

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

PRISON INDUSTRY BOARD

TELECONFERENCE

PUBLIC MEETING

WEDNESDAY, JANUARY 29, 2014

GREEN VALLEY TRAINING CENTER

995 FOLSOM LAKE CROSSING

FOLSOM, CALIFORNIA

ORIGINAL

REPORTED BY:

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ATTENDEES

BOARD MEMBERS:

DIANA TOCHE, CHAIR DESIGNEE (TELEPHONICALLY)
ERIC ALEGRIA (TELEPHONICALLY)
ESTEBAN ALMANZA (TELEPHONICALLY)
WILLIAM DAVIDSON (TELEPHONICALLY)
KIRA MASTELLER (TELEPHONICALLY)
DARSHAN SINGH (TELEPHONICALLY)
MICHELE STEEB (TELEPHONICALLY)
RAY TRUJILLO
JEANNE WOODFORD (TELEPHONICALLY)

STAFF:

CHARLES L. PATTILLO, EXECUTIVE OFFICER
(TELEPHONICALLY)

SCOTT WALKER
DEVIN FONG
MICHELE KANE
PHYLLIS GUARE

COUNSEL:

JEFF SLY

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FOLSOM, CALIFORNIA

WEDNESDAY, JANUARY 29, 2014, 11:00 A.M.

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CHAIR TOCHE: This Prison Industry Board meeting is called to order at 11:00 a.m. We will begin by asking the Board Secretary to call the roll.

MS. GUARE: Good morning everybody.

Please acknowledge your presence by saying "here" when I call your name.

Good morning. Who joined us?

MEMBER ALMANZA: Esteban Almanza.

MS. GUARE: Good morning. I'm taking roll now, Board Member Almanza.

Chair Toche.

CHAIR TOCHE: Here.

MS. GUARE: Member Alegria.

MEMBER ALEGRIA: Here.

MS. GUARE: Member Almanza.

MEMBER ALMANZA: Here.

MS. GUARE: Member Davidson.

MEMBER DAVIDSON: Here.

MS. GUARE: Member Kelly.

Not present.

Member Masteller.

MEMBER MASTELLER: Here.

MS. GUARE: Member Saito.

Not present.

Member Singh. Member Singh is not with us yet. He did say he was going to be calling in.

Member Steeb.

No.

Member Trujillo.

MEMBER TRUJILLO: Here.

MS. GUARE: Member Woodford.

MEMBER WOODFORD: Here.

MS. GUARE: Chair Toche, we have a quorum.

CHAIR TOCHE: Let the record show that we have a quorum. Good morning and welcome. This Prison Industry Authority Board meeting is being held at a publicly noticed location and via teleconference for those Board Members that could not attend in person.

My name is Diana Toche. I am Undersecretary over the Administration and Offender Services for the California Department of Corrections and Rehabilitation.

Did someone just join us?

MEMBER STEEB: I did. Michele Steeb.

Thank you.

MS. GUARE: Good morning.

CHAIR TOCHE: I have been designated as the Chair of the Prison Industry Board meeting today. Unfortunately, Secretary Beard was not able to join us, but I am excited to be chairing this committee meeting on his behalf. I am participating in this meeting via teleconference, and I have with me Charles Pattillo, the Executive Officer of the Prison Industry Board.

Thank you all for your time and dedication to the California Prison Industry Authority.

At this time I would like to invite the Board Members to make comments, but please remember to identify yourself first when you speak.

Would any member like to make a comment?

Board Secretary, since you are physically at the public location, please tell me if we have any members of the public present.

MS. GUARE: There are no members of the public here at the Green Valley Training Center.

CHAIR TOCHE: Thank you.

So let's move to the General Manager's comments. Mr. Pattillo.

MR. PATTILLO: Good morning everybody. Today we are going over just a couple of

items, more of housekeeping. This is a very important meeting.

Mr. Singh?

MEMBER SINGH: Yes. Hi, everybody.

MR. PATTILLO: This is a very important meeting, just like we had last month, kind of a crux meeting every January and February. We are approving our annual report to the Legislature. In addition, we're going to take two action items that adopt rules which we have not been doing for the last couple years, and also talk about adopting a Vice Chair of the Committee.

Before we get into this, too, I want to say thank you to Undersecretary Toche for helping us out today. I also want to introduce a staff member who is online, Michele Kane, who is now the Chief of Public Affairs. And you will meet her in person very soon.

MS. KANE: Good morning. Looking forward to working with all of you.

(Teleconference Members say good morning.)

MEMBER SINGH: Nice talking to you.

MR. PATTILLO: Before you get on to the action item, I want to acknowledge that one of our staff members on Monday was chosen on a national

level as the National Correctional Industry Association's Employee of the Year, and that would be our Operations Manager, Mr. Scott Walker.

UNIDENTIFIED MEMBER: That's great.

UNIDENTIFIED MEMBER: Congratulations.

MR. PATTILLO: That is a outstanding honor, and obviously one out of the entire United States voted by all the other 49 directors.

MEMBER SINGH: That's wonderful.

MEMBER TRUJILLO: Board Member Trujillo.

I have a comment or question. Is there any money involved? Does he get a raise?

MR. WALKER: Thanks for your thanks, and I certainly appreciate Chuck's support in helping me over the years. Without him and this organization, none of this could ever happen. I certainly recognize everybody that's helped me do the things that I do. So, again, thanks for your recognition.

MR. PATTILLO: Thank you, everybody. That is the end of my comments.

Are there any questions from the Board Members before we move into the action items?

The first action item is approval of the 2012-2013 Report to the Legislature. As you recall, this was one of the items that, under Executive

Order, we don't actually have to do this every year. We were allowed to ignore the statutory requirements that we report to the Legislature. But we all decided, our Board Members decided, several years ago after the recommendation that we should continue to report to the Legislature on an annual basis, to talk about how well our program is doing and what changes could be facing us in the next year.

One thing in the report that we won't have this year is an updated listing of our recidivism rate for PIA. The reason for that is that with realignment there is less offenders coming back to the state level for incarceration. Some of them are being detoured at the local level. But the locals are also doing a great job of keeping offenders out of county jail and state jail, out of state prison. So our recidivism is looking spectacular this year, but we think that most of that is due to realignment. We will catch up with it next year on an updated realignment, once we have a full-year of data. In addition, we will be recording more on California Static Risk Assessment model. They call it a CSRA score. What that is is an inmate's propensity to re-offend after they've been released from prison.

It's a very important factor for us as we compare ourselves to other organizations. Sometimes there's a narrative out there that folks that -- one of the reasons we're so successful, the offenders in our programs are a bunch of cupcakes, that is not necessarily the case. After we have a year of this data, we will also be comparing that on a regular basis, including our updated recidivism rate.

Any questions on the legislative report?

UNIDENTIFIED MEMBER: No. Thanks.

CHAIR TOCHE: Thank you, Mr. Pattillo.

Assuming, folks, that there is still no one from the public there with you, is there a motion to approve the California Prison Industry Authority report to the Legislature Fiscal Year 2012-13?

MEMBER TRUJILLO: Madam Chair, I move for adoption.

MEMBER SINGH: I second that adoption.

CHAIR TOCHE: Since many are participating in this meeting via teleconference call, we need to do a roll call vote.

Board Secretary, please call the roll vote.

MS. GUARE: When I call your name, please say yea or nay to vote on Action Item A for the Report to the Legislature, Fiscal Year 2012-13.

Member Alegria.

MEMBER ALEGRIA: Yea.

MS. GUARE: Member Almanza.

MEMBER ALMANZA: Yea.

MS. GUARE: Member Davidson.

MEMBER DAVIDSON: Yea.

MS. GUARE: Member Masteller.

MEMBER MASTELLER: Yea.

MS. GUARE: Member Singh.

MEMBER SINGH: Yes.

MS. GUARE: Member Steeb.

MEMBER STEEB: Yes.

MS. GUARE: Member Trujillo.

MEMBER TRUJILLO: Yea.

MS. GUARE: Member Woodford.

MEMBER WOODFORD: Yea.

MS. GUARE: And Chair Toche.

CHAIR TOCHE: Yea.

Seeing that we have the required number of votes, the motion carries.

MR. PATTILLO: Madam Chair, Members, I would like Jeff Sly, the General Counsel, to approach the mike and present the next item.

MR. SLY: Jeff Sly, General Counsel for the California Prison Industry Authority.

CHAIR TOCHE: Good morning, Jeff.

MR. SLY: This item is for the approval of Board procedural rules. As some of you may be aware, in some of our prior discussions we've had over the years, while the Board's been in existence since 1982 and has adopted some rules and some guidelines for how it's held its meetings, it's never formally adopted any procedures for the holding of meetings or conduct of the meetings. Historically, the Board has used Robert's Rules of Procedural Order, but there's never been a formal adoption of those as the procedural rules for conducting meetings.

So what we're proposing today is that under one of the items we have under this action item is that we adopt, the Board approve, the Bagley-Keene Act and those sections that call for California State open meeting laws as the rules for holding meetings, and then adopt Robert's Rules of Procedural Order as the governing rules for the conduct of the meetings. The procedural things, like voting and other things.

As far as what difference would that make to you, that you would actually see over the course of time for doing this, not a whole lot of difference.

Really, what we're looking to do here is to get the Bagley-Keene Act provision which permits this Board to meet for information items only absent a quorum and just formalize the idea that when questions come up about how the Board can do certain things, instead of us always talking about historically the Board has done X, Y or Z, we can actually point to either the Bagley-Keene Act or Robert's Rules of Procedural Order for the Board, giving the Board the authority to do certain things the Board might want to do.

And I will answer any questions any of you have at this point.

MEMBER MASTELLER: Seems to me that this doesn't effectively change anything. Just gives us the guidelines that we were to follow.

MR. SLY: Basically, that is correct. I doubt on a daily basis or a meeting basis that you'd really notice anything different. It's just that we don't have anything formally adopted by this Board that calls for what rules the Board is going to follow. So it is mostly just a procedural thing and also, again, going back to the Bagley-Keene Act provision which allows boards to meet absent a quorum to hear information-type items.

MEMBER MASTELLER: Got it.

MEMBER TRUJILLO: Madam Chair, Board Member Trujillo. If there are no further questions, I would move for adoption.

CHAIR TOCHE: Do we have a second?

MEMBER SINGH: I second that. Dar Singh.

CHAIR TOCHE: Board Secretary, could you please do a roll call vote?

MR. SLY: Excuse me, Jeff Sly again. Before we go in to vote, can I just make sure. There is actually two parts to this question. One is adopting the Bagley-Keene Act. Chuck and I talked about holding individual votes for each one of those items. I would also like to briefly mention -- I forget to mention during my comment period.

Since this is a whole change to procedural rules for this Board, it requires a super majority. In this particular case eight Members of the Board must vote affirmatively to pass this.

So, Chuck, unless you have any other -- the way you want to handle this, I would ask that the Board approve the Bagley-Keene Act and then vote again to approve Robert's Rules of Order, so we have a clear delineation of both of those being

adopted.

MR. PATTILLO: That is correct. There would be two votes on this item. First the Bagley-Keene Act and second to adopt Robert's Rules.

CHAIR TOCHE: Can we have a motion to set forth the Bagley-Keene?

MEMBER MASTELLER: Member Masteller.
So moved.

MEMBER WOODFORD: Member Woodford.
I will second that.

CHAIR TOCHE: Thank you.

Board Secretary, could you please do a roll call vote?

MS. GUARE: Member Alegria.

MEMBER ALEGRIA: Yea.

MS. GUARE: Member Almanza.

MEMBER ALMANZA: Yea.

MS. GUARE: Member Davidson.

MEMBER DAVIDSON: Yea.

MS. GUARE: Member Masteller.

MEMBER MASTELLER: Yes.

MS. GUARE: Member Singh.

MEMBER SINGH: Yes.

MS. GUARE: Member Steeb.

MEMBER STEEB: Yes.

MS. GUARE: Member Trujillo.

MEMBER TRUJILLO: Yea.

MS. GUARE: Member Woodford.

MEMBER WOODFORD: Yea.

MS. GUARE: Chair Toche.

CHAIR TOCHE: Yea.

With the requisite number of votes, the motion carries.

So is there a motion to adopt Robert's Rules of Order as the Board's rules governing voting on items being transacted by the Board?

MEMBER TRUJILLO: Madam Chair, Board Member Trujillo.

I move for adoption.

CHAIR TOCHE: Thank you.

CHAIR TOCHE: Second?

MEMBER SINGH: Second. Dar Singh.

CHAIR TOCHE: Thank you.

Board Secretary, could you please do a roll call vote for this item, please?

MS. GUARE: Member Alegria.

MEMBER ALEGRIA: Yea.

MS. GUARE: Member Almanza.

MEMBER ALMANZA: Yea.

MS. GUARE: Member Davidson.

MEMBER DAVIDSON: Yea.

MS. GUARE: Member Masteller.

MEMBER MASTELLER: Yea.

MS. GUARE: Member Singh.

MEMBER SINGH: Yes.

MS. GUARE: Member Steeb.

MEMBER STEEB: Yes.

MS. GUARE: Member Trujillo.

MEMBER TRUJILLO: Yes.

MS. GUARE: Member Woodford.

MEMBER WOODFORD: Yes.

MS. GUARE: And Chair Toche.

CHAIR TOCHE: Yea.

Having the requisite number of votes, the motion carries.

MR. PATTILLO: Madam Chair, the next item is actually to -- having the rules adopted now - is to approve the action item formally establishing an Honorary Board Vice Chair position for the Prison Industry Authority. As you know, we had that as a position, an honorary position, for a couple of years. I think two of the former Vice Chairs are on the line right now.

Board Members, the first item is to yea or nay: Do you wish to have a Vice Chair of the Board?

That is the first question. That is an eight-vote requirement since it is an additional procedural requirement.

Madam Chair, I turn it back to you.

CHAIR TOCHE: Thank you, Mr. Pattillo.

Is there a motion to approve the action item to formally establish an Honorary Board Vice Chair position with no official duties or responsibilities?

MEMBER TRUJILLO: Madam Chair, Board Member Trujillo.

I would move for adoption, and I would urge my colleagues to vote yes. Thank you.

CHAIR TOCHE: Thank you.

Do we have a second?

MEMBER ALEGRIA: Member Alegria.

I will be the second.

CHAIR TOCHE: Thank you.

Board Secretary, could you please call the roll call vote?

MS. GUARE: Member Alegria.

MEMBER ALEGRIA: Yea.

MS. GUARE: Member Almanza.

MEMBER ALMANZA: Yea.

MS. GUARE: Member Davidson.

MEMBER DAVIDSON: Yea.

MS. GUARE: Member Masteller.

MEMBER MASTELLER: Yea.

MS. GUARE: Member Singh.

MEMBER SINGH: Yes.

MS. GUARE: Member Steeb.

MEMBER STEEB: Yes.

MS. GUARE: Member Trujillo.

MEMBER TRUJILLO: Yea.

MS. GUARE: Member Woodford.

MEMBER WOODFORD: Yea.

MS. GUARE: And Chair Toche.

CHAIR TOCHE: Yea.

The motion carries with the requisite number of votes.

Is there a motion now to elect a Member of the Board to fill the Vice Chair position?

MEMBER TRUJILLO: Madam Chair, Board Member Trujillo.

I nominate Dar Singh as Vice Chair, and I would recommend that to my colleagues. Thank you.

CHAIR TOCHE: Thank you.

Do we have a second?

MEMBER ALMANZA: This is Member Almanza. I'll second.

CHAIR TOCHE: Thank you.

CHAIR TOCHE: Board Secretary, will you call the roll call vote for this action item?

MS. GUARE: Member Alegria.

MEMBER ALEGRIA: Yea.

MS. GUARE: Member Almanza.

MEMBER ALMANZA: Yea.

MS. GUARE: Member Davidson.

MEMBER DAVIDSON: Yes.

MS. GUARE: Member Masteller.

MEMBER MASTELLER: Yea.

MS. GUARE: Member Singh.

MEMBER SINGH: Yes.

MS. GUARE: Member Steeb.

MEMBER STEEB: Yes.

MS. GUARE: Member Trujillo.

MEMBER TRUJILLO: Yes.

MS. GUARE: Member Woodford.

MEMBER WOODFORD: Yea.

MS. GUARE: And Chair Toche.

CHAIR TOCHE: Yea.

The motion carries.

MR. PATTILLO: Thank you, Board Members.

Thank you, Madam Chair.

At this time, that concludes our action items

for the Board. We did have a legislative update on there, that our primary legislative issue was the legislative report. We have no current bill in the Assembly or Senate that would impact us in any manner at this moment. So we're going to stave off the legislative update for our next meeting, which we anticipate shall be in late spring.

Is there any question I can answer for the Board?

And congratulations, Mr. Singh.

MEMBER SINGH: Thank you very much. Thank you, everybody.

MR. PATTILLO: Is there any question?

MEMBER TRUJILLO: No question. Board Member Trujillo.

I do have a comment. I would like to commend counsel on putting this together. He did an efficient job. Thank you, Counsel.

MR. SLY: Thank you.

MR. PATTILLO: Still no public member there?

MS. GUARE: Correct, no public attendees.

MR. PATTILLO: Madam Chair, there is no public members there. You assume control and I ask for a motion to adjourn.

CHAIR TOCHE: If there is no further business and no objection, the meeting will be adjourned.

(Unidentified Board Members say thank you.)

CHAIR TOCHE: There being no objection, this meeting of the Prison Industry Board is adjourned.

MEMBER TRUJILLO: Board Member Trujillo.

Board Member Singh, could you call me after the meeting? Thank you.

CHAIR TOCHE: The Board meeting is adjourned at 11:17 a.m. Thank you for all being available this morning and your support of CALPIA.

MR. TRUJILLO: Thank you, Madam Chair.

(Unidentified Board Members say thank you.)

(Hearing concluded at 11:17 a.m.)

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REPORTER'S CERTIFICATE

STATE OF CALIFORNIA)
)
COUNTY OF SACRAMENTO) ss.

I, ESTHER F. SCHWARTZ, certify that I was the official Court Reporter for the proceedings named herein, and that as such reporter, I reported in verbatim shorthand writing those proceedings;

That I thereafter caused my shorthand writing to be reduced to printed format, and the pages numbered 3 through 21 herein constitute a complete, true and correct record of the proceedings.

IN WITNESS WHEREOF, I have subscribed this
certificate at Sacramento, California, on this 12th
day of March, 2014.

ESTHER F. SCHWARTZ
CSR NO. 1564