



August 31, 2010

Matthew L. Cate, Secretary  
California Department of Corrections and Rehabilitation  
1515 S Street, Room 502 South  
Sacramento, CA 95814

Dear Mr. Cate:

The Office of the Inspector General (OIG) received a request from the Governor's Office to review whether potential savings could be realized if the California Department of Corrections and Rehabilitation (CDCR) implemented a statewide electronic law library system. In the 1970's, the United States Supreme Court mandated that states provide a way for prison inmates to receive meaningful, unobstructed access to the courts. The 1972 *Gilmore v. Lynch* decision required the CDCR to provide incarcerated adults with specific titles referred to as the Gilmore Law Collection. To comply with the court mandate, the CDCR purchases and maintains at least one complete, up-to-date print collection of the legal law library per institution. According to CDCR, it currently has 117 law libraries spread across the 33 state prisons.

In 2004, the California Performance Review (CPR) recommended that CDCR implement touch screen legal information resource kiosks at each prison by July 1, 2005, based on its estimate that CDCR could save \$1.9 million annually. According to the CPR, the CDCR spent at the time more than \$4 million every year on its law publications in order to provide court-mandated legal information services to inmates. In 2005, CDCR implemented the Law Library Electronic Delivery System (LLEDS) state wide. According to the CDCR, the LLEDS provides the court mandated Gilmore Collection in a stand-alone electronic format. However, the CDCR continued to maintain the hard copy format of the law library as well. According to CDCR, it utilizes both the hard copy and the electronic delivery to maximize inmate access. Thus, it did not generate the amount of savings that the CPR estimated it would have realized had it implemented the CPR's recommendation. According to the CDCR, it currently spends about \$3.9 million annually for subscriptions for the 117 prison law libraries.

In April 2007, CDCR conducted a feasibility study report (FSR) that proposed to provide inmates housed in Restricted Housing Units (RHU) access to stand-alone touch screen legal information kiosks for delivery of the court mandated law materials in an electronic format. According to the FSR, installing the touch screen kiosks to high security/lockup units would provide more adequate library services at each institution. In the FSR, the CDCR acknowledged the recommendation of the CPR and it described that it activated two successful pilot sites using the touch screen system kiosk system, one at San Quentin State Prison's Condemned Row and one at California State Prison – Sacramento's Administrative Segregation Unit, to address the needs of those special populations. The report further proposed the kiosk solution as an economical

Arnold Schwarzenegger, Governor



alternative to escorting RHU inmates to general population libraries or maintaining a print collection in an RHU. CDCR estimated the project would cost approximately \$5.2 million over the first five years.

The FSR projected that CDCR would save a minimum of \$2,005,160 per year by reducing escorting of RHU inmates to the law library by 90 percent. However, the report stopped short of stating there would be any cost savings by replacing the print collection law libraries with the electronic kiosks department wide. Specifically, the FSR did not recommend replacing the print collections, but instead indicated that each institution would continue to receive one set of hard copy of books and materials for the main library and each RHU would have touch screen kiosks to deliver the Gilmore Law collection. The FSR also did not analyze the potential cost savings for all of the 117 law libraries; instead, its analysis only included RHUs.

We contacted a hardware vendor (the same vendor that CPR had used in their analysis) to obtain a more current pricing estimate for purchasing and installing computer kiosks at each prison. The hardware vendor estimated the total one-time installation costs would be \$1.7 million (not including subscription fees) for 330 kiosks which, according to CPR, would be required in order to provide the same level of service to the inmates as is currently being provided by the printed publications. Further, the hardware vendor estimated it would cost CDCR \$285,000 each year to maintain the equipment. We also contacted a subscription vendor who provides touch screen law library content; this subscription vendor estimated the cost for subscription fees to be about \$800,000 annually for the 330 kiosks. Thus, our preliminary research suggests the CDCR could realize a total cost savings of approximately \$6.9 million after the first three years of implementation by replacing all of the current law libraries with the touch screen kiosk law libraries. Further, we estimate CDCR's annual savings to be about \$2.8 million each year after the first year. The table below depicts annual potential savings to be realized for the kiosks with the one-time installation costs incurred in the first year.

**Table: Three Year Projection for Potential Savings**

		Year 1	Year 2	Year 3	Total
<b>Current Costs</b>		\$3,858,000	\$3,858,000	\$3,858,000	\$11,574,000
<b>Proposed Electronic Library System Costs</b>	One-Time Purchase and Installation	\$1,708,000			\$4,678,000
	Annual Maintenance	\$800,000	\$285,000	\$285,000	
	Annual Content Subscription Costs		\$800,000	\$800,000	
<b>Potential Savings</b>		\$1,350,000	\$2,773,000	\$2,773,000	\$6,896,000

Source: CDCR, a hardware vendor, and a subscription vendor.

The CPR recommended that CDCR implement an electronic law library system to save costs. However, our research suggests that CDCR has not realized these costs savings, in part, because it did not eliminate the print edition law library after implementing LLEDS. Not only is the CDCR paying for an electronic law library, but it continues to maintain the hard copy law libraries at all of the prisons.

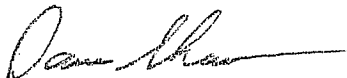
Recommendation

OIG's preliminary research indicates potential savings of approximately \$2.8 million per year (after the first year), but CDCR will need to perform a more detailed cost analysis, that considers factors that could ultimately reduce any potential savings. For example, the department should consider factors such as:

- Number of electronic kiosks needed to effectively serve its inmate population
- Administrative and licensing costs of maintaining an electronic system
- Technological factors associated with an electronic system (e.g. wiring, network, firewalls, etc.)
- Other fees or costs necessary to adopt or maintain an electronic law library
- The need to maintain a limited number of paper materials to ensure all inmates have appropriate access

We recommend that the department conduct further research on the cost effectiveness of switching to an electronic law library system and develop solutions that will reduce its costs in this area. We ask that CDCR develop an action plan and report to us the status of its plan within 90 days. Thank you in advance for your attention to this matter.

Sincerely,



David Shaw  
Inspector General

cc: Elizabeth Siggins, Chief Deputy Secretary, Adult Programs  
California Department of Corrections and Rehabilitation

Monica Wunderman, Constituent Affairs Representative,  
Office of Governor Arnold Schwarzenegger

Kim Holt, External Audits Coordinator  
California Department of Corrections and Rehabilitation