

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

**A. GENERAL INFORMATION**

1. Date

2024-01-02

2. Department

Board of State and Community Corrections

3. Organizational Placement (Division/Branch/Office Name)

Facility Standards and Operations Division

4. CEA Position Title

Assistant Deputy Director

5. Summary of proposed position description and how it relates to the program's mission or purpose.  
(2-3 sentences)

Under the administrative direction of the Deputy Director, the Assistant Deputy Director of the Facility Standards and Operations (FSO) Division within the Board of State and Community Corrections (BSCC) is responsible for the day-to-day administration of the inspection program of California's 583 adult and juvenile detention facilities operated by local jurisdictions. The Assistant Deputy Director will lead, plan, organize, facilitate, and evaluate the activities of BSCC's facility inspection program. The inspection process is core to BSCC's mission to provide leadership to the adult and juvenile justice system, technical assistance on a wide range of community correction issues, and conducts regular inspections of adult and juvenile detention facilities. These inspection responsibilities are defined by Penal Code Section 6031.

6. Reports to: (Class Title/Level)

FSO Deputy Director/CEA B

7. Relationship with Department Director (Select one)

- ☒ Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- ☐ Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain):

8. Organizational Level (Select one)

- ☐ 1st ☐ 2nd ☒ 3rd ☐ 4th ☐ 5th (mega departments only - 17,001+ allocated positions)

## B. SUMMARY OF REQUEST

### 9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

Under the administrative direction of the Deputy Director, the Assistant Deputy Director of the Facility Standards and Operations (FSO) Division within the Board of State and Community Corrections (BSCC) will lead, plan, organize, facilitate, and evaluate the activities of BSCC's adult and juvenile detention facility inspection program. This position will be responsible for the day-to-day administration of the annual inspection of over 580 adult and juvenile detention facilities operated by local jurisdictions throughout California. The inspection process is core to BSCC's mission to provide leadership to the adult and juvenile justice system, technical assistance on a wide range of community correction issues, and conducts regular inspections of adult and juvenile detention facilities. These inspection responsibilities are defined by Penal Code Section 6031.

The Assistant Deputy Director is a member of the Executive team and frequently engages with the Executive Director, Board Chair, and Deputy Directors of BSCC's other programs. The Assistant Deputy Director will coordinate activities that cross Divisions including administrative functions such as budgeting, contracting, accounting, compliance monitoring, and technical assistance. The responsibilities of the Assistant Deputy Director include but are not limited to the following:

1. Provides leadership to Division staff in the management and administration of the annual inspection of over 580 adult and juvenile detention facilities across California.
2. Develops policy and regulations governing administration of BSCC's facility inspection program.
3. Develops policies for inspection procedures including site performance measures, compliance thresholds, communication protocols, reporting, and corrective action plans.
4. Develop policies and procedures for providing monitoring visits and technical assistance to support the implementation of operational standards that comply with state and federal laws and regulations.
5. Develops processes for managing fluctuating workloads to ensure that FSO meets its labor and personnel obligations regarding work assignments.
6. Develops policies for conducting internal assessments to ensure that the inspection program is effective, efficient and meeting program responsibilities.
7. Hears and issues decisions related to appeals from agencies for compliance issues found during the inspection process.
8. Reviews and approves corrective action plans.
9. Provides policy direction to the Field Representatives regarding changes in federal and state law that impact adult and juvenile detention facility operations.
10. Cultivates partnership opportunities with other BSCC divisions.
11. Provides leadership in formulating new goals and objectives to meet the business objectives of the FSO Division.
12. Defines and recommend solutions to issues that are raised by the executive branch, legislative branch, Board, and stakeholders.
13. Develops and leads partnerships and collaborations with internal and external stakeholders and in creating methodologies and strategies to advance and maintain the credibility and reliability of FSO's inspection program.
14. Directs the development of tools, processes, and procedures to implement the inspection program.
15. Works with state and federal partners to ensure that FSO's inspection programs are administered within established parameters.
16. Oversees the development of legislative reports and other papers reporting on the outcomes of FSO's inspection program.
17. Provides expert consultation to the Governor's Office, legislature, state and local government agencies, stakeholder groups, and community based organizations on FSO's inspection program.
18. Collects performance data to identify trends in facility compliance and inform statewide policy development as appropriate.
19. Coordinates the presentation of compliance data and findings to BSCC's appointed Board for action, as necessary.
20. Develops recommendations for Board action related to non-compliance with operational standards.
21. Represents BSCC as needed during Board meetings, legislative meetings, budget hearings, or local meetings.
22. Identifies when compliance issues require legal action and collaborates with BSCC's legal division for appropriate action.
23. Oversees the maintenance of data collection systems to record compliance results and prepare reports.
24. Identifies barriers in the inspection process and develop improvements to support its success.
25. Interprets and applies state and federal laws, regulations, and policies.

**B. SUMMARY OF REQUEST (continued)**

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- ☒ Program is directly related to department's primary mission and is critical to achieving the department's goals.
- ☐ Program is indirectly related to department's primary mission.
- ☐ Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: Penal Code Section 6031 requires BSCC to conduct inspections of each local detention facility in the state. BSCC was created in 1944 for this expressed purpose as part of Governor Earl Warren's system-wide reorganization to improve confinement conditions. Over the years, BSCC's mission has expanded to include training, grant programs and research activities to support local corrections agencies and improve outcomes. BSCC's inspection program remains a core element of BSCC's mission to provide leadership to the adult and juvenile justice system, technical assistance on a wide range of community correction issues, and conduct regular inspections of adult and juvenile detention facilities.

## **B. SUMMARY OF REQUEST (continued)**

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

In 2020/21 Budget Language, Governor Newsom directed BSCC to "more actively engage counties regarding deficiencies identified as part of its inspections through its public board meeting process and by more frequent follow-up inspections." In response to the Governor's directive, BSCC implemented an enhanced inspection process that included:

- conducting annual inspections instead of biennial inspections,
- regular reporting to the BSCC Board on outstanding items of noncompliance,
- requesting heads of departments that operate local detention facilities to appear before the BSCC Board when there were significant areas of concern,
- requiring local detention facility administrators to submit corrective action plans to BSCC staff within a prescribed time frame,
- more frequent follow-up site visits by BSCC staff to local detention facilities, and
- unannounced inspections.

These changes resulted in a substantial increase in volume and complexity of the inspection program. Beginning in Fiscal Year 2021/22, BSCC received additional resources to begin implementing these new program responsibilities. Due to lingering effects of COVID-19 that limited travel and access to detention facilities and the start up activities required for such a significant change, the full effects of the enhanced inspection process are still emerging. One clear need that has emerged is the need for a CEA position to oversee the enhanced inspection program.

The enhanced inspection process has resulted in significant increases in workload. The number of inspections conducted each year more than doubled, the corrective action process and follow up work also significantly increased, and reporting activities for the Board also greatly increased. New policies and procedures are being continually developed and existing policies and procedures are being revised to address the new work, identify opportunities to streamline and automate, and develop tools to ensure the program is operated effectively and efficiently. These processes and policies must be continually assessed and improved as part of a quality assurance process. This work requires an administrative focus that cannot be absorbed by the existing Deputy Director. An assistant position is necessary to manage the day-to-day operations so that the Deputy Director can focus on statewide policy issues and Board management.

The critical nature of this work and the high workload volume requires a CEA position that can oversee the administration of the inspection program, develop and revise operational policy as the enhanced inspection process solidifies, and conduct quality control measures to ensure that the inspection program is working effectively and meeting its intent. The position must be at a CEA level so that it can set appropriate policy and work cooperatively with high level partners such as the Governor's office, legislative branch, elected Sheriffs, appointed Probation Chiefs, government associations, and advocacy groups.

This new inspection program has garnered high political, media, stakeholder, and public interest. There is much interest in ensuring that the enhanced inspection process is effective and transparent. Failure to establish a position to provide oversight and quality control can result in the loss of agency and administration credibility, and the loss of public trust in the state's ability to provide effective oversight of local adult and juvenile detention facilities.

### **C. ROLE IN POLICY INFLUENCE**

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

The Assistant Deputy Director will have policy setting responsibility for BSCC's inspection program. This program is responsible for conducting annual inspections of California's 583 adult and juvenile detention facilities, identifying operational deficiencies, approving corrective action plans, assessing progress toward and completion of those corrective action plans, collecting compliance data and developing reports on statewide trends, and developing recommendations for review and action of BSCC's Board. The statewide impact of this program crosses all 58 California counties and the statewide system of community corrections. It will also impact statewide public safety by ensuring safer and more effective operational conditions in California's local detention facilities.

The Assistant Deputy Director will be the principle policy maker in the following areas:

1. Annual Inspections - The Assistant Deputy Director will set policies for how California's 583 adult and juvenile detention facilities will be inspected. This will include developing the performance measures to be assessed, the process for conducting the inspection, technical assistance, reporting requirements, and follow-up. This will impact every adult and juvenile detention facility in the state of California.
2. Unannounced Inspections - The Assistant Deputy Director will set policies for unannounced inspections. The purpose of unannounced inspections is to observe and inspect a local detention facility during typical operations, outside of the regular inspection process. Unannounced inspections may be conducted to follow up on past items of non compliance. The policy will define when and how those inspections shall be conducted. This will impact every adult and juvenile facility in the state of California.
3. Corrective Action Plans - The Assistant Deputy Director will set policies for developing Corrective Action Plans. Local adult and juvenile detention facilities that are found out of compliance must submit a Corrective Action Plan that addresses how and when the non-compliant issue will be corrected. The Assistant Deputy Director will set the policy on what is an acceptable Corrective Action Plan, the performance measures for approval, the procedures for appeal, and the process for reporting to the BSCC Board. This will impact every adult and juvenile facility in the state of California.

### **C. ROLE IN POLICY INFLUENCE (continued)**

#### **13. What is the CEA position's scope and nature of decision-making authority?**

The Assistant Deputy Director will be responsible for providing feedback on, interpreting, developing, and implementing policies as well as consulting with and recommending policy to the Deputy Director, the executive team, and the BSCC Board. In this capacity, the Assistant Deputy Director may develop and implement statutory and regulatory changes or process improvement initiatives to increase the level of service and ensure the BSCC's compliance with state and federal laws, rules and regulations.

The Assistant Deputy Director's scope and nature of decision making is broad, significant and independent. This will be a leadership role and the impact of decisions made by this position will touch all aspects of the FSO Division, the BSCC, and the public. The Assistant Deputy Director will be part of the BSCC's executive leadership team and will have full responsibility for the management and control of FSO's adult and juvenile detention facility inspection program.

The addition of this position will allow for quick decision making and problem resolution. This position will also advise the Deputy Director and the executive leadership team on larger policy issues related to the facility inspection program that might require changes in law or coordination with the Executive branch. The Assistant Deputy Director has full decision-making authority related to the administration of FSO's inspection activities.

#### **14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?**

The CEA position will both be developing and implementing new policy and interpreting and implementing existing policy. Many policy decisions will need to be made and implemented and this position will determine the regulatory and policy changes needed to ensure compliance. This includes reviewing, maintaining, and updating policies. The position will be developing new functions within the inspection program to carry out specialized work specific to the enhanced inspection process. It will also be developing and implementing new policy as part of process improvement. The position will also be interpreting and implementing existing policy related to the inspection process.