

LITTLE HOOVER COMMISSION

October 26, 2006

Mr. Chairman and Commissioners, it is my pleasure to be here today providing testimony on the reform of the California correctional system.

Since I last had the opportunity to meet with you, many events have transpired. I am now a Managing Director at XRoads Solutions Group, a full services consulting firm working towards implementing correctional change from the private sector. We believe that long term change will require collaboration from the private sector and the social sector.

Corrections is still years away from sustainable change and the environment needed to truly reform corrections is still overly influenced by special interests wedded to the status quo.

Sustainable change will require political courage and a willingness to communicate openly and invest politically, legally and fiscally. It will also take a willingness to realize this massive change cannot be accomplished by government alone.

I worked 27 years inside of California state government making incremental changes to this state's correctional system. A lot has been accomplished, particularly within the last few years. We succeeded in building the foundation for change in the reorganization plan I presented to you two years ago. We started the process to improve the credibility deficiency that existed in the organization's ethical behavior and investigation methodologies.

The foundation has been built; now the question becomes "is the state a professional architect and contractor of change, or is the state a "do it yourselfer", never completing a project before it moves on to the next. That question remains unanswered, as much work remains to be done before the project is complete.

I will now attempt to provide the Commission with a better understanding of the obstacles to reorganization and reform from my perspective by answering the questions you provided me in your invitation to testify.

I will separate my response to all of your questions into two categories, internal challenges and external challenges. Internal challenges are defined as those challenges that derived from within the administration, i.e., departmental culture, employees, processes, control agencies, Governor's Office, and the labor organizations. External is defined as legislature, courts, media, oversight entities, and labor organizations.

I hope the method of response meets your needs and I welcome follow-up questions from the panel, as well as dialogue to further expound on my testimony.

Internal Challenges

One of the most significant challenges in implementation of the strategic plan and organizational design was the establishment of new governance and structures.

One of the most difficult exercises we engaged in was the effort to stop doing activities to allow for resources to be reallocated to carrying out the new mission.

We conducted numerous forums and sessions designed to facilitate the desperately needed workload shedding. After numerous attempts, I came to the conclusion that the current organizational leadership was unwilling, unable or afraid to recommend the necessary “old activities” to cease to accomplish the new mission.

This discomfort with challenging the processes, along with the commitment to the status quo, was re-enforced by the California Correctional Peace Officers Association (CCPOA) leadership, who had historically leveraged their significant political power and influence against policy and directional changes that they did not initiate and support.

The CCPOA mounted endless attacks against me personally. These attacks solidified organizational thought that “nothing will change.” Therefore, managers were unwilling to really step forward and challenge the status quo.

One of the most important elements of sustainable change is the ability to change the stories that people tell within the organization. If the story remains that the “union is still in control”, the efforts to change the mission, structure and strategies will be inhibited, or extremely difficult at best.

It should be noted that the reorganization of corrections was essentially the only major government reform that successfully came out of the California Performance Review (CPR). That made the new department/agency an anomaly within state government.

Additionally, none of the changes recommended in CPR relating to the fiscal, control agencies or oversight bodies changed. Therefore, we had this new structure modeled after the recommendations that came from CPR, that being a flattened, combined organization attempting to communicate, operate and change within a government structure and Governor’s Office that were operating

from a different model. Consequently, the goals and objectives articulated in the strategic plan, organizational design and reorganization were not recognized or adequately funded.

The challenges of implementation internally can be summarized as follows. The organizational leadership would not embrace the change when they could not be assured that taking the personal risk required would not result in them being personally attacked and ridiculed by CCPOA, subjected to frivolous and retaliatory litigation initiated by CCPOA, or losing political support.

People were more comfortable living in the misery of the known reality than the uncertainty of the unknown future.

Externally Challenges

The external environment can be separated into two groups; those who were “Excited and Hopeful”, and those who were “Guarded and Afraid”.

Excited and Hopeful

This group supported the changes they perceived would lead to improved living and working environments in corrections, as well as those that would also be fiscally and policy prudent.

The group consisted of most CDCR employees, community based organizations, faith-based organizations, legislative staff and various legislators. They too “wanted to see what happened to me.”

The supportive and hopeful group took a wait and see approach, very similar to the organization workforce as a whole. I was often asked how long I thought I would survive. Others stated that you are under constant attack; we are with you and believe in you, but we just don’t know if you can survive politically.

These concerns led to them entering into the “pool of change” with only one toe. They could not dive in. They had too much to lose.

Guarded and Afraid

This group was afraid that the new direction would diminish their political and policy influence.

They worked furtively to drum up issues to send to the press and the legislature, and constantly attempted to undermine the strategic direction we were taking.

They set up websites, created posters, flyers and manipulated political activities to ensure that everyone knew that if you didn't acquiesce and obey them you were the enemy. They worked to turn former legislative supporters into adversaries requiring staff to spend endless hours preparing for and attending legislative hearings clearly orchestrated by CCPOA, to the point where union leaders were allowed to sit on the dais and question correctional executives.

That environment, and the behavior of numerous legislators emboldened by insatiable media needs, made implementing sustainable change nearly impossible. Despite this, we were proud of the significant progress made in an unequalled short timeframe.

What Will It Take

Reform to all areas of corrections, to include parole reform, will require continual oversight from the Judicial Branch of government. Reform will also require elected officials, both legislative and executive, who can separate themselves from the impact of powerful, self-serving special interests. Only then will methods be implemented that the evidence says will improve public safety.

It will take staying the course, which will require the current reorganization efforts in corrections to continue being implemented. After completing the implementation, which will require assistance from outside of government, a thorough evaluation should be done, and thoughtful adjustments made to continually improve.

The implementation and evaluation efforts should be conducted by organizations outside of corrections in collaboration with the department. Without outside assistance the organization will go back to "base"; returning to the operational philosophy and methodology that created the current level of performance.

The Strategic Plan and subsequent re-organization is a distillation of the Independent Review Panel Report. Complete, thoughtful, swift implementation accomplished with appropriate performance measures are the activities that will get the results this Commission wants and the taxpayers, courts and all reasonable stakeholders demand.

In closing, if the state doesn't stay the course, I anticipate two things to happen.

1. The Judicial Branch will exert more authority over the system.
2. The fiscal impact of current policies will become unsustainable. The debt service alone is enough to finance a much more responsible system and

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investment into other program areas of government, which will go far towards breaking the current cycle of criminal behavior.

My wish is for corrections in California to return to a leadership position in this country.

My passion is government reform and improvement. That is why I am still committed to determine what adjustments should be made, and will work in my current capacity at XRoads to provide creative, cost-effective solutions.

God Bless and Continued Success,

Roderick Q. Hickman, Secretary (Retired)
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