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Today, we are here to announce the filing of a charge of sexual orientation discrimination in employment on behalf of Correctional Officer Andrew Johnson, age 28, against the State of California.

Mr. Johnson has been employed as a correctional officer at the California Institution for Women in Chino since 2006.

Mr. Johnson is a member of the Gay Peace Officers Association. In May 2011, he received an email notification from the Gay Peace Officers Association transmitting a letter from the Los Angeles County Sheriff's Department inviting peace officers to join members of the Los Angeles Police Department, Los Angeles County Sheriff's Department, the California Highway Patrol and surrounding law enforcement agencies to parade in uniform at the upcoming West Hollywood Gay

Pride Parade. On or about May 23, 2011, our client requested permission from the Public Information Office at the California Institution for Women in Chino for permission to participate in the CSW parade. The Public Information Office informed Mr. Johnson that he would have to check with the warden of the facility as well as the warden's superior before permission could be granted.

On May 31, 2011, the Public Information Office informed Mr. Johnson that he was prohibited from participating in uniform in the West Hollywood Gay Pride Parade because his participation would violate Section 33020.4: "Unauthorized Use of Departmental Uniforms" of the Department's Operations Manual which states that:

"Employee shall not wear CDCR uniforms in any situation that would bring discredit to the CDCR, including but not limited to:

- Purchasing or drinking alcoholic beverages in public
- Entering a tavern, gambling hall or night club...

- Participating in political activities
- Participating in demonstrations or pickets
- Engaging in selling or soliciting activities
- Engaging in any other action or behavior which reasonable persons would deem inappropriate for a uniformed peace officer.”

Immediately thereafter, Mr. Johnson wrote a letter to Mr. Guillermo Garcia, the Warden of the California Institute for Women requesting permission to walk alongside other gay and lesbian peace officers in the West Hollywood Pride Parade and that written request was disapproved by Warden Garcia on the same grounds stated by the Public Information Office.

Uniformed officers of the California Department of Corrections and Rehabilitation have been permitted to participate in a variety of parades, including but not limited to Christmas parades, Cattle Call

parades, Carrot Festival parades and other public events. It is shocking and disturbing that a branch of the State of California would consider participation in the West Hollywood Pride Parade as a “discredit to the California Department of Corrections”. The Los Angeles County Sheriff’s Department, the Los Angeles County Police Department and the California Highway Patrol allow their officers to participate in this parade in uniform, yet the Department of Corrections has denied our client his right to do so.

Christopher Street West (CSW) is the non-profit organization that produces the Los Angeles LGBT (Lesbian Gay, Bisexual and Transgender) Pride Celebration (Parade and Festival) held every June in its host city of West Hollywood, CA. The Mayor of Los Angeles, the Mayor of West Hollywood, the District Attorney of Los Angeles County, members of LA County Board of Supervisors, members of the Los Angeles City Council and West Hollywood City Council and other prominent elected officials have participated in this parade. Present day

attendance is typically 250,000 for the parade, and 40,000 at the two-day festival.

The California Fair Employment and Housing Act prohibits any employer from engaging in employment discrimination and from engaging in disparate treatment based on an employee's sexual orientation.

We have filed the charge of discrimination today and we have sent a letter to Mr. Matthew Cate, Secretary of California Department of Corrections and Rehabilitation, requesting an immediate investigation into the claims made of blatant employment discrimination on account of Officer Johnson's sexual orientation. We have also urged Secretary Cates to take immediate steps to assure Mr. Johnson that he has permission to participate in the parade this coming Sunday.

It is now 2011 and it is long overdue for all persons who are gay to

be treated with respect and dignity.

It is a credit - not a discredit to the Department of Corrections to have its uniformed correctional officers march with other gay law enforcement officers from other jurisdictions in this parade.

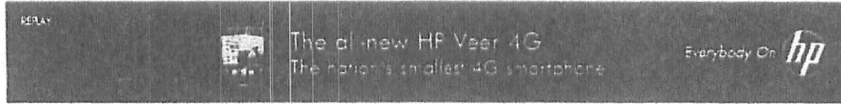
Officer Johnson hopes that he will be able to march proudly in his uniform this Sunday because he is proud of his job and of his community.

Gloria Allred
Attorney at Law
representing Andrew Johnson
June 7, 2011

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Monday, May 23, 2011 7:36 PM



From:
To:

this is the info for the parade LT

than you
A.johnson

West Hollywood LGBT Pride Parade 2011

Time Sunday, June 12 - 9:30am - 12:30pm

Location West Hollywood Sheriff's Station
720 North San Vicente Blvd., West Hollywood, CA
West Hollywood, California

Created By Gay Peace Officers Association - Southern California

More Info

Captain Kelley Fraser Invites All GPOASC members to join her and the Staff of the West Hollywood Station at the West Hollywood (CSW) LGBT Pride Parade Sunday June 12th at 9:30 AM. As leaders in the Los Angeles County Sheriff's Department, we commit ourselves to honorably perform our duties with respect for the dignity of all people, integrity to do right and fight wrongs, wisdom to apply common sense and fairness in all we do and courage to stand against racism, sexism, anti-Semitism, homophobia and bigotry in all its forms. Eighteen years ago, two deputies from the the Los Angeles County Sheriff's Department marched for the first time in the West Hollywood LGBT Pride Parade. Since then, LASD has led as we march with members of the Los Angeles Police Department, CHP and surrounding agencies in support of cultural diversity. We welcome you, your spouse/significant other, children and family members to continue our Department's tradition of leadership by joining us as we march in support of diversity.

WHERE: Meet at West Hollywood Sheriff's Station (front parking lot), 720 N. San Vicente Blvd, West Hollywood (310) 855-8850

WHEN: Parade: Sunday, June 12th at 0930 hours.

UNIFORM: Class A - short sleeve with full Sam Brown (no baton) / CA's, LET's, and SO's also in uniform. Professional staff are encouraged to wear any LASD shirt.

PARKING: Parking will be available in the Pacific Design Center. Enter parking lot on Melrose and show ID to park for free (directions below) Traffic into West Hollywood on Sunday morning will be heavy, so please plan to leave early!!

Here are the instructions on how to get into the station and where to park: You MUST drive in from Melrose (south of the station) as Santa Monica Blvd will be closed from Fairfax to Doheny by 0800.

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EXHIBIT 'A'

shall henceforth be referred to as the "CDCR Uniform Specification Handbook." Refer to this handbook and DOM, Chapter 3, Article 21, for all uniform, garment, and accessory specifications.

33020.3.1 Disclaimer

If any provision in DOM, Chapter 3, Article 21 or the CDCR Uniform Specification Handbook conflicts with a Memorandum of Understanding (MOU), the MOU shall prevail as it relates to the specific represented group.

33020.4 Responsibility

Wardens/Regional Parole Administrators

Each hiring authority shall designate specific assignments where custodial personnel have been exempted from wearing a uniform, or are not required to wear a uniform full-time.

Any exception to the standardized approved uniforms and/or equipment shall be requested in writing and forwarded to the appropriate Deputy Director for review and approval.

Note: The Deputy Directors' approval shall be obtained prior to implementation.

Inspections

Each hiring authority shall:

- Establish an annual Class "A" uniform inspection, which shall be conducted on three consecutive working days. This shall not prohibit the Warden/Regional Parole Administrator from designating additional formal inspections.
- An official Class "A" hat is not required to be worn during inspection; however, the hat shall be shown during the actual inspection and be immediately available upon supervisory request during the entire inspection period.
- Enforce dress codes and personal grooming standards for all employees per DOM, Chapter 3, Article 21, Uniforms/Employee Grooming Standards.

Supervisors and Managers

Supervisors and managers are expected to set a positive example for all staff regardless of classification. They are responsible for monitoring compliance of the departmental dress code and grooming standards.

Supervisors and Managers shall:

- Conduct daily uniform and grooming inspections of all immediate subordinate staff.
- Instruct employees to correct violations of uniform and grooming standards.
- Report, in writing, to their immediate supervisor, any violation an employee fails to correct in a reasonable amount of time.

Uniformed Employees

All uniform personnel shall:

- Purchase and maintain all required uniforms, accessories, and equipment except items specifically exempted by this DOM Article and/or the appropriate MOU.
- Furnish their own collar insignia, shoulder insignia, sleeve chevrons, shoulder patches, hat shield, and other required uniform equipment.
- Maintain their uniform and approved equipment in clean, neat, and serviceable condition.
- Wear the uniform in a manner that displays a professional approach to their assignment and is representative of the prestige of the CDCR.
- Keep in mind that individual actions reflect on the entire Department as they represent the CDCR in the public view.

Nonpeace Officer Employees

Clothing and Jewelry:

Non-peace officer employees shall wear clothing that is clean, neat, in good repair, and fits properly. All clothing and jewelry should project a professional and positive image.

In an institutional setting:

- Blue denim clothing or clothing similar to that worn by inmates shall not be worn.
- Jewelry should be kept to a minimum and should enhance a professional image. There will be no jewels, ornaments, or rings/studs worn on the visible facial areas other than the ear.

Unauthorized Use of Departmental Uniforms

Employees shall not wear CDCR uniforms in any situation that would bring discredit to the CDCR including, but not limited to:

- Purchasing or drinking alcoholic beverages in public.
- Entering a tavern, gambling hall, or nightclub (except if necessary in the performance of assigned duties).
- Participating in political activities.
- Participating in demonstrations or pickets.
- Engaging in selling or soliciting activities.
- Engaging in any other action or behavior which reasonable persons would deem inappropriate for a uniformed peace officer, e.g., conducting nondepartmental business.

33020.5 Uniform Allowance

The regulations of the California Victim Compensation and Government Claims Board and current MOUs provide for uniform replacement allowances for various classes. The allowance amounts and other regulations vary depending on whether the uniform is worn on a full-time or less-than-full-time basis. In order to qualify for uniform replacement allowances, employees shall:

- Be employed in one of the following classifications:
 - Correctional Officer.
 - Correctional Sergeant.
 - Correctional Lieutenant.
 - Correctional Captain.
 - Facility Captain.
 - Correctional Institution Firefighter.
 - Correctional Institution Fire Chief.
 - Registered Nurse, Correctional Facility.
 - Medical Technical Assistant.
 - Senior Medical Technical Assistant.
 - Dental Assistant, Correctional Facility.
 - Baker I, Correctional Facility.
 - Baker II, Correctional Facility.
 - Butcher/Meatcutter II, Correctional Facility.
 - Cooks, Correctional Facility.
 - Supervising Cook I, Correctional Facility.
 - Supervising Cook II, Correctional Facility.
 - Vocational Instructors (I and baking).
- Be enrolled in a formalized training and development assignment at an institution performing the duties of one of the above named classes and requiring a uniform be maintained.
- Complete one calendar year of service in a class and assignment as described above. Qualifying periods before and after nonqualifying periods shall be added together to compute a calendar year of service and to establish a new qualifying anniversary date. Nonqualifying periods include long-term temporary absences (one or more full pay periods), such as leave of absences, temporary disability, or nonindustrial disability leave.
- Rank and file uniformed probationary custodial employees shall receive a uniform allowance in accordance with the provisions contained in the collective bargaining agreement.

33020.6 Personal Grooming Standards

All employees, regardless of their assignment, shall be clean and well groomed.

33020.6.1 Correctional Peace Officer Grooming Standards

The following minimum guidelines are adopted for all Correctional Peace Officers:

Note: Some classifications have an exemption; refer to DOM 33020.6.2, Exemptions for Peace Officer Classifications.

Hair

- Hair shall not be styled or combed forward any lower on the forehead than the eyebrow, measured from the high point of the eyebrow, and shall not be visible on the forehead when the uniform hat is worn.
- Hair style and length shall not impede, restrict, or detract from the proper wearing of the uniform hat.
- Hair style and color shall not distract from the uniform.

Memorandum

Date: May 31, 2011

To: Guillermo G. Garcia
Warden
California Institution for Women

Subject: WEST HOLLYWOOD PRIDE PARADE

The purpose of this memorandum is to respectfully, and proudly request permission to wear my class A uniform to walk along side other gay and lesbian Peace Officers in the West Hollywood Pride Parade to show my support, and to support other Peace Officers in the Gay, lesbian, transgender, bisexual community.

The parade takes place on June 12, 2011 at the West Hollywood Sheriff Department.

Please respond back to me in a timely manner so I can make preparations for that day.

Thank you for your time and consideration, it is greatly appreciated.

Andrew R. Johnson
Correctional Officer
California Institution for Women


APPROVED / DISAPPROVED

CC: Lieutenant Figueroa
Public Information Officer
CCPOA

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MATCH OFFICE

EXHIBIT 'C'