training.....	California Department of Corrections

Sanchez, H.G., Chief Psychologist	California Department of Corrections
Sanders, Karen, Personnel Program Analyst.....	Department of Personnel Administration
Santana, Tony, Attorney	California Association of Highway Patrolmen
Schick, Walt, Captain	Los Angeles Police Department
Schmidt, William	Citizen Correspondence
Seaborn, Marguerite, Chief Counsel	Department of Personnel Administration
Sears, Reggie, Parole Agent III.....	California Youth Authority
Sevesind, Donald, Detective	Pomona Police Department
Shansky, Ronald M.D.....	Correctional Health Care Consultant
Short, Caroline, Staff Services Manager I.....	California Department of Corrections
Shumsky, Richard, Chief Probation Officer.....	Los Angeles County Probation Department
Sida, Jim, Deputy Director, Standards & Training for Corrections	Board of Corrections
Siefert, Donna, Supervisor of Correctional Education Programs ...	California Department of Corrections
Sifuentes, George, Deputy Director (A), Facilities Mgmt. Div.....	California Department of Corrections
Siggins, Elizabeth, Executive Director	Volunteer Auxiliary of Youth Guidance Center
Siggins, Peter, Legal Affairs Secretary	Office of Governor Arnold Schwarzenegger
Silva, John, Supervisor, Solano County.....	California State Association of Counties
Simpson, Debbie, Administrative Assistant	California Youth Authority
Sims, Clayton, Internal Affairs Investigator	Arizona Department of Corrections
Singh, Harinder, Executive Officer, Technology Transfer.....	California Department of Corrections
Sivula, Eric, Internal Affairs.....	Louisiana Department of Corrections
Skonovd, Norman, Research Manager	California Youth Authority
Slavin, Bruce, General Counsel.....	Youth and Adult Correctional Agency
Sliney, Pat, Staff Services Manager, Policy Development.....	California Highway Patrol
Smail, Mike, Staff Services Manager	California Department of Corrections
Smelosky, Mark, Captain	California Department of Corrections
Smith, Chris, Deputy Superintendent	California Youth Authority
Smith, Dave, Chief Inspector of Special Operations.....	Colorado Department of Corrections
Smith, Greg, Detective, Risk Management Unit.....	Los Angeles Police Department

Smith, Kelly, Use of Force Coordinator	California Department of Corrections
Smith, Larry, Data Processing Manager	California Youth Authority
Snow, Hal, Assistant Executive Director	California Commission on Peace Officer Standards & Training
Sogge, Joe, Chief Information Officer	Department of General Services
Soriano, Bernard, Chief Information Officer.....	Secretary of State Office
Spar, Wayne, Population Management Specialist	California Youth Authority
Specter, Donald, Director	Prison Law Office
Speed, Marvin E. II, Executive Officer	Board of Prison Terms
Speier, Jackie, Senator	Legislature
Sreenivasan, Shoba Ph.D.	University of Southern California, Keck School of Medicine
Stafford, Kay, Parole Agent III.....	California Department of Corrections
Stahl, Kim, Manager, Human Resources.....	South Dakota Department of Corrections
Stalder, Richard L., Secretary	Louisiana Department of Corrections
Steel, Tina, Staff Counsel	California Youth Authority
Steffen, Richard, Staff Director	Legislature
Steinhart, David, Juvenile Justice Program Director	Commonweal
Stenoski, Stephen M., Assistant Superintendent.....	California Youth Authority
Stephens, Regina, Former Deputy Director, Parole & Community Services Division	California Department of Corrections
Stevens, Doug, Chief of Investigations	Florida Department of Corrections
Stewart, Joann, Personnel Operations Specialist.....	California Department of Corrections
Stoller, Nancy Ph.D., Professor	University of California, Santa Cruz
Stresak, Bob, Retired Assistant Director, Internal Affairs	California Youth Authority
Stubblefield, Lynn, Human Resources Specialist.....	Texas Department of Corrections
Sturtevant, Beverlee.....	Citizen Correspondence
Sullivan, Jacqueline, Administrative Assistant	Center on Juvenile and Criminal Justice
Surbeck, John F., Judge	Indiana Superior Court
Suzuki, Norma, Executive Director.....	Chief Probation Officers Association of California
Swig, Julian.....	Citizen Correspondence
Tatum, Richard L., State President.....	California Correctional Supervisors Organization
Theodorovic, Zlatco, Budget Analyst	Department of Finance
Thomas, Matthew B., Staff Services Manager II.....	California Department of Corrections
Thompson, Neil, Staff Services Manager II.....	California Department of Corrections
Thompson, Mark, Vice President	Cornell Companies Inc.

Thornton, Kim, Use of Force Coordinator	California Department of Corrections
Tien, Ivan, Officer, Recruitment Division	California Highway Patrol
Tilton, James, Program Budget Manager	Department of Finance
Tinstman, Tom M.D., Associate Director of Clinical Information..	University of California, Davis
Toni, Craig, Parole Agent III	California Department of Corrections
Toombs, Christine, Parole Agent III.....	California Department of Corrections
Tremblay, J.P., Assistant Director, Communications	California Department of Corrections
Trexler, Larry, Captain, Institutions Division.....	California Department of Corrections
Trimarchi, Heidi, Manager, Information Services Division	California Department of Corrections
Tristan, David, Retired Chief Deputy Director	California Department of Corrections
Tristan, Irma M.	Citizen E-Mail Suggestion
Valdez, Dan, Major.....	California Youth Authority
Vanyur, John M., Senior Deputy Assistant Director.....	Federal Bureau of Prisons
Vasquez, Alfredo, Sergeant, Departmental Training Division.....	California Highway Patrol
Veach, Bob	Citizen E-Mail Suggestion
Veri, Cynthia Z.....	XEROX
VeVea, George, Lieutenant.....	California Department of Corrections
Vilches, Ronald, Internal Affairs Investigator	Arkansas Department of Corrections
Vohryzek-Bolden, Miki Ph.D., Criminal Justice Division.....	California State University, Sacramento
Walker, Christine, Research Division	U.S. Army
Wallace, Jack, Retired Administrator I	California Youth Authority
Ward, Sheryl, Chief, Financial Management Division	California Youth Authority
Warner, Nick, Governmental Affairs Representative	California State Sheriffs' Association
Webb, Wendy.....	Illinois, Marion County Probation Department
Wehe, Dick, Assistant Chief Counsel	California Department of Transportation
Weibe, Marvin.....	Correctional Counseling Inc.
Weiss, Jean, Use of Force Coordinator.....	California Department of Corrections
Weiss, Judy, Retired Assistant Deputy Director	California Youth Authority
White, Gary, President.....	Alternative Programs Inc.
Wilder, Nancy, Chief, Employee Relations.....	North Carolina Department of Corrections
Williams, Debbie.....	Citizen Correspondence
Williams, Martha, Deputy Compact Administrator.....	California Department of Corrections
Williams, Roxanna, Associate Budget Analyst.....	California Youth Authority

Willner, Nei	Citizen E-Mail Suggestion
Wilson, Jeff.....	Citizen E-Mail Suggestion
Winistorfer, Rick, Chief, Divisional Training Unit.....	California Department of Corrections
Winters, Linda.....	Illinois Department of Corrections
Wise, Sharie, Chief, Personnel Services Division	California Youth Authority
Wolf, Steve, Chief Investigator, Professional Standards	Idaho Department of Corrections
Woodford, J. S., Director.....	California Department of Corrections
Woodyard, Mark.....	Citizen E-Mail Suggestion
Woolever, R., Lieutenant	California Department of Corrections
Wright, Sandra, Camp Superintendent	California Youth Authority
Ylst, Eddie, Former General Manager	Prison Industry Authority
Zamora, Lori, Manager	California Department of Corrections
Zehringer, Beverly, Parole Agent II	California Department of Corrections
16 Anonymous Citizens.....	Citizen E-Mail Suggestions

Listing by Organization

California Correctional Agencies

Board of Corrections

Jenkins, Ron, Facilitator
 McConnell, Thomas E., Executive Director
 Sida, Jim, Deputy Director, Standards & Training for Corrections

Board of Prison Terms

Covington, Carole, Associate Governmental Program Analyst
 Farmer, Terry, Chief Counsel
 Nielson, Jim, Deputy Commissioner (Former State Senator)
 Perez, Margarita E., Chairwoman
 Roos, Robert Ph.D., Deputy Commissioner
 Speed, Marvin E. II, Executive Officer

California Department of Corrections

Alvarado, Yan Sum, Parole District Administrator
 Ambrocelli, Robert, Parole Administrator
 Anderson, Capril, Administrative Assistant
 Aros, Michael, Parole District Administrator
 Ashbrook, Debra, Assistant Chief Counsel, Legal Affairs Division
 Ater, Mark, Correctional Counselor II
 Atkinson, Jay, Chief, Estimates & Statistical Analysis Section
 Autrey, Mandy, Sergeant, Emergency Operations Unit
 Ayers, Robert, Retired Warden
 Barbara, Joe, Senior Staff Counsel III
 Barnet, Mary, Training Officer
 Barretta, Judith, Community Liaison
 Bernstein, Catherine, Assistant Chief Counsel, Legal Affairs Division
 Bestolarides, Paul, Academy Administrator
 Blalock, Jan, Assistant Superintendent of Correctional Education
 Borg, Bob, Retired Warden
 Boyle, Diana, Use of Force Coordinator
 Brown, Shellvina, Use of Force Coordinator
 Burrows, Richard L., Deputy Regional Parole Administrator
 Butler, Kristina, Staff Services Manager II
 Cambra, Steven, Retired Director
 Campbell, John, Chief, Program Support Unit
 Campbell, Rosanne, Deputy Director, Health Care Services Division
 Cardoza, Sandy, Equal Employment Officer
 Carter, Sharon, Personnel Operations
 Cevola, Michael, Recruitment Manager
 Chung, Arthur, Chief, Offender Information Services Branch
 Churchill, Rob, Supervisor of Correctional Education Programs
 Clanton, Daniel, Associate Governmental Program Analyst
 Coder, Jacqui, Research Manager II, Population Projections Unit

Conover, Robin, Staff Services Analyst
 Cornelius, May, Supervisor of Education Programs
 Curtis, Richard, RN, Selections & Standards
 DeGroot, Phil, Assistant Superintendent of Correctional Education
 DiCarlo, Lori, Warden
 Dillard, Paul J., Associate Warden
 Domen, Patricia, Supervisor of Education Programs
 Dovey, John, Chief Deputy Director, Field Operations
 Elmer Jr., E.D., Deputy Regional Parole Administrator
 Facha, Cindy, Case Records Manager
 Fagot, Jeff, Deputy Regional Parole Administrator
 Fernandez, David, Parole Agent I
 Free, Max, Supervisor of Correctional Education Programs
 Gallagher, Pete, Associate Warden
 Gillen, Richard, Parole Agent I
 Giurbino, George J., Warden
 Gomez, James, Former Director
 Gonzalez, Melissa, Use of Force Coordinator
 Gordon, JoAnn, Warden
 Goya, Steve, Regional Parole Administrator
 Grannis, Nola, Chief, Inmate Appeals
 Grater, Lindsay, Staff Services Manager
 Grenz, Rick, Chief, Regulation & Policy Management Branch
 Griggs, J.R., Program Support Analyst, Joint Venture Program
 Hamilton, Kris, Associate Governmental Program Analyst
 Hampton, Diane, Training Officer II
 Hargrove, M., Sergeant
 Harper, Judith, Assistant Chief Counsel, Legal Affairs
 Harrison, Michael, Parole Agent II
 Haywood, Fred, Parole Administrator
 Henry, Haunani, Retired Warden
 Hernandez, Susan, Associate Governmental Program Analyst
 Hoshino, Martin, Assistant Director, Office of Investigative Services
 Hotto, Bill, Chief, Inmate Transportation Unit
 Hubbard, Suzan, Assistant Deputy Director
 Jackson, Otis, Staff Services Manager
 Jackson, Sharon, Regional Parole Administrator
 Jacobson, Susan, Joint Venture Program
 Jones, Georgia, Use of Force Coordinator
 Jones, Martin, Retired Chief, Office of Departmental Training
 Kalvelage, Marilyn, Chief, Institution Operations
 Kanan, Rene M.D., Assistant Deputy Director
 Kane, Cindy, Parole Agent I
 Keeshen, Kathleen M., Deputy Director, Legal Affairs Division
 Kernan, Scott, Warden
 Kim, Amy, Parole Outpatient Clinic
 Kirkland, Richard, Chief Deputy Warden
 Koshell, Merrie, Correctional Counselor III

Kramer, Matthew C., Warden
 Kravitz, Joe, Health Program Coordinator
 Lackner, Heidi, Facility Captain
 Larson, Carl, Retired Assistant Deputy Director
 Lemke, Tom, Captain
 L'Etoile, Jim, Chief, Office of Substance Abuse Programs
 Lewis, Gail, Retired Warden
 Mack, Larry A., Retired Annuitant
 Manual, Rick, Assistant Chief, Inmate Appeals
 Martin, Christine, Chief, Telemedicine Services
 Maurino, Jaquelyn, Pharmacy Manager
 McCarty, Bert, Parole Agent II
 McCracken, W., Lieutenant
 McGrath, Joe, Warden
 Medina, Rene, Lieutenant, Backgrounds & Investigations
 Miraglio, Valeta, Parole Agent III
 Modena, P., Use of Force Coordinator
 Morris, B., Lieutenant
 Mraz, Cassie, Training Officer
 Newland, Anthony Ph.D., Retired Warden
 Norris, Randall Ph.D., Chief Psychologist
 Norris, Steve, Lieutenant
 O'Neal, Marty, District Parole Administrator
 O'Niell, Barry, Associate Warden
 Overman, R., Lieutenant
 Ozawa, Naomi, Casework Specialist
 Page, Yvette, Superintendent of Correctional Education
 Patterson, R., Sergeant
 Penland, Beverly, Supervisor of Vocational Instruction
 Perez, Steve, Lieutenant
 Piler, Cheryl, Deputy Director, Institutions Division
 Poe, Shirley, Regional Parole Administrator
 Prosper, Kathleen, Warden
 Quinlan, Christy, Deputy Director, Information Systems Division
 Rackley, Ron, Lieutenant
 Ramos, P., Sergeant
 Renwick, Frank E., Deputy Director, Administrative Services Division
 Rimmer, Richard, Deputy Director, Parole & Community Services Division
 Rives, Larry, Special Agent, Office of Internal Affairs
 Robbins, De Ahn, Use of Force Coordinator
 Rodriguez, Gil, Deputy Parole Administrator
 Rogers, Debra, Use of Force Coordinator
 Romero, Raul, Assistant Superintendent of Correctional Education
 Runnels, David, Warden
 Saito, Brady, Parole Agent III Supervisor
 Sanchez, Carlos, Chief, Office of Departmental Training
 Sanchez, H.G., Chief Psychologist
 Short, Caroline, Staff Services Manager I

Siefert, Donna, Supervisor of Correctional Education Programs
Sifuentes, George, Deputy Director (A), Facilities Management Division
Singh, Harinder, Executive Officer, Technology Transfer
Smail, Mike, Staff Services Manager
Smelosky, Mark, Captain
Smith, Kelly, Use of Force Coordinator
Stafford, Kay, Parole Agent III
Stephens, Regina, Former Deputy Director, Parole & Community Services Division
Stewart, Joann, Personnel Operations Specialist
Thomas, Matthew B., Staff Services Manager II
Thompsen, Neil, Staff Services Manager II
Thornton, Kim, Use of Force Coordinator
Toni, Craig, Parole Agent III
Toombs, Christine, Parole Agent III
Tremblay, J.P., Assistant Director, Communications
Trexler, Larry, Captain, Institutions Division
Trimarchi, Heidi, Manager, Information Services Division
Tristan, David, Retired Chief Deputy Director
VeVea, George, Lieutenant
Weiss, Jean, Use of Force Coordinator
Williams, Martha, Deputy Compact Administrator
Winistorfer, Rick, Chief, Divisional Training Unit
Woodford, J. S., Director
Woolever, R., Lieutenant
Zamora, Lori, Manager
Zehringer, Beverly, Parole Agent II

California Youth Authority

Allen, Calleen, Personnel Technician
Allen, Walter III, Director
Babich, Pam, Senior Information System Analyst
Bacigalupo, Dave, Assistant Superintendent
Baldwin, Nancy, Assistant Deputy Director
Ballard, Daryl, Assistant Superintendent
Belnas, Jenny, Student Assistant
Block-Brown, Robert, Assistant Deputy Director, Education Services Branch
Braswell, Milton, Assistant Deputy Director
Cardiff, Mike, Parole Agent III
Costa, Bill, Assistant Superintendent, Business Operations
Dulay, Dennis, Retired Parole Agent III
Dunkin, John, Special Agent-In-Charge, Internal Affairs
Easterwood, Sue, Research Program Specialist I
Farris, Jim, Retired Annuitant, Youth Authority Board
Flores, Loida, Associate Personnel Analyst
Florez-Delyon, Cynthia, Assistant Deputy Director
Ford, Dave, Parole Agent I
Franco, Patricia, Parole Agent III
Frazier, Valerie, Bureau Chief, Training Services Division

Gallegos, Mike, Retired Deputy Director, Institutions & Camps
 Gantt, Mark, Assistant Director, Office of Professional Standards
 Garcia, Carolina, Parole Agent III
 Garcia, Sylvia, Chief Deputy Director
 Haapanen, Rudy, Chief, Research Division
 Herron, Ronald, Vice Chairman, Youth Authority Board
 Inge, Peter, Background Investigator
 Jackson, Gwen, Administrator I
 Johnson, Deborah, Supervising Casework Specialist I
 Kai, Richard, Deputy Director, Education Services Branch
 Kamberian, Van, Staff Counsel
 King, Don, Regional Administrator
 Kopf, Paul, Staff Counsel
 Lee, Joey, Departmental Budget Officer
 Lewis, Terry, Captain, Background Investigations Bureau
 Ludeman, Sarah, Information Officer, Public Affairs
 Lungren, Nancy, Assistant Director, Public Affairs
 Mak, Ken, Chief, Internal Audits
 Marc-Aurele, Yvette, Deputy Director (A), Institutions & Camps
 Minor, Michael, Major
 Moore, Bob, Major
 Pannel, Sue, Research Specialist
 Panora, Joe, Chief Information Officer
 Perrin, Cecilia, Associate Personnel Analyst
 Sears, Reggie, Parole Agent III
 Simpson, Debbie, Administrative Assistant
 Skonovd, Norman, Research Manager
 Smith, Chris, Deputy Superintendent
 Smith, Larry, Data Processing Manager
 Spar, Wayne, Population Management Specialist
 Steel, Tina, Staff Counsel
 Stenoski, Stephen M., Assistant Superintendent
 Stresak, Bob, Retired Assistant Director, Internal Affairs
 Valdez, Dan, Major
 Wallace, Jack, Retired Administrator I
 Ward, Sheryl, Chief, Financial Management Division
 Weiss, Judy, Retired Assistant Deputy Director
 Williams, Roxanna, Associate Budget Analyst
 Wise, Sharie, Chief, Personnel Services Division
 Wright, Sandra, Camp Superintendent

Commission on Correctional Peace Officer Standards and Training

Alvarez, Laurel, Manager

Council on Mentally Ill Offenders

Mandella, Rick, Executive Officer

Prison Industry Authority

Beales, David, Chief Counsel
 Colwell, Mike, Inmate Employability
 Fitzgerald, Pat, Assistant General Manager
 Halford, Jamie, Executive Secretary I, Prison Industry Board
 Losco, Frank, Chief, Office of Public Affairs
 Ylst, Eddie, Former General Manager

Youth and Adult Correctional Agency

Aoyagi, Naomi, Assistant Secretary, Administration & Oversight
 Baldo, Jeffrey, Chief Information Officer
 Carruth, Kevin, Agency Undersecretary
 English, Sharon, Crime Victim Coordinator
 Hayhoe, Joyce, Deputy Secretary, Legislative
 Hickman, Roderick Q., Agency Secretary
 Horel, Robert A., Chief of Fiscal Programs
 Loustalot, Sue, Deputy Secretary, Fiscal and Programs
 Presley, Robert, Former Agency Secretary (Former State Senator)
 Slavin, Bruce, General Counsel

California Educational Organizations

California State University, Long Beach

Powers, Matt, Assistant Professor

California State University, Sacramento

Vohryzek-Bolden, Miki Ph.D., Criminal Justice Division

Sacramento Unified School District

Allen, Ward, Coordinating Instructor

University of California

Drake, Michael V. M.D., Vice President, Health Affairs

University of California, Davis

Tinstman, Tom M.D., Associate Director of Clinical Information

University of California, Santa Cruz

Stoller, Nancy Ph.D., Professor

University of Southern California, Keck School of Medicine

Sreenivasan, Shoba Ph.D.

California Governor's Office

Office of Governor Arnold Schwarzenegger

Hutchison, Kacy, Deputy Cabinet Secretary
Pank, Karen, Deputy Legislative Secretary
Siggins, Peter, Legal Affairs Secretary

California Labor Organizations

California Association of Highway Patrolmen

Santana, Tony, Attorney

California Correctional Peace Officers Association

Adame, Louie, Rank & File Vice President CYA
Alexander, Chuck, Rank & File Vice President CDC
Corcoran, Lance, Executive Vice President
Dean, Robert, Supervising Vice President
Jimenez, Mike, State President

California Correctional Supervisors Organization

Canutt, Ford, Field Services Representative
LeSage, Pat, Chief Financial Officer
Tatum, Richard L., State President

California Oversight Agencies

Little Hoover Commission

Lyons, Nancy, Deputy Executive Director
Mayer, James, Executive Director

Office of the Inspector General

Cate, Matt, Inspector General

California Public Safety Organizations

California Highway Patrol

Cox, Diane, Sergeant, Internal Affairs
Dixon, Sam, Sergeant, Internal Affairs
Davis, Paul, Lieutenant
Fedullo, Dave, Sergeant
Fincel, Ed, Assistant Chief
Johnston-Brito, Anne, Sergeant, Departmental Training Division
Krolowsky, Lorraine, Sergeant, Internal Affairs
Kwong, Tina, Hiring & Selections
Lediju, Tonia, Staff Management Auditor
Sliney, Pat, Staff Services Manager, Policy Development
Tien, Ivan, Officer, Recruitment Division

Vasquez, Alfredo, Sergeant, Departmental Training Division

Los Angeles County Probation Department

Shumsky, Richard, Chief Probation Officer

Los Angeles County Public Defenders Office

Peters, Winston, Bureau Chief

Los Angeles Police Department

Birotte, Andre, Inspector General

Commander Maislin

Godown, Jeff, Detective, Computer Statistics

Green, Robin Ph.D., Former Chief of Training

Hensley, Candice, Officer

Kim, Paul, Commander, Training Office

Meisner, Gary, Detective, Risk Management Unit

Miller, Art, Lieutenant, Public Information Office

Schick, Walt, Captain

Smith, Greg, Detective, Risk Management Unit

Los Angeles Sheriff's Department

Johnson, Scott, Lieutenant, Risk Management Bureau

Los Angeles Unified School District

Ford, Anita, Personnel Director

Nevada County Probation Department

Carver, Doug, Chief Probation Officer

Nevada Department of Corrections

Ingram, Kevin, Personnel Operations Manager

Placer County Superior Court

Couzens, Richard, Judge

Pomona Police Department

Sevesind, Donald, Detective

Riverside County District Attorney's Office

Datig, Creg, Chief Deputy District Attorney

San Diego County Superior Court

Milliken, James, Retired Judge

San Francisco Public Defenders Office

Levine, Robin, Retired Deputy Public Defender

Santa Clara County District Attorney's Office

Kuty, Paula, Chief Assistant District Attorney

Santa Clara County Probation Department

DeJesus, Robert, Probation Manager
Duque, Kathy, Deputy Chief

Ventura County Probation Department

Remington, Calvin, Chief

California State Agencies (other)

Commission on Peace Officer Standards & Training

DiMiceli, Michael C., Assistant Executive Director
O'Brien, Ken, Executive Director
Reed, Dick, Assistant Executive Director
Snow, Hal, Assistant Executive Director

Department of Transportation

Wehe, Dick, Assistant Chief Counsel

Department of Finance

Jarue, Todd, Budget Analyst
Theodorovic, Zlatco, Budget Analyst
Tilton, James, Program Budget Manager

Department of General Services

Sogge, Joe, Chief Information Officer

Department of Industrial Relations

Acosta, Lucille, Chief, Division of Apprenticeship Services

Department of Mental Health

Rodriguez, John, Deputy Director

Department of Personnel Administration

Pope, Kathy, Staff Counsel
Sanders, Karen, Personnel Program Analyst
Seaborn, Marguerite, Chief Counsel

Office of the Attorney General

Applesmith, Jacob, Deputy Attorney General
Doke, Darryl, Deputy Attorney General
Grunder, Frances, Senior Assistant Attorney General

Secretary of State Office

Soriano, Bernard, Chief Information Officer

California State Legislature

Richman, Keith S., Assembly Member
Romero, Gloria, Senator
Speier, Jackie, Senator
Steffen, Richard, Staff Director

Citizen Correspondence

Allen, Vivian
Antista, Janice
Burkhart, Toni
Chavez, Frank
Edwards, Leonard
Escoto, David
Fetzer, Sheila
Funkhouser, Linda
Hale, Arzell
Hansen, Doug
Herrera, David
Hikcernell, Douglas
Kemp, Mark
Kennedy, Phillip, Jr.
Kindred, Richard
Mariscal, Linda
Mitchell, Don
Morgan, Brett
O'Brine, Jillian
Pinto, Alvaro & Adozinda
Proby, Lee
Schmidt, William
Sturtevant, Beverlee
Swig, Julian
Williams, Debbie

Citizen E-Mail Suggestions

Beverage, Julie
Bikowski, Mary
Bromberg, Martha
Brown, Jim
Caldwell jr., Floyd
Chantal, Gibbs
Cornwell-Spencer, Sharon
Daley, Robert
Fackler, Martie
Hazelton, Mark
Holt, Nikki

Leber, Jon
 MacMurray-Muzquiz, Rebecca
 Niedermann, Nathalie
 Owen, Brook
 Parks, Gary
 Patterson, Robert
 Pipes, Susan
 Rodarte, Steve
 Tristan, Irma M.
 Veach, Bob
 Willner, Nei
 Wilson, Jeff
 Woodyard, Mark
 16 Anonymous Citizens

Departments of Corrections of Other States

Alabama Department of Corrections

Crumpton, Art, Assistant Director, Intelligence & Investigations

Alaska Department of Correctional Institutions

Addington, Mike, Director

Arizona Department of Corrections

Sims, Clayton, Internal Affairs Investigator

Arkansas Department of Corrections

Vilches, Ronald, Internal Affairs Investigator

Colorado Department of Corrections

Smith, Dave, Chief Inspector of Special Operations

Connecticut Department of Corrections

Johnson, Mary, Director, Programs & Treatment

Ottolini, Pat, Director, Health Care

Delaware Department of Corrections

Lupineti, Jim, Director, Internal Affairs

Florida Department of Corrections

Brooks, Murray, Program Administrator

Davis, Arlan, Risk Management Specialist

Johnson, Ken, Program Administrator

McDaniel, Roger

Stevens, Doug, Chief of Investigations

Georgia Department of Corrections

Bazar, Edmond, Director of Professional Standards

Idaho Department of Corrections

Wolf, Steve, Chief Investigator, Professional Standards

Illinois Department of Corrections

Lynch, Therese, Parole Agent
Molina, Sergio, Information Officer
Winters, Linda

Louisiana Department of Corrections

Sivula, Eric, Internal Affairs
Stalder, Richard L., Secretary

Maryland Department of Corrections

Harding, Doug, Internal Affairs

Massachusetts Department of Corrections

Gotivich, Erin, Internal Affairs

Missouri Department of Corrections

Huegen, Gena, Internal Affairs

Montana Department of Corrections

Micu, Mike, Internal Affairs
Robinson, Cil, Juvenile Justice Specialist

Nebraska Department of Corrections

McIntyre, Barbara, Assistant Manager, Human Resources

New Hampshire Department of Corrections

Currier, Lisa, Human Resources Administrator

New Jersey Department of Corrections

Lewis, Donald, Assistant Director, Labor Relations

New York Department of Corrections

Antenen, Thomas, Deputy Commissioner
Brown, Peter, Director, Labor Relations
McCarthy, Thomas, Editorial Director

North Carolina Department of Corrections

Wilder, Nancy, Chief, Employee Relations

Ohio Department of Corrections

Lewis, Beth, Assistant Chief, Labor Relations
Northrup, Kay, Deputy Director, Health Care

Oregon Department of Corrections

Everett, Randy, Investigative Administrator
Holman, Lana, Juvenile Justice Specialist

Pennsylvania Department of Corrections

Gieda, Deb, Manager, Office of Professional Responsibility

Rhode Island Department of Corrections

Langlois, Renauld, Chief Inspector, Special Investigations Unit

South Dakota Department of Corrections

Stahl, Kim, Manager, Human Resources

Tennessee Department of Corrections

Beauregard, Charles, Director, Internal Affairs

Texas Department of Corrections

Johnson, Gary L., Executive Director
Pena, Zeke, Program Administrator
Stubblefield, Lynn, Human Resources Specialist

Washington Department of Corrections

Gastreich, Kathy
Lehman, Joseph D., Secretary

Wisconsin Department of Corrections

Hahn, Donna, Juvenile Justice Specialist

Federal Organizations

Federal Bureau of Prisons

Ehar, Sandra, Public Affairs Officer
Kearns, Lura, Internal Affairs
Vanyur, John M., Senior Deputy Assistant Director

National Institute of Corrections

Ritchie, Peggy

U.S. Army

Goodloe, John, Research Division
Walker, Christine, Research Division

U.S. Medical Center for Federal Prisoners

Quintar, Al, Executive Assistant
Roberts, Anthony, Director

Governmental Agencies of Other States

Illinois, Marion County Probation Department

Webb, Wendy

Indiana Superior Court

Surbeck, John F., Judge

Texas, State Office of Risk Management

McAtee, Gail, Director of Administration

University of Texas Medical Branch

Pederson, Jere, President

Other - Consultants, Non-Profits, and Private Organizations

Alternative Programs Inc.

White, Gary, President

Bristol-Meyers Squibb Co.

Kuhns, Ann-Lousie, Associate Director of Governmental Affairs

California District Attorneys Association

LaBahn, Dave, Executive Director

California Police Chiefs Association

Brown, William, Chief, Lompoc Police Department

McGill, Leslie, Executive Director

California Public Defenders Association

Gusman, Shane, Legislative Representative

California State Association of Counties

Howard, Elizabeth, Legislative Representative

Maltbie, John, County Manager, San Mateo County

Silva, John, Supervisor, Solano County

California State Sheriffs' Association

Hill, Curtis, Sheriff, San Benito County

Warner, Nick, Governmental Affairs Representative

Cedars-Sinai Medical Center

Rosko, Thomas M.D., Consultation Psychiatry

Center on Juvenile and Criminal Justice

Macallair, Dan

Sullivan, Jacqueline, Administrative Assistant

Chief Probation Officers Association of California

Suzuki, Norma, Executive Director

Commonweal

Steinhart, David, Juvenile Justice Program Director

Cornell Companies Inc.

Thompson, Mark, Vice President

Correctional Counseling Inc.

Robinson, Ken, President
Weibe, Marvin

Correctional Health Care Consultant

Shansky, Ronald M.D.

Correctional Systems Inc.

Forren, John R., President & Chief Executive Officer

Corrections Corporation of America

Nave Mayberry, Lucibeth, Sr. Director

Criminal Justice Consultant

Breed, Allen F.
Cooper, Gary, Legislative Advocate

E-Government and Public Policy

Mechling, Jerry, President

Employment Background Investigations Inc.

Ford, Bob

E-Republic

Graves, Bob, Co-Founder

Foundation for Community Colleges

Chen Jr., Arthur, Director of Facilities Programs

General Dynamics/Veritirecks

Drews, Paul, Western Sales Manger

Government Relations

Blonien, Rodney J., Attorney at Law

IBM

Boynton, Ann, Managing Consultant

Institute for the Study and Prevention of Hate Crimes

Rosenthal, Matthew, Executive Director

Management & Training Corporation

Hartwig, Jack T., Director

Manhattan Institute for Policy Research

Olson, Henry, Executive Director

MHM Correctional Services Inc.

Pinkert, Michael, President

MN & Associates

Nobili, Mark, President, Public Relations & Government Affairs

National Commission on Correctional Healthcare

Bishoff, Marshall M.D., Surveyor

National Council on Crime & Delinquency

Krisberg, Dr. Barry, President

Prison Law Office

Specter, Donald, Director

Pro Tech Monitoring Inc.

Calabrese, Wayne H., President

The GEO Group Inc.

Calabrese, Wayne H., President

The Performance Institute

DeMaio, Carl, President

Volunteer Auxiliary of Youth Guidance Center

Siggins, Elizabeth, Executive Director

XEROX

Veri, Cynthia Z.

Youth Law Center

Burrell, Sue, Attorney