

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

PRISON INDUSTRY BOARD

PUBLIC MEETING

TUESDAY, OCTOBER 4, 2016

SAN QUENTIN PRISON

IN-SERVICE TRAINING CLASSROOM

SAN QUENTIN, CALIFORNIA

REPORTED BY:

ESTHER F. SCHWARTZ  
CSR NO. 1564

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**ATTENDEES**

**BOARD MEMBERS:**

SCOTT KERNAN, CHAIR  
DARSHAN SINGH, VICE CHAIR  
FELIPE MARTIN  
JEFF McGUIRE  
WILLIAM DAVIDSON  
MACK JENKINS

**STAFF:**

CHARLES L. PATTILLO, EXECUTIVE OFFICER  
SCOTT WALKER  
GARY BUSH  
RANDY FISHER  
RUSTY BECHTOLD  
MICHELE KANE  
THY VUONG  
LISA ROEDIGER-HANCE  
MELISSA SCHANE

**COUNSEL:**

JEFF SLY

**PUBLIC MEMBERS:**

(NO AUDIENCE PARTICIPATION)

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**SAN RAFAEL, CALIFORNIA**  
**TUESDAY, OCTOBER 3, 2016**

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CHAIR KERNAN: I now call this meeting to order. Thank you guys very much for coming today. Board Secretary, please call the roll.

MS. VUONG: Chair Kernan.

CHAIR KERNAN: Here.

MS. VUONG: Vice Chair Singh.

MEMBER SINGH: Here.

MS. VUONG: Member Alegria.

Member Davidson.

MEMBER DAVIDSON: Here.

Member Davison.

Member Jenkins.

MEMBER JENKINS: Here.

MS. VUONG: Member Kelly.

Member Martin.

MEMBER MARTIN: Present.

MS. VUONG: Member McGuire.

MEMBER MCGUIRE: Here.

MS. VUONG: Member Steeb.

Member Trujillo.

Let the record show that we have a quorum of six members.

1           CHAIR KERNAN: Very good. As always, I  
2 thank the Board Members for continuing work towards  
3 PIA and the rehabilitative programs.

4           A special meeting today, being at the historic  
5 San Quentin and the tour scheduled after. This  
6 place is near and dear to my heart. Long before I  
7 started with the Department, I grew up on the  
8 grounds here. For several years, my mother worked  
9 here, and the house up on the hill that you'll see.  
10 I remember fondly that whenever there were gun shots  
11 on the yard, my siblings and I would fight to get to  
12 the windows, to get to the binoculars so we can see  
13 the altercation. Might explain a lot about me.

14           This prison, of all of our prisons, has really  
15 embraced rehabilitation. When I started here in  
16 1983, it was one of the most violent prisons that we  
17 had. There wasn't a lot going on here. And this  
18 prison has changed and formed itself into one of the  
19 key prisons in our state that has -- and you'll see,  
20 the vitality of the place and the programming, the  
21 atmosphere, the Prison Industry Authority work here  
22 and many others. It's a real keynote to our  
23 rehabilitation that we're doing across the system.

24           I really hope that you enjoy the tour and the  
25 history of it. Make sure they take you into the

1   dungeon.  You'll enjoy seeing that history.

2           Would any of the Board Members like to make a  
3   statement before we start?

4           Seeing none, Mr. Pattillo.

5           MR. PATTILLO:  Thank you.

6           Good afternoon, Members.  My name is Charles  
7   Pattillo.  I am General Manager of PIA and Executive  
8   Officer of the Prison Industry Board.

9           As Secretary Kernan mentioned, this area is  
10  very significant here.  San Quentin also, one of the  
11  reasons it has been so successful is location,  
12  location, location.  We have access to more  
13  volunteers at this prison alone for rehabilitation,  
14  I think, than combined with all the other prisons in  
15  the system.  That's the way it works when you add  
16  them up.  There's been unique programs here over the  
17  years.  We have the longest operating -- of our  
18  programs, the longest operating program is the  
19  furniture factory.  We also have mattresses.  We  
20  have two joint venture programs here.  One with The  
21  Last Mile.  Also, an apprenticeship program,  
22  Laborers Local 185 here at the prison that we run  
23  for folks that we'll see at a couple locations.  We  
24  are utilizing them to do a large renovation project  
25  today.

1 San Quentin, also gets very significant  
2 attention put to it more than other prisons as the  
3 Secretary alluded to. I want to remind the Board  
4 and remind my staff that we have 114 other business  
5 units statewide that actually pay the bills for us.

6 And so we are coming off another very good  
7 year where we met just about every strategic  
8 objective, specifically in our fiscal arena. Our  
9 financials did go to audit last week, so those of  
10 you on the Audit Committee will be working through  
11 that and be contacted by the auditor. Those other  
12 total 114 other cost accounting centers, basically,  
13 let us do this kind of rehabilitation model that's  
14 possible in contract with CDCR on several programs  
15 that we have, including substance abuse programs at  
16 multiple locations that are half-time programming.

17 Our biggest challenge right now is our vacancy  
18 rate. We have 7,085 budgeted positions.  
19 Approximately 1,500 of those positions are vacant  
20 right now because we're either moving inmates  
21 throughout the state or the lowering availability of  
22 minimum security, which is a big problem in a lot of  
23 the places. It's not the programming. A lot of the  
24 time we can move those programs. The programs, such  
25 as agriculture, where I have 600 acres of almonds,

1 I'm having problems getting bodies out there.  
2 That's the biggest problem that we've got, the basic  
3 problem. The solution we have is partnering back  
4 with CDCR and the Division of Rehabilitative  
5 Programs to do a lot of programming, which we've  
6 been working on for years and years, and we're  
7 rolling out where we just have folks coming to work  
8 for us in a half-time program, and whatever need  
9 they need - substance abuse, education or something  
10 else, even mental health counseling - we can do that  
11 on a half-time basis. That will actually help us  
12 fill some of the vacancies that we have right now.

13 A couple facts that I just wanted to talk  
14 about in closing out the year. I was looking at  
15 some closing numbers. In the last 36 months our  
16 overall certifications have gone from 873 annually  
17 to 4,505, a 416 percent increase in certifications  
18 awarded to offenders in our program.

19 The GED rates. As you know, if you come to  
20 us, you have two years to get a GED or you're  
21 excluded from the program. Through 36 months, our  
22 GEDs have gone from 73 percent of our workforce to  
23 81 percent of the workforce. So teaming up with DRP  
24 to the GED programs, vocational programs, as well as  
25 substance abuse, that is paying off dividends for

1 us.

2 The last one to mention real quickly, and  
3 Michele's going to bring a little bit of this up, is  
4 about this Assembly Bill 2012 or 2-0-1-2, which we,  
5 the Board, signed a letter of support for. The  
6 Governor signed on August 28 a bill that allowed 13  
7 counties to have jail industries, officially have  
8 jail industries. That bill was signed on August  
9 28th. It wasn't under an urgency measure, so it has  
10 a little bit of time for official effect. It will  
11 give us some time to work with the counties. I  
12 think we have about 90 days or 75 days. We have a  
13 meeting of the counties that are coming in. I know  
14 a few folks from CDCR will spend an entire day with  
15 them where we are focusing on walking them through  
16 programs and helping them in any way we can to make  
17 sure they are successful.

18 CHAIR KERNAN: That is with the Sheriffs  
19 Meeting or separate?

20 MR. PATTILLO: Separate. It's mostly going  
21 to be folks, rehab, those types of folks. It won't  
22 be with the Sheriffs. We do get a lot of Sheriffs  
23 to come out to that one, also. We don't want to  
24 conflict with that specific meeting.

25 Several weeks ago Mr. Jenkins came out a

1 couple times to San Quentin. Mr. McGuire spent some  
2 quality time with me. I hope I didn't scare him the  
3 last time. Mr. Martin's been out before.  
4 Mr. Jenkins and I spent a little bit of time in San  
5 Diego viewing their reentry facility across from  
6 RJD. I would have to say that that is one of the  
7 most impressive operations that I have seen at the  
8 county level. They know what they're doing.  
9 Mr. Jenkins set it up, and then he retired. It was  
10 his program.

11 MEMBER JENKINS: I was part of it.  
12 Definitely a collaborative with the Sheriffs.

13 MR. PATTILLO: The probation department  
14 imprint is definitely on the facility. I don't  
15 think I have been more impressed by a county  
16 operation than the San Diego one.

17 CHAIR KERNAN: You know, when speaking of  
18 that, I know there was a previous effort to try to  
19 do more team building around our Strategic Plan for  
20 the Board Members. I wonder, my sense coming back  
21 to that, that has not really taken place.

22 Can you talk a little bit about that and how  
23 we might be able to do a better job getting linked  
24 up to stuff like San Diego or our programs?

25 MR. PATTILLO: Sure. I think under

1 Secretary Cate and Ms. Steeb, I think this actually  
2 happened, working towards doing a team-building and  
3 build more around making sure the Board was  
4 completely immersed in our strategic plan. And  
5 Mr. Martin and, actually, Ms. Davison had a  
6 conversation about breaking the Strategic Plan into  
7 smaller increments where the Board can be more a  
8 part of the day-to-day operations, but also using it  
9 as a team building effort, to make sure that folks  
10 do know each other very well. They can spend a  
11 little bit more time out in the field in working  
12 with each other. We have a lot of talent on this  
13 Board, but not everybody works together. I don't  
14 think a lot of people see each other, other than the  
15 Board meetings until the next meeting. That is just  
16 an ability to dedicate to that. It has to be done  
17 in a public forum, which is fine. And we know how  
18 to work with that. That is fine, if that's the  
19 Board's desire.

20 I know Mr. Martin has some comments regarding  
21 that. Mr. Martin, would you like to comment?

22 MEMBER MARTIN: My turn?

23 MR. PATTILLO: Sure.

24 MEMBER MARTIN: So we talked about  
25 team-building, the possibility of really getting the

1 Board to not only do this kind of thing. We get  
2 together. We really don't know each other outside of  
3 this setting. But I thought it would be good to get  
4 together as a group. One, to get to know each other  
5 and then to collaborate on an annual plan, five-year  
6 plan and ten-year strategic plan and some things  
7 further down and possibly utilize some training.

8 We have a lot of experience on the Board that  
9 would be helpful in continuing PIA and moving it  
10 along even further. It's moved along a lot since I  
11 started in corrections. A whole different world.  
12 The world is changing.

13 CHAIR KERNAN: PIA has become such a  
14 central part of our rehabilitative efforts. From  
15 our side, it can only make us better to do that,  
16 from my perspective. I don't know, Mr. Pattillo,  
17 how to go about that other than to say I think that  
18 it would be very positive for us to have some  
19 focused time to get to know each other better and  
20 pay more attention to our long-term strategic plan.

21 MR. PATTILLO: I'll work on it.

22 CHAIR KERNAN: I might ask a question  
23 first. Any members of the public that are present,  
24 there will be an opportunity for public comment  
25 after each item is presented to the Board. If any

1 member of the public would like to make a comment,  
2 please fill out a speaker request form and hand it  
3 to the Board Secretary who is this young lady over  
4 here to the left.

5 I do understand, we want to take a brief  
6 recess and do the closed session first?

7 MR. PATTILLO: You can do it at the very  
8 end. We have to come back out and do the last  
9 public comment period. That's easy enough to do.

10 CHAIR KERNAN: Move on to action items.  
11 Mr. Pattillo.

12 MR. PATTILLO: Thank you, Mr. Chairman.

13 I'm going to introduce Jeff Sly, Chief  
14 Counsel. These two items are actually under the  
15 Legal Division, so I'm going to have him explain.

16 MR. SLY: Good morning, Mr. Chairman,  
17 Members of the Board. I'm Jeff Sly. I'm General  
18 Counsel for the Prison Industry Authority and  
19 Counsel for the Board.

20 Originally, when Section 8105 was approved by  
21 the Board, back when we were doing the large  
22 personnel regulations package, putting it together,  
23 at some point between drafting, approval and sending  
24 it off to AOL for approval and to the Secretary of  
25 State's Office for publication, one little

1 requirement that we intended to put in there kind of  
2 fell out somewhere.

3 That was this section that requires employees  
4 who are arrested or convicted to report those to  
5 their supervisor, intending to have those reports go  
6 up to the General Manager.

7 What we are asking for today is to add that  
8 section that was oomitted, it is a real simple  
9 subdivision, that we want to add. When somebody  
10 reports to their supervisor, their supervisor will  
11 send that up the chain of command. Ultimately, that  
12 notification will get to the General Manager.

13 Unless you have any questions, I ask you to  
14 approve that for us.

15 CHAIR KERNAN: Comments from the Board?

16 Is there any comments from the public on this  
17 action item?

18 If not, may I have a motion?

19 MEMBER SINGH: Moved.

20 CHAIR KERNAN: And a second.

21 MEMBER MARTIN: Second.

22 CHAIR KERNAN: All in favor -- do you need

23 --

24 MS. VUONG: I do need a roll call.

25 CHAIR KERNAN: Sorry for the inefficiency.

1 Let's have a roll call.

2 MS. VUONG: Member Davidson.

3 MEMBER DAVIDSON: Aye.

4 MS. VUONG: Member Jenkins.

5 MEMBER JENKINS: Aye.

6 MS. VUONG: Member Martin.

7 MEMBER MARTIN: Aye.

8 MS. VUONG: Member McGuire.

9 MEMBER MCGUIRE: Aye.

10 MS. VUONG: Vice Chair Singh.

11 MEMBER SINGH: Aye.

12 MS. VUONG: Chair Kernan.

13 CHAIR KERNAN: Aye.

14 MS. VUONG: Motion passes six-zero.

15 CHAIR KERNAN: Very good.

16 Action Item B.

17 MR. SLY: If you remember at the last Board  
18 meeting in June, we asked you to approve our  
19 regulation language that we were going to start,  
20 basically, moving in the direction of taking over  
21 our own Reasonable Suspicion Drug Testing program.  
22 Several members of the Board asked me during that  
23 meeting for a copy of the policy and reasonable  
24 suspicion checklist, so I passed those out to you,  
25 to give you an understanding of what we talked about

1 last time.

2 After the Board approved that package for us,  
3 we submitted it to the Office of Administrative Law.  
4 Interestingly enough, they agreed with us that we  
5 have the authority to move forward with our  
6 regulations and develop our own plan. They also  
7 indicated to us that after reviewing the information  
8 about CALHR, as I suggested to the Board last time,  
9 they do believe that they're regulating through that  
10 contract as an underground regulation and would make  
11 that program ineffective.

12 Having said that, they came back and asked us  
13 to clarify a couple things in our Statement of  
14 Reasons, which is attached here as Exhibit Item B2.  
15 Basically, they had a few items they wanted us to  
16 take out because they thought we were over  
17 regulating, so we've taken those out. Those are on  
18 the bottom paragraph on Page 1. And they asked us  
19 to clarify some information in regards to the four  
20 Federal regulations, information that we relied on  
21 in developing our own. Those are on the bottom part  
22 of Page 2.

23 We have added those into the Supplemental  
24 Statement of Reasons. We are going to use that to  
25 enhance our rule making file. They asked us to

1 bring these changes to the Board, and I ask you to  
2 go ahead and approve those for us.

3 At this point, unless anybody has any  
4 questions, I would ask you to approve those changes  
5 in the Statement of Reasons so we can give this back  
6 to AOL and get final approval.

7 CHAIR KERNAN: Any questions from the  
8 Board?

9 Any questions or public comment?

10 Seeing none, Board Secretary.

11 MS. VUONG: Can I have a motion?

12 CHAIR KERNAN: Sorry.

13 May I have a motion?

14 MEMBER SINGH: Move.

15 MEMBER McGUIRE: Second.

16 CHAIR KERNAN: Thank you for embarrassing  
17 me, Board Secretary.

18 MS. VUONG: Member Davidson.

19 MEMBER DAVIDSON: Aye.

20 MS. VUONG: Member Jenkins.

21 MEMBER JENKINS: Aye.

22 MS. VUONG: Member Martin.

23 MEMBER MARTIN: Aye.

24 MS. VUONG: Member McGuire.

25 MEMBER McGUIRE: Aye.

1 MS. VUONG: Vice Chair Singh.

2 MEMBER SINGH: Yes.

3 MS. VUONG: Chair Kernan.

4 CHAIR KERNAN: Aye.

5 MS. VUONG: Motion passes six-zero.

6 CHAIR KERNAN: Thank you.

7 MR. PATTILLO: To the External Affairs  
8 update.

9 CHAIR KERNAN: Very good.

10 MS. KANE: Good morning, Board Members. I  
11 am Michele Kane, Chief of External Affairs for the  
12 California Prison Industry Authority.

13 CALPIA has received positive press lately,  
14 especially with the White House visit. We had the  
15 Senior Advisor to President Obama visit San Quentin.  
16 That was Valerie Jarrett. She visited our Code  
17 .7370 program as well as our Joint Venture program.  
18 She was quite impressed, and she said, this was to  
19 me, "The fact that this program has zero percent  
20 recidivism shows that it's working. And I can see  
21 the energy, enthusiasm and commitment dedicated to  
22 this program."

23 So when we have the White House recognizing  
24 our programs here at San Quentin, it's a big thing.

25 I was here last week with the Christian

1 Science Monitor. They are also featuring our Code  
2 7370 program that I hope all of you will be able to  
3 see today on our tour, and that will be featured in  
4 an upcoming issue.

5 Coming up. Rusty Bechtold and I will be  
6 visiting the Reentry Solutions. That is going to be  
7 held down in Ontario, and that is kind of a people  
8 program and policy conference, and CALPIA will be  
9 part of a panel discussion with that. That's real  
10 worthwhile.

11 As Chuck mentioned, we will be hosting a  
12 Sheriffs Tour in November because of the new Jail  
13 Industry Bill. That is AB 2012. We are going to be  
14 hosting the 13 counties and that tour will be coming  
15 up. Of course, they'll be wanting to know how we  
16 start some of our worthwhile programs and we will  
17 also help them connect.

18 Our next Board meeting is on Thursday,  
19 December 15th. Write that down on your calendars,  
20 December 15th. It's going to be held at the  
21 California Institution for Women, CIW, in Corona. I  
22 look forward to seeing all of you.

23 Thank you.

24 MR. PATTILLO: On the day of that meeting  
25 folks that are coming down, they can actually fly

1 down that morning. You don't have to come the night  
2 before. There is a flight that makes it there in  
3 time.

4 MS. VUONG: An early one.

5 CHAIR KERNAN: 6:00. I've taken it a few  
6 times. It's hurtful.

7 MR. PATTILLO: Better than the 5:30 to San  
8 Diego. There is available transportation options to  
9 get you down here, get you in and get you out.

10 I think we mentioned last time that Board  
11 Member Davison has been appointed as Acting Warden  
12 at that facility. She is very focused on getting it  
13 back up to where it needs to be while she has the  
14 opportunity. So we are working with her closely.

15 CHAIR KERNAN: Thank you, Ms. Kane.

16 Now we go to the portion of the meeting  
17 reserved for comments regarding items not on the  
18 agenda. Under the Bagley-Keene Act, the Board  
19 cannot act on items raised during public comment,  
20 but may respond to statements made or questions  
21 posed or may request clarification or may refer  
22 items to staff.

23 Would anyone like to make a comment or address  
24 the Board?

25 Seeing none, we want to take a recess or

1 adjourn?

2 MR. PATTILLO: Adjourn for closed  
3 session.

4 CHAIR KERNAN: We will adjourn the meeting  
5 at this point for closed session.

6 (Closed session.)

7 CHAIR KERNAN: Thank you all for joining  
8 us. Again we addressed the litigation and a  
9 personnel matter in closed session. Before I open  
10 it up to public comment and adjourn this meeting, I  
11 would like to acknowledge Ralph Diaz, my  
12 Undersecretary of Operations. He is my number two.  
13 Long, long history in the Department and a really  
14 solid executive. I'm preparing him for when I get  
15 fired by the Governor. But I was happy he could  
16 make it to the meeting with us and would just like  
17 to introduce him.

18 MR. DIAZ: Thank you.

19 CHAIR KERNAN: Any comments from the  
20 public?

21 Seeing none --

22 MR. PATTILLO: Going back to be the public  
23 comment: I've got a couple folks here that I need  
24 to introduce. Lisa Roediger-Hance, who is the  
25 Administrative Assistant for the office, usually

1 your first point of contact, is leaving us this  
2 Friday. She is retiring. And she is a little young  
3 to be retiring, that's another story. She's going  
4 to Texas of all places. She's leaving California.  
5 But she's been with us for a few years. She took  
6 over for Phyllis, backfilled for Phyllis, when  
7 Phyllis moved up into the management position. So  
8 she's been, I would say, invaluable to running the  
9 operation. It's nice to be able to leave the office  
10 and know things are taken care of and that she is  
11 not going to run off with the farm. You know how  
12 this is. So she will be leaving this Friday.

13 Melissa Schane, who is back here, is her  
14 replacement. She's been with us a couple years.  
15 She knows the operation very well, and, of course,  
16 Thy will be managing all office operations.

17 I think everybody knows Scott Walker is here.  
18 First time we haven't heard from him. He is in the  
19 back here. And my executive team is all here. You  
20 all know Zille Khan who is handling the Executive  
21 Project Management, including our ACA certification.  
22 We are going for ACA certification. We anticipate  
23 the entire PIA will be certified in November of 2018  
24 -- November of 2018 -- August of 2018. In St. Louis  
25 of all places in August. You are all invited to

1 join us.

2           This spring, also to remind you that the  
3 National Correctional Institution Association is in  
4 Tucson, Arizona, in April this year. Board Members  
5 are all encouraged. Thy will send you documents out  
6 again, telling you about it. You can all come. We  
7 don't have a separate budget; it's included in the  
8 budget if you would like to travel down for one or  
9 two days to see how the other folks do.

10           With that, is there anything else? We are  
11 good. We are good.

12           CHAIR KERNAN: Adjourn the meeting. Enjoy  
13 the tour. Thank you.

14           (Public meeting concluded at 11:23 a.m.)

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REPORTER'S CERTIFICATE

STATE OF CALIFORNIA                    )  
  )        ss.  
COUNTY OF SACRAMENTO                )

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 shorthand writing those proceedings;

That I thereafter caused my shorthand writing to be reduced to printed format, and the pages numbered 3 through 22 herein constitute a record of the proceedings.

IN WITNESS WHEREOF, I have subscribed this certificate at Sacramento, California, on this 1st day of November, 2016.

\_\_\_\_\_  
ESTHER F. SCHWARTZ  
CSR NO. 1564