

# CALIFORNIA MEN'S COLONY (CMC) INSPECTION REPORT

## INTRODUCTION

Each year the San Luis Obispo County Grand Jury conducts inspections of prisons, jails and holding cells within the county. This is mandated by law.<sup>1</sup> Authorization extends to interviewing inmates and to reviewing inmates' grievances.

This report describes the inquiry process followed by the current Grand Jury, and sets out its findings relating to the condition and management of CMC.<sup>2</sup>

## PROCEDURE

Members of the current Grand Jury received specialized training in prison inspections by a county field representative of the California Corrections Standards Authority. The current Grand Jury began its CMC inspection with an orientation meeting hosted by CMC managers to present facts and list concerns. This facilitated a free-flow exchange of questions and answers.

Management teams led grand jurors on a group tour. Grand jurors met with two representatives from the Inmates Advisory Council (IAC) and small teams of Grand Jurors also attended inmate hearings conducted by correctional officers. Staff also discussed particular safety and security concerns.

Documents reviewed included the following:

- Selected CMC policies and procedures
- *2010-2011 Grand Jury Report of San Luis Obispo County*, titled "Inspection of County Prisons, Jails and Allied Agencies"
- *California Men's Colony Briefing Document for the San Luis Obispo County Grand Jury*

---

<sup>1</sup> California Penal Code 919 (b) "The Grand Jury shall inquire into the condition and management of the public prisons within the county."

<sup>2</sup> Authority for inspections does not extend to Atascadero State Hospital (ASH)

The Grand Jury conducted its on-site inspections and interviews on October 3-4, 2011. See Appendix A for inspection details.

## **NARRATIVE**

Even though Grand Jurors were pre-screened by the judicial system and by CMC, as visitors to the facilities they went through the same lengthy on-site screening process to which ordinary visitors are subjected. This included following certain clothing and jewelry restrictions and a prohibition on carrying cell phones. Civilian staff appeared to have more leeway during the screening process.

CMC, as part of California Department of Corrections and Rehabilitation (CDCR), has a capacity of 6,485 inmates. It has a total annual operating budget of \$241.4 million. This figure includes three separate programs: Institutional, at \$150.0 million; Education, at \$4.7 million; and, Health Care, at \$85.7 million. It operates on 356 acres of land, some of which is leased from the California National Guard. CMC provides sewer and water services, as well as inmate labor to the National Guard by the terms of the lease, in exchange for the use of their shooting range for custody staff's annual training requirements. Although the National Correctional Standards Association has never inspected the facility, CMC management and staff are working to fulfill the requirements for accreditation.

*Facilities and Population:* CMC is divided into two facilities: West Side, which opened in 1954, and has a capacity to hold 2,738 inmates; and East Side, which opened in 1961 and has a capacity of 3,747.

West Side is a level I/II (minimum security) prison that occupies refurbished military barracks. The inmate count was 2,472 on the date of the inspection in October, down from the prior year population of 2,750.<sup>3</sup> This decreasing trend is continuing in response to the 2011 Public Safety Realignment Act, more commonly known as AB 109, which sends offenders convicted of certain

---

<sup>3</sup> "Inspection of County Prisons, Jails and Allied Agencies," *Final 2010-2011 Grand Jury Report*, p. 116

lower-level felonies to the county jail of the county where the offense occurred. The Grand Jury has been advised that, by July 2012, the West Side Facility will experience an additional inmate population reduction of approximately 600.<sup>4</sup>

One unit of the West Side facility contains a Level I Fire Camp and Minimum Support Facility. West Side works extensively with San Luis Obispo County, in conjunction with other governmental entities, on conservation, community service, and other valuable service work.<sup>5</sup>

The East is a Level III (medium security) facility divided into four quadrangle program yards, known as Quads A, B, C, and D. An electrified fence secures the East Side, and no escapes have been recorded since the fence was installed.

Each quad has its own athletic field, dining room, triage unit, and two three-story housing units. The East Side contains one of CDCR's two remaining fully licensed General Acute Care Hospitals. The hospital provides a full range of medical services, including some general surgical procedures. In addition, this facility provides services and treatment to the largest mental health population in the CDCR system. CMC also has the largest and most diverse Prison Industry Authority (PIA) program in the system.

On the date of the Grand Jury inspection, East Side had a population of 3,700, about the same as the prior year.<sup>6</sup> By January 2012, East Side population had experienced a reduction of 600.<sup>7</sup>

Visiting Rooms: The Visiting Room on the East Side is a large open space with a raised platform at one end. In addition, inmates and guests may mingle in the adjacent open-air courtyard. Inmates qualified for visits, but restricted to no contact, may receive visitors in the closed and partitioned cubicles adjacent to the main room. The visiting room is furnished with portable plastic tables and stacking chairs. Vending machines line a wall. During visiting hours, there are four officers to supervise the areas provided for visitation. Including inmates and guests, the

---

<sup>4</sup> Email dated March 16, 2012 from Lieutenant Dean Spears, Public Information Officer, California Men's Colony

<sup>5</sup> *California Men's Colony Briefing Document for the San Luis Obispo County Grand Jury*

<sup>6</sup> "Inspection of County Prisons, Jails and Allied Agencies," *Final 2010-2011 Grand Jury Report*, p. 116

<sup>7</sup> Email dated March 16, 2012 from Lieutenant Dean Spears, California Men's Colony

crowd may number 400 or more. The four officers assigned to supervision have only two low-resolution video cameras to assist them with monitoring inappropriate contact and the passing of contraband.

The Visiting Room on the West Side is overseen by an officer at a surveillance desk. Contact is allowed between inmates and their families, who often arrive by busloads.

Contraband Issues: Contraband is a serious problem in prisons. Today, even a cell phone can be considered a weapon. Cell phones pose hazards such as: inmates threatening witnesses, inmates orchestrating additional crimes, prisoners exposing prison security measures, and the re-victimization of those targeted by the inmate. In the form of illegal alcohol, tobacco and drugs, contraband contributes to an unruly population and inmate-on-inmate violence, crime and coercion.

As of October 3, 2011, the prison had already confiscated 420 cell phones from prisoners during 2011. When a prisoner is found with a cell phone, drugs, alcohol, tobacco or other contraband, a disciplinary proceeding is required, which is a costly undertaking in terms of staff time.

Just days after the Grand Jury's visit, the CDCR inspected the West Side using search dogs brought in from outside the facility. In one dorm, they found three cell phones, four chargers, tobacco, and methamphetamine.

Staffing: Custodial staff numbers 1,054. Non-custody support staff, including health care services, is 903; 276 are medical and 209 are mental health staff.

Staff expenses are 88% of the budget. Overtime occurs daily. Management reported that it could not function without overtime. Due to the aforementioned existing and anticipated population decline, CMC anticipates a total of 200 staff positions will be cut in both custody and non-custody staff.<sup>8</sup>

---

<sup>8</sup> Email dated March 16, 2012 from Lieutenant Dean Spears, California Men's Colony

Volunteers: CMC relies on scores of outside volunteers, at least one of whom teaches English as a second language. Other volunteers are involved as counselors in various substance abuse programs.

Inmates can volunteer for a group called “Gold Coats,” a hospice-like organization that helps other inmates with special needs, such as dementia, for daily navigational support services, including taking inmates to their medical appointments. Recently, this program received national press attention.<sup>9</sup>

Grievances: Inmates have an Inmate Advisory Council (IAC) that meets with management once a week. Its primary function is to process population grievances (not individual inmates’ personal grievances). A common population grievance is that there are not enough movies. Interviews with two inmate members of the IAC revealed that the conditions at CMC are relatively safe and management is relatively fair. The inmates reported that they know from experience that the level of violence at CMC is below that at other state prisons.

Personal grievances go through an informal and formal process. At the informal level, an inmate makes a complaint in writing to a particular staff member with whom the inmate has an issue, the receipt of which must be acknowledged by that staff member in writing. The staff member then has the opportunity to try to resolve the issue. Since the inception of this informal approach, the use of the formal appeals process has decreased. There are three levels of appeal in the formal process.<sup>10</sup> According to prison management, in most appeals, higher management sustains the staff and/or the institution.

Grievances number about 200 per month or from about 3% of the population, assuming a population of 6,200. Prison officials report that with the declining population there has also been a statistically significant reduction over the prior year in incident reports (56%), disciplinary

---

<sup>9</sup> Pam Belluck, “Life, With Dementia,” *The New York Times Reprints*, February 25, 2012 (<http://www.nytimes.com/2012/02/26/health/dealing-with-dementia...>)

<sup>10</sup> See California Department of Corrections and Rehabilitation, Title 15, Article 8, Section 3084.2 (b) “Informal Attempt Prerequisite,” which states “The inmate or parolee shall attempt to resolve the grievance informally with the involved staff...” See also Section 3084.5, dealing with the three levels of appeals and their disposition.

reports (46%), Administrative Segregation placements (36%), and requests for medical appointments (30%). They expect this trend to continue.<sup>11</sup>

*Medical Services:* At the time the Grand Jury inspected CMC in October, medical appointments averaged about 60,000 per month, about half of which are mental health related. This figure represents not only “one-on-one” doctor-patient appointments with physicians, dentists, and psychiatrists, but also group therapy appointments.<sup>12</sup> However, by February 2012, because of realignment, that number had already dropped to 40,000 per month, and the “one-on-one” proportion was about 26,000. Six suicides occurred in 2010.

CMC reported to the Grand Jury that their medical recordkeeping is one of the best in the state corrections system. Electronic scanning was implemented in July 2011, a vast improvement over the paper-intensive process observed by the 2010-2011 Grand Jury.<sup>13</sup> Documentation scanning should be complete in 2012 with no hard copies remaining.

Medical staff reports that they feel safe because they are trained to use force when necessary, and they all wear alert buttons and whistles. Staff reported that CMC does not have the level of violence noted at Atascadero State Hospital (ASH).

*Prison Industries Authority (PIA):* A number of industrial enterprises operate within CMC under PIA. These industries supply CDCR and other state agencies with products the prisons would otherwise buy on the open market, such as boots and t-shirts. Their print shop supplies the entire state with license plate tags.

PIA employs approximately 500 inmate workers. Inmates qualify to work in PIA if they score at the 9<sup>th</sup> grade education level through the Inmate Employability Program. The work programs assist in reducing prison violence through behavior modification. The work skills, habits and

---

<sup>11</sup> Email dated March 16, 2012 from Lieutenant Dean Spears, California Men’s Colony

<sup>12</sup> Lt. Spears, telephone conversation with Law and Justice Committee, February 23, 2012. He also reported that as of that date the overall population had decreased to 5,500 because of realignment.

<sup>13</sup> ”Inspection of County Prisons, Jails and Allied Agencies,” *Final 2010-2011 Grand Jury Report*, p. 118

training inmates acquire are all transferable to work situations “on the outside.” Many of these inmates have never been gainfully employed prior to their incarceration.

Jobs in PIA provide many benefits and incentives to inmates, including: paying for victim restitution, purchasing commissary items such as snacks and toiletries, improving work habits, learning job skills, and relieving the boredom of cell time. Even though the wages are minimal (average wage is \$.55 per hour), they provide inmates with extended sentences the opportunity to bank enough money to help them become reestablished once released from incarceration.

Grand Jurors toured the education facilities and the West Side library, but no classroom activities were observed. Education programs include adult basic education, General Education Degree, English Language Development, and other specialty programs. The average reading level at both West and East facilities is about grade 7.9.

## **CONCLUSIONS**

The Grand Jury found the condition of both the West Side and the East Side generally clean, safe and secure for all inmates and staff.

Inmate population, both East Side and West Side, is decreasing as a result of AB 109. Consequently, CMC anticipates a reduction of 200 custody and non-custody staff positions.

Other effects from the declining CMC population due to AB 109 include decreases in:

- Incident reports
- Disciplinary reports
- Administrative Segment placements
- Requests for medical appointments

CMC has an ongoing contraband problem with cell phones and drugs, but it must rely on other agencies to provide trained dogs to conduct searches.

The East Side visiting room has outdated video surveillance equipment.

CMC has educational/rehabilitative programs that benefit inmates. Chief among these is PIA, which provides many quantifiable and unquantifiable benefits to the inmates and prison administration.

Mental health issues comprise a substantial portion of the total medical services provided at CMC.

Volunteers play an important role in providing services to inmates at CMC.

## **COMMENDATIONS**

The Grand Jury commends CMC for:

- Its impressive progress in digitizing its medical records
- The Prison Industries Administration at CMC
- The “Gold Coats” inmate volunteer program at CMC

## **REQUIRED RESPONSES**

No response is required.

**APPENDIX A**  
**INSPECTION REPORT**  
**STATE OF CALIFORNIA MEN'S COLONY**

Facility Name: State of California Men's Colony	Inspection Date: October 3-4, 2011
Facility Capacity: 6,485	Last Inspection Date: October, 2010
Address: Highway 1, San Luis Obispo	Facility Administrator: Warden Terri Gonzalez
Interviews with: Warden, Chief Deputy Wardens, East and West Side staff, Public Information Officer, Medical and Mental Health staff, food service staff, and others	
Committee Inspection Team Members: Members of 2011-2012 San Luis Obispo County Grand Jury	
<p>Findings:</p> <ol style="list-style-type: none"> <li>1. CMC is generally clean, safe and managed professionally.</li> <li>2. <i>Visiting Room</i> is large open space with a moderately raised platform at one end comprises the visiting room at CMC. In addition, inmates and guests may mingle in the adjacent open-air courtyard and foyer. Inmates qualified for visits but restricted to no contact may receive visitors in the closed, partitioned cubicles adjacent to the main room. The visiting room is furnished with portable plastic/metal tables and stacking chairs. Vending machines line a wall. During visiting hours, there are four officers to supervise the three areas provided for visitation. Between inmates and guests, the crowd can include 400 or more people. The four officers assigned to supervision have only two low-resolution video cameras to assist them with monitoring inappropriate contact and the passing of contraband</li> <li>3. <i>Prison Industries Authority (PIA)</i> PIA is composed of two knitting mills, four factories, print plant, laundry, PIA warehouse, and PIA maintenance. They manufacture over \$20,000,000.00 worth of products utilized by other state agencies. The t-shirt factory is capable of manufacturing over 6,000 items a day. Recent contracts with Caltrans for high visibility shirts has resulted in the manufacture of 60,000 shirts completed, another 50,000 now under construction and future orders for an additional 50,000 shirts. Grand Jurors toured the shoe manufactory and print shop. The skills taught and practiced here range from fork lift driving to machine operation and printing. All work areas were orderly and efficient. Inmates and staff appear safe and content.</li> </ol>	

4. *Kitchen area on West Side:* The kitchen appeared neat and clean.
5. *Educational Programs/Libraries:* No inmates were present during the Grand Jury's inspection of academic settings. The U.S. government and law books do not appear to be up-to-date. Access to law books requires filling out a form with the librarian. The Grand Jury did not see the law librarian during its visit.
6. *Medical Services:* Medical recordkeeping system is being digitized.
  - *Dental Care:* Inmates filled all chairs at the time of the Grand Jury inspection. Inmates under age 50 get one dental check-up every two years. Over age 50 they get one check-up per year.
  - *Outpatient Services:* Patients line up outside to make medical appointments. The outpatient services area is small, congested and appears chaotic for staff and patients. Lab tests, X-Rays, a pharmacy, and minor surgery are available.
  - *In-Patient Services:* There are 2 semi-private wards and one isolated room. It appears there is adequate space for the inmate patients, but not for storage. Families may visit the critically ill. There are 37 beds for acute care, nursing home care and rehabilitation. Building 50 is the "psych ward," which houses many developmentally disabled inmates. The state pays for most of their care.