

11-29-1983

California's Prisons: California Rehabilitation Center

Joint Legislative Committee on Prison Construction and Operations

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CALIFORNIA'S PRISONS

California Rehabilitation Center

Seventh of a Series of Hearings
Held by the

**JOINT LEGISLATIVE COMMITTEE
ON PRISON CONSTRUCTION
AND OPERATIONS**

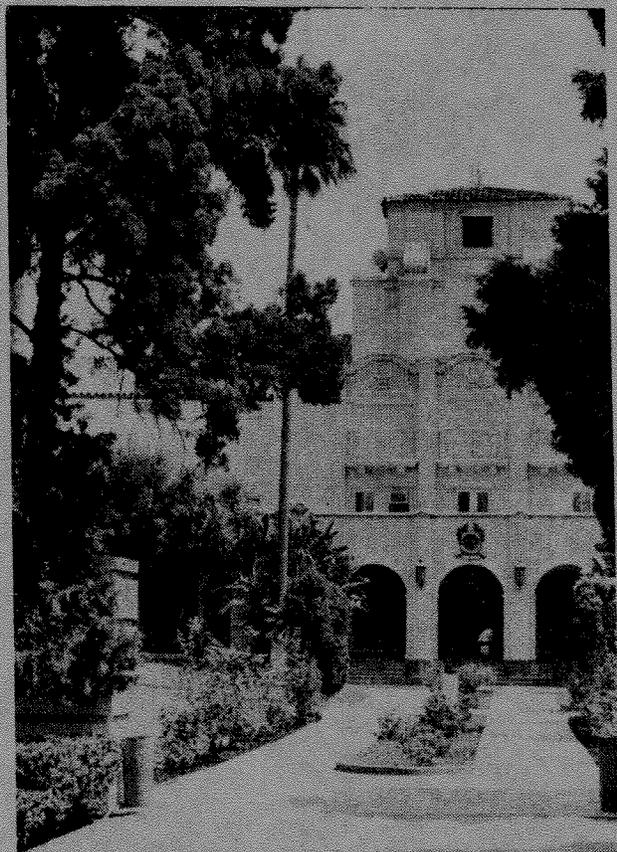
*Senator Robert Presley
Chairman*

California Legislature

November 29, 1983

SENATE MEMBERS:
DANIEL BOATWRIGHT
ED DAVIS
ROBERT PRESLEY

ASSEMBLY MEMBERS:
RICHARD ALATORRE
TERRY GOGGIN
BYRON SHER



KFC
22
L500
P75
1984

KFC
22
LS00
P95
1984
no. 3

CALIFORNIA REHABILITATION CENTER
ADMINISTRATION BUILDING
NORCO, CALIFORNIA

**CALIFORNIA REHABILITATION CENTER:
CURRENT PROBLEMS; MEDICAL CARE; EMPLOYEE GRIEVANCES**

HEARING BY
JOINT COMMITTEE ON PRISON CONSTRUCTION AND OPERATIONS

NOVEMBER 29, 1983
ADMINISTRATION BUILDING
CALIFORNIA REHABILITATION CENTER
NORCO, CALIFORNIA

LAW LIBRARY
GOLDEN GATE UNIVERSITY

Legislators Present at Hearing

Senator Robert Presley, Chairman Assemblyman David Kelley

Senator Ed Davis, Member

Staff Present

Robert E. Holmes, Consultant Lewis H. Fudge, Consultant

Barbara Hadley, Secretary

84-5-414

HISTORY OF CRC

From luxury hotel to U.S. Naval Hospital to narcotics rehabilitation facility to state prison--these have been the four faces of what is now the California Rehabilitation Center near Corona, 15 miles south of Riverside.

Activated in 1962 by the California Department of Corrections (CDC) as a special treatment facility for nonfelon narcotic addicts, the facility complex was not designed nor did it originally function as a prison.

The original building was built in 1928 for use as a resort hotel for "Jazz Age" celebrities. In 1941 the facility was taken over by the United States Navy. Hospital type barracks were built at the base of the hilltop hotel, and the expanded physical plant served as a military hospital. This complex was taken over by the CDC in 1962 as a special Nonfelon Narcotic Addict treatment center.

When originally activated by the CDC, the Norco institution was conceived as a national model for the rehabilitation of crime-prone narcotics addicts. However, even in its heyday the treatment program did not live up to expectations. It has been reported, for example, that more than 90 percent of CRC addict residents released to parole return in time.

As cited above, CRC was not designed to be a prison. It has an uneven, sprawling location with an extensive security perimeter. Neither the hilltop hotel nor the World War II Hospital Dormitories permit adequate security controls. During past disturbances there have been acts of arson, widespread fighting and even attempts by the flatland dormitory-housed male prisoners to "storm the hill" upon which the female prisoners are housed.

CRC is in close adjacency to City of Norco residential areas. Residential neighborhoods and Little League diamonds border the institution.

About three years ago, because of changes in the law and prison system overcrowding, CRC began shifting from its original narcotic treatment center model to another prison. As of November 1, 1983, there were only 823 inmates sentenced to CRC as Civil Addicts - 619 men and 204 women. The total institution population on the above date was almost 3200.

Since January 1982, CRC's inmate population has increased from 1,874 to over 3,200 early in November 1983.

Currently, CRC is classified as a Level II (light medium) security institution. The majority of the former nonfelon narcotic residents - male and female - have been replaced by convicted felons.

CRC nurse charges 'terrible' conditions

By Carol McAlice
Staff Writer

State Sen. Robert Presley and a legislative committee yesterday heard allegations from a California Rehabilitation Center nurse that health and medical standards at the CRC are substandard and hazardous.

Presley, a Riverside Democrat who represents this area in Sacramento, and the Joint Committee on Prison Construction and Operations heard the complaints during a public hearing to examine the conditions of CRC. Presley and the committee have toured five state penitentiaries, including the California Institution for Men in Chino, during the past six months.

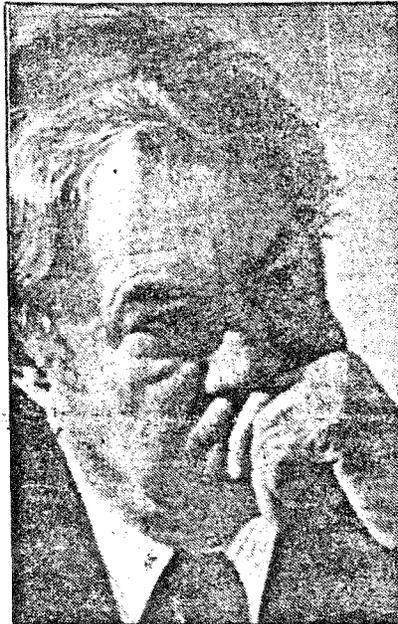
CRC nurse Donna Wiley addressed the senator and the committee when Presley asked for comments about the quality of medical care at the facility and CRC's ability to handle multiple injuries.

Wiley, an employee of CRC for five and a half months, told the legislative committee that the conditions that exist at CRC were not to be believed.

"The conditions are terrible," Wiley said. "You wouldn't believe how unethical it is here. Insulin is dispensed without the doctor's orders, drugs are mixed without the doctor's permission, urine is not checked when it should be, and patients are treated poorly."

Wiley charged that many of the nursing staff cared for the facility's 3,200 patients apathetically and that some of the nurses treated the patients like inmates.

"I treat inmates as patients because that's what they are to me," Wiley said, "and I've been told I have to change. I've even seen some of the patients turned away. I can't do that. I have no right to pass judgment on anyone and yet, I've been told by security that they (the prisoners) have no rights."



State Sen. Robert Presley listens to testimony at the California Rehabilitation Center

Wiley said that while officials are complaining about staffing shortages, she has seen nurses knitting, crocheting and working crossword puzzles. "I've never seen anything like this in my life. I don't have time for that, how do they?" Wiley questioned.

Chief medical officer Dr. Per Engen and CRC health administrator Joseph Borrielli had conflicting responses to Sen. Presley's questions concerning Wiley's allegations.

Engen claimed he had no previous knowledge of the problems described by Wiley, while Borrielli said that he was investigating Wiley's reports and that steps were being taken to

remedy the problems. Borrielli added that one of the staff members needed for questioning was "on vacation, out-of-state, and would not return until Dec. 17."

The critical accusations made by Wiley prompted Sen. Presley to re-

quest prison officials to present him with a written report within 30 days answering to the charges leveled by the nurse. Prison superintendent Charles "Chuck" Villalobos, Chief Deputy superintendent Bob Borg and associate superintendent Bob Grove listened quietly to the charges and agreed to the report.

Presley, the committee chairman, praised Wiley for speaking to the committee. "You're to be commended for addressing this panel," Presley said.

"Commended or committed," Wiley asked. "I don't think I'll be here tomorrow because I've taken these problems to the top and they've been ignored, but I don't think this will be ignored."

Wiley concurred with Presley's summation that CRC has a staff shortage. She claimed, though, that salaries at CRC were equitable to those outside the prison and that pay wasn't an issue in attracting nursing personnel to the prison. She said poor in-service education, departmental discord and a lack of harmony between the nursing staff and security force might be attributed to the staff shortage.

Wiley also said that several of the correctional institute's on-call physicians lived considerable distances from the prison. "One lives in San

(Continued on page 8)

CRC...

(Continued from page 1)

Diego and the another lives in Los Angeles," Wiley said. "That doesn't make our job any easier. I think there should be a doctor on call 24 hours a day. There have been several times when I've had to call my husband (a physician) because there hasn't been a doctor here I could consult for treating a patient."

Presley asked Wiley what would happen if an emergency occurred during the night. "God help us," Wiley said.

Presley recommended that CRC

officials investigate the possibility of contracting a physician to live on the prison grounds because it would alleviate having to ship prisoners to the Chino infirmary or private hospitals. "It'd be cheaper than taking patients to private hospitals because private hospitals rip off the state every chance they get," Presley said.

Borrielli questioned Presley's suggestion and said it wouldn't work. "There is no institution that I know of that has a MD living on the grounds.

Our doctors have beepers for emergencies and that seems to be working."

Also on the agenda, Presley heard a presentation from the California Correctional Peace Officers Association and the Norco chapter of PRO CAL.

The CCPOA members presented the senator with a list of 20 grievances previously given to CRC officials and Joann Dickson and Lorie Ivie, representing PRO CAL, addressed the committee on residential concerns.

Parole addicts, save millions, expert says

By **MICHAEL OTTEN**
SACRAMENTO UNION STAFF WRITER

NORCO — A proposal to release 2,000 narcotics addicts from prison and testimony about medical abuses of inmates highlighted legislative hearings Tuesday on prison overcrowding.

Arthur M. Kassel, chairman of the state Narcotic Addict Evaluation Authority, testified that the state could save more than \$15 million a year and free more than 2,000 prison beds by putting qualified addict-felons on early parole.

He said they could be paroled after about eight months, instead of the average 16 months for other inmates.

And Donna Wiley, a registered nurse at the California Rehabilitation Center here, testified that medical needs of inmates at the state's only coed prison aren't being met.

"I just can't believe what I see here; it's unbelievable," said Wiley, who feared she would be fired for testifying before the Joint Legislative Committee on Prison Construction and Operations.

The committee visited CRC and the nearby California Institution for Women, both in Riverside County. They are the sixth and seventh

prisons visited by the committee.

"The general public would just as soon forget about prisons and just as soon forget about what it costs to run them," said Sen. Robert Presley, D-Riverside, chairman of the six-member committee.

He said prison overcrowding is the state's No. 1 problem.

Prison officials want to spend \$1.25 billion in the 1980s for new prisons and jails.

The California Rehabilitation Center, once a resort hotel and wartime naval hospital, opened more than 20 years ago as a unique treatment center for narcotic addicts, most of whom are arrested for other crimes.

Employees and nearby residents complain the name is inaccurate because 80 percent of the 3,200 inmates — 2,600 men and 600 women — at this 92-acre facility are felons. CRC now houses 40 percent more inmates than it is designed to handle.

Kassel, owner of the Beverly Hills Gun Club and a member of the Narcotic Addicts Parole Board since 1977, said minor legislative changes would allow more than 2,000 narcotics addicts in prison to be released under parole-intense supervision

● Please see page B2, Col. 1

Early release of addicts proposed

● From B1

with drug-testing once or twice a week.

He told the lawmakers that instead of \$1,100 a month to keep them in prison, it would cost \$170 a month to put them on parole.

Legislators question whether CRC should be changed to a straight prison.

Wiley, a nurse at CRC for 5½ months, testified that nurses were mixing drugs improperly, giving double doses, not following doctors' orders and ignoring patient needs. She said her complaints to prison administrators have been ignored.

She said CRC is short-staffed, that

one of the doctors servicing the institution lives in San Diego and that the nearest doctor is 40 minutes away.

"God help us" if there is ever an emergency at midnight, she said.

Joe Borrielli, Health Services administrator for the last six months, disputed her testimony. He said the medical care is "pretty good, if not better than what they would get in the community."

The institution was locked down earlier this year because of a work stoppage over a female inmate's death.

One official who asked not to be identified later told The Sacramento Union that 100 inmates were trans-

ferred to San Quentin, one of the state's two maximum-security prisons, in retaliation for the work stoppage.

Correctional officers at both CRC and CIW complained about a lack of safety equipment and increasing number of inmate assaults on staff. Witnesses at the hearing at nearby CIW also complained about the inability to get qualified physicians at \$55,000 a year to treat inmates.

CIW, the state's only prison for women, houses 1,300 inmates in a facility designed for 930. It opened in 1952.

Female inmates from the Gold Rush days to 1932 were confined at San Quentin, then at Tehachapi, now

a men's minimum security prison.

Dr. Krishna Srivastava, the chief medical officer and one of four male physicians at CIW, said pregnant inmates are taken to Riverside General Hospital for prenatal care and delivery.

CIW sends about 25 inmates a week to Riverside General for treatment. There are now about 2,000 female inmates in CIW, CRC and the Rainbow Forestry Camp.

CIW Superintendent Sylvia Johnson said a second women's prison for 400 should be opened at Stockton by 1986. There are now more than 37,000 inmates in the state prison system, which is designed to handle 25,000.

DONNA WILEY, R.N. II
1978 Moreno Street
Corona, California 91720

December 6, 1983

Dr. Egen, Chief Medical Director
California Rehabilitation Center
P. O. Box 1841
Norco, California 91760

Dear Dr. Egen:

Re: Resignation

Please accept my resignation as R.N. II at the California Rehabilitation Center in Norco, California as of December 6, 1983.

My resignation is due to the unethical and poor medical conditions at the California Rehabilitation Center.

Very truly yours,

Donna Wiley, R.N. II

DONNA WILEY, R.N. II

DW:cc

cc: Joint Committee on Prison Construction and Operations
Pearl West, Consultant Law Enforcement



Bee/Richard Gilmore

"Pro-Cal" organizers from Southern California who pressed their program with state officials in

Sacramento were, from left, Joann Dickson, Brenda Tatro, Lorna Ivie and Linda Cummings.

Multiple Slayings Aftermath

'Pro-Cal' Pushes Prison Areas Security

By Laura Mecoy
Bee Staff Writer

They were typical housewives, until four of their neighbors were hacked to death — allegedly by an escapee from a nearby minimum-security prison.

At first the women were overwhelmed by fear, then they went into action, organizing community groups in the Southern California cities of Chino and Norco after escapee Kevin Cooper allegedly murdered a Chino Hills family and friend in June.

The Chino and Norco groups joined forces in August and launched a statewide campaign to remedy prison conditions and ensure security in communities surrounding correctional institutions.

They call their fledgling group "Pro-Cal," which they said means protect California or pro-California. They already have enlisted approximately 80 members and held rallies in Chino, which they said drew about 1,600 residents, and Norco, which they said drew 200 to 300 residents.

Four of the five organizers — Linda Cummings and Brenda Tatro, both of Chino, and Lorrie Ivie and Joann Dickson, both of Norco, where another correctional facility is located — toured Folsom State Prison and met with California Department of Corrections officials and legislative aides Tuesday and Wednesday in Sacramento.

They are women with a mission: to get more prisons built, ease the pressure building in crowded institutions and build bridges between residents and the prisons within their communities.

"You know how many people sit

back and say they don't like this or they don't like that but they never do anything about it?" Ivie asked.

"We are doing something about it because we are concerned. If affects our lives," Cummings said.

The Norco and Chino women were strangers before the Chino slayings, but they have become so closely wedded in their cause that they often finish each other's sentences and translate each other's thoughts.

The murders spurred Cummings to become a volunteer at the Chino Police Department because of her concern about her community's safety.

With each step she and the other women have taken, they said they have learned more about the prison system and have overcome their fears.

They believe massive education could alleviate Californians' apprehension about inmates in their communities.

"So much is happening that we have a whole, total awareness we never have known before," Cummings said.

They have their own ideas about what can be done to improve prison communications and what can be done to prevent another inmate like Cooper from escaping from a minimum-security facility. But they said most of their suggestions ran into the usual roadblock Wednesday when they proposed them to Corrections Department officials — not enough money.

Prison officials said Cooper, a convicted burglar, was mistakenly placed in a minimum-security facility because of a mix-up in paper work.

He walked away from the institution June 2 and three members of the F. Douglas Ryen family and a neighbor child were found dead June 5 at their

home five miles from the Chino prison. An 8-year-old son, Joshua Ryen, survived a slit throat he suffered in the vicious attack that killed his father, mother, sister and playmate.

A legislative committee issued a report which said, in part, "Given the situation in California's prison system today, the sad but surprising conclusion would have to be not that a terrible tragedy such as the Ryen murders can occur, but that so few violent incidents affecting citizens have occurred."

The Joint Committee on Prison Construction blamed the error in Cooper's placement on crowding in the prison system, overworked staff and antiquated record-keeping.

Those are some of the issues Pro-Cal wants addressed. But the organizers also said they want to form citizens advisory groups at each of the state's 12 institutions because they have seen what can be accomplished when citizens get involved.

Their complaints led to the addition of a blue warning light which flashes at the California Institute for Men at Chino when a prisoner escapes, Cummings said. Prison officials also plan to build a fence around the minimum-security institution.

Ivie and Dickson said they still are fighting for changes at the California Rehabilitation Center in Norco.

Although their local prisons are their foremost concern, these women said they feel they must address the statewide system because the Department of Corrections transfers inmates from one institution to another and because they need to enlist the support of more lawmakers if they want to have any effect.

AGENDA

9:30 a.m.

Opening remarks -- Senator Robert Presley, Committee Chairman

9:40

CURRENT SITUATION AT CRC, CHANGING ROLE; DRUG TREATMENT STATUS

Success rate in drug treatment;
rehabilitation a failure?
Expansion plans: Chaffey College
Bldgs. Utilities site
Any changes planned in number or
level of inmates?
Prison industries? Work training;
Percent of inmates in jobs
Violence level? Any gang problems?
Community aid, benefits from CRC
Quality of medical care? Ability
to handle multiple injuries
Would state be better off selling
CRC, reassigning inmates?

CRC Supt. Charles Villalobos
Chief Deputy Supt. Bob Borg
Assoc. Supt. Bob Grove, Support
Services
Assoc. Supt. Dave Tristan, Program
Assoc. Supt. Bob Nelson, Community
Services
Chief Medical Officer Dr. Per Engen
Earl Bayless, Prison Industries
Business Manager Ron Keenan

10:15

LEVEL OF SECURITY; SEARCH AND APPREHENSION; MUTUAL AID

What security measures have been
added as CRC's role changed?
Other improvements planned?
Possibilities of massive breakout
through fence?
Escape figures, within perimeter?
From work crews? Trends?
Security comparisons with similar
state prisons: Better? Worse?
Problem of adjoining housing, rec-
reational areas? Intimidation.

Supt. Chuck Villalobos
Assoc. Supt. Bob Grove, Security
Deputy Supt. Bob Borg
Mrs. Lorrie Ivie, Mrs. Joann Dick-
son, of Norco; Pro-Cal citizens
statewide prison issues group
Captain John Jones, Riverside
County Sheriff's Office

10:40

STAFF INPUT: TURNOVER LEVEL, OVERTIME; DANGER LEVEL

Don Novey, State President; Don Fish, CRC Chapter President; Duane
Erickson, CRC Vice President, California Correctional Peace Officers
Assn. (CCPOA).

Norman Huffaker, Scotty Arbuthnott, Field Representatives, CSEA

11:00

INMATE INPUT, COMMENTS

Kelly Lynch (female) W-16742

Plutarco Leal B-95263

11:15

AUDIENCE COMMENTS

11:30

BRIEF LEGISLATIVE TOUR

Oct. 20, 1983

Senator
**Robert
Presley**

NEWS

Room 4048, State Capitol, Sacramento, California
CONTACT: Bob Holmes (916) 322-8536

PRESLEY CHECKS, SAYS NEW RUMORS THAT CRC, NORCO, WILL EXPAND, ARE NOT TRUE

Senator Robert Presley says he has been assured once again that the state will not bring any more inmates into the California Rehabilitation Center at Norco, nor attempt to add land to the site for additional inmate facilities.

Presley contacted officials of the State Department of Corrections this week after rumors and reports began circulating in the Norco area that the state was making plans to expand the prison facility. It houses about 3,000 inmates.

"I did find out that there had been a proposal made to attempt to acquire abandoned Chaffey College buildings that adjoin the CRC site, to be used for education purposes by CRC," Presley said.

"But Corrections officials in Sacramento rejected the request, by pointing out that they had previously committed to me that no further expansion of CRC would be made," he added. Earlier this year Presley strenuously objected to reports that CRC would be expanded and more inmates added, and received a written promise from N.A. Chaderjain, head of the State Youth and Adult Correctional Agency, that CRC would not be expanded.

The state does plan to try to acquire land on which CRC's water treatment, sewage plant and reservoir are located. It is now on federally-owned land. "But there won't be any inmates housed on that land," Presley pointed out.

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TRANSCRIPT OF HEARING

SENATOR ROBERT PRESLEY: I think we will call this meeting to order. This is a meeting of the Legislature's Joint Committee on Prisons.

This is a continuation of a series of hearings that we started at San Quentin, then we went to Folsom and we went to Tracy and to Chino, Tehachapi. We're working our way south and now we're in Norco.

The idea is to examine into the conditions of each of the prisons around the State, at least the major prisons, and hearing from the administration of each prison as to what the current situation is, primarily due to overcrowding and other kinds of problems that we have experienced. This has been, I think, very helpful to the public in understanding a lot of these problems in these various communities. I think it has been helpful to the administration of the prisons because they have to look at what they are doing and come and explain it to somebody. That's always helpful to anyone. Certainly it is helpful to the Legislature. Even though they are not here, these meetings are being recorded and will be transcribed so that will be available for them to study.

Among things that we want to get into here today is the current situation as far as the drug rehabilitation program is concerned and does it still go on and is it a success or failure.

As most of us know, this prison was originally designed and is still called California Rehabilitation Center. At that time it was designed for narcotic addicts to come in and be rehabilitated. I am not sure just how much of that goes on yet and that's what we'll be finding out.

Then we want to look into the changing role of this institution, changing from a drug rehabilitation center to a lightweight prison center and -- some people fear -- a more heavier-weight prison capacity here. We want to ask those kinds of questions to see where we are and what the future holds for this prison.

Then one that is of concern to me is whether or not there is any planned expansion of this prison. I know everywhere we go and we try to site a prison in a new locality, almost without exception, there is strong opposition. Not everybody is opposed but there is always some very strong vocal opposition. I, representing this district, have felt that certainly we have to have other prisons and I think Riverside County is going to share in that there will be an additional medium-security prison built somewhere in the county. We have this facility here and I recall very well when this prison was first started back, I guess, around the '50's wasn't it?

MR. VILLALOBOS: '62.

SENATOR PRESLEY: '62? It was at that time a beautiful naval hospital and then converted over into a prison. Corona and Norco, population-wise were not nearly so large as they are now. During that intervening period, both have grown in population a great deal and grown up around this prison. Of course, my feeling at least

I would think that probably would be shared by the citizens of both of these communities, is that we certainly are for keeping this prison here and keeping it viable and functioning but opposed to expansion because of the increased population of this area. And in the future, I am sure the area will grow much, much more. So I would hope and I think that we probably agree with the Department of Corrections that there will be no expansion of this prison.

Then the last point that is important, not only to the prison itself but to the people in the community, and that is the question of security. As I say, there has been some change in role. There may be other slight changes in role, and whatever those are, we want to be sure that this place is secure and that the people who live around here can feel safe. As I understand it, there are about 3,200 inmates here now.

MR. VILLALOBOS: That's correct, Senator.

SENATOR PRESLEY: And 2,600 are men and 600 women, roughly. So with those brief comments, Mr. Villalobos, would you want to lead off and tell us where we are here. Touch on some of the problem areas that I just discussed and see to what extent you can clarify those for us.

MR. VILLALOBOS: All right, Senator, as you mentioned earlier, we are facing the same problem all the other institutions are facing.

SENATOR PRESLEY: Let me just ask a question. Can you hear in the back? Can you hear? Good. That's a change from yesterday. We had to yell yesterday in Chino.

MR. VILLALOBOS: That's good. We are experiencing the same problem everyone else is, and that is overcrowding. We are presently

140 percent capacity with 3,200 inmates. We are designed for 2,278. I do have slight good news in the projection for the next few months. I understand that we will be losing 341 beds between now and May 1. This is based on departmental projections.

SENATOR PRESLEY: Why is that?

MR. VILLALOBOS: Part of it is that they have decided to double bunk CMC East, which means that it makes room internally for shifting of cases throughout the State. Another is that in my recent conversation with Director McCarthy reaffirmed that we will not be receiving any Level III's at this institution.

SENATOR PRESLEY: This is a Level I and Level II?

MR. VILLALOBOS: This is primarily a Level II institution.

SENATOR PRESLEY: You have been assured that we will not be receiving any Level III's?

MR. VILLALOBOS: We will not be receiving any Level III's at all.

SENATOR PRESLEY: And certainly no Level IV's.

MR. VILLALOBOS: No, certainly no Level IV's. That's correct.

SENATOR PRESLEY: If anyone doesn't know, I assume everybody in the room knows that Level I is the minimum security, Level II is a little more severe, Level III a little more and Level IV, you're getting into people who are serious about crime and its commission.

It sounds like then that your overcrowding will be relieved slightly.

MR. VILLALOBOS: Slightly.

SENATOR PRESLEY: And that you won't be faced with a heavier weight inmate in the future.

MR. VILLALOBOS: That's correct, that's correct. We have

experienced two racial disturbances and a peaceful work strike during 1983. The incidents were quickly settled and at no time was there any threat to the community or possibility of a mass escape.

Our security plans involve progressive staff response and control as the situation warrants and of course at all times maintaining the integrity of the security perimeter. Our security perimeter includes not only armed towers but we have a fence sensor device which acts as a microphone, and if a person just rubs their finger on any part of that fence where that wire is strung, it will be picked up. Not only will the sound be picked up, but it will activate a warning sound as well in the control center.

SENATOR PRESLEY: As I drove in on this side, of course I was lost, but after I finally found my way around, I got a good tour of the fence. You have a, seems like -- what is it? -- about a 16-foot fence and then the razor wire on top. Then it looked like inside about eight feet there was a second fence. Then in addition to that, you're saying you have this electronic device?

MR. VILLALOBOS: Yes, sir. The device is on the outer perimeter fence of the two fences. In addition to that, we have video cameras.

SENATOR PRESLEY: That electronic device would be very helpful, I guess, in the fog wouldn't it.

MR. VILLALOBOS: It certainly will, yes.

SENATOR PRESLEY: If you couldn't see, you could hear.

MR. VILLALOBOS: However, we don't rely solely on those kinds of devices. When we have fog, we supplement what we have now with staff. We have fog patrol and fence patrol.

SENATOR PRESLEY: What part do the video cameras play?

MR. VILLALOBOS: They are moving constantly and they've got, I would say, about five monitor screens in Control. They can switch to any of those screens or have them on at all times and are able to detect movement. I don't know what the power of the lenses are, but they are pretty powerful.

SENATOR PRESLEY: Where are they located, in the towers?

MR. VILLALOBOS: They are located along the fence and they sweep the yard constantly.

SENATOR PRESLEY: Well, it sounds like you have some pretty good security in place. How many escapes have you had this calendar year, for example, from here?

MR. VILLALOBOS: We have had one escape from the crew in Corona. That's 1983. He was captured within a few hours.

SENATOR PRESLEY: But you're talking about an escape from a work crew outside the prison.

MR. VILLALOBOS: Yes.

SENATOR PRESLEY: Has there been any escape from this prison?

MR. VILLALOBOS: From within? There was one escape in April of 1982. We haven't had any of those kinds of problems since then.

SENATOR PRESLEY: Whatever the weakness was that allowed that, you have been able to correct?

MR. VILLALOBOS: I feel that we have, yes.

ROBERT HOLMES: Sir, how would you say the security here compares with other state institutions that handle similar level inmates? Equal or better or not as good, what do you think?

MR. VILLALOBOS: I think it is equal, if not better. I don't know of any other institutions that handle this level that have the

cameras that we do. I would like to stress that we don't depend solely on the cameras or the sensor device. I think it's the training of the staff, the alertness of the staff that really does the job.

SENATOR PRESLEY: What is your staff ratio here?

LEWIS FUDGE: How many total employees do you have?

MR. VILLALOBOS: 810, right now.

LEWIS FUDGE: How many are uniformed?

MR. VILLALOBOS: Approximately 500.

SENATOR PRESLEY: I should have done this in the beginning. Let me introduce on my right, Bob Holmes, the consultant to the Committee; on my far left, Lew Fudge, the consultant to the Committee and former Corrections employee for a little over 25 years. He's had a little experience. Barbara Hadley to my left, secretary to the Committee. Ok. What else?

MR. VILLALOBOS: We have complete vocational and academic programs and also a correctional industries program and other work assignments in order to maintain the inmates assigned and busy and in productive work. Of the 3,200 inmates, we usually have about 300 that are in orientation, through the different phases of orientation, for a period of about a month. We have recently submitted a proposal for additional positions so that we can expand some of our present programs into double shifting so that we can have an assignment for all of the inmates.

SENATOR PRESLEY: What kind of... You have some vocational programs? Is that what they are?

MR. VILLALOBOS: We have 21 vocational programs.

SENATOR PRESLEY: What would be some examples?

MR. VILLALOBOS: Oh, automotive, electronics, dry cleaning...

SENATOR PRESLEY: Automotive is the most important. I don't know anybody in this room who would say they can get their car fixed or started. So turn out some good auto mechanics. [Laughter]

Tell us what's happening in terms of this place starting out as a drug rehabilitation center and evolving into a prison setting. Tell us what's happening there and about how much drug rehabilitation work still goes on here.

MR. VILLALOBOS: Well, the institution started out as the narcotics program for the entire state and all of the counties transferred those individuals that were committed to the program. Population was up considerably in the early years and later on apparently the courts did not commit as many to the program as they had been. The population dwindled down considerably and a few of the dorms were closed. Of course, commensurate with that, the population throughout the rest of the State was growing and the Department saw that they needed additional beds and saw the beds that were readily available here with a staff. So there were a lot of felons being transferred into the institution until the population started to grow. As a result now, we have more felons than we do have the civil addicts. However, in the two years that I've been here, I have seen an increase in the civil addict program to the extent that the count has gone up from about 600 to a little over 800. I've seen growth in that area.

LEWIS FUDGE: The felons who come in here, do they tend to have a narcotic background? I mean, they're selected to come here because of their...

MR. VILLALOBOS: Some of them do, yes.

LEWIS FUDGE: Otherwise, they're just run-of-the-mill felons. I see. (Laughter)

SENATOR PRESLEY: Mr -- Kassel, is it? Art -- can you add anything to that business about the drug rehabilitation? I think you're chairman of that group, aren't you? Maybe you could just come up here and join us at the table. You might tell us what's happening with the numbers and what the potential for success is. A lot of people were skeptical about that.

MR. ART KASSEL: I don't blame the people for being skeptical about the program. Sometimes programs themselves become a little bit self-serving to the needs. The Department of Corrections basically needed bed spaces wherever it could find them. During the previous administration -- the previous Director of Corrections -- if it's self-serving not to mandate -- that the courts commit and not go out and embark on having judges commit to a program, naturally the judges won't commit, and therefore, fewer narcotic addicts are committed and there are more bed spaces available. In terms of being realistic, the number of drug addicts on the street is more and more and more. In terms of being cost effective to society, cost effective to the Department of Corrections, without exaggerating, past research studies and from what we have found out in the last couple of years, heroin addicts are going to be heroin addicts just about for the rest of their lives, seven out of ten of them. They all have to have some kind of long-term parole supervision, and because of that, because the opportunities that the program does provide if it's run right (and right now it is being run right), we can keep

an individual in custody at cost to the taxpayers of approximately \$2,000 a year. This is on supervised parole, where the individual has to test on a weekly basis. If he doesn't show up for testing and if he has any history of violence or weapons in his background, the Board makes him test twice a week. This is the Department of Corrections Parole Division. By doing this, it creates some animosity within the system because some of the parole officers felt that the Board was usurping some of their autonomy in the field by saying you will test this individual on a weekly basis via urine analysis.

According to the Governor's Budget 1982-83, the per capita cost of housing an individual in prison is \$13,062 a year or \$1,089 a month. To keep that individual upon parole supervised testing on a weekly basis or twice a week is \$2,042 a year or \$170 a month to maintain an individual on parole. The median length of time a felon commitment stays in state prison is sixteen months prior to release on parole. On the other hand, the median length of time a civil addict remains at CRC prior to first release is eight months. Assuming that at least 50 percent or 3,930 of the male addicts and 50 percent or 331 of the female addicts that are currently confined to state prison fit this criteria and could be diverted to the Civil Addict Program, we could save \$15 million over a period of one year and create 1,420 bed spaces immediately to take care of the more serious felons that exist. So I think, to answer the Chair's question, I think the program can work and is needed.

SENATOR PRESLEY: How many of those people are you treating on, what do you call it, parole status now?

MR. KASSEL: Right now on parole -- Marilyn?

UNIDENTIFIED: I think the last figure was 629.

MR. KASSEL: Only 629.

SENATOR PRESLEY: So that's the one that you require the testing?

MR. KASSEL: Yes, that's correct.

SENATOR PRESLEY: Is that taking place all over the State?

MR. KASSEL: Statewide, right. Everything is in place to make it work. It just requires political will or the wisdom of the Legislature to continue the program. I think that it's doable. When a felon is released from state prison, the criteria set by the Board of Prison Terms is totally different than are set by our board. We have 16 conditions of release or more than that. Felon Parole Board has four. And if an individual starts using heroin and is on felon parole, he may be tested once every two months or once a month. Persons strung out like that can commit 30 or 40 burglaries in the course of a month without it being a burden on him. But here, before that individual gets a chance to get strung out, we require that the parole agent submit a report to the Board charging the individual with the violation of failing to test. Then we order that individual taken into custody, and if he requires or requests, we give him a hearing in the community or when he gets back to the prison we give him a second hearing to see that his rights are protected. This is the only program that exists that is capable of controlling the behavior of narcotic addicts on the street, and they're going to be around for a long time.

LEWIS FUDGE: Wasn't a part of this problem the fact that with determinate sentencing, the inmates tend to go for the felony commitment rather than being committed as civil addicts.?

MR. KASSEL: It's been a pendulum. In the very beginning, a lot of these prisoners opted to come in. They would go into court and say, look at the needle marks, I want to be committed as a civil addict because I'm going to get out early. That was part of the problem. Now a lot of the residents that are here want to be excluded from this program because they would rather do the time and not have to listen to a parole board tell them that if they screw up the first week out that they're coming back. We have a tougher system and a tougher control of these prisoners than any other existing board.

MR. FUDGE: Well, can the judges move this back?

MR. KASSEL: Overnight.

MR. FUDGE: Would it need a change of law?

MR. KASSEL: Yeah, just a couple of words in the law and it's done. The other thing that's interesting to note and most important is we have some serious felons that are narcotic addicts that have turned themselves in to the gate or turned themselves in to their parole agent because rather than face finishing their entire commitment here or winding up going back before another judge and maybe being sent to a different state prison, they turn themselves in. They wind up doing what is called a limited-placement program or a short-term program which may be 10 days, which is with the cooperation of the institution and the cooperation of their parole agent and the

recommendation of both when they come to the Board. It's pretty interesting and important when you see an individual who has been a criminal come to the gate and turn himself in to a state prison setting because they want some kind of help. There is no other program like this that exists anywhere.

SENATOR PRESLEY: O.K. Two quick questions. One, I guess is an observation. It seems to me this was not designed originally to be a prison. It was a hotel. As such, I suppose the security that's in place here is far more expensive than if you had originally designed this to be a prison, the perimeter and all the things . . . would that be correct?

MR. VILLALOBOS: With the additional staff that we've hired, yes. That would be correct.

SENATOR PRESLEY: The Navy owns a lot of this land around here, I guess?

MR. VILLALOBOS: That is correct.

SENATOR PRESLEY: And they're in the process of declaring some of it surplus and putting it up for sale?

MR. VILLALOBOS: Yes.

SENATOR PRESLEY: Does CRC plan on acquiring any of that or trying to acquire any of that?

MR. VILLALOBOS: Yes. We have an interest in acquiring certain parcels, and those parcels are the ones that are very badly needed because of the services that they provide. One parcel has the reservoir, the other has the four water wells in it, and the other has the sewage disposal plant.

SENATOR PRESLEY: Those are existing, the sewage disposal plant and the water wells and the reservoir? They're existing

now? They're on federal property?

MR. VILLALOBOS: They're existing now. They are on federal property.

SENATOR PRESLEY: The CRC would like to acquire those facilities because they are supporting CRC?

MR. VILLALOBOS: Those are the ones that service us right now as well as the Navy, probably.

SENATOR PRESLEY: There are no plans to your knowledge to purchase any land for expansion of the prison here?

MR. VILLALOBOS: We have no plans to purchase any land for expansion. That's correct.

SENATOR PRESLEY: Just to acquire those supportive services that are presently located there anyway?

MR. VILLALOBOS: That's right.

MR. HOLMES: We've heard some mention of your wishing to buy or acquire some vacant buildings owned by Chaffey College to convert to educational purposes. Has that been dropped, or . . .?

MR. VILLALOBOS: That has been dropped, yes.

May I add another proposal that has just been submitted and that was the proposal asking for a 30-foot piece of property around the perimeter of the institution. That would afford us the opportunity to have armed patrols there throughout the day and throughout the night. We presently do not have that.

SENATOR PRESLEY: On the outside of the fence?

MR. VILLALOBOS: On the outside of the fence.

SENATOR PRESLEY: Well, there's a road there. What, beyond the road 30 feet?

MR. VILLALOBOS: No. We would just ask for the 30 feet beyond the fence, just enough for a road, because that presently belongs to the Navy. If we could take that over, we could provide armed patrols.

MR. FUDGE: I would like to return to this N-number thing. What does the Department feel about this? Do they feel that the N-number should be boosted up with a change in the law or are they content with things the way they are?

MR. VILLALOBOS: I have not had any conversations with the Director or the Deputy Director on that subject.

MR. FUDGE: I think we've got two things going. This man says you can reduce the population by 3,930 people, and we've got one terrible population problem, and at the same time you're reducing costs. I think it's something that should be looked at.

SENATOR PRESLEY: OK. I would like to talk a little bit now about the medical aspect of what's going on here. Is the doctor here that runs your medical facility? And Donna Wiley, a nurse, is she here? I guess you don't have hospital facilities here, do you?

DR. ENGEN: No, we don't. We just have an infirmary.

SENATOR PRESLEY: Do you keep people in there?

DR. ENGEN: Yes, we do. Certain types of illnesses that require bed rest for a few days.

SENATOR PRESLEY: What's your average population in the infirmary?

DR. ENGEN: I would say six or seven patients every day.

SENATOR PRESLEY: Those are minor illnesses that don't require any kind of surgery or anything like that? But they could require medication and it's dispensed?

DR. ENGEN: That is correct.

SENATOR PRESLEY: If you had someone that's stabbed or injured or assaulted or heart attack or something, what would you do with him or her?

DR. ENGEN: Well, we initiate the emergency care here. If he needs IV therapy or intubation, then we try to transport him out to the nearby hospital as fast as possible. We have a contract with Riverside General Hospital as well as Corona, and also we depend on the hospital at CIM.

SENATOR PRESLEY: That brings up an interesting question because at CIM yesterday they seem to have more capacity over there, and it seems that if they have a hospital there, instead of taking them out to private hospitals, which I understand is very expensive, -- you have to have double guards taking them, going and coming, and 24-hour guards at the hospital -- it would be better to utilize the facilities at Chino.

DR. ENGEN: Still, they have certain limitations at Chino because, as I understand it, they have only one general surgeon. In order to provide 24-hour coverage, you'll have to have more than that, plus anesthesiologists and so on.

SENATOR PRESLEY: It would be better just to get a contract surgeon, when you need him, give him a call.

DR. ENGEN: Yes.

SENATOR PRESLEY: Mr. Villalobos, would you and the superintendent over at Chino see if you can coordinate this? I just think -- we started running into this problem at Folsom where these people are taken out to the Sacramento Medical Center and places. First of all, these private hospitals rip off the state

at every opportunity. They really give us the business. In addition, you have to have guards and that costs. If we could utilize the hospital at Chino more, I think we all would be better off and certainly the taxpayers would be better off. One of the problems that was mentioned there yesterday is that they may be slightly understaffed. That can be remedied, I think, very quickly -- at Chino, the hospital.

MR. VILLALOBOS. Yes, I'll contact the superintendent.

SENATOR PRESLEY: OK. Next. I should have had everyone identify themselves, so that we get, when they transcribe. . .

MS. DONNA WILEY: My name is Donna Wiley and I am a registered nurse. I have been here about five and a half months and I have found the conditions here are very unethical and the standards are 'way below nursing standards. It's hard for me to come up here because I need my job very badly, but I feel ethically I have to speak up.

As far as any emergency, like in the women's unit, I can't believe what I see here. It's unbelievable. I see nurses mixing drugs without permission of the physician. I see insulin given when it's not ordered. Urines are not checked when they're supposed to. The doctors are good but the nurses are not calling in the orders.

SENATOR PRESLEY: Is this with both men and women?

MS. WILEY: I'll be honest with you -- I'm not that familiar with men's unit, but in the women's unit -- I didn't know about this until I went on the night shift and I had a lot of time free and I started looking over my diabetic sheets to see why they were having diabetics going out on emergencies. I found out -- and I have documentation here -- that at least three or four nurses had

given double doses. They hadn't given their . . . they hadn't checked the urines properly when they should have. A long-acting insulin that should have been given was not given. A fasting blood sugar was ordered, which means that the diabetic patient was fasting the night before, and they should have given their insulin right after the test but one nurse waited until 7 o'clock the next evening.

There was another case where we had a patient that was on insulin. She just got too much insulin and I had to send her out. I was on the 3 to 11 shift and when I came back the next day, which was 24-hours later, I was told by the nurse that preceded me that the patient was in the intensive care unit at Riverside General Hospital. I told Mr. Borrielli that she was there, but when I went over to the pill line, she was standing right in the front of the pill line. I almost fell through the floor because I was given a report that she never came back. So I -- that's all I have to say about that.

SENATOR PRESLEY: How many nurses are in this section or whatever it's called?

MS. WILEY: I believe there are 11 or 12. We are very short of staff, I know that.

SENATOR PRESLEY: Is this a problem of nurses being unqualified or is it lack of supervision over the nurses or lack of professional guidance or what is it?

MS. WILEY: I haven't been here that long, but what I have seen, the general attitude, about 50 percent of them just don't care and they like to treat them as inmates and not as patients.

SENATOR PRESLEY: It's an attitude problem then?

MS. WILEY: Yes. I have seen them turned away when they needed care. I had an asthmatic about two weeks ago. I was going off after working eight hours. The patient was an acute asthmatic, and I was told by the nurse coming on, let 'em wait until pill line, which was a couple of hours later, maybe an hour and a half later. I said that was going to be a little bit too late.

SENATOR PRESLEY: What would you suggest as things that ought to be done to correct this problem.

MS. WILEY: First of all, I would like to make sure our nurses are qualified. I don't even know if they have their CPR cards. I'm not the supervisor here but we should start there and see what kind of qualifications they have.

SENATOR PRESLEY: So, first of all, then you would say that when they are hired that the administration here ought to make sure that they are qualified nurses.

MS. WILEY: Right, because when I came here, no one checked or anything. They just verbally asked me, but they didn't ask for my

SENATOR PRESLEY: What is the pay scale for nurses here?

MS. WILEY: I only know I get about \$1,500. That's all I know...

SENATOR PRESLEY: How does that compare with, say, Corona Hospital?

MS. WILEY: With my background I would be getting about the same because I'm a critical care nurse.

SENATOR PRESLEY: So it does compare favorably?

MS. WILEY: Yes.

SENATOR PRESLEY: So salary is not the problem?

MS. WILEY: No, it's not.

SENATOR PRESLEY: Ok. You're saying then that they ought to be qualified, what else?

MS. WILEY: They should be qualified, we need inservice education for the nurses. We do have some, what is it, downstairs but we're so busy we -- on our days off -- we don't even have time to go for inservice. What I have been doing myself, I just get brochures from the colleges, and I just go whenever I can. In fact, I try to get a couple of days off and... I was told they have inservice here, but one of the inservice classes that they had -- they had frostbite on the calendar. I couldn't figure out why I would be going to an inservice on frostbite. It's kind of silly. It doesn't fit in this program.

SENATOR PRESLEY: All right, the pay is favorable, they ought to be qualified, they need inservice training, what else?

MS. WILEY: We're also having trouble in the different departments. They seem to be having a lot of arguments between one another. In Security, they don't seem to get along with Nursing Department. Oh, I know there's no harmony at all.

SENATOR PRESLEY: Nurses are arguing among themselves?

MS. WILEY: Yes. When I came here the first week, they wouldn't even give the report because they were having a personality conflict. I couldn't figure it out because I was being orientated, and they wouldn't even give their report, just dropped the keys on the desk and walked out.

SENATOR PRESLEY: Then they are also having a conflict with Security, is that what you said?

MS. WILEY: Right.

SENATOR PRESLEY: Who's in charge of this? Are you Doctor?

DR. ENGEN: I am the chief medical officer, yes.

SENATOR PRESLEY: This is your responsibility?

DR. ENGEN: Yes.

SENATOR PRESLEY: Were you aware of all of this?

DR. ENGEN: No, not before this day. As far as diabetics, we have the diabetic clinic, and we take care of their daily needs with an insulin dose every morning and try to provide dietary services as well.

SENATOR PRESLEY: It sounds like you have some problems there that need a lot of attention.

MS. WILEY: I'll be honest with you. I have told our supervisor. I expected to see her here so she can give better care to our patients because this is a very good opportunity for her, but this is an example of how she cares about...

SENATOR PRESLEY: She is the supervisor of nurses?

MS. WILEY: Right.

SENATOR PRESLEY: She doesn't have enough interest to be here and tell us what the problems are?

MS. WILEY: I really don't know.

SENATOR PRESLEY: Is she aware of the problems as you are?

MS. WILEY: I have told her. I told Mr. Borrielli. I told the Captain, and I went way up to the top, except to the gentleman over here. I have been ignored. I have been told this is a prison, what

do you expect. You are too serious, Mrs. Wiley. I've been interrogated by one of the officers here. He told me I had no rights. He was very insulting to me and just couldn't help me. They have known about the diabetic problem for quite a while. Mr. Borrielli knows about it, and when he meets me in the hall, he tells me that it's a zoo, but that's not going to solve our problem.

SENATOR PRESLEY: I realize it's hard for you to come here and do this.

MS. WILEY: Well, I don't expect to be here tomorrow, the way it looks. But I really don't care. I'm a Christian, and I believe....

SENATOR PRESLEY: It's not hard to be here when you're only going to be here one more day, right? (Laughter)

MS. WILEY: Well, if they pitch me for being a good, honest person, I don't know.

SENATOR PRESLEY: Well, I think you ought to be commended.

MR. FUDGE: I think you might have to learn about the prison bureaucracy. You have to learn to do nothing, say nothing and see nothing, and you get along fine.

MS. WILEY: Well, I'm sorry, I'm a very ethical person and I'm willing to stand up for what I believe. I don't really care what happens to me.

SENATOR PRESLEY: I think you should be commended for this.

MS. WILEY: Committed or commended? (Laughter)

I have to say, the doctors are very understaffed, and they do the orders. I am not a physician, and I do stand behind the doctors 100 percent. They are very short of help. It's what happens. . . .

The orders are on the charts. Some of the girls say, I've been here 15 years, Mrs. Wiley. You're gonna change and you care too much about them. They're inmates. But when I come here I treat them as a patient. That's the way they should be. We have no right to make judgments, I feel.

SENATOR PRESLEY: How long have you been a nurse?

MS. WILEY: Twenty... I graduated in 1959.

SENATOR PRESLEY: A long time.

Well, Doctor, maybe we ought to talk about this a little more then. Tell us about your medical program overall. How many doctors do you have? How many nurses?

DR. ENGEN: We have four full-time physicians, primary care physicians in the clinics and you run clinics every day, sick call, medication lines and treatment lines. We have, as we said, 11 nursing positions here and 12 MTA positions.

SENATOR PRESLEY: What's an MTA?

DR. ENGEN: MTA is a medical technical assistant. He is trained as a nurse. Usually comes from the military service as a corpsman. Today, they usually have a license.

MS. WILEY: May I mention something?

SENATOR PRESLEY: Sure.

MS. WILEY: I had a problem the other day. I was working down in the men's unit, and we had someone that was bitten by some type of insect, a spider, it could have been a black widow. No one checked the blood pressure, no one called a doctor. It could have been somebody in very poor shock and could have been out in the emergency room, could have been dead within... Well, he can explain spider

bites. What happened, I saw the patient four hours later when I went on duty. I noticed no blood pressure was checked. The patient was sent back to the floor with heat, with applied heat, which is contra-indicated. I called Dr. Engen, I mean I called one of our doctors. I said this is unbelievable. This patient could have died if it was a black widow. I don't feel that they had the right to make a decision. They should come right to the nursing. . . . it's just bad medicine. You see it over and over again. I feel like I'm hitting my head against the wall sometimes.

ROBERT HOLMES: Mrs. Wiley, would you find these conditions in other hospitals?

MS. WILEY: I have never seen anything like this before in my life in all my years of nursing. It's the general attitude of most, it's the attitude. I don't want to blame the doctor or Mr. Borrielli. The nurses are knitting on their shifts. They are doing crossword puzzles, and I have no time to do that I'm so busy making sure they get their right insulin and getting everything ready. There's enough work to be done than to have people knitting and crocheting and doing crossword puzzles.

SENATOR PRESLEY: Do you have a separate infirmary, I guess you would, for women?

DR. ENGEN: We only have one infirmary for the men. We don't have...

SENATOR PRESLEY: What do you do for women that have...

DR. ENGEN: If they need any infirmary care, we send them to CIW.

SENATOR PRESLEY: Over at Chino...

DR. ENGEN: Women's prison, yes.

SENATOR PRESLEY: Oh, women's prison. Do they have a hospital over there?

DR. ENGEN: They just have an infirmary.

SENATOR PRESLEY: Well, I am a little unclear on what the nurses do here then. Is it sick call type of thing?

DR. ENGEN: Yes. Medication lines.

MS. WILEY: I do know when the doctors are off we are stuck by ourselves. There are maybe one or two doctors that never answered their page. I would call Dr. Engen. He always answers his page. But I have gotten in a lot of situations where my husband is a physician and I pick up the phone and ask them what I can do because it was maybe a life and death threatening thing. Then when we do send them to RGH, they have been sent back many times without even an X-ray. They just don't treat them and we get them back and we don't know what to do with them. We are by ourselves. In fact, I think we should have a physician here 24 hours a day because nurses are not trained to make some of these decisions.

SENATOR PRESLEY: What happens, say at midnight, if you had an emergency?

MS. WILEY: God help us.

SENATOR PRESLEY: What about that, Doctor?

DR. ENGEN: Well, we have a medical officer of the day on duty and he is available for advice.

SENATOR PRESLEY: By phone?

DR. ENGEN: Yes.

SENATOR PRESLEY: How far away would he be?

DR. ENGEN: Maybe 40 minutes by car.

MS. WILEY: A couple of them are in San Diego and some of them are in Los Angeles, so it's a little bit more than. . .

SENATOR PRESLEY: The doctors that work here live in San Diego?

DR. ENGEN: We have one doctor who has his home in San Diego, yes.

SENATOR PRESLEY: I hope we don't pay his transportation back and forth to work. Do we?

DR. ENGEN: No, we don't.

SENATOR PRESLEY: We have heard of worse things than that, I think.

Let me introduce who just arrived, a member of the committee, Senator Ed Davis from Los Angeles. In his other life he was the police chief of Los Angeles. (Laughter) Well, you haven't said anything, sir.

Can you identify yourself?

MR. JOE BORRIELLI. My name is Joe Borrielli and I'm the Health Services Administrator.

SENATOR PRESLEY: Health Services Administrator -- so that's the. . . .

MR. BORRIELLI: For the Institution.

SENATOR PRESLEY: Are you a doctor, first of all?

MR. BORRIELLI: No, I am not. I am strictly a lay administrator for coordinating medical services, dental services, and psychiatric services. The professional staff, of course, headed by the chief medical officer and chief psychiatrist, they do their thing. But in terms of emergency or procedures, you deal with those people

who may report sick in the middle of the night or any other time, or while people are on duty, we have, of course a series of protocols which have been submitted and approved by the chief medical officer, and the staff must follow to deal with the people who are sick. The facility itself, the medical facility, is divided, inasmuch as we have women and men and we don't let them mix. We have a clinic for the women's area which is manned 24 hours a day by a nursing staff. We have one nursing staff on duty at all times, and then of course, we have an infirmary in the men's unit, ten-bed infirmary, and as the doctor explained to you, we have six to seven beds occupied nearly all the time. Those are post-operative patients that have been RGH or CIM, and they come back to us and are, of course, housed in the infirmary until they get better. Then we have a clinic area which is primarily manned by the medical technical assistants and those are the premedical screens, and doctor's calls and assisting the doctors with their doctor's visits that the inmates may require, and medication lines four times a day and treatment lines as required or prescribed by the doctor. Subsequently, that staff, the nursing staff in the infirmary is manned 24 hours a day; the MTA's currently are manned 16 hours a day and we currently have two MTA vacancies, and as soon as they come on board, we hope to have MTA's manning that clinic 24 hours a day as well. In terms of an emergency, as you indicated earlier, someone comes up sick in the middle of the night, I think staff overall have been extremely liberal in sending people to RGH. In many cases, we have been criticized for people that should have probably not gone to RGH because they didn't do much for them once they got to RGH, and probably should have been treated

here. So, although we were criticized for being overly cautious with the patients, I think that's. . . .

SENATOR PRESLEY: Well, what about the things that Nurse Wiley expressed that you're -- that doesn't sound like you're overly cautious with. . . .

MR. BORRIELLI: Well, I'm certainly concerned about those things that she expressed, and we spoke to her earlier. I was on two weeks off while I found out that she made some allegations toward some other staff and their conduct towards prescribing treatment to inmates, and I'm obviously very concerned about that. I've discussed it with the doctor, who was not aware until Nurse Wiley brought it to his attention. I've discussed it with the investigating officer, who is currently conducting an investigation of that matter. It's inconclusive yet because one of the persons that we're talking about, of course, is on vacation and out of the state and will not be back until the 17th of this month, at which time we hope to conclude or proceed or conclude this investigation and take appropriate action of the findings are such that appropriate action is necessary, whatever action is necessary. Some of the. . . .

MR. FUDGE: Well, isn't it CDC's policy that the medical OD either live on the reservation or stay at the institution during the week of tour duty? It is my. . . .

MR. BORRIELLI: No, no, there's not. We have -- the MOD, I guess, by contract and by agreement and specifications, the MOD works on different schedules. In places where they have a hospital on the grounds, there is an MOD who comes and spends weekends on the

institutional grounds. There is, fortunately, no institution that I know of, or that I'm familiar with that has a medical officer or an MD on duty 24 hours a day. I think our current staff of MD's, which work on staggered shifts, come to work on or about 6:30 in the morning, and we have medical doctors on duty until 10:00 at night -- 9:00 at night -- when they go off shift. The medical officer of the day is on the beeper to be contacted for consultation only. If we're talking about an emergency, an ambulance is called and short of maintaining life support services for the inmate who may be injured, he is transported to the hospital immediately.

SENATOR PRESLEY: OK. We, unfortunately, don't have the time we would like to look into this as thoroughly as you would like, but I think what we ought to do is two things. One, if, Mr. Villalobos, you or the doctor, someone, could give this committee a report, say, within 30 days on how you propose to improve this medical situation that has been described here; and secondly, just to make sure that we have some outside people looking into it, I may have the California Medical Association review it briefly, and they can give us a report.

I am not sure of your responsibility. You're a health administrator. I guess that means you're responsible for the facility's -- and maybe coordination of the -- personnel, but you can't make any medical decisions?

MR. BORRIELLI: The coordination of medical services, non-medical decisions, that's right.

SENATOR PRESLEY: Something like a hospital administrator?

MR. BORRIELLI: That's true.

MR. KASSELL: May I mention something that's really important that maybe the committee might be able to develop? About four months ago, we set up a meeting with UCLA -- in reference to doing some study here, some research work or possibly coming up with an antigen test for AIDS and specifically because there were several cases of hepatitis here at the institution.

The chief medical officer for the Department of Corrections went along with it, thought it was a very, very good program and with Dr. Engen, we met in Los Angeles, and with the blessing of the Superintendent, to put this together. The basic feeling of the people at UCLA -- who, by the way, just got a \$2.7 million grant from the federal government to do AIDS research -- was that because of the nature of the setting of this facility, over 3100 prisoners, because of the nature of the state prison setting, the homosexual activity that goes on, the fact that the majority of the people here are intravenous drug users, we do have some minorities, the setting could be two-sided. It could be a time bomb because of the incubation period for AIDS cases being 36 months and that's longer than most people are going to be in this facility. When we return someone from San Francisco or Los Angeles, or the person gets sentenced here from one of those high-risk areas, you don't know what is happening with the general population. The bottom line was that at no cost to the taxpayers, UCLA was going to give the Youth Resources Committee a new study to find out -- some questions to find out whether or not this could pass their screening process for doing the study here. Because the word research was used, there is a state law, or Director of Corrections rule that Procunier had, that said you can't use prisons for research. This

is not research for research; this is a blood test, a blood screening test. So basically you're taking blood from an inmate. Now UCLA is ready to go forward. They're willing to commit. They called me and said if the Department of Corrections does not move on this, UCLA is going to forget about it and just do something else. It would be a travesty to lose -- they're prepared to spend between a quarter of a million and a half million dollars worth of money, research and expenditure and equipment to do this testing at no cost to the taxpayers. Dr. Gitney feels that at least 30 percent of the population of this facility has hepatitis of one sort or another and might have in the years to come gone through this pre-AIDS syndrome, and there may be that susceptibility here. I don't know what the next step is. I spoke with Dr. Engen this morning, and it's basically the word "research" that is causing the hang-up. I don't know who is the one to really knock that off, but it would really be a travesty to lose it. If something could be done from your end, maybe. . . .

MR. FUDGE: Is the new director, Mr. McCarthy, aware of this grant program?

MR. VILLALOBOS: I have not had the opportunity to discuss it with him in detail.

MR. KASSELL: But if it is not discussed soon, UCLA is going in another direction.

SENATOR PRESLEY: Let's ask Mr. Villalobos to discuss it with the Director. If this committee can help, we'll be glad to do it.

MS. WILEY: Can I say something? When I worked 3 to 11, and let's say that I had to go pill line and I have about 65 inmates

and I'm the only nurse to give out the meds, sometimes I have to ask for a security officer to stay with my patient. Sometimes he's not qualified, because he's not a medical person, but I have to give out drugs. Sometimes I wait and if it is a minor thing, they do go over there. They tell me, like on weekends, they don't have enough officers to take care of the inmates. So I don't know why they say we have adequate people. I keep hearing that from everybody. I know they hired quite a few people. Just suddenly everything changed vastly within the past two weeks, for the betterment, I mean.

SENATOR PRESLEY: Yeah? OK. Well, if you'll give us a report, we'll talk with the California medical people.

MR. BORRIELLI: May I add, Senator Presley, that we certainly endorse and support CIM becoming a full-fledged hospital because we can get a lot more services a lot cheaper from them than we could from local facilities. We have been working and they have been very cooperative with us inasmuch as they are doing a variety of minor surgeries that before were handled at other facilities.

SENATOR PRESLEY: Well, I think they need to add some professional staff over there. I think that would be far cheaper than taking them out to the private hospitals.

MR. BORRIELLI: There are some difficulties in have professional staff. I think that you might want to know that we have been trying for quite sometime to get an orthopedic consultant for CRC. I have talked with Mr. Green, the Health Services Administrator at CIM, and we contacted local hospitals in the area and local private physicians and we advertised. We got calls from as far as Chicago that wanted to run our ad but no doctors who were willing to come

in and work in an institution to provide consulting services. The difficulties are that if we had that kind of support from the medical community for even consulting services we could probably reduce our costs, but so far we have been unsuccessful. We are still pursuing that.

SENATOR PRESLEY: I just got to believe you can be successful on that. We are supposed to have a surplus of doctors. Doctors don't want to practice in Chicago, it's too cold. They want to come out here. They don't want to go to Barstow, though, or Needles.

MS. WILEY: Senator Presley, I know two doctors in town, one is an orthopedic surgeon and he's eager to work here. I mentioned this to one of our doctors and another ENT man. They said the only reason they don't want to come here is "that a doctor" -- not this orthopedic doctor -- they did not pay him. They said the state owed him about \$40,000, and they don't want to be put in that kind of. . . .

SENATOR PRESLEY: Well, that's a problem that I just can't believe -- can't be. . . .

Let me introduce Assemblyman David Kelley from Hemet, who also, I believe, represents this area.

ASSEMBLYMAN DAVID KELLEY: That's right.

SENATOR PRESLEY: OK. What we would like to do now is to move away from the medical aspect and look forward to that report in about 30 days and move to the mutual aid and security aspect. Are the law enforcement representatives here? Captain Jones, are you going to join us? Are you the police chief in Norco?

CAPTAIN JONES: I am his assistant.

SENATOR PRESLEY: Do we have a Highway Patrol representative? Come on up here.

We want to explore, Mr. Villalobos, here is what would happen in case the unthinkable should happen, that you would have a triot here, or that you would have some escapes of some serious prisoners. Do you have a plan in place to cope with that, meaning a plan encompassing surrounding law enforcement agencies and how they would be called up?

MR. VILLALOBOS: We have a mutual aid plan, and I have Captain St. Peter, who coordinates the plan.

SENATOR PRESLEY: Captain, could you explain it to us, briefly?

CAPTAIN ST. PETER: As soon as we think we might have an escape, we lock the institution down from inside, put everybody down, we count. As soon as we have some idea on who the man is, we immediately notify all the local law enforcement agencies, the Sheriff's Office, the Corona PD. Depending upon if the man is from Chino, notify the Chino PD, any place within the local area. We immediately send out two to three of our own search teams. The Sheriff's Department alerts their officers. They usually put another car in the field and we search, looking for this man. A senior man in the field like our patrol sergeant will be in the area. He will coordinate with the Sheriff Department and Corona PD so everybody isn't looking. . . .

SENATOR PRESLEY: When is the last time you had to institute a plan like this? '81?

CAPTAIN ST. PETER: No, it was just a few months ago, six months ago, when we had the walk away in Corona. It took about three hours to pick him up.

SENATOR PRESLEY: Did you put this plan into effect?

CAPTAIN ST. PETER: Yes, we did.

SENATOR PRESLEY: Did it work all right?

CAPTAIN ST. PETER: Yes, it did. We caught him.

SENATOR PRESLEY: You caught him?

CAPTAIN ST. PETER: That's the proof of the success of the plan. (Laughter)

SENATOR PRESLEY: The two ladies yesterday -- Mrs. Ivie. Is Mrs. Ivie here? Would you come up here and join us? And Mrs. Dickson. Anyone else that's involved with the -- I have to learn -- Pro-Cal. Captain Jones, do you have anything to add to what the Captain said?

CAPTAIN JONES: Not on the escape situation, but I think you had posed a question on the major disturbance inside the institution. I think it would work much the same way if it was the type of disturbance that necessitated the perimeter to be beefed up. We have been called on a couple of occasions during the last 10 or 12 years. We respond with adjoining beat units to establish that perimeter.

MR. HOLMES: I think the community representatives have expressed questions at times about whether there is a potential danger here of a mass escape, because CRC is fairly open, whether there is any danger of a group being able to break out of the institution. They might want to comment on this or maybe you have....

SENATOR PRESLEY: Before we get to that, I would like to have the Mayor express any thoughts he may have on -- the Mayor of Norco -- any thoughts he may have on the security, the things we

were talking about. Is there anything you would like to inject at this time or maybe say it afterwards, after we have finished? You have to identify yourself, I guess.

MR. STEVE NATHAN: Steve Nathan -- I'm the Mayor of Norco. I'll withhold the comments, but I have noticed since the Cooper affair, probably in all prisons within the state, there has been an increase in security at CRC. We have been in constant contact with Mr. Villalobos regarding security. The City Manager and myself have talked with him and we've had meetings with him in regard to the institution. We know that it is well managed and that there is good security. We like the record that they have. I think it is one of the best in the state. We have had walk-aways, but the people actually escaping from the prison -- very few. We are in the process of setting up an alert system to alert citizens through cable TV where we have the ability to break in all channels and announce, but this is in the future. We are getting together with the Neighborhood Watch Program and asking their cooperation in setting up a procedure to notify citizens.

That's all I have to say at this time.

SENATOR PRESLEY: I would like to say, Mayor, we are pleased that you have taken the time to be here, along with Councilwoman Fagan and the City Manager. We think that that's awfully important, to have the city representatives wherever these prisons are located to be aboard, working with us, supportive and cooperative.

MAYOR NATHAN: We are concerned, the people in Norco are concerned. However, the institution has been here a long time. If we could trade it for a toxic dump, we wouldn't want to do that. We

wouldn't want to trade it for a fireworks factory, but we would like to trade it for a nice resort or an office building.

SENATOR PRESLEY: No, you probably have more occupants like it is. (Laughter)

OK. Which one of you would like to respond? You have to identify yourself.

MS. JO ANN DICKSON: JoAnn Dickson, Pro-Cal. I would like to thank you for allowing us to attend this hearing today, and we would like to reintroduce ourselves to those who don't know who we are. We are Pro-Cal, the statewide committee to promote California state prison construction and organization. As residents of a prison community, we have become aware of many conflicts and specialized problems which are unique to areas where state prisons exist. It is our experience that in cities which house prisons, with few exceptions, there is a basic lack of communication between the citizens, law enforcement agencies, city officials, and prison officials. This lack of communication often sets up a perfect environment in which misconceptions and lack of trust flourish. The end result can be a fear factor among the general population which is potentially destructive to inmates and citizens alike. Removing this fear factor can be substantially reduced through efforts directed toward two things, honest and open communication between citizen advisory groups being set up in each prison, such as mutual aid pacts to be set up between law enforcement agencies and prison officials; vehicles in good repair and supplied with radios which have the frequency to be used in mutual aid situations by correctional officers; installing early warning systems

to alert nearby residents in the event of an escape; computer link ups between all state prisons, which would provide instantaneous identification and location of any inmate at any given time; adequate physical security, such as fencing, sound structures, adequate staffing, healthy and humane conditions for inmates -- not overcrowded areas.

SENATOR PRESLEY: That's a mouthful, all of that. (Laughter)

MS. DICKSON: We feel, here at CRC, that they have two additional problems that need to be dealt with, for one, the name California rehabilitation Center has given many new residents in the area the mistaken impression that this is a drug rehabilitation center and not a prison. This is misleading and needs to be corrected. Also, CRC was not designed or built to house inmates and in fact is not capable without definite renovation to house inmates in any secure fashion. We feel strongly that if this is to continue and to be used as a state prison facility that these inequities must be resolved.

SENATOR PRESLEY: Thank you.

MS. LORRIE IVIE: My name is Lorrie Ivie and I'm with Pro-Cal. I would like to direct a question to Mr. Villalobos. I understand that funds have been distributed to renovate two dorms for housing new prisoners, but I was told that they were to be locked up and not used. I was wondering why?

MR. VILLALOBOS: Earlier in the planning, department-wide, we had been identified for possible expansion of opening up two existing dorms that had been used for other purposes, meeting rooms and things like that. In the process of renovation, they

recalculated and did some other kinds of things which diverted some of the beds that were to come here to other institutions, such as the double-celling over at CMC East. As a result of that, we were caught in the middle of the project, the renovation project. What we're doing, we're just completing the renovation project, and on orders from the Director, we are just bolting them up.

MS. IVIE: You're not using them at all?

MR. VILLALOBOS: They will not be used.

MS. IVIE: Not even to ease some of the overcrowdedness in the dorms?

MR. VILLALOBOS: We would need additional staff and we cannot support that in light of the fact that we are going to be losing even more beds in the near future.

MS. IVIE: Also, I would like to ask, in the past we have talked about security problems with the dorms. I don't believe you've seen them yet, but underneath you have an open area there that I understand weapons or inmates can hide. I was wondering what has been done to fill these in? I understand it hasn't been approved yet, the funds to do that.

MR. VILLALOBOS: We've submitted a package that was quite an expensive package to upgrade the security throughout the institution. Part of that package also includes skirting those dorms and closing it off in such a way as to prevent any entry. We have not received any response on that particular package. What we do in the absence of closing that off, we conduct a constant searching of those areas. That's just part of the routine search that we have every day.

MS. DICKSON: Senator, I want to ask Mr. Villalobos, what is your method of lock-down? If lock-down is needed, how do you secure a lock-down?

MR. VILLALOBOS: With the staff. We blow the whistle and we have the staff in the yard directing the men back into the dorms and that's how we secure the lock-down. In addition to that, while that is happening, more staff is being called in. Frequently we call assistance from CIM, CIM staff, allowing us to put more staff in the yard to insure that the dorms stay locked down.

SENATOR PRESLEY: One more? Let's do this fast because this is really something you could do here in town.

MS. IVIE: Reclassification, as it's filtering down through the prisons, worries us about what type of inmates will be coming to CRC.

MR. VILLALOBOS: I had a discussion about that subject with the Director of Corrections yesterday morning. He reaffirmed the earlier message that we would not be receiving any Level III's at this institution whatsoever.

MR. FUDGE: It keeps bothering me, the fact that you are going to reduce population here, and every other prison in the state is scratching around and using broom closets and everything else to put prisoners in. I don't see that there's a 300-bed surplus in the CDC anywhere. This is contrary to everything we've heard elsewhere.

MR. VILLALOBOS. Lew, the only thing I can advise is to get the overall plan, because I don't have it here. They have it diagrammed and they have shared with us -- which was held a few

weeks ago and I'm sure they would share it with you.

SENATOR PRESLEY: OK. I'm under the impression, just speaking to your question, that the security here at this institution for Level II prisoners is about as good or better than anywhere else in the state where you have Level II's. It is very thorough, it seems me. You have the two levels of fencing; you have guards; you have the towers; you have the cameras; you have the electronic sensing device. That's pretty thorough. I guess the fact that you haven't had any escapes out of here for quite sometime and don't anticipate any more, that that's pretty good.

OK, Senator -- Senator Davis, do you have a question?

SENATOR DAVIS: A couple of questions for the officials who would have to do with escapes and so forth. Do you have the use of a helicopter to search if somebody broke out, say a kook, and from whom?

CAPTAIN JONES: We have a fixed wing through the Sheriff's Department and access to helicopters through the Riverside Police Department. We have a contract with them so that we can call them and have instantaneous use. They have our frequencies on their radios so we do have instant communications.

SENATOR DAVIS: So that's all set up?

CAPTAIN JONES: Yes.

SENATOR PRESLEY: Senator Davis, Sheriff Clark is the regional mutual aid coordinator for all of these counties down here -- was, I guess he still is. So we have to assume that he knows mutual aid. I hope he does. Therefore, we should have a good plan in place.

SENATOR DAVIS: Plans are one thing, execution is another.

SENATOR PRESLEY: This is the executioner, right here.

(Laughter)

SENATOR DAVIS. There are all kinds of great plans sitting on all kinds of shelves and they get screwed up when something goes down. Fixed wing aircraft, the turning radius is probably too great to help in the kind of a search of somebody on foot. What do you do, you use fixed wing first and then go to the choppers?

CAPTAIN JONES: Not necessarily; we frequently will use the helicopters without using the fixed wing in searches.

SENATOR DAVIS: How many choppers does Riverside have?

CAPTAIN JONES: Riverside has three helicopters. With down time, generally they have one in service.

MR. GROVE: The helicopter was used in the last escape for an hour or so. The last walk-away escape we had, the chopper was involved.

SENATOR PRESLEY: May we have your name, sir?

BOB GROVE: Bob Grove, Associate Superintendent of Security.

SENATOR DAVIS: Did you say the chopper was available in the last? Yeah, OK.

MR. GROVE: The helicopter, it responded.

SENATOR DAVIS: And there's communication from your people, Captain, who would be out searching, hand-held radios that can talk to the chopper?

CAPTAIN ST. PETER: No, the Sheriff has that capability; we don't have it.

SENATOR DAVIS: Who would be doing the searching out there?

CAPTAIN ST. PETER: Both of us.

SENATOR DAVIS: But your fellows couldn't communicate.

CAPTAIN ST. PETER: We can't talk to the chopper. We don't have that capability.

SENATOR DAVIS: Does your plan call for teaming up, so you have somebody who can communicate?

CAPTAIN ST. PETER: No, we don't team up but we're basically in the same area. We can talk to the Sheriff, but we can't talk to the. . . .

MAYOR NATHAN: Senator Presley, I would like to say that the city supports some of the objectives of Pro-Cal, the organization here. We have passed a resolution unanimously, the council did, supporting the building of prisons. I think if your committee can do nothing else, if you expedite the building of prisons in California, you will be doing the people a great service. We need them. They're over-crowded. I know you know that, but we do need more prisons. We have sent copies of that resolution to your office.

SENATOR PRESLEY: That's is one of the major functions of this committee, to speed up that construction in every way we can. Last August we did successfully pass a bill that did a number of things to speed up the process. In spite of everything that we're ablt to do, by the time you go through all of the siting, even the siting itself, as you see happening right here in Riverside County right now. Siting of a prison is always a major thing. It takes a lot of time. There's always opposition. I guess you just won't find much of any place that there isn't going to be some opposition to a prison. Nobody wants prisons or airports or mental hospitals or hazardous waste sites but we need all of them somewhere.

MR. VILLALOBOS: Senator, I just wish to point out that in addition to the support agencies that we have just briefly described, we also have the National Guard available.

SENATOR PRESLEY: Are they in Corona?

MR. VILLALOBOS: I think they're in Ontario.

MS. IVIE: Senator, I would also like to say that Mr. Villalobos has been very helpful to our group and any questions or anytime we talk has been more than willing, and his staff has been very helpful to anything that we might ask.

ASSEMBLYMAN KELLEY: Could you please tell me, Mr. Villalobos, are you the one that institutes mutual aid if the situation requires it? Do you call for mutual aid? Who makes that decision?

MR. VILLALOBOS: The senior custodial officer here has that authority. We have what is called an officer of the day on a 24-hour basis. If I am here, of course, that need is directed to my office.

ASSEMBLYMAN KELLEY: So he must have some criteria from which he would call mutual aid. There's a point at which you reach that you must call. . . . What is that point?

MR. VILLALOBOS: The point is, for instance, if we have a person that we feel has escaped and is in the community, we do that immediately. We don't wait.

ASSEMBLYMAN KELLEY: Then who is your first contact on mutual aid? Who do you go to first? Riverside County Sheriff?

CAPTAIN ST. PETER: Riverside County Sheriff, depending upon where the man walked away from. See, we do several things simultaneously -- put out our search teams, notify the Sheriff, notify Corona PD, start organizing. . . .

ASSEMBLYMAN KELLEY: OK, so the Riverside County Sheriff's Department is the first point of contact for mutual aid.

CAPTAIN ST. PETER: It depends on where the man runs from. If the man is on work duty in the city of Corona, we would call them first, then call the sheriff.

ASSEMBLYMAN KELLEY: I see. OK, thank you.

SENATOR PRESLEY: OK. Thank you very much. We would like to hear now from the CCPOA and CSEA representatives. Mr. Novey, are you here? OK, Mr. Novey, if you start. President of the California Correctional Officers Association.

MR. DON NOVEY: Thank you Senator, Senators. Don Novey, State President, California Correctional Peace Officers Association, representing approximately 8,100 correctional peace officers and 1,000 supervisors. Most of my testimony, and not to the integrity of the committee and the media, was presented yesterday.

I attended a seminar with the Superintendent here over at Laverne College and the Director of the Oklahoma Department of Corrections was speaking at that. He was talking about the over-population crisis they were having in Oklahoma. Well, I think it was nigh on a month later they had an 800-man facility completely burn to the ground. I think that over burdens the problem right now. In turn, that's causing the domino effect. I think whether they reclassify or unclassify or whatever they have to do within the system, you're going to see Level III's and IV's come to this institution. You're going to see assaults on staff increase. Right now it's only at a 400 percent level since 1970.

SENATOR PRESLEY: Mr. Novey, you've heard the testimony

here, rather explicit that the Superintendent has been assured by the Director that they will have no Level III's or IV's here. Are you just the doubting Thomas?

MR. NOVEY: No, I'm not a doubting Thomas, and I'm going to have the chapter representatives present some testimony to you today that will conflict with the testimony that was provided earlier this morning.

Getting into some other areas, I think we're going to see this movement from the court actions, the Toussaint case, the Marin court case, in reference to the medical facilities, and, of course, the Wilson decision that will adversely impact the State of California by mandating single celling in all of our facilities.

Also, another area of concern that this organization has, and we respect Mr. Borg as the chief deputy here, but I think the department, in reference to this committee's actions on operations as well as new construction has gone a little bit overboard. We now have chief hospital administrators. I thought the chief medical officer handled the medical end of the facility. Now we have chief deputy wardens, chief deputy superintendents. I think we're getting a bit top heavy in these areas.

Without going too far into what the state-level problems are, I think we are here to address the CRC problems today. With that in mind I would now like to introduce our chapter president, Don Fish, and the chapter vice president, Mr. Erickson, and have them present their testimony to the committee.

SENATOR PRESLEY: OK. Which one of you wants to go first?

MR. DON FISH: I'm Don Fish. I'm CCPOA chapter president. Before we get into our presentation, there are things a little

confusing to me as a line officer here. And one -- CRC already has 83 Level III's and 2 Level IV's. The fence alarms here indeed are sensitive in the fact that sometimes the wind will set them off. During the Santa Ana season, a lot of times they are turned off because the outside sergeant would have to constantly check those section of fences. Other sections of the fences, you can't drive a truck into them without setting them off.

SENATOR DAVIS: You can't drive a truck into them?

MR. FISH: You can get on this fences and jump on them and those alarms won't go off.

SENATOR PRESLEY: Talk to the electrician, Mr. Villalobos -- whoever is supposed to be maintaing these things, if that's the case.

MR. FISH: Maybe it's an exaggeration, but it's a problem.

In the medical facilities, they spoke about spider bites and things, emergencies such as this. We had a grievance that addressed that. They denied it and said that we should submit work requests to cure these problems. The officers have to go under those dorms and you will see when you go on your tour that there's a lot underneath these dorms. There are a lot of black widows, there are skunks, there are wild cats. It isn't about once a week an officer doesn't dome in with a spider bite or something from going under those dorms. The cure for that is very simple. All they have to do is spray and start an animal control program. It hasn't been done.

The ambulance we have here broke down on and off. Week before last they brought in a patient who had recurring seizures.

They had him in a station wagon. It took them quite awhile to get him out of the station wagon because the guy kept grabbing on to the door frame and the station wagon was not built for a gurney.

The nurses do do a good job down there. They are -- the nurses and MTA's as well, are exposed to a lot of things around here. We have, right now, unless they have shipped him out, which I can't verify, a person who is psychotic down in the infirmary, who they keep drugged up, who doesn't belong here. The Psych will not even talk to the man unless he's had a couple shots of Demerol. We had hepatitis, we had a flare-up of TB in one of the dorms, active TB. We had several active cases of syphilis. Our staff is exposed to all of this stuff. They are doing their best to control it, but I don't think it's good enough.

On that walk away that we had that they spoke to, when that first went down, the thing that is important to know on the walk away is that there is only one officer out on those crews supervising anywhere from two to 15 inmates. If he gets a walk away, he cannot pursue that person because he has those other inmates to watch. Now, the failing here. . . .

SENATOR PRESLEY: Well, that's you know, something that has been done for 100 years. All kinds of local people have work crews and you can't have 15 on 15, you know that.

MR. FISH: No, I understand that. But the failing here is not the institution. That wasn't my point. The institution is doing what the community has told them will pay for one officer. They need two officers out there on those crews. Two would do it.

They could have one go after the guy and that would be it. We are supposed to be losing a possible 80 positions next year. We don't need to lose any positions at this institution. If anything, we need another 100 positions. This institution has the most potential for blowing up as any institution in the state because of the open environment. In the last two years, we have had approximately ten disturbances, some minor, some major. In all those disturbances, there were shotguns on the yard. We had 38 staff assaults in 1982 and 45 in '83; they are escalating. As far as I know, if we have an escape, they send out CRC people and CRC people only until it looks like they are not going to find that person. Then they call in outside agencies. From here on, I would like to turn the rest of this, unless you have some questions, over to Mr. Erickson.

SENATOR PRESLEY: Mr. Villalobos, some of these -- allegations, I guess you call them -- are rather strong. Around 180 from what we heard earlier. Is there anything that you would like to comment, any of these particular points at this time? If not, I think we ought to have a response to it because these are rather strong allegations to have made here without some kind of response.

MR. VILLALOBOS: My chief deputy superintendent. . . .

MR. BORG: I think that a lot of the things that Mr. Fish is talking about Duane is going to cover in some of the grievances that we have put in. Some of them are being looked at now. Others have happened, others have not happened, sometimes because of monetary constraint, sometimes for different reasons. We felt like and feel like we have a pretty good relationship with the CCPOA.

When they bring things to our attention, we take a look at them. We don't always agree on the results, but we take a look at what the problems are that are presented to us.

SENATOR PRESLEY: What do you say about what he said?

MR. BORG: Well, he said a lot of things. I really can't speak to all of them in one. . . . If you could take it one at a time, I could probably speak to it. I'll be glad to do it. I don't think you want to do that right here at this time.

SENATOR PRESLEY: How about if we do this -- how about if you give us a written response to those allegations and give Mr. Fish a copy?

MR. BORG: Sure. Give me a list of those, Don.

MR. ERICKSON: Senator Presley, members of the Joint Prison Committee on construction and operations. Our chapter, CCPOA, CRC we have been on a very active campaign as far as we're concerned, reference to filing health and safety grievances to remedy a number of concerns in those matters at CRC -- since approximately March of this year -- to the extent that we've got 20 as of March that have been pushed through due process. I would wish to briefly go over the list of all 20 and just give a short comment and the disposition of each which shouldn't take me too long. If you have any questions, stop me. Senator, I gave you a packet of these 20 health and safety grievances for your perusal at your office at your time. If you have any questions, set up an appointment and we'll discuss it. I also have for each member of the committee up here -- I hadn't anticipated Senator, Mr. Davis, but we're glad you're here and we have one for you also. A labor

packet which has the status of assaults that our president mentioned, Don Fish, at CRC. Certain other things in there that you might want to look at very closely.

As far as the health and safety grievances are concerned, I have them numbered at the top, 1 through 20. I am starting with 1. You can also refer to the board up here. I have visual aids.

Health and safety grievance number 1 was initiated in March of this year. It was filed by our president, Don Fish. It was in reference to the need to stop allowing inmates to take fruit from the dining areas of CRC. This health and safety grievance was denied. Our chapter's concern is for our officers in the open dormitory housing areas regarding inmates manufacturing alcohol, which is also called "pruno". I have been here approximately 10 years, at CRC, as of March, 10 years. I have been in a number of alcohol-related disturbances in the open dorms. In one particular one, I had my nose broken and other staff have been hurt, also.

SENATOR PRESLEY: You say they're taking the fruit and making -- what do they call it?

MR. ERICKSON: It's just normal for inmates to take fruit, pool it, together with yeast and sugar and whatever and make alcohol. It creates severe problems, especially in an institution like CRC that is wide open. Our only controls are on the perimeter and the shotguns that we bring in, which takes approximately 10 minutes to a half hour, from the armory that's over by the Control. Now, as far as alcohol is concerned, we haven't had

any real sever problems with inmate alcohol disturbances this year and we're very happy for it. We are very sad and distressed that the grievance was denied. We didn't pursue it further at this time, but inmates shouldn't be taking fruit out of the dining areas into their living areas. They will pool the fruit.

That's the first health and safety grievance -- denied.

The second one is regarding the officer's need for an avenue of escape through the counselor offices in dormitories 20 through 39. Those are men's units 2 and 3 and that's 20 dorms. In the officer's office himself, when he is in there to use the phone or the latrine or to write documentations, he could very easily be cornered in that office. We don't want the window that goes out of that office to be barred up, so that he can't get through a pop-open screen or to be keyed out of that office to escape if he's trapped in that office. Management is correct when they say that the officers shouldn't be in the office other than to take care of immediate business, like I just discussed. However, our chapter and our association feels officers should not be denied any form of avenue of escape if it is at all possible. That's number two.

Number 3. Insufficient numbers of hand-held radios for officers at CRC. That's been an ongoing problem. (Most of these have been ongoing problems.) That also was denied. At that time it was due to budgetary constraints. The department was in limbo in reference to a budget. We recognized that, but there are emergency funds, and we felt it was an emergency. Another officer put this health and safety in, again it was denied. However, even though it was treated thusly, it netted us 10 handy-talky radios.

MR. FUDGE: It seems to me in so many of the things -- I'm going through your list here -- it gets back to what I call the buckshot-and-barbed-wire syndrome. The idea that you've got to have more staff, more guns, more security controls, and I don't think you run these prisons that way. At least, not during my 25 years in the business. The guns, you don't run them that way; you run them with climate, you run them with a professional level of supervision and a good rapport between the staff and the inmates.

MR. ERICKSON: All of those things and maintained a good health and safety environment for your officers, who are doing the job where the rubber meets the road. That's correct.

Number 4. Trees versus gun coverage at CRC. Our chapter editorialized in our Peacekeeper, which is our CCPOA magazine. You probably receive it, Senator. We are very concerned that trees have priority over the safety of our staff in our units. Don, can you use the map right there to show the lower compound.

CRC is approximately 95 acres. However, our lower compound is approximately 50 acres in and of itself, and that's where two of our men's housing units are located. In that lower compound we have units 2 and 3. All the green spots up there are trees. I pretty well had memorized where the trees were. We only have one perimeter gun post watching over the whole lower compound at CRC. It's number 4 right there. That luminescent red colored four, right there that Don is pointing to. That has a mini 14 on it for selective fire coverage for staff and inmates. Those trees are in the way of our people being protected on the line.

On that lower compound there is a hill. Don, show the firehouse. Right there. There is a hill right there. Only about 20 percent of the lower compound is covered by Post 4. The remainder of the lower compound -- 20 acres, I mean. The remaining 30 acres is out of view and does not have gun coverage. That includes almost all of unit 2 and up the hill and around the corner. Those trees, we feel, initially we asked that they be excessively trimmed, cut down or resituated. At this point in time, we feel that they should be cut down or dug up by some tree digging company and donated to some charity or somebody that would respect the trees and have better use for them than our officers. If CRC looked like CIM East, we would be happier, where nothing was bigger than people. Because we want to see our staff down there and protect them on the line. We had an inmate killed over this last year -- over by -- what, the breezeway, Mr. Borg? There are trees in the way there. We couldn't have seen to prevent anything if we even saw a weapon.

SENATOR PRESLEY: You had an inmate killed in the line of duty? I mean, not in the line of duty, but being here?

MR. ERICKSON: Yes, sir, an inmate was stabbed in the heart. That's the nature of prisons. We understand that. My point is the fact that our officers pretty much are impaired by trees. You can't see them. Those trees you see between each one of those housing units all along there, if all those trees in the lower compound were removed, our staff would be safer right off the top. That would be a major move.

MR. FISH: It's important to note, it's true this post could

not really provide proper gun coverage for something going on in the yard. If you remove these trees here and these trees and the trees in here, this post could observe what's going on over there. They may not be able to provide good gun coverage, but they could maybe get a call for help sooner than somebody else who couldn't see anything at all.

MR. FUDGE: Isn't your gun coverage almost entirely to preserve the perimeter of the institution and not the internal?

MR. ERICKSON: We'll discuss that on another health and safety grievance. There are deficiencies there.

SENATOR PRESLEY: OK. We're going to have to speed you up, unfortunately.

MR. ERICKSON: The fifth health and safety grievance up there, insufficient amounts of mechanical restraints at CRC, that includes waist chains, leg irons and handcuffs. Our management at CRC granted that health and safety grievance. We appreciate it immensely. We are really happy that that was granted. We had deficient amounts to the extent that we had nil hardly of certain of those items. With all dispatch they took care of that problem and we're very happy for that.

The next health and safety. Inadequate weapons to prevent escapes at CRC. I am speaking of the fact that on our perimeter fence line we have seven perimeter posts. Don, can you point to them. One through seven, those bright luminous numbers. On those perimeter posts, all except for Post 4, only have the defensive weapons, which would be the .38 Smith & Wesson Model 10, four-inch pistol and the Model 870 Remington shotgun, pump-action shotgun. Those two weapons have a maximum

effective range -- and I've got the figures in your health and safety packet -- of 50 and 60 yards. The perimeter distances on our perimeter between each post are averaging between 300 and 500 yards. So, in effect, we've got lookout perimeter posts. They cannot physically stop an escape in progress, except for Post 4 on the southern perimeter fence line down there where you came up to come into the institution. Insufficient weapons, and I'm leading to the fact that we need mini 14's which have more range, they are selective fire weapons. They are point and shoot. The weapon will frag if it hits something, it won't continue going on. We need mini 14's at Post 2, Post 6 & Post 7.

SENATOR DAVIS. May I ask the Superintendent if that's true? Is it true that you're manning with pistols and shotguns -- and I can tell you from duck hunting, if you can hit them at 60 yards, even with the threes and fours, that is just about the maximum range -- is it true you have several hundred yards to cover with a shotgun?

MR. VILLALOBOS: Several hundred, but like two and three will converge in toward the center of that. . . . About a year and a half ago....

SENATOR DAVIS: You still only get about 120 yards coverage. What is the distance between two and three?

MR. ERICKSON: Between Post 2 and Post 3 -- the distance is 433.3 yards.

SENATOR DAVIS: OK, you can cover 120 of it with a shotgun in each hand. You need a varmint gun.

MR. BORG: I think you have to take a couple of things into consideration, Senator, when you're talking about a mini 14

or approved weapon. The mini 14 with the proximity of the houses, between 2 and 3 are all softball diamonds and baseball diamonds. You don't want to be shooting mini 14's toward the houses, even in their proximity.

SENATOR DAVIS: Well, if you have a dangerous felon who's going to get loose. . . . One day we had a hearing and Senator Presley was with me and we had the Superintendent of Preston where they have youthful murderers and rapists and so forth. His policy was over the fence you would wave goodbye, you couldn't shoot at them. I thought that was horrendous. The hazard of turning some of those super-violent, dangerous people out and just letting them go is -- this sounds like something Procunier put in here. I am shocked, really, that you would have that kind of perimeter security.

MR. FUDGE: Well, can't you get a low velocity? I know those mini 14's are too high velocity, but like a 30/30?

MR. ERICKSON: Well, we might be concerned with the distance. The mini 14 has a distance of 1,000 yards, 460 meters. However, like I say, it is a selective fire weapon for coverage; it hits what it shoots. Our staff at CRC, and it's commendable for management, my understanding of officers that are post certified in the department itself that they will go to the range twice a year. CRC takes it upon itself to over qualify its perimeter officers and it sends them out there four times a year to qualify them on the mini 14, the shotgun and the revolver. These officers in the perimeter posts know how to use them. CRC is careful about that. However, they are not getting

the weapon to do the job to physically stop an escape. It takes a mini 14. On those. . . .

SENATOR DAVIS: What happened on the grievance on this issue?

MR. ERICKSON: Denied.

SENATOR DAVIS: Denied?!

MR. ERICKSON: Well, you'll get used to it. It's denied, sir. Like I say, management indicates their sincere concern for the surrounding residences. However, I don't feel that the residences are threatened per se by these weapons. With the quality of the people we are putting on our perimeter posts, the fact of the weapon itself, the nature of the weapon is very good for that type of thing. You might look at the Hawaii prison itself and a number of other prisons throughout the country. They have weapons that are like 30.06's and other more high-power weapons and there are residences going right up to the walls of the prison themselves.

SENATOR PRESLEY: Mr. Villalobos, when you give us the report on the points made by Mr. Fish, would you also respond to some of these for the committee's information?

MR. VILLALOBOS: I certainly will.

SENATOR DAVIS: Pardon me. Is there some policy of the Department of Corrections that you can't shoot a fleeing felony prisoner?

MR. VILLALOBOS: No, no, not at all, Senator. A year and a half ago we had a survey conducted to look at just the issue that has been addressed right now from one of our armorers.

Long-time individual in terms of being able to make these types of surveys. The result of that survey was that we maintained what we have now because the danger to the community of having a high velocity rifle was just too great. We are concerned about the people that ride their horses at all times of the day and the evening. We have children playing right next door to the institution. That's a Little League ball field that is used frequently. We have homes that are right in our own backyard, so we are concerned about what kind of weapon we use. We are also concerned that we don't have any escapes and I think we have been doing very well in that area.

MR. BORG: We did also submit a security package to get another tower between 2 and 3. We agree that that is a long distance and we would like to have another tower.

MR. ERICKSON: It is not one of the longer distances, by the way. There are other distances that are even greater.

SENATOR PRESLEY: Include your response to these points for the committee's information, if you will.

OK. Could we move on quickly?

MR. ERICKSON: Before we move on, it might be noted that in a recent disturbance within the last year, a mini 14 that's on this post was fired. It was fired over the compound eight times into the river area because they had a large group of inmates in this area that were not responding to birdshot. You know, it's like shoot them with the birdshot -- and they come back so -- as soon as this post here dropped -- because what happens in these instances, if you're not aware of it, is these

guys put books, they put two or three coats on when they know something is going to go down. The birdshot, unless you are right up on them, will not penetrate. As soon as this officer dropped those eight rounds over the compound, they said, oh, that's it for today, boys, we're going back in.

SENATOR PRESLEY: How many more do you have, sir?

MR. ERICKSON: About 14, but I can speed it up. There are only several real key ones I want to get a point across.

SENATOR PRESLEY: Could you hit the key ones quickly because we are running 'way behind schedule. We have to get to the women's prison yet today. Either that, or -- we have copies of them, don't we? We could have Mr. Villalobos respond to all of them in writing if you would like and furnish you a copy.

MR. ERICKSON: OK, I'll go through them, but I'll just speed it up and we'll cut down a lot of the rhetoric.

SENATOR PRESLEY: Very fast.

MR. ERICKSON: OK. We have unmanned and unarmed perimeter posts at CRC. We have two posts, Posts 3 and 5, B, that aren't always manned and they're not armed a lot of times.

Next, the absence of gun towers on CRC's lower compound with our 50-acres lower compound, we feel that we should have at least two gun towers on our yard. One down there at four corners between the two men's housing units 2 and 3 -- preferably a 60-500t gun toward with a mini 14 -- and one up there either by the women's gate or right next to the watch house that is being built on the hill behind the firehouse.

MR. FUDGE: I would like to interrupt. When I went down to San Quentin as captain in 1965 and went into the East Block

there were 900 inmates in there. Do you know how many officers were in there?

MR. ERICKSON: No, sir.

MR. FUDGE: One. And there was no one on any gun rail, and at one time San Quentin operated with 300 staff handling 6,000 prisoners.

MR. ERICKSON: Yes, sir.

SENATOR PRESLEY. They -- the officers -- were bigger then.

(Laughter)

MR. ERICKSON: OK. Insufficient numbers of hand-held radios. Don would you change that for me, please. The middle poster. Insufficient numbers of hand-held radios for custody staff at CRC. That was filed again -- I did a survey on the status of radios for officers and lieutenants and sergeants in the units. Many of them were going without the radios which is for their security. And that one was denied.

OK. We have one. Needed reinforced doors, door lock and security screens for specified areas of CRC. Management granted that in part and we finally put the first lock on something that keeps inmates in at CRC. It was the holding tank. We temporarily keep people there until we can ship them at CIM. We have had staff hurt because of some rehabilitation-type dialogue left-over syndrome which kept us from keeping people locked up even in one little room. It has been to our detriment.

Also, the hotel up here, that one tall building that we discussed earlier, that Mr. Villalobos discussed. It had back stairwells in all its areas and these stairwells were like limbo,

no man's lands for convicts. They would go back there and shoot up and staff would be chasing them up and down eight floors of stairwell. We couldn't lock those back doors in the dorms because of incorrect fire marshall's decision which I proved with building codes that could be done. It is being done right now. Management recognized that, and we appreciate that.

OK. The need for temporary security housing unit at CRC. With our open dorms, we feel that inmates that -- like when they are drunk, or whatever -- we shouldn't be doing what we're doing now, sending them back to the dorm with a promise to be a good boy and go lay on their bunk and don't bother the other 100 or 90 convicts in your dorm or disturb the whole unit. Right now we're doing that or putting them, if they're drug problems or alcohol problems, either in the infirmary or back in the dorm. Sometimes we keep them in the holding tank a little bit, but we need a little temporary room. We have one in the barber shop that used to be a brig for the Navy. It could be converted to 15 cells and it would be great for this institution. It would really help us out.

Next. Ongoing unsafe structural health and environmental conditions. Defective or unsafe mechanical and electrical equipment at CRC. Our president, Don Fish, mentioned that earlier. I'll skip on that. That was denied like the other ones.

Insufficient numbers of officers to provide coverage for CRS's yard and culinary areas. Those two areas need more officers. Management denied it but they recognize the need for more staff. It's just pretty much our understanding they denied it

because of funds, whatever. They are trying to squeeze Sacramento for money to get us more coverage like in our way we are trying to get it ourselves. Denied.

Needed shotgun slings and ammo pouches for CRC. That was denied, but I might say this might be a department issue. As far as we're concerned any point shoot weapon, like a rifle -- a mini 14, you won't see it without a sling. Why not a shotgun with a sling? Officers go out on disturbances for 16 hours or more during those circumstances. What are they going to do with their shotgun for that long? I have seen people lean them up against the firewalls, against cyclone fences, against their friends because they are tired. That is the heaviest weapon we have for safety. They should have a sling on it and when they are not actually using it, like at a range Any fire range type person would indicate, when you are not using a point shoot weapon, put it on your shoulder. Also, that would be a convenience and safety measure.

Aside from that, the ammo pouches -- management and the Department of Corrections feel that it is just sufficient for our officers to use their pockets.

SENATOR PRESLEY: Which number are you on right now?

MR. ERICKSON: I'm on the same one -- shotgun pouches.

SENATOR PRESLEY: You were going to cut down the rhetoric.

MR. ERICKSON: Anyhow, OK.

SENATOR PRESLEY: You have to speed this up -- we're . . .

MR. ERICKSON; OK. Anyhow, pockets aren't good. We should have little pouches attached to our belts for the shotgun shells.

Next, insufficient third watch officer coverage for men's clinic at CRC. I am sure the clinic mentioned that. We had an officer hurt recently on third watch with minimal and little back up. It's all in the report for you, Senator. Denied.

Inadequate control of hobby-craft tools at CRC. A lot of hobby-craft tools are weapons. We're aware of that. We went to management. They denied the grievance but at the same time they recognize the problem. They're dealing with it in their enlightenment at this level, so we didn't push that to the department level, which is our final level for health and safety.

Next. The insecure manual override of CRC's southwest corner gate. We have a gate down here that can be opened with a blow torch or if an inmate fashions the right kind of piece of metal he can unkey that gate and we can really thrill the people of Norco. There is not enough protection for that little manual override. Simple things can be done and we wish they would but they are denied.

Section of inside perimeter fence line at CRC not connected to the alarm system. Don, show the 26 feet that we have over there. Our fence line really isn't that sensitive as to touch. You won't get it to go off from that. It takes a lot of body pressure or hand pressure. That section has 26 feet that is off the alarm system in the first place. We can't....

MR. FISH: I might interrupt, it is also occluded by cars from this post as a parking area. There are a lot of bushes right here. And this post cannot see it at all. A person

standing out here working on this fence could cut through it the way the alarms are right now and I told them that. They say no, but I still don't believe it.

SENATOR DAVIS: What reason do they give?

MR. FISH: Well, they went out there one day -- and I'll give them -- they checked the fence. The fence will respond if you tickle it. The amount of pressure it takes to tickle that fence, you could cut through that fence on the bottom. . . a nice little round hold and crawl through.

SENATOR DAVIS. The statement, though, was that there are 26 feet that aren't covered.

MR. FISH: Well, the reason is -- see this post right here, Senator, monitors this section of fence right up to this corner right here. There are two sections in here, every other section of fence there is a post, every other section has a fence alarm and then just the wire and then another fence alarm. Right here, probably due to the sensitivity, they stopped the alarm here and they stopped it in this -- post right here monitors this section of fence -- and they stopped the alarm, two sections together. . .

SENATOR DAVIS: So it is not covered.

MR. FISH: No, it isn't covered, but their explanation is that this alarm here will cover the section that is uncovered on this side and this alarm here will cover the section on this side.

MR. ERICKSON: It's next to the public parking lot.

MR. FISH: Having checked that fence myself, I had to grab this fence on both sides with both hands and violently

shake it to get the alarms to go off.

MR. ERICKSON: The need for two officers per dorm in housing units 1, 2, and 3 for the first and second watch at CRC. Third watch at this time is starting to double up. In all sincerity, with the way they are packing in the dorms, management said our population might be going down but all the things that we've heard -- that it will go up to 4,500 next year. We need two officers in each of the housing dorms -- the open housing dorms -- to work together as partners on all shifts.

And next. This last one was granted in part. It is the need for additional radios, handcuffs and handcuff keys for double dorm officers on all watches at CRC. Mr. Villalobos responded to that and we appreciate that.

Don, can you show those percentages, please, real quick before we finish up?

MR. FISH: This will be. . . . This is our percentage. Date of health and safety at CRC. We had a total of 20 grievances, one granted, two partially granted. In fairness to the institution, we have gotten extra hand-held radios and these things, and you will notice on the packets where they did give us the radios, they're stamped denied. The reason they're stamped denied is because the administration here has a policy of denying it to be a health and safety issue and saying, OK, yeah, it's not a health and safety issue, we're denying this grievance. And then they'll give us "granted" in the next paragraph. To us that's just like saying, hey, saying that's not a health and safety here, but you're giving us the stuff so what are you doing, calling yourself a liar? What's the

point? If it is a health and safety issue and you think we need the radios, then why not just grant the damned grievances.

SENATOR DAVIS: Let me ask you. Are some of these things just discussed with management? I remember when my policemen got all the rights from the state to act like big labor unions and so forth. Before that they used to talk to management and you worked things out. After that, it seemed like they wanted to make a name for themselves. They wanted to file a grievance and get all the lawyers busy and all that machinery running and dialogue tended to die down. So what I'm asking, do you, before you file a grievance say, hey, we have a problem here. This part of the fence isn't working right?

MR. ERICKSON: Senator Davis, part of this is frustration. OK? Up until March, we've had collective bargaining now where we have due process for our problems -- since last year. OK. And we put in a lot of memos -- management's approach to a lot of problems is deny and delay.

SENATOR DAVIS: But my question is -- just go up and say, hey, this isn't working or these guns aren't adequate.

MR. ERICKSON: We've tried that. Right. That is the frustrating part now.

SENATOR DAVIS: No -- is there such dialogue, is my question?

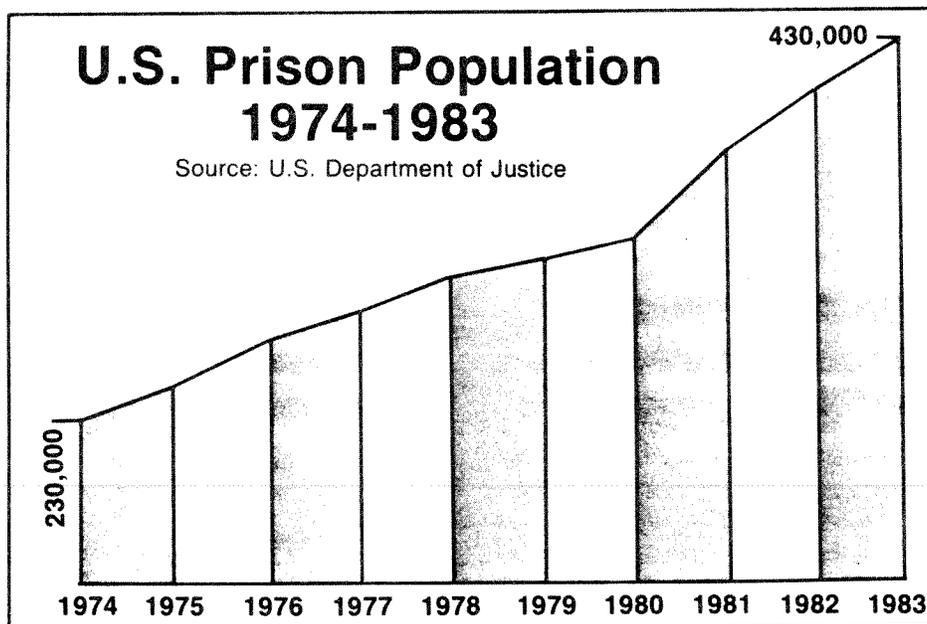
MR. ERICKSON: Yes, there is but. . . .

SENATOR DAVIS: Or is the first thing this hitting you in the face with a grievance?

MR. ERICKSON: In March we decided to do this for the most part.

MR. FISH: Right now, Senator, I have approximately about 13 or 14 letters that I have requested to meet and confer, which I have submitted since the first of November. I haven't had any response.

MR. ERICKSON: But we went through that last year with the beginning of collective bargaining and everything the approach is deny and delay. And so we said, ok, we're going to use due process in this situation. We're going to make some impact and get some things done because we have the duty of fair representation. We filed these since March so we've been busy.



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SENATOR DAVIS: You've been saying that Mr. Villalobos is stonewalling it in terms ...

MR. ERICKSON: Look at your percentages, Senator.

SENATOR DAVIS: In terms of listening to his own people. Is that true?

MR. VILLALOBOS: No, it is not true, Senator.

SENATOR DAVIS: Ok.

MR. ERICKSON: At this time -- May I just do one more thing?

SENATOR PRESLEY: One more.

MR. ERICKSON: Ok, I have a Christmas card from management with our best wishes for improved labor relations and I have this god damned denied stamp. I used it for the presentation. I don't want it anymore. Merry Christmas.

SENATOR PRESLEY: Do you want to give it to the Committee?

MR. ERICKSON: You have it right there, sir. [Laughter]

SENATOR PRESLEY: Ok. Do you have something, sir?

MR. ARBUTHNOTT: Senator Presley, I am John Arbuthnott with the California State Employees Association. We also have concerns for the safety at this institution and the overcrowding. Unfortunately, I didn't bring a list of all of the grievances that we filed here. But we do have Mr. Clayton, who will make a presentation on our behalf.

SENATOR PRESLEY: Will you spell your last name please?

MR. ARBUTHNOTT: A-r-b-u-t-h-n-o-t-t.

MR. CLAYTON: I am Tim Clayton and I am a teacher and I promise I won't take up as much time. Some of the things I want to -- want

myself, not necessarily representing CSEA -- But I think that our administration has been very helpful. With the resources and the financial things, I think they have done a good job with the moneys that we have. Some of the feelings that we have, we feel that the perimeter fence and everything is quite adequate. The institution, of course we have talked about, many years has been a hospital and a resort hotel. We feel that what we have is a prison without cells. So because of that, I want to piggyback on the fact that when I was a correctional officer over at the West facility, I think, Chuck, you were there at the time. They started doubling up with officers and it worked well. With the change of the clientele that we have at CRC, I think that would be a great recommendation, at least during the second and third watch, which means daytime and evening. You want to feel that that's pretty good.

Another thing that we looked at that would be quite adequate is that currently you have four units here. One of the four is a women's unit and runs independently. Usually when there is a riot incident, the service unit, which is the far building over here, by closing a couple of doors it's usually segregated from the remainder of the problems. Possibly segregating each unit separately and running a fence down in between might be another avenue of limiting some of the problems during riot situations.

Another thing that came up recently that I think is very good is -- in the last couple of years -- we have to identify ourselves.

SENATOR DAVIS: I wonder if you could just stop for a minute, just by comment... In looking back on the way we handled riots in the '60's. We pretty much got an insight nationally that we the

police failed because we chased them. And we failed to set up barricades maybe across so we would go across so no one could pass. In a lot of cases we would have been better off to put National Guard and police and everything down two main bisecting streets, you know, instead of chasing rioters all around through the place. Just a thought, internally within a prison, like this, that might be a good tactic. You probably thought of it and...

MR. VILLALOBOS: Senator, I agree with that because we have submitted that proposal. As a matter of fact, it was submitted as a part of the overall security implementing proposal and I felt that this particular issue that Mr. Clayton is addressing was so much of importance that I have asked it to be extracted and submitted as an individual item. The Department did and it is in the 84-85 budget now.

SENATOR DAVIS: Oh great. Ok.

MR. CLAYTON: When I was an officer at Chino -- they are able to do something. They are able to lock down an area and use that labor force, those officers to other areas that are in need. Again, it would be an extensive study but have each... Like NCYC, it is a youth authority up north in Stockton, I believe. They have separate facilities and they're low populace. When they do have problems in one area, they can lock down and use that extra labor force to go to the problem area.

SENATOR DAVIS: Here you could do it with fences -- that could be triggered during an emergency to close off areas.

MR. CLAYTON: Our recommendation is to fence off each unit separately and have separate feedings, separate canteens, separate

laundry. And then to have a center area where you could actually interchange another -- go from one facility to another and if a riot situation develops that you can lock it down.

Another problem that we had which I was talking about was that I agree that we all wear name tags but our inmates don't wear name tags. We thought a simplified method of doing that would be to have -- they have ID cards on them -- but a method of identifying them immediately would be to have them snap on their ID cards. Just have a clip-on type of thing.

SENATOR PRESLEY: Let me ask you, do you have all those written down?

MR. CLAYTON: Yeah.

SENATOR PRESLEY: Could you give us those and a copy to the Superintendent and let him respond. We'll have it all in writing and let him respond to us in writing and be made part of the record.

MR. CLAYTON: Just a couple more items. We felt that... I myself am a teacher and we're different from CIM and CIW where our education department is split up. We think that the educational staff work on a team effort and again with management with what we can. We thought the Shaker College building would be a great idea to centralize education and also offering correctional officer coverage which both CIM and CIW currently have.

Another area which I believe CCPOA talked about was lock up areas for temporary -- for problem inmates. Currently from my understanding there is a room in the watch office but there is no locked door on it. That means that an inmate who is shackled can

come through that door if need be... (It is locked?) Ok, but we felt that a large lock-up area would resolve some of the immediate problems. If we did have a riot and we had a lock down, say maybe 25 or 30 inmates, at a larger lock-up area, would be sufficient for that.

We realize that we are all in a situation of overcrowding. We appreciate everybody's support in working with the expansion of programs and also prisons as soon as possible. That's it.

SENATOR PRESLEY: Ok. Thank you very much. If you will give us that stuff in writing, then we'll get a response to it.

Ok. We have...We're down to the point where we'll listen to inmate testimony and we have Kelly Lynch here. Would you come forward -- Kelly Lynch, Robert Glisson and Plutarco Leal.

Ok. Just to tell you why we have asked you to be here. We have held these hearings in all the prisons around the state or almost all of them. At each one we asked representatives of the inmates to come in and tell us what it is like to be in custody in this particular prison. We'll start with you, sir. Could you start and tell us, I guess it isn't the best thing in the world, but what is it like to be in prison here?

MR. GENEL: My name is Billie Genel. I'm from Kern County. I was committed on a health and safety violation.

SENATOR PRESLEY: What is that violation -- health and safety?

MR. GENEL: Selling heroin.

SENATOR PRESLEY: Selling heroin? How much time do you have to do? How much time were you given initially?

MR. GENEL: Four years and eight months.

SENATOR PRESLEY: And how much do you have left?

MR. GENEL: Fifteen days.

SENATOR PRESLEY: Fifteen days?

MR. GENEL: I go to federal prison after I leave here. It was related to the same charge and I owe them four and a half months.

SENATOR PRESLEY: Ok, just tell us then what... Have you been here all the time? No, you haven't been.

MR. GENEL: No, I have been at Folsom, Susanville, Chino West, Chino and now here.

SENATOR PRESLEY: You've been to Folsom and we have heard from inmates at Folsom and we've toured Folsom. So we have some idea of what Folsom is like. How about if you compare this institution with Folsom for us as an inmate.

MR. GENEL: It is a lot better here. To be here in CRC, we are crowded but other than that it's...

SENATOR PRESLEY: Other than the overcrowding, it isn't too rough?

MR. GENEL: Well, not considering some of the other ones I've been to.

SENATOR PRESLEY: At the others, particularly Folsom and San Quentin and Tracy, the inmates indicated to us a strong level of fear for their personal safety, meaning fear of attack or assault by fellow inmates. Do you have that here?

MR. GENEL: Uh, no.

SENATOR PRESLEY: Are you fearful of weapons being inside the grounds here?

MR. GENEL: In this institution? There are weapons out there but I'm not fearful, no.

SENATOR PRESLEY: Are they homemade-type weapons that they make out of something?

MR. GENEL: Yes, they are.

SENATOR PRESLEY: They're not guns that you buy on the market and knives, nothing like that?

MR. GENEL: No.

SENATOR PRESLEY: All right, sir, could you add anything to that?

MR. GLISSON: I'm Robert Glisson and I was sent on an armed robbery case up north, Napa County, out of Sonoma County. I was sentenced for four years and I'm a first term. I've only done time up in Vacaville and in here. I've been here 18 months. My overall look of the institution is -- it's a good institution. The overcrowding, as he said, is pretty bad but that's in every institution. There is, sometimes, a fear of gang affiliations or so forth like that in any institution. Basically here it is just a matter of overall the inmates -- you know, their attitudes and what's happening within an institution. It just depends on the inmates and staff and so forth like that and what's going on in the institution that brings on any kind of termination of fighting or anything like that. It's a pretty good institution.

SENATOR PRESLEY: Is it your feeling that generally speaking the 3,200 inmates that are here are relatively calm at the moment? They don't have any anxiety?

MR. GLISSON: Just personal pressures, peer pressures that every day an inmate goes through, but other than that, no. It's fairly calm at CRC.

SENATOR PRESLEY: Ok. Thank you.

MR. LEAL: My name is Plutarco Leal. I am in for sole intent to commit murder. First term. I have been down approximately six years and I got about two more years left.

SENATOR PRESLEY: Two more years left?

MR. LEAL: Left, yes.

SENATOR PRESLEY: Will you be doing those two years here or do you know?

MR. LEAL: Probably.

SENATOR PRESLEY: Do you like it here better than... Have you been... Where else were you?

MR. LEAL: I was at Vacaville for about four and a half years. I have been here, like I say, about 20 months. But I prefer, myself, cell-type environments. I find it a little harder to do time in with being so crowded together in dorms.

SENATOR PRESLEY: Now at Vacaville you had cells?

MR. LEAL: Yes.

SENATOR PRESLEY: And here you have more dorms? Right?

MR. LEAL: Well even there they have the dorms but there wasn't as many people to a dorm and it was easier to get along with everybody.

SENATOR PRESLEY: Ok. You're not last because of any reason other than that you came in last. So can you add anything to what they had to say?

MS. LYNCH: No.

SENATOR PRESLEY: First of all, your name is Kelly...

MS. LYNCH: Lynch.

SENATOR PRESLEY: Lynch. And what are you in for?

MS. LYNCH: Armed robbery.

SENATOR PRESLEY: Armed robbery. And you've been anywhere else besides... Have you been to Frontera?

MS. LYNCH: For a week.

SENATOR PRESLEY: Just for one week. So all your time has been here. And that's how long?

MS. LYNCH: About... In January it will be two years.

SENATOR PRESLEY: Two years? Have you done any prison before?

MS. LYNCH: No.

SENATOR PRESLEY: County jail?

MS. LYNCH: Overnight.

SENATOR PRESLEY: Have you ever been convicted of anything else?

MS. LYNCH: No.

SENATOR PRESLEY: Armed robbery the first time?

MS. LYNCH: Yes.

SENATOR PRESLEY: Was someone else with you?

MS. LYNCH: Yes.

SENATOR PRESLEY: A man?

MS. LYNCH: One.

SENATOR PRESLEY: One man?

MS. LYNCH: And two juveniles.

SENATOR PRESLEY: What did you rob?

MS. LYNCH: It was really purse snatching, not...

SENATOR PRESLEY: Oh, just a purse snatching.

MS. LYNCH: My sentence was purse snatching with a knife.

SENATOR PRESLEY: With a knife -- so that made it first degree?

MS. LYNCH: I guess.

SENATOR PRESLEY: How much time were you sentenced to?

MS. LYNCH: Four years.

SENATOR PRESLEY: So you have about two to go or one and a half?

MS. LYNCH: I've got three months to go.

SENATOR PRESLEY: Three months to go?

Now as I understand it, there are about 500 or 600 women prisoners here? Are you overcrowded?

MS. LYNCH: Yes.

SENATOR PRESLEY: Is it a dorm situation?

MS. LYNCH: Well, we have separate rooms on the dorms. We have like three women in one room and then some rooms have four and some rooms have six.

SENATOR PRESLEY: What kind of problems does the overcrowding cause in the women's section? Anything in particular that would be caused by the overcrowding? Do you have trouble showering and all that sort of thing?

MS. LYNCH: Oh yeah, the showers get crowded.

SENATOR PRESLEY: How about feeding? Do you get fed ok?

MS. LYNCH: Oh, that's way too crowded. We have to stand and wait for the other women to get up and eat -- too many dorms down at one time.

SENATOR PRESLEY: Do you have any violence among the inmates?

MS. LYNCH: No, it's real quiet up there -- get along pretty well.

SENATOR PRESLEY: No weapons to be found around?

MS. LYNCH: I have never seen any or heard of any. See, I usually keep to myself up there and I don't get involved in too many things.

SENATOR PRESLEY: As far as you know, everybody is generally

happy, under the circumstances?

MS. LYNCH: Yes.

ROBERT HOLMES: Miss Lynch, a nurse raised some questions this morning about the quality of the nursing care in the women's sections. Have you had any experience with this in your time here?

MS. LYNCH: No, but I hear a lot of other women complaining about it.

SENATOR PRESLEY: Anything else anyone would like to add before you leave?

MR. GENEL: Our medical department and dental department is also very slow in attending inmates.

SENATOR PRESLEY: Very slow?

MR. GENEL: On the dental side you are put on a waiting list. That waiting list is anywhere from six months to a year. People now that are coming to CRC, they're getting shortly removed from one institution to another and by the time your place in line comes up you're gone. You're gone to another institution -- or parole.

SENATOR PRESLEY: They take care of emergency dental service mostly? Immediately? Is that done here or you go out to a dentist's office.

MR. GENEL: That's done here and (inaudible).

SENATOR PRESLEY: Ok. Thank you very much. We appreciate your coming over. Good luck to you. Most of you don't have much time left to go. How long do you have, four months?

MS. LYNCH: Three.

SENATOR PRESLEY: And you have?

MR. LEAL: Two years.

??MR. GENEL: Three -- three months.

SENATOR PRESLEY: You're going to have to turn the clock up, you're ... And you've about got it made. Ok, thanks for joining us.

Ok. This concludes ... Let me ask -- is there anyone in the audience -- before I do that -- who feels that there's anything that you would like to address the Committee? Yes, would you come forward, please? Whoever feels like you would like to address the Committee, just come up and have a seat. Let's start here at the end and identify yourself.

MS. HAYNES: I'll just take a minute. I might say that I have been a victim but I'm not going to go into that. I'm not as well organized as some ...

SENATOR PRESLEY: Would you identify yourself for us?

MS. HAYNES: My name is Edith Haynes and I am with Southern Prison Alternatives Coalition. I heard you say that more prisons by 1985 but we're still going to be as crowded as we are now. I live in a high-crime area and, as I said, I have been a victim. But as I watch the people in the neighborhoods we meet together, they say that locking people up isn't going to solve our problem at least. We must contain those who have been responsible for the terrible things that we have heard about at Corona, Chino and other places like that. I know that you, Senator Presley, have worked at this for a long time and I appreciate the fact that you have kept people informed. You have kept me informed, although there's times that I need more information.

In 1977 or so -- you probably will recall as you were at those hearings and I was there too -- that there were extensive studies

made on alternatives and other things to do besides to build prisons and stacks of transcripts were produced. Instead, sentences have been lengthened. We continue to spend millions on prisons and less on education and recreation and even staff for prisons. And we heard yesterday about a cost of \$38,000 for one week of stabbings. The cost of keeping people in prison, building cells, taking care of families has been brought out here. Mr. McCarthy mentioned also that about one fourth of those brought in each prison now are violent. CDC's recent report that 27 percent were not assaultive, so I would like to, on behalf of myself and others, just toss in a question here with -- are we going to do something about crime in addition to building prisons to find some other solutions? I supported your Senate Bill 50, for example, because building prisons isn't going to solve all of our problems. Thank you.

SENATOR PRESLEY: Well, in response to that very briefly, for about 30 or 40 years prior to about 1975, we as a society thought that we could rehabilitate people. We were very strong on probation, had all kinds of probation subsidy programs and things of that nature. I think what has taken place during that period of time is a general acceptance, not totally of course, but kind of a general acceptance by the experts in the field and to a certain extent with the public that rehabilitation and probation weren't working that well. That's when the Legislature started receiving this message from the people of the state that they wanted to get tough on crime. Crime is increasing every year 10 to 15 percent. Violent crime is going up even faster than that so the Legislature and the Governor responded with more serious crime control measures, lengthening sentencing and

mandatory sentencing, things of that nature. That is what we're working with now and that's why the prisons are so full. We're only behind in building because we didn't get started soon enough.

I think just in response to what you said, that's kind of the reason why we're where we are. It can always be argued which system works the best I guess. We'll try this for awhile and then we'll probably start putting everybody on probation again. In the meantime, we'll lock them up for awhile.

MS. HAYNES: May I respond to that by saying, as I said before, we're not saying that the violent people shouldn't be contained but rather that some of the others something else should be done aside from the long sentences so that they come out, as someone I visited just recently said, in his case he said -- I did not do what I am here for, but if I'm not careful, I'm going to become a criminal because of being here. So I feel that there is this other side that needs to be spoken to and I feel ...

SENATOR PRESLEY: Well, on the nonviolent side we haven't totally given up on trying to find other alternatives, but as you can tell by SB 50, it's a little tough to do that.

MS. HAYNES: Let me encourage you to keep trying. Thank you.

SENATOR PRESLEY: I've about given up on that one. Go ahead.

MS. BAUMEN: I am Marfie Baumen and I am the Director of the Hospitality Place here at the Prison. It's a nonprofit organization statewide with the original one outside of San Quentin. We do visiting services and as that we see an awful lot of trauma with the families who come to prison to visit. The mothers who come, the fathers, the wives. An awful lot of pain, an awful lot of heartache.

We do crisis counseling, we provide transportation for those who cannot get here because there is not a local bus that comes to this area. We provide many services for the family and try to help as much as we can.

But there are some things that I would like to bring to your attention that I hear from the families. I also work with the inmates. Mr. Villalobos gives us committees of inmates in the Inmate Advisory Council to come to our board meetings. We like our board members to see the inmates and talk with them and see them as people. We also like the inmates to see what we're doing on behalf of their families.

I too feel that we need to address some of the other problems and work statewide on, perhaps, alternate alternatives to prisons. I know you have been aware of the YTA Program where they take the young men out for 2,000 miles on a wagon train. The last I heard of it, it had been going now about eight years. They've only had 5 percent recidivism from this. These young people learn how to work together and with each other and under supervision. It's a very hard, difficult trip. Yet when they say 5 percent recidivism and only 70 percent of what it would have cost to keep them somewhere else, you wonder, should we not try for something else. I have court referrals that are given to us and our agency as volunteers. It is something that we feel we've done an awful lot of work with these people who come to our program in helping them to change their lives.

I hear things from the Prison and from the families. One of the things as you address prisons and new prisons, I feel that first timers should not be put in with the repeater population. I don't

know if you look at the prison system and as you plan if that's something that can be done. I think the inmates think that that's not appropriate and certainly the families. The first offense person with the repeater -- if there's a way you can divide them up.

Medical problems, I do hear about and at the Institution there are a lot of medical problems. One thing I was surprised at and the families are surprised at and perhaps the judges aren't aware of, people are sentenced to state prison and to psychiatric care. I understand that ... I know several cases personally that the families have talked to me about. One husband has been in five years and has moved from prison to prison hoping to get that psychiatric care but has not been able to get it at any facility. So he goes back out on the street now without ever having had that care. Of course, it's being understaffed and needing more funds and more people. I have heard that if they break it down that every inmate in the state in a year's time would get 18 seconds of psychiatric help. So there's not a lot of help.

SENATOR DAVIS: I want to just comment there. There's an article in Public Interest, which is one of the two best intellectual journals in the United States. The article is now about two years old and it's by Professor James Q. Wilson of Harvard, who is an expert in looking at data about crime and rehabilitation. He massaged all of the data of all the scientists who observe the application of millions and millions of dollars of federal money to counsel Youth Authority inmates with psychiatric and psychological counseling. His conclusion, the percentage of rehabilitation was zero. So maybe the psychiatric care they're not getting isn't hurting them anyway.

MS. BAUMEN: Well, it will hurt us when they go back out, the rapists and ...

SENATOR DAVIS: No, no. That's the point. The point is that it had zero impact on their criminality when they left prison. That there was zero rehabilitation. If you honestly address a panel of psychiatrists, they will tell you that's probably what will be the results.

MS. BAUMEN: Well, I've read a lot of Menninger and he has said he's treated a lot of prisoners and he said he feels like six months, unless it's someone who really needs to be put away for quite a long time, is sufficient because one night in the county jail is usually such a shock to the person off the street. I know we had a man committed to work 100 hours for us and he was on a drunk driving violation, spent the night in county jail. He said if he had had to stay there two days he would have committed suicide.

SENATOR DAVIS: Well, that's someone with a conscience but if two-thirds of them never developed a conscience and never can in the opinion of psychiatrists, all of the psychiatric care you can lavish on them wouldn't do any good.

MS. BAUMEN: Well, we need to start somewhere. Maybe it's in child care with the children but somewhere. You need to look at it seriously.

SENATOR DAVIS: Maybe very early, before they ever get here.

MS. BAUMEN: Right. Before they get here. But we do need to look at that, where is the alternative. Is it way back in child care. One last thing for you ...

SENATOR PRESLEY: One other comment on that psychiatric care,

though, and that is that while there may be some deficiencies in furnishing psychiatric care to the inmates, on the outside, as you probably well know, most of the mental health agencies have been cut way back and they are suffering as well. Maybe we ought to take care of them first. I'm not sure who needs it more but ...

MS. BAUMEN: That's true but I think it really needs to be looked at and thought of. And how the children of these families ...

SENATOR PRESLEY: It's all important, there's no question about that. Do you have anything further?

MS. BAUMEN: One other thing, I know with the new work incentive plan that has been started up in January, I find comments through the families and through the inmates that their records are slow in moving along. I don't know exactly what is causing this but they are not getting out always on the dates they are supposed to be getting out because of the record confusion due to the work incentive plan. So inmates are staying longer in prison, sometimes it's a week, a day, whatever, because the records aren't able to be kept up to date for some reason.

SENATOR DAVIS: We found in Chino the record system could be dated about 1900. Is that right?

SENATOR PRESLEY: Close to it.

MS. BAUMEN: That's probably a good reason. Thank you very much.

SENATOR PRESLEY: Well, thank you. I wish we had more time but we just don't. Sir?

DR. HAGSTROM: My name is Dr. Gavis Hagstrom. I'm a clinical psychologist here at CRC. I just have a couple of brief concerns

that I would like to address.

SENATOR PRESLEY: Can you speak up? I think they're having trouble hearing you.

DR. HAGSTROM: I recognize some of the disenchantment that many lay people feel regarding mental health services and by and large I would say that it's probably accurate -- that we're not doing an adequate job as mental health workers meeting the needs of inmates or meeting the needs of people in society at large. However, we are still faced with some problems that continue. We have here at CRC a civil addict program where inmates are continued to be referred by the courts to CRC to receive some sort of what is called rehabilitation and it is almost a daily experience for me to interview an inmate who has been referred for psychiatric or psychological evaluation and they are coming under the auspices that they are going to get some sort of treatment. The inmates find -- I'm defining treatment in terms of psychological treatment. We have education programs. We have work programs and so forth. But where are we standing now with our psychological programs? What I would like to ask -- and I'm not faulting CDC; I'm not faulting administration; I'm not faulting the Legislature -- I think maybe it's time that we take a look at where we're at. The drug addicts, for example, are some of the most difficult population to treat. By and large, I'm feeling I'm not successful. I have run groups here for a year and a half. My recidivism rate on the groups that I am running of people who are returning to CRC is 50 percent. Now, I cannot talk to you about those inmates that are still out committing crimes. I cannot talk to you about those who are in other institutions. But I am faced

with daily inmates coming to me and asking, can you see me. I need to deal with my drug problem. I need some help. I am hardly able to see the inmates at all. My caseload, I am backed up a month to two months because we cannot see them during work. They have to be seen during their non-working hours. When you have the number of inmates that you have here, with four psychiatric staff, things back up so we have to prioritize.

There was a big discussion earlier today in terms of custody issues, and I think Custody ought to be commended on what they're doing. They're doing an excellent job. I want to give you an example of something that I experienced here this month alone. November 19, I ducated, which means I scheduled, a male inmate to be seen who had requested on his own to be seen by Psychiatry a month prior. He put the referral in one month earlier and we couldn't get to him because of our backlog. That inmate said on the referral, I need to talk to someone, I'm having some problems coping. And the counselor sent with that that he had been disciplinary free up until three months to the referral. Something was going on. He was now getting in fights with inmates and he was becoming verbally abusive with staff. I got him in when we could fit him in by prioritizing. When I scheduled to see him, that day -- this was November 18 -- he didn't show. I went to check to see why he didn't show to find out through the central file that there was a DA referral because he was pending an assault on staff. Maybe if we could have seen him sooner we could have intervened. Maybe we could do something to reduce some of the stress and some of the problems that the custodial staff are having.

SENATOR PRESLEY: Let me ask Mr. Villalobos -- is it the shortage

of psychologists, is that the problem?

MR. VILLALOBOS: This is one of the impact areas of the problem of overpopulation.

SENATOR PRESLEY: And budget constraints _____ (inaudible) _____.
Ok, I guess that's something that we can improve as we feasibly can.

DR. HAGSTROM: Shortage of staff is one thing but I can tell you that we are not able to see the inmates even though we are here and they are here. We cannot take them off work to see them. Irregardless of what ... Unless they are so severe that we call it emergency cases. In essence, it then becomes just a matter of hospitalizing them or ...

SENATOR PRESLEY: Are you employed here?

DR. HAGSTROM: Yes.

SENATOR PRESLEY: How many psychologists are employed here?

DR. HAGSTROM: There are two psychologists and two psychiatrists. One psychiatrist is our chief and he has administrative responsibilities.

SENATOR PRESLEY: Do you all work in the daytime?

DR. HAGSTROM: No, we work adjusted hours as well.

SENATOR PRESLEY: Why can't they get them then if ... You can't take them off work, but if you work adjusted hours, they could have time to ...

DR. HAGSTROM: Ok, if you figure per guy -- I work two evenings a week during the month. Because of count time and feedings, those sorts of things, we cannot fit in more than two inmates in an evening. Currently we continue to have a problem of no shows in the evening.

SENATOR PRESLEY: Wait a minute. Say you work in the evening

shift, what hours is that, 4 to 12?

DR. HAGSTROM: Ok. Well, I would come in at noon and work until 9 p.m.

SENATOR PRESLEY: And you can only work in two inmates?

DR. HAGSTROM: Between ... What time does count clear?

UNIDENTIFIED: Five o'clock.

DR. HAGSTROM: Five? All right.

SENATOR PRESLEY: Four hours, you can only work in two?

DR. HAGSTROM: What time do you lock down, eight?

UNIDENTIFIED: (inaudible) 9:30.

DR. HAGSTROM: Ok. Then we need to talk about that because ...

SENATOR PRESLEY: That's what I would suggest. You just get together and see why you can't get some more people in there.

DR. HAGSTROM: But because of work incentive, the implications of that, and I believe the value of work incentive ...

SENATOR PRESLEY: I don't think anybody is suggesting that you don't let them work, but there has to be some time available here when they're not working and it sounds like there is. Just some coordination, I think.

I hate to stop you but we're going to have to do it. So we're going to adjourn for now and we're going to meet out here in the lobby at one o'clock for the legislative tour. We're supposed to be in Frontera at 1:30. I don't think we're going to make it.

Thank you very much.

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APPENDIX A

CORRECTIONS RESPONSES TO:

- ✓ Questions on CRC medical care raised by Nurse Donna Wiley
- ✓ Committee questions on possibility of one correctional institution hospital to serve CIW, CIM, CRC, YTS.
- ✓ Work grievances by California Correctional Peace Officers Assn. (CCPOA)
- ✓ Work grievances by California State Employees Association (CSEA)

DEPARTMENT OF CORRECTIONS

P.O. Box 714
Sacramento, CA 95803



December 29, 1983

The Honorable Robert Presley
Chairman, Joint Legislative Committee
on Prison Construction and Operations
State Capitol, Room 4048
Sacramento, CA 95814

Dear Senator Presley:

Attached are specific reports reflecting questions raised by the Joint Committee on Prison Construction and Operations at the November 29, 1983 meeting at the California Rehabilitation Center.

There are three letters from Superintendent Villalobos:

1. Responses to issues raised by the California Correctional Peace Officers Association;
2. Response to Ms. Wiley's allegations regarding medical problems;
3. Responses to issues raised by the California State Employees Association.

Also attached is a response from L.M. Wiese, M.D., Chief of Medical Services, regarding his review of 11 of 12 institutions in the area of medical services.

I hope these responses provide sufficient information for all the related issues. If there are any questions or if we can further respond, please do not hesitate to contact Patrick Kenady, Assistant Director, Legislative Liaison, at (916) 445-4737.

Sincerely,


JAMES H. GOMEZ
Chief Deputy Director

Attachments

DEPARTMENT OF CORRECTIONS



December 19, 1983

The Honorable Robert Presley
Chairman, Joint Legislative Committee on
Prison Construction and Operations
Room 4048
State Capital
Sacramento, CA 95814

Dear Senator Presley:

Re: Response to Senate Committee Regarding Medical Problem Areas
at California Rehabilitation Center, Norco, California

In response to Ms. Wiley's allegations, Ms. Cadger, Supervising Nurse, conducted an extensive search of nursing logs, medication logs, treatment logs, inmate charts, and also interviewed nursing personnel which were a part of the allegations.

Ms. Wiley made these allegations at a public hearing of a Senate Sub-committee, chaired by you, and reiterated some of the same information in an interview with Dr. P. Engen, Ms. Cadger, and Mr. Borrielli, Health Services Administrator, on 11/29/83.

1. Mixing Medication

Ms. Wiley stated that nurses were mixing medications without doctor's orders or knowledge. This allegation was not supported by records review or staff responses.

- a. One incident she specifically mentioned was that she observed a nurse in the Women's Clinic take a Quinine capsule out of her pocket, remove the Quinine powder from the capsule, and placed this powder into a bottle of Chloral Hydrate. The nurse then took the bottle of Chloral Hydrate into the bathroom, mixed water with it, and then returned it to the shelf in the medicine room. Ms. Wiley then stated that this nurse informed her that she does this all the time, as it makes the medicine taste bitter.

This incident occurred on or about July, 1983, and it was not reported or documented because Nurse Wiley states she was told by another nurse that she was on probation and had no right to do this. The allegation was not reported to her supervisor or any other administrative staff.

I note that there had been no complaints by inmates regarding the medication Chloral Hydrate until November 15, 1983, when an inmate who received Chloral Hydrate complained of a burning sensation in her mouth. On the basis of the inmate's statement, Ms. Wiley presumed that this

bottle of Chloral Hydrate had been mixed with Quinine. Ms. Wiley stated she observed no Quinine in the medicine room.

Ms. Wiley stated on 11/29/83, that the following day she checked various local pharmacies, hospitals, and poison control agencies in the area, but could not receive conclusive evidence that Quinine mixed with Chloral Hydrate would have such effect on patients.

The nurse accused of this infraction had been on vacation for two weeks when the inmate complained of burning sensation in the mouth. When she returned from vacation and was contacted by phone by Ms. Cadger, she completely denied these allegations, by stating that she is willing to take a polygraph examination. She also explained that Chloral Hydrate is sticky and when some spillage occurs, the bottle may stick to the shelf thus necessitating periodic washing of the outside of the bottle which she may have done when Ms. Wiley saw her going into the bathroom with the bottle of Chloral Hydrate.

Chloral Hydrate has a pungent odor, and a bitter caustic taste, therefore, it would not be unusual for someone to remark they felt a burning sensation when injecting this compound, particularly if it was not diluted with a full glass of water prior to administration.

Although this allegation is without merit, I have instructed the pharmacist to replace all liquid Chloral Hydrate and future dispensation will be in capsule form only.

- b. Another allegation was that nurses were mixing medication in pill form from one bottle to another. It was stated that she found yellow Theodur pills mixed with 300 mg of Theodur, yet we have no yellow Theodur tablets in the institution. We have Theodur medication in white pill form only. She also stated that she attributed the mixing of medication to the nurses who preceded her on a particular shift. It is common practice whenever mixed medication is found in bottles to document, remove the bottle from the shelf, and send the bottle directly to the pharmacy.

Ms. Wiley stated that supervisory staff (RN III) kept asking her about some medication being mixed, these problems eventually ceased, but she perceived that the supervising nurse was in reality blaming her for mixing up the medication.

2. Insulin Administration and Improperly Checking Urine

Ms. Wiley indicated that members of the nursing staff were giving Insulin injections to inmates at improper times, and were double dosing inmates with Insulin. An investigation of these allegations disclosed the following facts: Although the diabetic record of Insulin administration in a patient's chart was missing from the record from 11/1/83 to 11/15/83, records revealed that on two

occasions improper dosages of Insulin were given to two patients.

Also, the records revealed that nurses did not administer Insulin injections at improper times. Ms. Wiley referred specifically to an instance where a patient had received 50U of NPH Insulin at 6:30 p.m. The patient was seen by the physician at 6:00 p.m., and the order was specifically written by the physician for the nurse to administer 50U of NPH Insulin immediately (stat) because of her high blood glucose level, and the nurse complied with the order. Ms. Wiley apparently failed to check the doctor's order sheet to ascertain if the attending physician had indeed written the order, and on the basis of the documentation observed in the patient's diabetic sheet she assumed that the Insulin was given at an improper time.

The records also disclosed that some nurses have not recorded urine tests for Glycosuria (presence of sugar in the urine) prior to Insulin administration. However, this does not preclude administration of Insulin once or twice daily. Administration of regular Insulin would be precluded if the patient was ordered this type of Insulin on a sliding scale basis.

On one occasion, a nurse obtained a urine specimen on a patient ordered regular Insulin in the evening on a sliding scale basis. After obtaining the specimen, the nurse was unable to locate testing material to administer the urine test, and on the basis of the patient's protracted afternoon Glucosuria, she elected to administer the regular Insulin although she was unable to complete the test. This action elicited no adverse effect on the patient, and the attending physician concurred with her judgment in this case.

Orders relevant to Insulin dosage may change when directed by the physician according to the patient's serum glucose level. In some instances, changes in dosages ordered by the doctor were either not seen by the duty nurse nor transcribed on the doctor's order sheet, to the medication sheet and the corresponding diabetic sheet. As a result, two patients had Insulin dosages decreased and one was increased and were subsequently unnoticed by nursing staff, and nurses administering the Insulin failed to check the patient's chart to ascertain if the Insulin orders had been modified.

Several instances have occurred where nursing personnel have not recorded urine testing for Glycosuria, or if a urine sample was attainable, the time of the urine test not reflected in the patient's chart. This information is essential to the attending physician, as he must be made aware of the actual time the client is spilling sugar in order to intelligently evaluate the efficiency of Insulin therapy.

In one case, a patient was given NPH Insulin at 6:30 a.m. by the night nurse and did not give a urine sample. The patient subsequently returned to the clinic about 45 minutes later with a urine specimen for testing, which would have been valid, since urine remains in the body for two hours before voiding. Ms. Wiley entered in the patient's chart that she could not check the urine as it was too soon after administration of NPH Insulin for the test to be valid. Several types of Insulin suspensions are available in the immediate, intermediate, and long range acting variety, but regular and NPH Insulin are the most common Insulins utilized.

Since several errors in recording and reporting were discovered by Ms. Cadger during this review, the procedures have been modified and a training program developed. No adverse effect is evident on any patient.

3. Treatment of Asthmatics in Acute Distress

Ms. Wiley expressed concern that an asthmatic was not given proper attention by one of her colleagues. Investigation of this allegation revealed that the nurse who was accused of improper conduct received the call that an inmate was having an asthmatic attack, and she instructed the caller to bring the inmate promptly to the infirmary. When the inmate arrived, she guided him to the emergency room, then advised Ms. Wiley she would medicate him, observe him, and when he was improved, she would return him to his dorm after instructing him to see the physician the following morning. The nurse then prepared the medication previously ordered by a physician for the patient. Ms. Wiley then took the medication Adrenalin, and the oral medications ordered by the physician, and administered them to the patient. The nurse in question promptly returned to the emergency room, further observed the patient, and noted the patient's condition was not improving, therefore, elected to give him an I.P.P.B. treatment to facilitate his breathing. When the treatment was completed, and the nurse was assured his condition had improved, she admitted him to the infirmary for further observation and treatment if indicated during the night.

Notation entered in the chart by Ms. Wiley indicates that .4 cc of Adrenalin and 50 mgm of Benadryl intramuscularly were ordered by the physician (stat) yet the physician was questioned and said he does remember being contacted but did not order Benadryl for the patient. Ms. Wiley did ask the

other nurse if she should give the patient Benadryl. The nurse informed Ms. Wiley that Benadryl was not indicated. The nurse also informed Ms. Wiley that the patient did not receive Benadryl to her knowledge.

4. Treatment of Spider Bites

Ms. Wiley indicated that an MTA's treatment of an inmate who had sustained a spider bite was inappropriate. Investigation of this allegation revealed the inmate was not sure nor was the MTA that it was a spider bite, or a bite from a Black Widow spider as Ms. Wiley suggested. Other types of bites i.e., fleas, ticks, bed bugs, and mites will elicit the same localized reactions. Furthermore, there is no effective first aid treatment for such bites. The inmate was given Benadryl orally to alleviate the effects of urticaria and angiodema and instructed to return to the clinic if any further symptoms or discomfort ensued. The inmate subsequently returned to the infirmary approximately four hours later while Ms. Wiley was on duty. The inmate was retained in the infirmary by Ms. Wiley after further consultation with the on call M.D., the inmate received wet packs, antibiotics, and was subsequently discharged from the infirmary.

5. Rejection of Patients by Nursing Personnel

Ms. Wiley's accusations of patient rejection has not been substantiated. The majority of the nurses working in the Women's Clinic are extremely familiar with the inmates and their daily complaints. Some inmates have proclivity to complain in spite of the treatment received and seek additional relief from other personnel. Ms. Wiley had admitted she has not taken the time to check the patient's chart to ascertain if any preceding nurse or physician has listened to the inmate's complaint, and sought some type of intervention.

6. Ethical Conduct of Nurses

If at any time a nurse is aware of questionable conduct on the part of health care providers, concerns should be expressed directly to the person executing the questionable practice. If factors in the health care delivery system should threaten the welfare of the client, similar action should be directed to the responsible administrative person. There is an established mechanism available for the reporting and handling of perceived incompetent or unethical practices within any employment setting, and such reporting can be expedited through official channels.

Additionally, when questions are raised about the appropriateness of behavior among health care practitioners, documentation of the observed behavior or practice must be provided in writing to the appropriate supervisory or administrative personnel. No such documentation or oral reports were received.

7. Supervision

Ms. Wiley's allegation that the supervising nurse was not at the Senate Sub-committee hearing because she does not care about the health services provided to our clients is incorrect. Ms. Cadger was working and could not leave her post as the duty nurse in the infirmary. 70% of her time is spent in this capacity covering sick leave, vacations, official business, military leave of absences, and 30% of her time is spent in providing supervision of nursing personnel, training and administrative duties, e.g., reviewing RGH consults, writing procedures, answering appeals, grievances, and other personnel matters, including meetings and mandated supervisor training.

Duties of the supervising nurse have been reviewed and altered where necessary to allow for appropriate supervision time. Additional staff is being sought through the budgetary process.

In conclusion, I believe that Ms. Wiley's expressions to the Senate Sub-committee hearing were motivated by concerns for the patients at a time when she felt overwhelmed by the responsibilities of the job and perceived no support. Yet she sought none and those persons she contacted outside the medical or administrative areas seemed unsympathetic and referred her back to her supervisor.


C.J. VILLALOBOS
Superintendent

Memorandum

Date : December 21, 1983

To : Mr. J. Gomez
Chief Deputy Director

From : Department of Corrections, Sacramento 95814

Subject: Responses to Presley Committee Deliberations on Delivery of
Medical Services at CIM, CRC and CIW, November 1983

The crux of the Hearings revolved around a major and a minor issue: (1) Since there are three institutions located close together, why cannot their facilities be shared to minimize the high costs of sending patients to outside community hospitals; and (2) What is the validity of the multiple allegations by Nurse Wiley of CRC about substandard nursing care at that institution.

Considering the minor issue first, I am enclosing the item-by-item response of the institution to the Presley Committee on the charges. It appears that the majority were incorrect and exaggerated. On the one occasion on which she was right (insulin administration to a patient) procedures have been modified and a corrective training program developed. I think it is important to note that no harm was caused to any patient. It is further noteworthy, if you've been reading the local and national media, that medication errors are frequent, even in the Mayo Clinic. Even if these allegations were true I'd say we're doing as well or better than any local hospital in the area, and have no need to be defensive.

The more important question concerning institutional cooperation to minimize outside costs is a simple question which requires a complex answer.

At one time all our institutions were considered hospitals. In the mid-1970's the federal government, then the state, required an upgrading of hospital standards such that many community hospitals throughout the country went out of business. In our case, all of our twelve institutions lost their licenses. The appropriate decision made at that time was that the majority should become infirmaries and refer their patients to the four hospitals

in CDC which had or would seek licensure (SQ, CMF, CMC, and CIM). SQ is already licensed. The remainder, if we can get inmates out of medical records - and this is in the process of being done - require minor staff additions and facility improvement. These, too, are underway. We will be re-inspected in 1984 and we anticipate success in licensing.

However, as in the case of CIM this is simply a 67 bed acute hospital and 130 bed convalescent/long term hospital. The staff is composed of ten physicians, three of whom are psychiatrists. Nothing great is going to happen there. Their "feeder" infirmary is CRC and could conceivably be CIW. The vast majority of CIW problems are OB/GYN and CIM nowhere in the near future is going to be staffed or physically setup to care for women. CRC could, I find on analysis of their records, be sending a few more patients to CIM and they will be so directed, but this is not going to have any major impact on our budget.

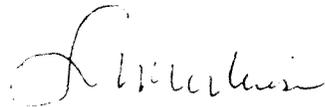
There are twenty-two major subspecialties in medicine and Lord knows how many subdivisions of those. This is where our major costs with outside facilities arise. A patient with a certain kind of cancer may have to be sent out for radiation therapy; an inmate with a brain tumor will have to go out to the neurosurgeon where he has his operative facilities. It would be totally unrealistic to expect a small CIM community hospital to be equipped beyond the Mayo Clinic. I have reviewed the patients sent out and in almost every case they needed to be sent out.

The question then comes up why even have medical departments? Why not send everyone out? The answer is common things commonly happen and the sick lines at the institutions are packed. One example: At CIW, outside consultants cost \$26.50/person. The average daily sick call is 55 patients. To send them out would cost \$1,500/day. CIW has three physicians and surgeons. They don't cost \$500,000/year.

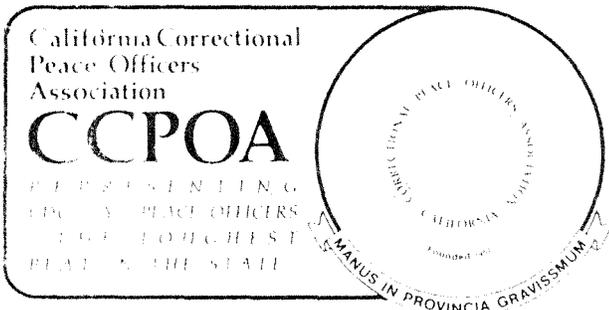
A final example: A woman at CIW badly burned herself. So far it has cost \$12,000. We could never be equipped or staffed in CDC anywhere to make the costs any lower on something this rare. There is no Kaiser, Medi-Cal or anyone else to pay this bill. CDC does, and there's no other way. As a matter of fact the costs at Riverside General Hospital were less in 1983 than in 1982 as CIM continues to improve.

In summary, in my brief time here I've visited eleven of our twelve hospitals and infirmaries. While there is always room for minor adjustments and improvements, I can tell you on the basis of twenty-five years of medical practice that they are doing an outstanding job under difficult circumstances. I welcome investigation by the Presley Committee or anyone else to any of our institutions.

It is our intention to detail for Pearl West the specific conditions "farmed out" to other institutions. Those gravely ill inmates who required special facilities not now nor probably ever to be expected by the taxpayer to be found in a small community hospital such CIM, to account for the millions required to be spent at outside institutions.



L.M. WIESE, M.D.
Chief, Medical Services



Date: 11-29-83.

530 Bercut Drive, Suite M, Sacramento, CA 95814 (916) 447-8565

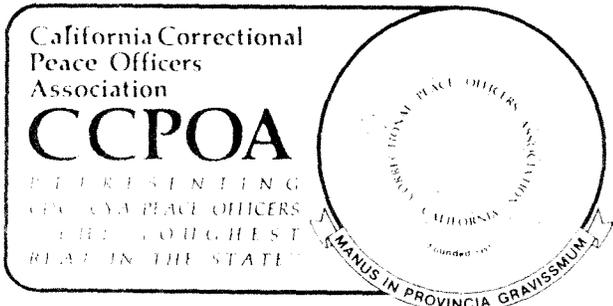
To: THE JOINT COMMITTEE ON PRISON CONSTRUCTION AND OPERATIONS

From: Donald Fish, President-CRC CCPOA
Dwane Erickson, Vice-President-CRC CCPOA

Re: The Fate of Health & Safety Grievances at CRC in 1983.

<u>No.</u>	<u>Date Initiated</u>	<u>Health and Safety Problem</u>	<u>Disposition</u>
01	3-04-83	Need to Stop Inmates Being Allowed to Take Fruit From the Dining Areas of CRC.	DENIED!
02	3-24-83	Officers' Need for 'Avenue of Escape' Thru CC-1 Offices of Dorms 20-39.	DENIED!
03	4-06-83	Insufficient Numbers of Hand-Held Radios for Officers at CRC.	DENIED! But, it got 10 new radios.
04	5-17-83	Trees Versus Gun Coverage at CRC.	DENIED! But, some seasonal trimm
05	7-07-83	Insufficient Amounts of Mechanical Restraints at CRC.	GRANTED!
06	7-18-83	Inadequate Weapons to Prevent Escapes at CRC.	DENIED!
07	8-01-83	Regularly Unmanned and Unarmed Perimeter Posts (nos.3&5b) at CRC.	DENIED!
08	8-11-83	Absence of Gun Towers on CRC's Lower Compound.	DENIED!
09	9-19-83	Insufficient Numbers of Hand-Held Radios for Custody Staff at CRC.	DENIED!
10	10-20-83	Needed Reinforced Doors, Door Locks, and Security Screens for Specified Housing Areas of CRC.	GRANTED-IN-PART!
11	10-24-83	Need for A Temporary Security Housing Unit at CRC.	DENIED!
12	10-24-83	Ongoing Unsafe Structural, Health and Environmental Conditions, Defective or Unsafe Mechanical and Electrical Equipment at CRC.	DENIED!
13	10-27-83	Insufficient Numbers of Officers to Provide Coverage for CRC's Yard and Culinary Areas.	DENIED!

(Continued.)



330 Bercut Drive, Suite M, Sacramento, CA 95814 (916) 447-8565

The Fate of Health and Safety Grievances at CRC in 1983 continued:

<u>No.</u>	<u>Date Initiated</u>	<u>Health and Safety Problem</u>	<u>Disposition</u>
14	11-07-83	Needed Shotgun Slings and Ammo Pouches for CRC.	DENIED!
15	11-08-83	Insufficient Third Watch Officer Coverage for Men's Clinic.	DENIED!
16	11-10-83	Inadequate Control of Hobby Craft Tools at CRC.	DENIED! But, unofficially granted by CRC.
17	11-14-83	Insecure Manual Override for CRC's Southwest Corner Gate.	DENIED!
18	11-14-83	Section of Inside Perimeter Fence-Line Not Connected to Alarm System at CRC.	DENIED!
19	11-21-83	Need For Two(2) Officers Per Dorm In Housing Units I,II and III For First and Second Watch at CRC.	DENIED!
20	11-21-83	Need For Additional Radios, Handcuffs and Handcuff Keys For Doubled Dorm Officers on All Watches at CRC.	GRANTED-IN-PART!

Overall Disposition of Health and Safety Grievances at CRC As Of 11-29-83

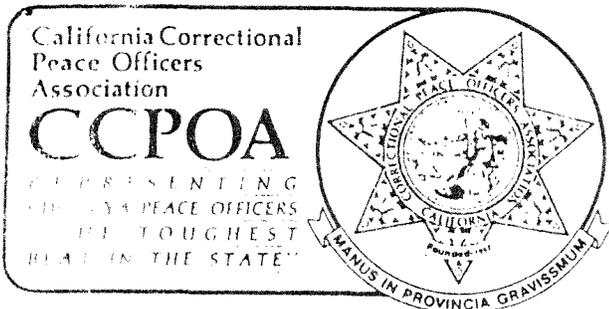
<u>TOTAL</u>	<u>GRANTED!</u>	<u>GRANTED-IN-PART!</u>	<u>DENIED!</u>
20 (100%)	01 (5%)	02 (10%)	17 (85%)

ATTENTION:

Obviously, Management has refused to recognize 85% of our expressed Health and Safety concerns here at CRC. Management's STANDARD-OPERATING-PROCEDURE is to DENY H.&S. Grievances at CRC. Management is being ARBITRARY and UNFAIR. LABOR is not receiving fair treatment for its expressed due-process concerns under COLLECTIVE BARGAINING at CRC. H.&S. problems are not being resolved. This situation is inexcusable, intolerable, unsafe and unhealthy for Labor here. Also, there exists a great potential for financially debilitating lawsuits against The State of California due to any possible dire future related problems here at CRC, Norco.

Sincerely,

Dwane Erickson C/O
VP, CRC CCPOA.



530 Bercut Drive, Suite M, Sacramento, CA 95814 (916) 447-8565

Attachment to Grievance filed by Job
Steward D. Erickson on 10-31-83
re: Using Officers to type Incident
Reports.

Statement of Grievance continued:

good faith prior to making such changes, unless there is a legitimate business necessity." Obviously, Management did not meet and confer with CCPOA prior to effecting this policy. This obnoxious act-of-omission by Management clearly shows its blatant on-going disregard for the legally binding language of "Entire Agreement" per Arbitration.

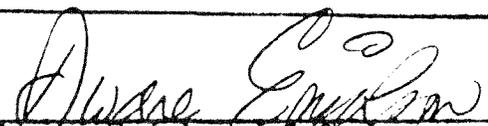
Also, we certainly will not tolerate Bargaining Unit 6 employees being utilized by Management in violation of ARTICLE XVI MISCELLANEOUS Section 100. Out-of-Class. Specifically, we desperately need all the available Correctional Officers to be working on-the-Line, and not to be displaced for clerical duties, including the typing of Incident Reports.

We agree with Management's decision to not have inmate clerks involved in the preparation of Incident Reports. However, the Administration will have to use or hire its own clerical personnel to type those reports, and not misuse Correctional Officers.

I am filing this grievance on behalf of the aforementioned ARTICLE XVI Section 107, which has been obviously violated, and thereby is subject to resolution via the grievance procedure. At this time, I am just noting the coincidental violation of ARTICLE XVI Section 100, which is not subject to grievance procedure. If Management fails to properly resolve this grievance, I will ~~submit~~ submit a concurrent grievance to the State Personnel Board, which has exclusive jurisdiction regarding ARTICLE XVI Section 100 Out-of-Class situations.

The problems instigating this grievance were created by on-going Correctional mismanagement. The attached Memo is an example of Administration's poor judgement in its dealings with Labor, its bad faith attitude toward everybody's 1983-85 Agreement, and its convenient ignorance of the Agreement itself. The harmonious co-existence of Labor with Management will not happen as long as Management intentionally seeks to promote its arbitrary and unfair past practices. Management's capricious violations of The Agreement are detrimental to The Department of Corrections...definitely counter-productive.

Sincerely,


Dwane Erickson C/O
CRC Secretary-Job Steward

Per your grievance dated 10-31-83 under Specific Remedys sought you requested:

1. That no bargaining unit 6 employees be used as clericals to type incident reports.

This portion of the Grievance is granted.

2. That Captain J. Geist (A) memo dated 10-19-83 be rescinded.

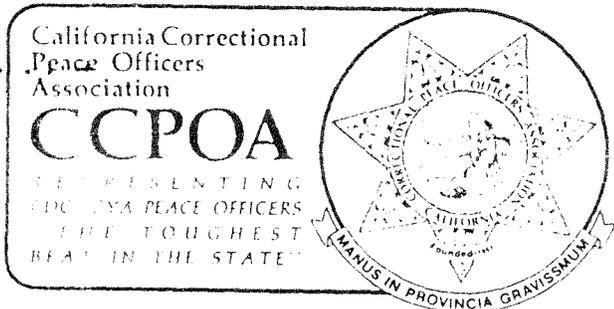
This part of the grievance is granted.

3. The Captain J. Geist (A) be verbally reprimanded by the Administration and that he receive instructions regarding the contract. In our opinion Captain J. Geist (A) did not violate the contract.

This portion of the grievance is denied.

To further answer some of Officer Erickson's charges: Administration does not believe that it "acted arbitrarily and illegally to violate two sections of the contract". We also do not believe that the request was "obnoxious", nor do we agree that the Administration has shown a "blatant, on-going disregard of the contract" as stated by Officer Erickson. We also disagree with the terms "mis-management" and "poor judgement" as used by Officer Erickson. We also deny a "convenient ignorance of the contract" as charged by Officer Erickson. We deny that our past practices are "arbitrary and unfair" and we also deny Officer Erickson's charge of "caprecious violations of the contract".


A. A. St. Peter,
Correctional Captain



Attachment to Grievance filed by Job
Steward D.Erickson on 10-31-83
re: Using Officers to type Incident
Reports.

530 Bercut Drive, Suite M, Sacramento, CA 95814 (916) 447-8565

Appeal to Second Level Review:

The Level I response to this Grievance is bizarre. This Chapter of CCPOA has previously expected Management to maintain a more sophisticated level of labor relations. We appreciate that our Officers will not be misused as clericals to type incident reports, and that Captain(A) J.N.Geist's Memo dated 10-19-83 is rescinded. We recognize Management's feelings in its choice not to verbally reprimand Captain (A) Geist.

However, Captain StPeter's response to this Grievance possibly presages unnecessarily difficult relations between Labor and Management at CRC, worse than what we have had to date. His response is illogical and ominous. We perceive something to be wrong. We file a grievance. Management grants the merits of this grievance, but denies any wrongdoing whatsoever. A strange senario to be sure. Captain StPeter states "...In our opinion, Captain J.Geist(A) did not violate the contract." This grievance would not have been granted, if there had been no violation of the Contract. Does Captain StPeter's response mean that CRC's Management does not recognize ACCOUNTABILITY for its behavior? As an analogy, if Management's hand is caught in the proverbial cookie jar, will it stop its misbehavior while denying any wrongdoing? Is the sequel to George Orwell's 1984 to be 1984 at CRC? This Chapter, and CCPOA itself, will never accept that illogic which tells us "...Love is Hate. War is Peace. 2+2 is 5." Per Captain St Peter's numerous denials of this Chapter's present assessment of the status of labor relations at CRC, Management can do no wrong. In the midst of all of Captain StPeter's denials of Management's culpability for anything, we are reticent to rhetoricize again about things being ARBITRARY and UNFAIR. We will just let his classic and bizarre response to this grievance speak for itself.

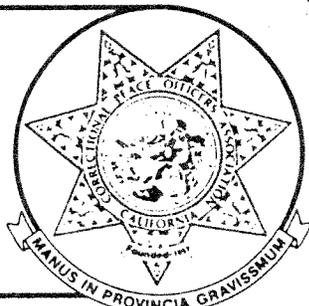
Sincerely,


Dwane Erickson C/O
Job Steward

California Correctional
Peace Officers
Association

CCPOA

REPRESENTING
CDC, CYA PEACE OFFICERS
THE TOUGHEST
BEAT IN THE STATE



530 Bercut Drive, Suite M, Sacramento, CA 95814 (916) 447-8565

1. Jan. 20, 1982	J. Thompsen	C/O.
2. Jan. 22, 1982	M. Sokolqz	C/O.
3. Feb. 9, 1982	unknown	
4. Feb. 11, 1982	P. Avila	Sgt.
5. Mar. 25, 1982	R. Montez	C/O.
6. Mar. 25, 1982	D. Horn	Sgt.
7. Mar. 26, 1982	G. Perez	C/O.
8. Apr. 7, 1982	A. Millner	C/O.
9. May. 14, 1982	M. Kellner	C/O.
10. May. 17, 1982	M. Montiero	C/O.
11. May. 26, 1982	D. Smith	C/O.
12. Jun. 9, 1982	D. Horn	Sgt.
13. Jun. 9, 1982	S. O'niel	Sgt.
14. Jun. 4, 1982	C. Cooper	C/O.
15. Jun. 25, 1982	unknown	
16. Jun. 28, 1982	unknown	
17. Aug. 10, 1982	unknown	
18. Aug. 24, 1982	D. Fish	C/O.
19. Aug. 27, 1982	M. Kellner	C/O.
20. Aug. 30, 1982	J. O'brien	C/O.
21. Sep. 7, 1982	D. Erickson	C/O.
22. Sep. 7, 1982	D. McMahan	C/O.
23. Sep. 7, 1982	L. Giovinazzo	C/O.
24. Sep. 20, 1982	E. Rhodes	C/O.
25. Sep. 27, 1982	unknown	
26. Sep. 29, 1982	unknown	
27. Oct. 18, 1982	unknown	
28. Oct. 25, 1982	unknown	
29. Nov. 15, 1982	unknown	
30. Nov. 23, 1982	G. Perez	C/O.
31. Nov. 24, 1982	R. Perez	C/O.
32. Nov. 29, 1982	unknown	
33. Dec. 7, 1982	A. Fakhoury	C/O.
34. Dec. 8, 1982	R. Murrietta	C/O.
35. Dec. 9, 1982	R. West	C/O.
36. Dec. 14, 1982	unknown	
37. Dec. 18, 1982	unknown	
38. Dec. 20, 1982	unknown	

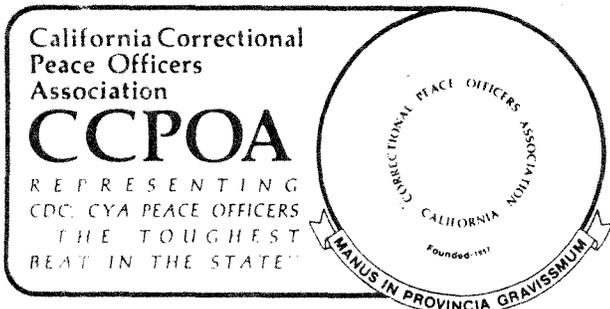
Total Staff Assaults for 1982(38)

ASSUALT STATISTICS 1982 and 1983

CRC

1. Jan. 16, 1983	unknown	
2. Jan. 24, 1983	C. Infante	C/O.
3. Jan. 23, 1983	unknown	
4. Jan. 31, 1983	Terrazas	C/O.
5. Feb. 14, 1983	R. McCliman	C/O.
6. Feb. 17, 1983	unknown	
7. Feb. 24, 1983	J. Washington	C/O.
8. Mar. 3, 1983	unknown	
9. Mar. 17, 1983	S. Gardner	C/O.
10. Apr. 5, 1983	Casler	C/O.
11. Apr. 6, 1983	McKenzie	C/O.
12. Apr. 11, 1983	C. Giest	C/O.
13. Apr. 27, 1983	unknown	
14. May. 3, 1983	AyAla	C/O.
15. May. 3, 1983	Terrazas	C/O.
16. May. 5, 1983	unknown	
17. May. 12, 1983	unknown	
18. May. 24, 1983	M. Kellner	C/O.
19. May. 12, 1983	unknown	
20. Jun. 12, 1983	Burns	C/O.
21. Jun. 12, 1983	Ruis	C/O.
22. Jun. 13, 1983	J. Ayala	C/O.
23. Jun. 13, 1983	R. Cortez	C/O.
24. Jul. 5, 1983	unknown	
25. Jul. 18, 1983	Mihalyi	C/O.
26. Jul. 18, 1983	unknown	
27. Jul. 27, 1983	unknown	
28. Aug. 18, 1983	J. Lopez	C/O.
30. Sep. 1, 1983	L. Paz	C/O.
31. Sep. 19, 1983	unknown	
32. Sep. 29, 1983	P.Toole	C/O.
33. Sep. 30, 1983	R.Feaster	C/O.
34. Oct. 4, 1983	P.Gardner	C/O.
35. Oct. 3, 1983	P. Paz	C/O.
36. Oct. 19, 1983	D. Corona	C/O.
37. Oct. 19, 1983	Randolph	C/O.
38. Oct. 19, 1983	Millner	C/O.
39. Oct. 31, 1983	unknown	
40. Nov. 1, 1983	J.Washington	C/O.
41. Nov. 4, 1983	R. Hand	C/O.
42. Nov. 8, 1983	unknown	
43. Nov. 14, 1983	Culberson	C/O.
44. Nov. 14, 1983	Ruis	C/O.
45. Nov. 22, 1983	J. Ames	C/O.

Total Staff Assaults for 1983 (45)



November.15,1983

510 Bercut Drive, Suite U, Sacramento, CA 95814 (916) 447-8565

To: Sgt. Walkinshaw
California Highway Patrol

From: Donald L Fish
California Correctional Peace Officers Association
Chapter President, C.R.C; Norco, California

Re: Safety Inspection of C.R.C. Vehicles

The State Vehicles at California Rehabilitation Center, Norco are being operated in a very unsafe condition. This is exposing California Peace Officers to dangers to life and limb over and above their normal job dangers. It is requested that the Riverside California Highway Patrol inspect these vehicles (transportation and Search & Escort Vehicles) to determine if they are within State of California Safety standards. I request that a copy of this report be sent to my home:

Donald L Fish
8652 Lombardy Ct.
Fontana, California 92335

Please respond to this request in writing as to the disposition of this request. Your cooperation in this matter is highly appreciated.

Yours Truly

Donald L Fish
C.C.P.O.A. Chapter President

cc: Governors office
Cal/Osha

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DEPARTMENT OF CORRECTIONS



December 19, 1983

The Honorable Robert Presley
Chairman, Joint Legislative Committee on
Prison Construction and Operations
Room 4048
State Capital
Sacramento, CA 95814

Dear Senator Presley:

The following responses are submitted by the administration of the California Rehabilitation Center to the Joint Committee on Prison Construction and Operations, and to specifically answer the issues that were raised by the California Correctional Peace Officer's Organization.

1. Less Than Adequate Fence Alarms

The California Rehabilitation Center has installed electronic fence alarms around the existing perimeter fence line. CCPOA filed a Health and Safety Grievance concerning the fence alarm system on 11/14/83. They specifically addressed the area located behind the CRC gymnasium. The respective vendor, Norco Alarm Systems, had been contacted previously and checked the area addressed on 11/9/83. The fence alarm systems were determined to be operating effectively. Because of CCPOA's continued concern, the Employee Relations Officer, L. Witek, again checked the area of complaint on 11/24/83 with Lt. R. Simmons. It worked satisfactory, however, as a safeguard, the Norco Alarm Systems Company was again called to check the system on 11/25/83.

On that date the Norco Alarm Systems Company accompanied by Lt. Simmons determined that the alarm system was working properly and CCPOA Chapter President, D. Fish, was notified of the findings.

2. Poor Gun Coverage on Perimeter and Yard

CCPOA filed three Health and Safety Grievances concerning these issues. On 8/1/83, CCPOA filed a Health and Safety Grievance that requested CRC to immediately elevate Post 3 and arm with weapons on a 24 hour basis, both posts' 3 and 5b. CRC responded with a denial based upon budgeting and time constraints. In the grievance CRC explained that this request was included in the Special Security Package that was submitted to the California Department of Corrections, Central Office Division, in Sacramento during the month of July. That package is still under consideration.

On 8/11/83, CCPOA filed a Health and Safety Grievance requesting two towers be constructed in the lower compound of the CRC facility. CRC administration explained that a tower cannot be erected everywhere a disturbance occurs. CRC currently utilizes emergency response teams, and they have proven in the past to be effective whenever a disturbance occurs. It was also explained that Tower #4 is adequate in providing coverage to a large portion of the open area on the CRC yard.

On 7/18/83, CCPOA filed a Health and Safety Grievance requesting that the CRC administration immediately place a Mini 14 carbine on posts #2, #6, and #7. CRC administration reviewed several reports submitted by staff on 9/8/80, 10/8/80, and 10/20/80. These reports were carefully evaluated and the CRC administration determined that the use of the Mini 14 on posts #2, #6, and #7 were not safe due to the close proximity of foot and auto traffic, local civilian housing, and local surrounding areas in which civilians work. Also, considered was a little league ball field located on the west side of the CRC facility. This area is occupied both day and evenings with youth and adults involved in soccer and baseball. CRC has compensated with fence alarms, video camera coverage, and an armed outside patrol sergeant for immediate response which have proven very effective in maintaining a secure perimeter.

3. Poor Camera Coverage

CRC currently has eleven (11) video cameras that are positioned in strategic positions throughout the CRC facility. The CRC control room has monitors for all cameras and all cameras can be either stationary or rotated on a 360 degree axis.

During the evening shifts the CRC yard is closed at 4:30 p.m., and the video cameras are concentrated on perimeter coverage. During the daytime hours, two (2) cameras are shifted to allow yard coverage. Yard coverage is also provided by a yard sergeant and an average of six (6) yard officers. It is the administration's opinion that the camera and yard coverage is adequate.

4. Two (2) Level Four Inmates, and Eighty-Three (83) Level Three Inmates at CRC

CRC currently has no level IV inmates and will not house any level IV inmates in the future. CCPOA suggested that CRC had 83 level III cases. CRC immediately responded assigning Records and counseling staff to screen 84 cases that were identified by Sacramento Classification Division as possible level III inmates housed at CRC. CRC staff have verified that only 15 inmates at the CRC facility are level III inmates. Of the 15 level III inmates housed at CRC, all were for reasons such as exceptionally good behavior, good behavior coupled with enemy problems,

and good behavior coupled with specialized work need. CRC administration is very careful in its acceptance of level III inmates and would not tolerate a level III disciplinary problem. CRC administration has been assured no more level III's and no level IV's will be assigned to CRC.

5. Psychotic Inmate Being Kept in the Infirmary Under Heavy Medication

CRC does not routinely keep inmates with mental problems in the infirmary under heavy medication. This issue is based upon a Civil Addict Program Commitment who was retained in the clinic for approximately three weeks, however, has since been transferred to the CIM Hospital. The infirmary is not designed for long term placement and will not be utilized for this purpose. The inmate in question was stabilized on medication during the time he was kept in the infirmary. Upon the first signs of subject becoming a management problem, he was immediately transferred to CIM Hospital.

6. Staff in the Infirmary Exposed to Tuberculosis, Infectious Hepatitis and Syphilis

CRC administration cannot guarantee that staff will not be exposed to infectious diseases, however, it can be certain that no inmate identified as having any contagious disease will be kept at the CRC facility. Not only will CRC immediately transfer any contagious disease case from the CRC facility, steps will immediately be taken to protect all exposed employees and inmates. This can be substantiated by a recent inmate that was diagnosed as having Tuberculosis. This inmate was immediately transferred, the CCPOA President, Mr. D. Fish, was notified and he agreed with the CRC administration's steps to test for T.B. all exposed staff and inmates, and any staff requesting to be tested. A memo was published informing all staff of the medical incident.

7. N# Program Unsuccessful as N#'s who Violate Parole are Unmanageable after Returned to Institution Because Discipline has no Meaning to Them

CRC acknowledges changes in the Civil Addict Program but does not believe that the program is improperly administered or non-functional. There is no merit to the claim that Civil Addict Program violators are unmanageable. An N# violator that is a disciplinary problem is subjected to the following administrative actions:

1. Each disciplinary extends the inmates time that they may be referred to the Narcotic Addict Evaluation Authority for parole consideration.
2. The N.A.E.A. reviews all disciplinaries prior to release consideration and could possibly refuse release or even refer back to administration for exclusion from the program.

3. The CRC administration can exclude any inmate from the Civil Addict Program for disciplinary infractions.
 4. Any felony behavior is referred to the local District Attorney for possible prosecution.
8. Unit I Condemned 1979 Structurally Unsound

Unit I at the CRC facility currently houses approximately 800 inmates. This building was inspected by an architectural firm in 1979 and was determined not to be earthquake safe. This building was never condemned. It, like other structures in California, met the standards in effect when it was built, but would not meet current construction standards. The assumption could have been made that this building was condemned because during that same period of time, Unit I was closed based upon a reduction of inmate population at CRC. Unit I was closed strictly for this reason and operational cost savings. As CRC population increased, Unit I was reopened in 1980.

9. Loss of 80 Positions in 1984

As of this date, CRC has received no orders from the Sacramento Central Office requiring CRC to initiate an 80 staff reduction. This will not happen without an onsite inspection by Sacramento Central Office staff and CRC administration would make every effort to retain all personnel necessary to carry out their mission.

This statement by CCPOA is based upon an overcrowding package that was submitted by CRC in August 1983 in which CRC received and additional 80 staff positions. These positions were activated based upon an approximate increase of 341 male inmates at the CRC facility. A recent CDC Sacramento projection reflects an approximate 341 inmate reduction during the first quarter of 1984. This raises the assumption of a staff reduction. Again, CRC is not supporting nor has it been directed by Sacramento to initiate an 80 staff reduction.

10. Increase in Inmate Population of 600 Inmates at CRC due to Recent Court Decisions at Northern Institutions

Recent CDC projections reflect that CRC will have an approximate 341 inmate reduction during the first quarter of 1984. Double cell housing recently implemented at the California Mens Colony, San Luis Obispo, has eliminated the previously anticipated increase in inmate population at CRC that would have resulted from the court decision to single cell house inmates at San Quentin and Folsom Prisons.

11. Recent Attempted Escape with Implications of a Contract (Murder After Escape) Weapons and Vehicle to be Taken from Post 2 Officer

An investigation and incident package was completed concerning this attempted escape. The statement by CCPOA is incorrect as the investigation developed no factual evidence to confirm nor lend any support to this claim. -116-

Further conversation with Mr. D. Fish, CCPOA Chapter President, on 12/9/83, was conducted to clarify the issue raised in the above statement. Mr. Fish stated that that statement was made to address the inadequate perimeter fence security at CRC. These issues were previously addressed in response to #1, #2, and #3.

CRC does not rely on any one system to protect the security of the CRC perimeter. CRC has a double chain link fence with barbed wire and razor wire laced at the top of both fences. There is an electronic fence alarm system that encompasses the entire perimeter fence line and the CRC control center has eleven strategically placed video cameras that monitor the perimeter fence line. These cameras have both stationary and 360 degree mobile capacity. CRC currently has four 24 hour manned post/tower positions and a 24 hour mobile outside patrol sergeant.

CRC administration has submitted a security package to Sacramento that requests funding for adding two new perimeter post positions, elevating two existing perimeter posts and relocating two existing perimeter posts. These changes and additions will provide greater perimeter visibility and enhance perimeter security. This package is still under consideration.

12. Staff Exposed to Wild Animals and Insect Bites

A Health and Safety Grievance was filed by CCPOA on 10/24/83 concerning this issue. CRC administration believes it is the responsibility of the employee to exercise good judgment when entering and searching any area at CRC. Any identified, unsafe structural, mechanical, electrical, environmental or vector control can be reported through the maintenance work order procedure for repairs or remedy. CRC also has a Safety Committee comprised of supervisors and rank and file employees. The fire chief is the Safety Committee Coordinator, and this is another avenue available to all staff for reporting unsafe conditions.

13. Ambulance Broken Down and Out of Service when Needed for Emergencies

The CRC facility has a vehicle that is used for medical transportation of inmates from dorm areas to the CRC infirmary. This is not a licensed ambulance service. It is true that this vehicle is older and at times has been broken down. Although this is true, CRC does not rely on this vehicle. Medical staff (doctors, nurses, MTA's) are available for immediate response to any area of the CRC facility in emergency situations. If hospital care is necessary, the inmate is transferred by outside ambulance service to Riverside General Hospital. Anytime a staff member is injured and requires emergency treatment, an outside ambulance is immediately called and the staff person is transported to a local community hospital. The CRC medical transport vehicle is for intra-institution transport only. All ambulance service is provided by a licensed ambulance service from the community.

14. Institution Does not call Outside Agencies Until They Believe That They Will not be Able to Locate the Escapee

The CRC Escape Procedure requires that the person in command immediately notify local law enforcement agencies for assistance whenever it has been established an escape has taken place. The last CRC escape occurred in August, 1983. The inmate escaped from an outside work crew in the community, and was apprehended approximately three hours later. All local law enforcement agencies were notified and involved in the search and apprehension. The procedure is very clear as to the responsibility to notify local law enforcement agencies.

Routinely, the agencies contacted would be Riverside County Sheriff's Department, Corona Police Department, and the California Highway Patrol.

15. Two Staff Needed to Cover Each Outside Crew

Vast CDC experience has shown that one Officer can provide adequate security for a ten man crew. The CRC crews average approximately ten (10) inmates and each inmate is carefully screened. CRC has established a very strict ORWA criteria that each inmate must meet. Each individual inmate and their respective central file, is screened by two classification committees prior to any approval being granted. If there is any change in an inmate's status, (holds, disciplinary, etc.), after Off Reservation Work Assignment has been approved, the approval is immediately rescinded pending further Classification Committee review.

16. CRC has had Approximately Ten (10) Disturbances in Two Years Serious Enough to Bring Guns on the Yard

On 12/9/83, contact was made with D. Fish, CCPOA Chapter President, to clarify this issue. He stated that this statement was made to acknowledge CRC as an unsafe place to work and reiterate the need to reevaluate the previously submitted Health and Safety Grievances.

CRC's records indicate there were only three (3) instances where weapons were brought on the yard, once in August, 1982 and twice in August, 1983.

CRC administration does believe that CRC is a safe place to work. All grievances are carefully evaluated and primary consideration is given to the safety of the employee, public and worksite. Further response to this issue and issue #17 will be incorporated in #18, Review of all Health and Safety Grievances.

17. Staff Assaults - 83 in Two Years, 38 in 1982, and 45 in 1983 as of 11/19/83

The CRC investigative unit conducted an audit concerning staff assaults. CRC had a total of 34 staff assaults in 1982. Six of these assaults were with weapons, (table leg, mop wringer, etc.). As of 11/25/83, CRC has had a total of 32 staff assaults in 1983.

Four of these assaults were with weapons. When an incident is labeled an assault it can range in severity from spitting on a staff member to assaulting a staff member with a weapon.

On 12/9/83, contact was made with Mr. D. Fish, President, CCPOA, CRC Chapter, to clarify this issue. He stated that this statement was made to acknowledge CRC as an unsafe place to work only to support the need to re-evaluate the previously submitted Health and Safety Grievances. This will be dealt with in response #18, Complete review of Health and Safety Grievances.

Administration acknowledges that CRC is a difficult place to work and some staff are uncomfortable in an open dorm setting such as CRC. It admittedly has less secure housing from a physical standpoint than many other institutions. Because of this reality, careful classification procedures are followed which allow only those inmates amenable to such a setting to be housed at CRC. While this does not guarantee no disturbances, it does reduce the probability of such an occurrence and minimizes the impact.

18. Re-evaluation of all Health and Safety Grievances as They Relate to the Security of the Institution and the Safety of Staff and the Community

Health and Safety Grievance Review. Note: While many of these were denied as safety grievances, they have been implemented or are being considered for implementation on another basis. They will be evaluated in the order that CCPOA presented them:

1. CCPOA requested that inmates not be allowed to take fruit from the dining hall. They stated that fruit is used for making Pruno and is also thrown at staff.

CRC determined that this did not present a clear and present danger to the employee, and the grievance was denied. CRC's policy only allows one piece of fruit to be removed by an inmate from the dining hall and only one piece of fruit can be stored in an inmate's locker at any one time. Any inmate found in possession of more than one piece of fruit is subject to disciplinary action. Inmate manufactured intoxicants can be and are made from a variety of materials, and constant vigilance and searches is the best deterrent.

2. CCPOA requested that dorm correctional officers in Units II and III be given keys to the counselor's offices in each respective dorm. They also requested that security screens in the counselor's offices windows be removed to allow the dorm officer an emergency escape.

This grievance was denied as it was determined that the safety measures afforded the dorm officer were adequate and there was no clear and present danger to the employee.

The dorm officer's post orders clearly state that the correctional officer is expected to spend the majority of their time patrolling through the dorm. Safety is a primary concern for the dorm officers, and several security measures have been taken to provide for this.

The officer is required to carry a whistle at all times. The dorm officer's station is provided with a telephone that has a 30 second delayed alarm and the dorm officer is provided with a portable two way radio that he/she carries on his/her person at all times. The counselor offices have never been acknowledged as any escape route for the dorm officer. Also noted is that CRC currently has two (2) correctional officers assigned to the third watch (3:00 p.m. to 11:00 p.m.), and a security package submitted in September included one additional correctional officer for every two dorms on the first and second watches. This package is still under consideration.

3. Correctional Officer, W. Michael, Post #6, requested that CRC purchase additional portable radios. The portable radio assigned to Post #6 was removed by the supervisor and reassigned to a yard officer due to yard radio being under repair. Officer Michael felt that this created an unsafe working condition.

This Health and Safety Grievance was denied as the CRC administration determined that Officer Michael had adequate communications and the reassigned radio was only for a three day repair period. All post positions have a telephone with a telephone alarm system. Post #6 is also an armed position. Although CRC administration did not believe that the transfer of the radio from Post #6 to the yard officer presented a clear and present danger to Officer Michael, it did recognize a need for additional radios due to repair time and ten (10) additional radios were purchased and received at CRC in June 1983.

4. CCPOA requested that trees surrounding back doors of dorm 20, 23, and 39, and trees in area of Men's Unit Canteen be cut down. Requested Post #4 officers be authorized to direct landscape in the removal of trees and shrubs.

CRC agrees to the need to keep trees and shrubs trimmed to allow Post #4 visibility, however, disagrees with the total removal of the trees as unnecessary. CRC agreed to have appropriate custody staff evaluate the areas of concern and initiate appropriate trimming.

5. CCPOA requested CRC administration immediately survey the status of restraint equipment, comply with the Manual of Procedures (Chapter 52) that addresses this issue and immediately purchase and provide restraint equipment.

The first request was immediately completed and upon completion, CRC administration realized that they were not in compliance and the grievance was granted.

Fifty sets of restraint equipment were immediately borrowed from CIM pending purchase and receipt of new equipment at CRC.

6. CCPOA requested that CRC immediately arm Posts #2, #6, and #7 with Mini 14 (.223 Cal.) carbine. Refer to response #2, Poor gun coverage on perimeter and yard.
7. CCPOA requested CRC elevate Post #3, and both arm and man on a 24 hour basis, both Posts #3 and 5b. Refer to response #2, Poor gun coverage on perimeter and yard.
8. CCPOA requested two additional gun towers be erected on CRC Yard. Refer to response #2, Poor gun coverage on perimeter and yard.
9. CCPOA requested that management purchase a minimum of twenty new hand held radios for custody staff and measures be taken to expedite prompt repairs.

Although the grievance was denied, this denial was based solely upon this issue not presenting a clear and present danger to the employee, public, or worksite.

In the grievance response CRC acknowledged a need for a radio repair status report and immediately instituted this procedure. This report is submitted by the Security Specialist Sergeant to the Central Services Captain. CRC administration also noted that not only were ten (10) additional radios received at CRC in June 1983, an additional ten (10) radios were submitted in the September budget request along with eleven (11) single battery chargers and five (5) wafer style chargers. These items are still on order and receipt is anticipated in the near future. Administration noted that CRC currently has 103 portable hand held radios which is deemed sufficient.

10. CCPOA requested a lock be installed on the holding tank located in the Men's Unit, locks be installed on the rear, side and front doors of Men's Unit dorms #20 through #39.

CRC granted this grievance in part. The holding tank located in the Men's Unit was provided with a lock.

The lack of screens on all windows and locks on all doors was not determined to present a clear and present danger to staff, worksite, or public. It was explained that the Men's Unit dorms are not designed to have the capability of securing inmates in a confined area. These egress routes are not only important for inmate fire life safety, they also provide egress for staff. Dorm staff are encouraged to stay out of the dorm office and maintain patrol of the unit. These avenues of

entrance and escape are necessary in the open dorm setting at CRC.

Institutional and Departmental Classification Procedures limit CRC inmate population to those that are considered amenable to open dorm living conditions. Inmates needing more secure housing are transferred out to a more secure institution.

It was also explained that a recent security package submitted to Sacramento requested the fencing off of Units I, II, and III. Upon approval this would provide the requested isolation of unit problems as outlined in the grievance.

11. CCPOA requested CRC construct a temporary Security Housing Unit for housing management cases.

Administration explained that CRC is allocated close custody beds at CIM Reception Center Central. Any time an inmate is deemed as a management problem that cannot be retained at CRC, he is placed in restraint equipment and transported to CIM. This same procedure is applied to female inmates and they are transferred to CIW.

Administration believes that this procedure provides a custody level that is far more secure than a holding cell can provide.

12. CCPOA requested that CRC screen bottoms of dorms in Units II and III and correct health and structural defects. Refer to #12, Staff exposed to wild animals and insect bites.
13. T. Gorman, Correctional Officer, requested additional staff assigned to the third watch for yard coverage.

Administration explained that CRC has made special efforts to monitor the culinary coverage and yard coverage. The main culinary has no less than the (10) custody personnel inside the culinary during each meal and a total of seventeen (17) custody personnel are involved in the culinary feeding process and within close proximity of the culinary. This includes a minimum of four (4) supervisors. There are two mobile S & E officers patrolling the yard during the culinary feeding. There is currently no open yard during or after the evening meal. This coverage is determined as adequate by the CRC administration.

14. CCPOA requested that management immediately purchase shotgun slings and ammo pouches for all CRC shotguns.

CRC administration determined that this did not constitute a clear and present danger to the employee and this grievance was denied. It was noted that shotgun ammo is distributed in pouches and this was deemed adequate. Shotgun slings do not provide weapon control on a gun post. Although the grievance

was denied, CRC has continued in evaluating this request for future departmental review.

15. CCPOA requested an officer to be assigned to the third watch Men's Clinic.

CRC administration responded stating that there are currently three (3) Medical Technical Assistants (MTA's) assigned to the third watch Men's Clinic. They have a telephone and telephone alarm system. The infirmary is located in the immediate area and a correctional officer is assigned to the infirmary on the third watch. A correctional officer is also assigned to the pill line coverage in front of the Men's Clinic at the 5:30 p.m. and 9:00 p.m. pill call. The Men's Clinic is located in the immediate area of the Unit II and III program offices. Unit staff are available for emergency response.

Although this grievance was denied as a safety grievance, CRC administration does realize the value of a correctional officer position in the Men's Clinic. An overcrowding package was submitted on 10/25/83 and this included a budget change proposal for a third watch correctional officer in the Men's Clinic. CRC is awaiting a decision on this proposal.

16. CCPOA requested tool control of hobby tools issued to inmates at CRC.

CRC administration explained that the current Manual of Procedures, Chapter 29 (Hobby Tool Procedure) places restrictions on certain hobby tools and prohibits others in the inmate living areas. All hobby tools not approved in the Manual of Procedures are contraband and should be confiscated by staff.

The administration has determined that the current procedure is adequate. CRC administration did call for a search of each unit concerning hobby tools and results were reported to D. Fish, CCPOA Chapter President. Mr. Fish acknowledged that CRC's response to this grievance was satisfactory and no further action was requested.

17. CCPOA requested manual override on Southwest Corner gate be changed due to its position on the inside being accessible to inmates.

Administration at CRC determined the current manual override did not present a clear and present danger and therefore the grievance was denied. It was noted that a correctional officer is positioned at the Southwest corner during the hours of 7:00 a.m. to 5:30 p.m. During non-manned hours the electrical power to both the inside and outside gate is discontinued and the outer fence gate is double locked with a Folger Adams lock. The only way to open the inside gate during non-manned hours would be to open the manual override box that is also locked

with a Folger Adams lock. The manual override box is made of plate steel that would withstand extreme force. It would be very difficult for an inmate forced exit to go undetected due to the above and the fact that this gate is surrounded by the fence alarm system.

This area is also under 24 hour direct visual coverage by armed post/tower #4. Refer to #1, less than adequate fence alarms.

18. CCPOA stated a 26 foot section of the perimeter fence was not covered by the fence alarm.

After careful review, as previously described on page 1, the grievance was denied as the fence alarm system does indeed cover the 26 feet in question and is working correctly.

19. CCPOA requested CRC immediately assign two correctional officers to dorms in Units I, II, and III, on first and second watches.

Administration denied this as a safety grievance, however, acknowledged the value of additional correctional officer positions in the dorms. Administration noted that a security package proposal was submitted in September to Sacramento. This proposal included a request to increase dorm coverage on the first and second watch to one additional officer for every two dorms. The second officer would be designated a "rover" and move between two dorms. That package is still under consideration.

20. CCPOA requested a radio, keys, and restraint gear (handcuffs) be assigned to the second, third watch dorm correctional officers assigned in Units II and III.

CRC acknowledges the need for this additional safety equipment. Although the grievance was denied as not presenting a clear and present danger, administration has responded by submitting budget requests for twenty (20) additional hand held radios and twenty (20) additional handcuffs. The keys were immediately prepared and issued by the Security Specialist Sergeant to each dorm.

for 
C. J. VILLALOBOS
Superintendent

DEPARTMENT OF CORRECTIONS



December 19, 1983

The Honorable Robert Presley
Chairman, Joint Legislative Committee
Prison Construction and Operations
State Capital
Sacramento, CA 95814

Dear Senator Presley:

The following responses are submitted by the administration of the California Rehabilitation Center to the Joint Committee on Prison Construction and Operations to specifically address the issues that were raised by the California State Employees Association.

The responses will follow a brief synopsis of the recommendations regarding each issue.

1. Make CRC a Level I Institution:

This recommendation addresses a departmental designation of the CRC facility as a Level II facility. This decision is not within the authority of the administration at CRC. Administration acknowledges that CRC facility was never designed to be a California State Prison; however, it has never been designated as a minimum security institution. The custody level at CRC facility has always been designated as medium and this is based upon this facility being surrounded by a double fence including perimeter post/tower coverage. Again, this request is not within the authority of the administration at the CRC facility, however, we feel it is appropriately classified as Level II.

2. Construct a Chain Link Fence to Separate Each Unit:

In October, the administration at CRC submitted a security package to the Central Office Division of the Department of Corrections in Sacramento. This package includes a proposal to fence off each respective unit at the CRC facility. This security package is still under consideration.

3. Have Inmates Wear Clip-on Picture Identification Cards:

Administration has determined that the currently used identification cards are an adequate means of inmate identification. These cards are to be carried on the inmate at all times and presented at the request of any staff member. No significant benefit would result from the additional expense.

4. Hire Education Correctional Officers:

CRC administration has recognized the need for correctional officers in the education area. CRC submitted a revised security package proposal to Sacramento in September, 1983. Part of this package was two correctional officer positions specifically designated for the education area. This security package is currently under consideration and CRC is awaiting a response.

5. Centralize Education and Provide Security Alarm System for Staff:

CRC administration has determined that it is not necessary to centralize all education programs at the CRC facility. As a security measure, administration agrees to the need for education correctional officers and this is part of a security package proposal. Administration recognizes the need for personnel alarm devices at CRC and this request was also submitted as a part of the security package presented to Sacramento in September. CRC is awaiting a response to this package that is currently under consideration in Sacramento, Central Office.

6. A Request for a Large Cement Lock-up Area (Cells):

Administration at CRC has determined that the current allocation of close custody beds at CIM Reception Center Central is adequate. Any time an inmate is deemed as a management problem that cannot be retained at CRC, he is placed in restraint equipment and transported to CIM. This same procedure is applied to female inmates and they in turn are transported to CIW. The above procedure provides a custody level that is more secure than any holding cells can provide.

7. Have Two Correctional Officers in Each Dorm in the Men's Unit for the 2nd and 3rd Watch Shifts:

CRC currently has two correctional officers assigned to each dorm in Units II and III, during the third watch hours. The September security package submitted to Sacramento includes an additional correctional officer to be assigned to every two dorms on the second watch. This second officer would be designated a "rover" and move between two dorms. CRC administration has determined this to be adequate coverage during the second watch hours (7:00 a.m. to 3:00 p.m.). CRC is awaiting a response from Sacramento concerning this proposal.

8. Build More Prisons Immediately:

LAW LIBRARY
GOLDEN GATE UNIVERSITY