

CALIFORNIA MEN'S COLONY INSPECTION REPORT

INTRODUCTION

As mandated by law, the San Luis Obispo County Grand Jury conducts annual inspections of prisons, jails and holding cells in the County.¹ Inspection of the California Men's Colony (CMC) and CMC's Medical Guard Unit (MGU) at Twin Cities Hospital in Templeton were conducted by the 2012-2013 Grand Jury.

This report describes the inspection process and information derived from briefing documents and interviews with the acting warden and CMC department supervisors. Findings and recommendations related to the conditions and management of both CMC facilities are included.

PROCEDURE

Prior to their visit, members of the Grand Jury reviewed CMC documents and compiled a list of questions that were asked during the inspection. The inspection began with an orientation meeting with the acting warden and CMC managers. Grand jurors were then given a group tour of the facility. Following the tour, Grand jurors met with staff to discuss 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, "Inspection of County Prisons, Jails, and Allied Agencies"*
- *California Men's Colony Briefing Document for the San Luis Obispo County Grand Jury*
- *California Department of Corrections and Rehabilitation, "Fact Sheet: 2011 Public Safety Realignment"*

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

- *San Luis Obispo County Community Corrections Partnership Executive Committee, 2011 Public Safety Realignment Act Implementation Plan Update 2012-2013*

Members of the Grand Jury inspected the following sites:

- CMC East Facility: 10/15/12
- CMC West Facility: 11/19/12
- MGU: 11/15/12

NARRATIVE

CMC is part of the California Department of Corrections and Rehabilitation (CDCR). It is operated on 356 acres of land, some of which is leased from the California National Guard. Per the lease agreement, CMC provides sewer and water service as well as inmate labor to the National Guard in exchange for the use of their shooting range by CMC custodial staff to satisfy annual training requirements.

Realignment Effects on CMC: Enactment of the 2011 Public Safety Realignment Act, more commonly known as AB 109, has had a significant impact on CMC's operations. The purpose of AB 109 is to reduce the state prison population by sending offenders convicted of non-violent, non-sexual, non-serious felonies to County Jail. The Grand Jury was advised that the effects of AB 109 one year after its implementation include:

- An overall decrease of \$21 million in CMC's annual budget;
- A reduction in the inmate population of about 1000;
- A reduction of CMC staff: 193 custody positions and 259 non-custody positions.

Annual Budget: CMC's 2012-2013 annual operating budget is \$220 million. Funding is distributed among three separate programs: Institutional (\$134 million), Education (\$5.5 million) and Health Care (\$80.5 million). The Institutional and Health Care Programs have seen a reduction in funds of

\$16 million and \$5.2 million, respectively. In contrast, the Educational Program's budget has been increased by \$800,000.

Facilities and Population: CMC is comprised of two main facilities. West Side was opened in 1954 and East Side was opened in 1961. The MGU at Twin Cities Hospital in Templeton opened in September of 2010.

West Side is a Level I/II (minimum security) prison which utilizes refurbished military barracks. The most dramatic result of realignment in this facility is an ongoing reduction of inmates per barrack from 90 to 45. On the date of the inspection, the inmate count was 1,996 as compared to the prior year population of 2,472, a reduction of 476 inmates.

West Side contains a Level 1 Fire Camp and Minimum Support Facility comprised of 250 trained Level 1 inmates who work outside the prison facility under supervision. West Side works extensively with San Luis Obispo County on conservation, fire prevention and response, community service and other valuable service work. Staff reported that AB109 has reduced the number of eligible inmates who can become fire fighters. Currently there are 104 inmates assigned to California Department of Forestry (CDF) which has 138 positions, leaving 34 positions vacant.

West Side houses a substance abuse program (SAP) for qualified Level I and Level II inmates. This 5-month program was locally developed and the staff is contracted from outside CMC. Inmate participants undergo behavioral modification training and skill-building to help them integrate successfully into society after their release. Staff reported that the recidivism among SAP graduates is 23% compared to 44% in the general inmate population. Staff also noted that inmates who immediately enter after-care programs in their home counties upon their release tend to be more successful. These 6-month programs reinforce the rehabilitation skills learned in SAP. CMC provides transportation to these facilities and the state funds these programs. San Luis Obispo County does not operate such a facility; therefore, those inmates who are released and live in the county do not have access to these programs.

East Side is a Level III (medium security) facility that is secured by an electrified fence. No escapes have been recorded since the fence was installed. The facility is divided into four quadrangle program areas: Quads A, B, C and D. Each quad has its own athletic field, dining room, triage unit

and inmate housing. At the time of inspection, the East Side inmate population was 3,146 as compared to last year's population of 3,700, a reduction of 554 inmates.

East Side houses one of CDCR's two fully licensed general acute care hospitals. The hospital facility provides a full range of medical services including some general surgery procedures. A well-equipped dental clinic also provides comprehensive dental services four days per week.

CMC provides treatment and services to the largest mental health population in the CDCR. East Side houses inmates at the Correctional Clinical Case Management System level of care, Enhanced Outpatient Program level of care and a 40-cell Mental Health Crisis Bed Unit.

CMC's Prison Industry Authority (PIA) is the largest and most diverse program in the CDCR system. Also located in East Side, this program has the capacity of 591 inmate industry positions with a variety of industry types available such as a shoe factory, knitting mill, print plant and warehouse distribution. (See Appendix A for a detailed listing.)

CMC's MGU is a secure hospital ward that houses inmates who require special care or procedures that cannot be obtained at the East Side acute care hospital. This facility has eight rooms with a capacity for 14 inmates (two single-bed and six 2-bed rooms). CMC staff reported that the average daily inmate count was four; however, CMC would like to see all the beds occupied in order to better utilize their staff. MGU occasionally houses inmates from other outlying CDCR facilities as well as Department of Mental Health inmates from Coalinga State Hospital and Atascadero State Hospital (ASH). Currently, plans to make MGU available to inmates from SLO County Jail or other out-of-county jails have been tabled by the CEO of Templeton Twin Cities Hospital.

A high level of security is maintained at the MGU facility. Inmates received in the emergency room are isolated from the general population of patients being seen. Inmates are restrained at all times. Handcuffs and leg irons are used to secure inmates to their beds, and leg irons remain on when they are up for any activity. Each shift is staffed with six correctional officers and one supervisor. All hospital workers must undergo special training in regards to handling inmates in the course of providing treatment. A minimum of four security checks of the ward is done per shift, and inmates

are also checked whenever hospital staff administer care in the form of medication, procedures or paper work.

Visitation: Grand Jurors went through the same on-site screening process required of all visitors to CMC. Each visitor must present some form of identification and pass through a metal detector. Certain clothing and jewelry are prohibited and no cell phones are allowed into the facility. It was noted that staff and maintenance workers were not checked as closely as were visitors. Some were not checked at all.

East Side visitation occurs in a large room furnished with plastic tables, chairs and vending machines. All inmates must qualify to receive visitors. Those who are restricted to 'no contact' receive visitors in partitioned cubicles and interact via telephone. Otherwise, inmates and visitors may mingle freely in the visitation room or in an open-air courtyard adjacent to the visiting room. Security consists of four correctional officers and two low-resolution cameras that are used to monitor inappropriate contact or the passing of contraband. Staff reported to the Grand Jurors that the cameras are old and do not have the capacity to zoom in for close monitoring of visitor and inmate activities. Staff stated that the inmates take advantage of the cameras' "dead spots."

There are no cameras in the visiting room at West Side. Six correctional officers are assigned to secure this facility. One officer conducts strip searches of inmates, monitors their entry into the visiting area and observes the outside patio seating. Two officers are responsible for security, seating assignments and monitoring in the visiting room. One officer, with the help of two visiting officers, search, inspect and process visitors in and out of the institution.

Contraband: Contraband is a serious problem in the prison system and CMC is not an exception. Cell phones represent the largest percentage of contraband smuggled into the facility followed by cigarettes, alcohol and drugs such as marijuana and heroin. Staff reported that cell phones are particularly problematic because inmates can use them to orchestrate crimes outside of CMC, threaten witnesses, and determine CMC security measures from outside contacts. Buying and selling of cigarettes, alcohol and drugs are linked to inmate-on-inmate violence and other crimes within the facility. Furthermore, confiscation of contraband requires disciplinary action that is costly in terms of staff time and resources.

Grand Jurors were told that much of the contraband is smuggled in by visitors and that custody staff are limited in the extent to which they can search these individuals. There have also been incidents in which staff members have been caught bringing contraband into the facility. Staff said that packaged cell phones, cigarettes and drugs are thrown over the West Side security fencing to be picked up by inmates at a later time. Custody staff finds contraband by conducting periodic cell searches, performing body searches of inmates when warranted and utilizing sniffer dogs.

Staff reported that the use of sniffer dogs is especially effective in finding contraband in the inmate population. Unfortunately, CMC is not funded to staff a handler and a dog; therefore, sniffer dogs must be "borrowed" from local agencies. As a result, these dogs are available to CMC security staff only four or five times a year. Administration and staff have also recognized the value of using sniffer dogs to monitor visitors for contraband; however, the limited availability of these dogs makes it impractical to do so. Furthermore, although staff is not required to notify inmates prior to using the dogs, they must do so for all potential visitors according to case law. Staff stated that if visitors were notified prior to visitation, the likelihood of retrieving significant amounts of contraband would be small.

CMC is awaiting the construction of a cell phone blocking system that would significantly reduce or eliminate the value of cell phones as contraband. CDCR has awarded a contract to GlobalTel*Link to provide technology that uses a secure cellular umbrella over a specified area to block unauthorized cellular communication transmissions. Implementation of this technology will come at no cost to taxpayers. At the time of this writing, CMC staff could not provide a specific date for the installation of this system.

CMC does not keep statistics on all types of contraband; however, statistics are kept for controlled substances and cell phones. For 2012, CMC had 100 Rules Violation Reports related to controlled substances and 488 Rules Violation Reports related to cell phones. Confiscated contraband is retained and/or disposed of according to departmental guidelines. The action taken is dependent on the particular contraband item and whether or not it is linked with a criminal case being prosecuted by the District Attorney's Office.

Although efforts are made to reduce the amount of contraband brought into CMC, Grand Jurors noted that the acting warden and custody staff view this issue as an ongoing problem that is part of the day-to-day operation within the prison.

Grievances: Inmates have an Inmate Advisory Council (IAC) that meets with management weekly to process population grievances. A population grievance generally involves services provided to the inmate population such as the number of movies available for viewing.

Personal grievances (appeals) can go through informal and formal processes. At the informal level, an inmate will submit his appeal in written form to staff, who in turn provides a written response to the inmate within a few days. If the inmate is not satisfied, he can file a formal written appeal that is sent to an appeals officer who determines what level the appeal will be assigned. There are three levels of appeal; first and second levels are handled at the institutional level (CMC) and the third level is departmental (CDCR). If an inmate exhausts these levels of appeal, he may file with the court system. Staff reported that most appeals are resolved informally. As of February 2013, CMC has received 515 inmate grievances.

Staffing: Staffing accounts for 89% of CMC's budget. In July of 2011, custody staff numbered 1,105. However, with the implementation of AB109 and the development of a Standardized Staffing Model by CDCR, current custody staffing is at 912, a loss of 193 positions. Non-custody staffing has also been affected with Support Staff and the Health Care Program showing losses of 22 and 237 positions, respectively.

Volunteers: Outside volunteers contribute time and expertise in a variety of programs that provide educational, social, psychological and cultural support for participating inmates. Non-staff counselors support inmate activity groups such as Alcoholics Anonymous, Literacy Council, Anger Management, and Alternatives to Violence Program. The prison chapels also utilize volunteers in programs such as religiously-based 12-step groups, Harvest Bible University and Malachi Dads.

Inmates can also volunteer for a group called "Gold Coats." This program provides daily support for inmates who have physical and/or cognitive disabilities such as dementia. Gold Coat volunteers help afflicted inmates with activities of daily living as well as transporting them to their medical or

mental health appointments. In 2012, this program received national press attention.

Prison Industries Authority(PIA): PIA operates several industrial enterprises within CMC. These industries supply products to the CDCR and other state agencies that would otherwise have to be purchased at a higher cost on the open market. For example, the fabric product factory makes t-shirts for CalTrans and the print shop manufactures all of the vehicle registration tags for the state.

There are 591 inmate industry positions. Inmates qualify to work in PIA if they can demonstrate a 9th grade level of education. Wages range from \$.18 to \$1.00 per hour with an average wage of \$.55 per hour. Although wages are minimal, they provide bankable income for inmates with extended sentences and can help these inmates reestablish themselves after they are released. Furthermore, the training and work skills acquired in PIA are transferable to work situations outside of prison. Many of the inmates working in the PIA have never had a job prior to their incarceration.

PIA provides other benefits and incentives to participating inmates. Working relieves the boredom of incarceration and provides a model for behavior that reduces inmate participation in prison violence or other crimes. Money earned also allows these inmates to purchase items at the commissary and help pay for victim restitution.

Educational and Vocational Programs: CMC's academic and vocational training programs exemplify CDCR's goal to provide rehabilitation opportunities to inmates. Upon entry into CMC, every inmate receives an academic assessment to determine his level of education. Staff reported that the average reading level for inmates at both East and West is at an 8.2 grade level.

Academic programs offered to inmates include elementary and secondary education courses, English language development, adult basic education, and high school GEDs. Any inmate with a high school diploma or GED may enroll in a college correspondence program through Coastline Community College. The CMC education department operates as a school district and academic credits earned are transferable to other school districts and educational institutions outside of CMC.

For those inmates who do not wish to pursue academic instruction, a variety of vocational programs are available. Programs include Automotive Repair (East), Machine Shop (East), Welding (East), Electronics (West), Office Services and Related Technologies (East), Auto Body and Paint (West) and Building Maintenance (West). Four vocational programs are affiliated with the Machinist and Aerospace Union, an outside apprenticeship organization, from the San Francisco Bay area. CMC is also currently pursuing affiliation with the Carpenters Union of San Luis Obispo County. Professional certification in select vocational programs at CMC are also available to enrolled inmates. These certifications, licenses and apprenticeships lend relevance and marketability to the trades offered at CMC.

CONCLUSIONS

The Grand Jury found CMC's East Side, West Side and MGU facilities to be generally clean, safe and secure for inmates and staff. CMC personnel were friendly, knowledgeable and very responsive to Grand Jury members' questions and concerns.

Due to the affect of realignment (AB109), CMC's inmate population has been reduced by approximately 1000 as compared to last year's inmate count. Consequently, 193 custodial staff positions have been eliminated as well as 22 and 237 positions from Support Staff and the Health Care Program, respectively. CMC's 2012-2013 annual operating budget was also reduced by \$21 million as compared to the previous year.

The Grand Jury learned that the average daily patient count in the MGU is low and that CMC would like to see all the beds occupied in order to better utilize staff. Beds could be filled if the unit was made available to inmates from other facilities; however, this issue has been tabled by the hospital's CEO. The Grand Jury would like to see Twin Cities Hospital administration revisit this issue. Access to CMC's MGU would provide other correctional institutions an additional source of care for their more seriously ill inmates.

Despite significant reductions in funding and staff, CMC continues to exemplify CDCR's goal to provide rehabilitation opportunities for inmates. CMC offers extensive academic and vocational programs, PIA and an

impressive slate of social, psychological and cultural rehabilitation programs.

The Grand Jury found the substance abuse program at West Side to be particularly noteworthy in that recidivism among program graduates is notably lower as compared to the general inmate population. The Grand Jury learned, however, that San Luis Obispo County does not operate a rehabilitation program to house SAP graduates upon their release from CMC. This lack of service is important to note because graduates who immediately enter such programs tend to integrate into society more successfully than those who do not have access to such programs. The Grand Jury recommends that the San Luis Obispo Community Corrections Partnership consider this issue for their 2013-2014 implementation plan.

Contraband continues to be a serious and ongoing problem at CMC. Cigarettes, drugs and cell phones are smuggled in by visitors, thrown over the West Side security fence and sometimes brought in by staff members and outside workers. Although CMC staff strives to control the flow of contraband, they are hampered by the lack of adequate security equipment in the East Side visiting room and limited availability of sniffer dogs to use when conducting contraband searches within the facility. When touring the facility, Grand Jury members also noted that staff and other workers were not searched as thoroughly, or not all, as were visitors entering the facility. The Grand Jury hopes that these important security issues will be given a closer look by the CDCR and CMC in the coming year. On a positive note, CMC will be installing new technology that will block cell phone transmissions. This should effectively eliminate a significant and dangerous form of contraband within CMC.

APPENDICES

STATE OF CALIFORNIA MEN'S COLONY INMATE ACTIVITY GROUPS

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| Facility Name: State of California Men's Colony Inspection Date: October 15-19, 2012 | |
| Address: Highway 1, San Luis Obispo | Facility Administrator: Warden Elvin Valenzuela |
| Committee Inspection Team Members of 2012-2013 San Luis Obispo County Grand Jury | |
| <ol style="list-style-type: none"> 1. CMC Inmates are allowed to participate in inmate activity groups approved by the Warden. Activity groups are supervised by a staff group sponsor. Activity groups Available include Alcoholics Anonymous, Narcotics Anonymous, Literacy, Higher Ground, Prisoners Against Child Abuse (PACA), Domestic Violence, The Buddhist Group SAP and Anger Management. 2. Religious Programs provide spiritual and educational opportunities for the Following Protestant, Catholic, Jewish, Seventh Day Adventists, Jehovah's Witnesses, Assembly of God, Islamic, Hindu, Buddhist, Later Day Saints and Native American. 3. Industrial Training and Work Programs supervised by Victor Garcia include Shoe Factory, Knitting Mill, Laundry, Special Printing Plant, Warehouse, Industries Maintenance, General Office Techniques, Glove Factory and T-Shirt line. 4. General Institution Work Programs include Clerical Barbering, Janitorial Services, Ground Maintenance, Plant Operations Maintenance, Accounting, Warehouse, Store-keeper, Firefighter, Culinary, Hospital Porter, Lab Porter, Radiology Tech, Dental Aide, Mechanics, etc. 5. Academic Education Programs include Literacy, Literacy Lab, Business Education, English as a Second Language, Adult Basic Education, General Education Development and Computer-Assisted Instruction. 6. Vocational programs include Auto Mechanics, Computer Repair, Drafting, Landscaping, Office Services, Sewing Machine Repair, Shoe Repair, Data Processing, Small Repair and X-Ray Technology 7. Mental Health Programs provide Basic Employment Skills , Training and Pre-Vocational Skills. | |