DDS Response to Ryan Gabrielson - Cal Watch re Overtime OPS
April 26, 2012

• How many Peace Officer 1 positions are funded in the Department of Developmental Services' budget this fiscal year? Please break down the number assigned to each developmental center.

Response: The DDS budget for 2011-12 includes 94 Peace Officer I level positions. They are assigned as follows:

Fairview	10
Lanterman	9
Porterville	61
Sonoma	10
Canyon Springs	4

• How many Peace Officer 1 positions are currently vacant in the Department of Developmental Services? Please break down the number by developmental center.

Response: There are currently 27 vacant Peace Officer I level positions. The vacancies by DC are as follows:

Fairview	6
Lanterman	5
Porterville	14
Sonoma	2
Canyon Springs	0

Vacancies are primarily covered by the use of retired annuitants and overtime to ensure appropriate coverage.

• Why does Ms. Delgadillo decline to be interviewed by California Watch?

DDS Director Delgadillo has continuously participated in print and broadcast interviews with the press, including Cal Watch. The Department, like other entities, also provide written responses to media inquiries.

• Did any of the "aggressive actions" the Department of Developmental Services says it took to "address overtime abuse" in 2009 involve police officers besides Jeffery Bradley and Scott Gardner?

Response: Yes

• Did the department's audits, policy changes and actions come in response to the Porterville Police Department's criminal investigation of Scott Gardner's overtime claims?

Response: No

• How do the monthly reports on Office of Protective Services overtime hours allow department officials to detect potential fraud?

Response: A review of monthly overtime utilization: identifies anomalies that are researched to validate usage and verify the need for overtime; allows for timely identification of potential abuse; and serves as a deterrent to overtime abuse. These monthly reports require an assessment by the local Commander at each facility, along with the review of the Chief of OPS and DDS Headquarters.

• How has the overtime policy implemented in April 2009 succeeded in ensuring that officers do not work an excessive number of hours?

Response: Overtime is guided by three factors: 1) facility need 2) bargaining unit agreements and 3) employee status. When overtime is necessary to cover a shift ensuring the safety of the residents, staff and facility, each OPS office requests 'volunteers' who are willing to work the required overtime shift, prior to any mandatory assignment (per bargaining unit agreement). If there are no volunteers, the OPS office must assign an employee to cover the shift. To ensure the safety of residents and staff, every shift requires the supervisor on duty to determine whether employees, especially those working overtime, are able to perform the required functions of the job. The monthly analysis of overtime ensures that no employee works more than permitted in the bargaining agreement.

• Did the Office of Protective Services have an overtime policy prior to April 1, 2009? If yes, please provide the previous version.

Response: Prior to the overtime policy issued on April 1, 2009, the Department relied on the terms and conditions of the State's agreement with labor organization as the policies regarding overtime. These policies can be found in a number of locations including www.dpa.ca.gov. The Department strengthened its overtime policy in 2009 to address issues in authorization, use and oversight of overtime.

• How did police officers at the closed Agnews Developmental Center work twice as many hours of overtime from March-June 2009 than officers at the Lanterman Developmental Center, which at the time housed 440 patients?

Response: Security coverage at Agnews Developmental Center was necessary, as the Department operated an onsite community health clinic to ensure former residents had access to health care services after transitioning to the community. The clinic remained open, per statute, until the Department was no longer responsible for the property. Security was provided to ensure the safety of consumers visiting the clinic, the staff and the property until the responsibility for the land was transferred to the Department of General Services for disposition. This coverage was primarily provided using overtime, as the two full time peace officers employed were insufficient to cover the required 24 hour schedule seven days per week.

• If hiring freezes and furloughs "exponentially" increased the need for overtime at the Office of Protective Services, then why has the Department of Developmental Services decreased police officer overtime by 25 percent from 2009 to 2011?

Response: Overtime has been impacted over the last few years by several factors. The hiring freeze and furlough program significantly increased the need for overtime. However, the aggressive actions taken to address overtime abuse mitigated the overall increase in overtime. Other changes, such as the transition from security towers to centralized monitoring through use of perimeter cameras have also impacted the need for overtime.