



CALIFORNIA INSTITUTION FOR MEN QUADRENNIAL AND WARDEN AUDIT

**OFFICE OF THE
INSPECTOR GENERAL**

**DAVID R. SHAW
INSPECTOR GENERAL**

STATE OF CALIFORNIA

NOVEMBER 2008



November 20, 2008

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

Dear Mr. Cate:

Enclosed is the Office of the Inspector General's audit report concerning the California Institution for Men (CIM) and the performance of its warden. The purpose of the audit was to satisfy our statutory requirement to audit each warden one year after appointment and to audit each correctional institution at least once every four years.

The report revealed that Warden Michael Poulos has a reputation for integrity and professionalism, and he has gained many supporters among the employees at CIM. Interviews and surveys reveal that most staff members feel Poulos is an effective leader who is usually accessible to the staff and responsive to institution problems. Further, many staff members cited improvements at CIM under Poulos' tenure, such as the reopening of a gymnasium formerly used for inmate housing and the rededicating of the Marine Technology Training Center. Managers also praise Poulos' performance as warden, giving him an average rating of "outstanding" on our survey.

Nevertheless, we found that staff members believe Poulos could do more to address CIM's poor maintenance and general state of disrepair, even though the infrastructure problems predate Poulos' arrival. Although he inherited a neglected institution that receives inadequate financial support from the department, our inspectors found areas where the warden could use his existing resources more effectively. For instance, our report recommends that Poulos continue his efforts to address plant operations vacancies, hold plant operations employees accountable for accurately reporting their time, and enforce a policy requiring a work order coordinator to reduce duplicate work orders.

The report contains the results of our review of CIM's operations and programs and presents six findings and 17 recommendations. In addition to the issues discussed above, other problem areas include weapons training and a lack of surveillance equipment for the institution's visiting yard.

Arnold Schwarzenegger, Governor

Thank you for the courtesy and cooperation extended to my staff during the audit. Please call Bill Shepherd, Deputy Inspector General, In-Charge, at (916) 830-3600 if you have any questions.

Sincerely,



David R. Shaw
Inspector General

cc: Michael Poulos, Warden, CIM
Scott Kernan, Chief Deputy Secretary, Adult Operations
Suzan Hubbard, Director, Division of Adult Institutions
Kim Holt, External Audits Coordinator

Enclosure

Contents

Executive Summary	1
Institution Overview	4
Chapter 1: One-Year Evaluation of Warden Michael Poulos.....	6
Objectives, Scope, and Methodology	6
Background of Warden.....	7
Discussion of Warden’s Strengths.....	7
Discussion of Warden’s Criticisms.....	10
Warden’s Response to Criticisms.....	10
Summary Discussion.....	11
Chapter 2: Quadrennial Audit Findings and Recommendations.....	12
Objectives, Scope, and Methodology	12
Finding 1.....	14
The department’s available funding allocation to CIM for maintenance and repairs is inadequate to keep the institution in an acceptable state of repair.	
Finding 2.....	22
Despite the formidable gap between available repair and maintenance funding for CIM and the institution’s actual needs, CIM can still take actions to mitigate its infrastructure problems.	
Finding 3.....	27
Staff at CIM’s central reception center inappropriately approved some dangerous, high-risk inmates for housing in crowded dormitories.	
Finding 4.....	32
CIM allows peace officers who have not attended mandatory quarterly firearms training sessions to assume armed posts at the institution and off-site in local hospitals.	

Finding 5..... 40

The visiting area for CIM's Minimum Support Facility accommodates hundreds of inmates and visitors, but the institution lacks an effective means of monitoring visiting activities to control the exchange of contraband.

Finding 6..... 43

Supervisors are conducting fewer than half of the required fire/emergency evacuation drills in their work areas, which may leave employees and inmates ill-prepared to respond to a crisis.

California Department of Corrections and Rehabilitation's Response..... 45

Executive Summary

This report presents the results of an audit by the Office of the Inspector General (OIG) concerning the operations of the California Institution for Men (CIM) and the performance of its warden. The audit was performed under California Penal Code section 6126(a)(2), which requires the Inspector General to audit each warden one year after his or her appointment, and to audit each correctional institution at least once every four years.

Our team of inspectors examined CIM's operations and programs to identify problem areas and recommend workable solutions. The institution gave our inspectors full access to its records, logs, and reports. In addition, site visits allowed us to observe CIM's day-to-day operations. We also interviewed various staff members and inmates, and we surveyed three distinct groups: managers from CIM and the California Department of Corrections and Rehabilitation (the department), CIM employees, and key government and union stakeholders. In all, our inspectors made six audit findings and 17 recommendations, which are detailed in Chapter 2 of this report.

Warden Poulos is an experienced, effective administrator, but he must do more to address CIM's deteriorating infrastructure

Warden Michael Poulos has nearly 30 years of experience with the California Department of Corrections and Rehabilitation, and this experience has made him a valuable asset to the department and to CIM. Interviews and surveys reveal that most staff members feel Poulos is an effective leader who is usually accessible to the staff and responsive to institution problems. Further, many staff members cited improvements at CIM under Poulos' tenure, such as the reopening of a gymnasium formerly used for inmate housing and the rededicating of the Marine Technology Training Center. Managers also praise Poulos' performance as warden, giving him an average rating of "outstanding" on our survey.

Nevertheless, we found that staff members believe Poulos could do more to address CIM's poor maintenance and general state of disrepair, even though the infrastructure problems predate Poulos' arrival. Although he inherited a neglected institution that receives inadequate financial support from the department, our inspectors found areas where the warden could use his existing resources more effectively. For instance, our report recommends that Poulos continue his efforts to address plant operations vacancies, hold plant operations employees accountable for accurately reporting their time, and enforce a policy requiring a work order coordinator to reduce duplicate work orders.

CIM's crumbling infrastructure causes hazardous working and living conditions while its limited available resources could be better leveraged

While our evaluation of the warden's performance was mostly positive, staff surveys and interviews revealed that CIM's employees are deeply concerned about the institution's poor condition. CIM's most significant problems include an ineffective water treatment system, failing plumbing, dilapidated housing units, leaking roofs, and hazardous materials in need of removal. Unfortunately, many improvement projects approved by the department remain unfunded.

The department and the state Legislature are aware that CIM has fallen into an unacceptable state of repair due to years of neglect. However, the department received \$96 million in fiscal year 2007–08 for maintenance and special repairs for all its facilities, and it only allocated an average of \$4 million a year for maintenance and special repairs at CIM. An outside consultant hired by the department estimates that seven times that amount—\$28 million annually—is needed to maintain CIM in its present “poor” condition, neither improving it nor allowing it to degrade further. Moreover, the consultant's data shows that, if funding is not dramatically increased, CIM's condition will reach a level of degradation by 2014 that independent facilities management experts throughout the industry would recommend demolishing and replacing the entire institution.

Despite CIM's funding gap for maintenance and repairs, we found that the institution has inefficiencies it could correct to maximize the effectiveness of its existing plant operations resources. Specifically, we discovered that CIM could aggressively recruit to fill plant operations vacancies, take full advantage of an established system for tracking and planning maintenance activities, and assign a work order coordinator to spot duplicate work orders. By correcting these existing inefficiencies and leveraging its available resources, CIM can reduce unnecessary work, allow supervisors to effectively manage maintenance activities, and provide objective evidence for the department's use in establishing equitable maintenance funding allocations to CIM.

Safety and security problems in some areas may endanger CIM employees, inmates, and the surrounding community

Our inspectors made several findings related to safety and security problems at CIM. The most significant finding involved central reception center staff inappropriately approving certain inmates for open dormitory housing when those inmates' histories indicate they are better suited for celled housing. We found that staff members did not always follow procedures for reviewing inmates' classification scores to ensure those scores did not exceed the limit for dormitory housing. As a result, the staff members improperly placed some unsuitable inmates in crowded dormitories that are supervised by only two correctional

officers. Inmate disturbances can quickly escalate in these dormitories, making it difficult for officers to gain control of inmates who assault staff members or other inmates.

Quarterly weapons qualifications were another area of deficiency. Despite a process for identifying officers who fail to attend mandatory quarterly qualification sessions, many of these officers continue to work armed posts instead of being redirected to a non-armed post pending completion of the missed qualification session. In addition, the department continues to follow a November 2004 memorandum that permits peace officers who are not quarterly qualified to work armed posts through shift swaps or overtime. We feel that this practice conflicts with various California statutes and regulations, as well as department policies, which require officers to complete quarterly firearms training sessions before assuming armed posts. Further, regular qualification with a firearm helps an officer maintain his or her weapons skills. Allowing an officer to work an armed post without a current weapons qualification could endanger employees, inmates, and the public and expose the state to litigation if the officer uses deadly or less-lethal force.

Our audit also found that the visiting area for CIM's Minimum Support Facility lacks an effective means of monitoring visiting activities. Even though inmates often use visiting as an opportunity to smuggle contraband into the institution, only two officers are assigned to monitor the expansive visiting yard, which accommodates hundreds of inmates and visitors. In addition, there are no surveillance cameras to allow for continuous monitoring of suspicious activity. Video recordings could also serve as a resource to successfully identify visitors and inmates possessing or passing contraband.

Finally, we found that CIM's supervisors are conducting fewer than half of the required quarterly fire/emergency evacuation drills. Although we found that fire/emergency drill compliance has improved in the most recent quarters we examined, supervisors are still not conducting a significant number of drills. Clearly, fire/emergency drills prepare employees and inmates to respond quickly and safely during a fire or other emergency. Regular fire drills are especially critical for CIM, since the aging institution has inadequate fire sprinkler coverage, and high inmate turnover frequently introduces new inmates who must be prepared in case of a fire or other emergency.

Institution Overview

The California Institution for Men (CIM) opened in 1941, making it the California Department of Corrections and Rehabilitation's third-oldest adult institution. Covering about 1,600 acres, CIM occupies more area than any other department institution. Moreover, CIM's layout is unique among the state's 33 institutions because it comprises four separate facilities that are not physically connected. As of June 30, 2008, CIM housed 6,052 adult inmates within the four facilities, or 203 percent of its design capacity of 2,976.

In 1941, CIM opened with inmates housed in two cellblock-style living units known as South Dorm and West Dorm within what is now known as the Minimum Support Facility (MSF), which covers about 62 acres and houses more inmates than any other MSF in the state—roughly 2,400 inmates. The MSF consists of 13 dormitory and cellblock housing units surrounded by a fenced perimeter with four gun towers. The MSF also housed inmates in the gymnasium to accommodate an overflow population until a recent decrease in population made this unnecessary. Also within the MSF's secured perimeter are the institution's fire department, plant operations, medical infirmary, substance abuse programs, and academic and vocational education programs.

In 1951, CIM opened a new Reception Center Central (RCC) facility. RCC processes reoffending parolees and newly committed inmates into the prison system. Reception Center West (RCW), opened in 1960, houses inmates in eight barracks-style, open-bay living units. Reception Center East (RCE), opened in 1974, is about a mile away from the other three facilities. Designed with cellblock housing, RCE houses protective custody, Level III,¹ and reception center inmates.

Inmate Programs

CIM inmates may participate in various programs to prepare them for successful reintegration into the community. For example, inmates gain work experience participating in the plumbing, masonry, printing, landscaping, and carpentry vocational programs. In addition, inmates needing educational assignments are enrolled in programs for adult basic education, pre-release, and English as a second language. CIM also offers Arts in Corrections, Alcoholics Anonymous, Narcotics Anonymous, and religious programs. Inmates may also participate in CIM's substance abuse program, which can serve up to 400 inmates.

¹ The department has four general classification levels; Level I through Level IV is the range from the lowest to the highest security level.

Prison Industry Authority Operations

The Prison Industry Authority (PIA) offers several work opportunities for CIM inmates. Eligible inmates may work in the PIA's juice packaging plant, which packages 3,500 gallons of juice a day for consumption in prisons and state hospitals. Inmates may also work in the PIA's laundry facility, which processes 500,000 pounds of clothing and linens a month for CIM, Lanterman and Patton State Hospitals, two other state prisons, and one youth correctional facility. In addition, on December 1, 2006, the PIA reopened its Marine Technology Training Center within the institution's secured perimeter. The training center's 11-month program trains inmates to become commercial divers in areas such as underwater construction, dam repair and maintenance, welding, harbor diving, and offshore oil drilling. Upon their release from CIM, training center graduates can earn salaries ranging from \$50,000 to \$100,000 a year when working in private industry.

Budget and Staffing

For fiscal year 2007–08, Warden Mike Poulos managed an operating budget of about \$183.6 million, which included 2,111 budgeted positions, of which 1,203 positions (57 percent) were custody staff. The table below summarizes CIM's budgeted and filled positions as of June 30, 2008. As the table shows, almost 94 percent of the authorized positions were filled.

Staffing Levels at the California Institution for Men*

Position	Filled Positions	Budgeted Positions	Percent Filled
Custody	1,165	1,203	96.8%
Support	320	345	92.8%
Medical	269	297	90.6%
Trades	169	191	88.5%
Education	43	57	75.4%
Management	16	18	88.9%
Total	1,982	2,111	93.9%

Source: California Department of Corrections and Rehabilitation, COMPSTAT, 2nd Quarter 2008 (as of June 30, 2008), California Institution for Men

*Note: unaudited data

Chapter 1:

One-Year Evaluation of Warden Michael Poulos

California Penal Code section 6126(a)(2) requires the Office of the Inspector General (OIG) to audit each warden one year after his or her appointment, and to audit each correctional institution at least once every four years. To satisfy this requirement at the California Institution for Men (CIM), our inspectors audited the warden's performance and the institution's operations simultaneously.

Objectives, Scope, and Methodology

To understand how employees and other stakeholders view the warden's performance, we surveyed three distinct groups. Specifically, we sent surveys to 34 officials at CIM and at the California Department of Corrections and Rehabilitation (the department). Of those surveys, we received 22 responses. We also delivered surveys to 204 CIM employees and received 58 responses. Finally, we sent surveys to 16 key stakeholders, including selected members of the Legislature, representatives of unions and associations, a local district attorney, and a court-appointed special master. However, we received only two responses.

Our staff inspected CIM to gain an understanding of the environment where the warden must perform. We also interviewed key staff members and reviewed the institution's records in the following areas:

- Health care
- Inmate discipline
- Inmate records
- Educational and vocational programs
- Receiving and release
- Perimeter security
- Procurement
- Housing units
- Inmate appeals
- Investigative services
- Inmate assignments
- Plant operations
- Inmate visiting
- Personnel assignment
- Training

We also inspected the areas operated by the Prison Industry Authority (PIA), which includes the juice packaging enterprise, the institutional laundry, and the Leonard Greenstone Marine Technology Training Center. Through our site visits and survey responses, we asked individuals throughout the institution to discuss the warden's performance. These individuals included members of the custody staff and the executive management team, union representatives, education and health care professionals, and representatives from the Inmate Advisory Council.

We also reviewed logs, reports, and other documents related to the warden's performance over the past year, including the results of our institutional audit contained in Chapter 2 of this report.

Background of Warden

Michael Poulos began his career with the California Department of Corrections and Rehabilitation in 1980 as a correctional officer at the Deuel Vocational Institution. He eventually promoted to the rank of correctional captain at Avenal State Prison in 1993, and in 2002, he became a correctional administrator at the California Rehabilitation Center. In 2003, Poulos became chief deputy warden at California State Prison, Corcoran.

In 2005, he transferred to CIM as the acting warden after Correctional Officer Manuel Gonzalez was killed while on duty there. Governor Schwarzenegger appointed Poulos warden of CIM in June 2006.

Discussion of Warden's Strengths

The warden is responsive in addressing problems

Shortly before Poulos' appointment as acting warden, the OIG conducted a special review into Correctional Officer Manuel Gonzalez's death and released a report in March 2005 that listed 20 recommendations directed to the institution and 22 directed to the department. In December 2006, the OIG released a follow-up to the special review and found that, under Poulos' tenure, 15 of the 20 recommendations directed to the institution had been fully implemented, while the remaining five had been either substantially or partially implemented. In addition, the December 2006 follow-up review resulted in two more recommendations directed to the institution, both of which were found to be



Madrone Hall, 2005



Madrone Hall, 2008



Madrone Hall, 2005



Madrone Hall, 2008

fully implemented during the OIG's 2008 Accountability Audit.²

When we conducted the special review into the correctional officer's death at CIM in early 2005, it appeared that the institution's managers had little interest in the maintenance, cleanliness, and general appearance of the institution. Trash covered many areas, weeds were overgrown, and many windows were broken in inmate housing units. Under Poulos' leadership, however, routine maintenance and landscaping have improved, and the institution grounds appear cleaner. Although much work remains to improve maintenance at the aging institution, Poulos has made great strides despite limited financial resources.

The warden has overseen other improvements at CIM

Further accomplishments during Poulos' tenure include reopening a gymnasium formerly used for housing inmates and now used for inmate recreation and rededicating the Leonard Greenstone Marine Technology Training Center, which prepares inmates for careers in the underwater construction industry. Thirteen inmates graduated from the training center in February 2008 after completing the yearlong course that included classes in general education, physics, diving medicine, blueprint reading, seamanship, and underwater welding.

Moreover, in March 2008, Poulos helped CIM acquire a Type 1 fire truck suitable for fighting structure fires to supplement the institution's Type 2 trucks that are primarily suited for fighting brushfires.

Staff surveys rate Poulos as an effective leader

We received 58 responses from CIM staff members to the statement, "Considering all institutional challenges, the current warden is an effective leader." Respondents rated this statement on a 5-point scale with 5 indicating

² *Accountability Audit: Review of Audits of the California Department of Corrections and Rehabilitation, 2000-2006* (April 2008) may be found on the OIG's Web site: http://www.oig.ca.gov/reports/pdf/2008_Accountability_Audit_WEB_FINAL.pdf

“strongly disagree” and 1 indicating “strongly agree.” Fifty-nine percent of respondents (34 of 58) agreed with this statement, while only 19 percent (11 of 58) disagreed. Twenty-two percent of respondents (13 of 58) were neutral. One correctional officer commented, “Overall, I think that the warden is doing a good job but we all still have some more work to do.”

Poulos is accessible to staff members

Several staff members we interviewed cited personal interactions with Poulos, describing him as “responsive and accessible” and “open, personable, and approachable.” Thirty-eight percent of respondents (22 of 58) agreed with the statement, “The warden is accessible to you to discuss issues,” while 26 percent (15 of 58) disagreed; the remaining 36 percent (21 of 58) were neutral.

Poulos received a favorable overall rating from management

Twenty-three of the 24 individuals representing management and key stakeholders who responded to our survey provided an overall rating for Poulos. One declined to provide a rating.

Warden's Overall Performance Rating		
Rating	Respondents	Percentage
Outstanding	16	70%
Very Good	4	17%
Satisfactory	3	13%
Improvement Needed	0	0%
Unacceptable	0	0%
Total	23	100%

Twenty of 23 respondents (87 percent) rated the warden as either “outstanding” or “very good.”

Survey results from this group also indicate a favorable overall rating for Poulos’ management skills in six rating categories based on the following 1-to-5 scale, with 1 being the highest:

“outstanding,” “very good,” “satisfactory,” “improvement needed,” and “unacceptable.” The survey respondents’ average rating of 1.43 corresponds most closely with a qualitative rating of “outstanding.”

Warden Rating of Management Skills and Qualities: Rating on a Scale of 1 to 5	
Category	Average Response
Leadership	1.35
Communication	1.48
Decision Making	1.64
Organization/Planning	1.74
Relationships with Others	1.48
Personal Characteristics/Traits	1.39
Overall Rating: Outstanding	1.43

Discussion of Warden's Criticisms

CIM and the department need to do more to address the institution's poor condition

As discussed in Chapter 2 of this report, CIM has fallen into an unacceptable state of disrepair due to years of neglect. Two questions on our staff survey concerned facility maintenance, asking respondents to agree or disagree with the statements that the institution's inmate and employee areas, respectively, are adequately maintained. Respondents disagreed more strongly with these two statements than with any others on the survey. Forty-nine of the 58 surveys returned to us included written comments, and 57 percent of those respondents (28 of the 49) remarked on the poor condition of the institution's plumbing, the lack of climate control, and other maintenance problems.

Poulos has been CIM's warden for a relatively short time, and infrastructure problems existed long before he came to the institution. Although he has made significant physical improvements since becoming CIM's warden, he cannot bring the institution into an acceptable state of repair without maximizing his available resources and working with the department to obtain much-needed additional resources, as is discussed further in Chapter 2.

Warden's Response to Criticisms

In an October 23, 2008, discussion with OIG staff members, Poulos expressed his preference to address criticisms in writing. His four-page response included other topics, and we summarized the following comments from his response.

Poulos said that since his arrival at CIM in 2005, he has made many improvements with support from the department. He cited, for example, significant security enhancements to housing units at Reception Center Central, including solid-front cell doors in Cypress Hall and the administrative segregation units in Palm Hall, security mesh over open bars in cells and shower areas, and extended tier railing to prevent intentional or accidental falls from upper tiers. He noted that enhancements to secure outside cell windows at Reception Center East were completed, while Reception Center West now has fencing around individual housing units and is having fire alarm systems added. The institution's water denitrification plant is undergoing renovation and, when completed, will help to resolve many conditions related to bad water at CIM. The warden said that while he continues to address deficiencies, significant infrastructure projects have been approved but still await needed funding.

Poulos acknowledged that he could do more to ensure that his staff understands the reasons behind CIM's general state of disrepair. He said unfamiliarity with the

processes of obtaining project approvals and funding can cause frustration among staff members as they observe degraded facilities and critical repair needs that are not fixed immediately.

In addition, Poulos cited the difficulty of filling vacancies in plant operations as a critical obstacle to addressing infrastructure problems. He said CIM's challenging workload makes even recruiting employees from other institutions difficult because other institutions do not typically experience the maintenance challenges plaguing CIM.

Poulos emphasized that CIM's staff members remain committed to making CIM as safe as possible for staff and inmates, thus ensuring that the public and the surrounding communities are safe, which is his ultimate goal. He recognized the efforts of the institution's staff, saying that it is because of them that the institution continues to carry out the critical mission of the department as they perform under extraordinary conditions and circumstances.

Summary Discussion

Poulos has nearly 30 years of experience with the California Department of Corrections and Rehabilitation, having worked his way through the ranks, from correctional officer to warden. His years of experience have made him a valuable asset to the department and to CIM, and staff interviews and surveys demonstrate that most staff members believe Poulos is an effective leader who is accessible and responsive to problems. Managers also praise his leadership skills, giving him an average rating of "outstanding" on our survey. Nevertheless, we found that staff members feel the warden could do more to address CIM's poor maintenance and general state of disrepair, even though the infrastructure problems predate Poulos' arrival.

In summary, Warden Michael Poulos is performing his duties well, despite inheriting a neglected institution that receives inadequate financial support from the department. We are confident that—with the support of his staff and the department—he can eventually address many of the problems facing CIM.

Chapter 2:

Quadrennial Audit Findings and Recommendations

Objectives, Scope, and Methodology

We gained an understanding of CIM's mission, safety and security procedures, and management practices by reviewing applicable laws and regulations, department and institution policies and procedures, and other criteria related to key facility systems, functions, and processes. As detailed in Chapter 1, we also inspected the institution, observed its general operations, and interviewed employees and inmates during the warden evaluation process. In addition, we surveyed selected employees and key stakeholder groups, and we reviewed prior audit reports and statistical data that pertain to the institution.

After assessing the institution's operations and the survey results, we focused our audit on three areas:

- Institutional infrastructure
- Institutional safety and security
- Inmate programs

In conducting our work, we performed the following procedures:

- To determine why CIM's infrastructure is deteriorating structurally and operationally, we surveyed institution staff members, reviewed data and reports obtained from the plant operations and personnel staff, and interviewed various members of the headquarters staff. We also reviewed and evaluated data and reports obtained from the institution's Standard Automated Preventive Maintenance System (SAPMS), institution and department data compiled by an independent consultant, and data from other state agencies. Finally, we toured the institution's grounds and buildings. Findings 1 and 2 discuss our finding results and recommendations in this area.
- To determine whether CIM places appropriate inmates at its Reception Center West (RCW), we interviewed various institution and headquarters staff members and reviewed inmate information in the department's Offender Based Information System (OBIS) and Distributed Data Processing System (DDPS). Finding 3 discusses our finding results and recommendations in this area.

- To determine whether correctional officers in armed posts meet firearms proficiency requirements, we interviewed members of the in-service training and personnel assignment staff and examined the custody staff's employee roster, firearms training records, and post assignment histories. Finding 4 discusses our finding results and recommendations in this area.

- To determine whether CIM provides adequate security at the Minimum Support Facility's visiting area to minimize introduction of contraband, we conducted an unannounced site visit in April 2008 to observe the visiting officers' process for checking in visitors and the officers' ability to effectively monitor the visiting area. We also interviewed members of the investigative services unit and staff members responsible for supervising visiting. In addition, we reviewed daily incident reports related to incidents that occurred during visiting at various adult institutions. Finding 5 discusses our finding results and recommendation in this area.

- To determine whether CIM conducts quarterly fire/emergency evacuation drills, we interviewed fire department personnel and examined compliance reports summarizing quarterly fire evacuation drills and individual area fire evacuation drills. Finding 6 discusses our finding results and recommendation in this area.

Finding 1

The department's available funding allocation to CIM for maintenance and repairs is inadequate to keep the institution in an acceptable state of repair.

For the past five years, the department has allocated an average of \$4 million a year for maintenance and special repairs at CIM, an institution that suffers significant infrastructure problems. Yet a consultant hired by the department to assess the condition of CIM and other California prisons estimates that seven times that amount—\$28 million annually—is needed to maintain CIM in its present “poor” condition, neither improving it nor allowing it to degrade further. The consultant's data shows that, if funding is not dramatically increased, the institution's condition will reach a level of degradation by 2014 that facilities management experts would recommend demolishing and replacing CIM. In addition, the department lacks a comprehensive data system on which to base maintenance funding allocations, and this lack of reliable data contributes to the underfunding of CIM's maintenance and repair needs.

The department contracted with an independent consultant to assess the physical condition of its adult prisons and establish the baseline funding level necessary to maintain them

Vanderweil Facilities Advisors (VFA)³ provided an independent assessment at each of the department's institutions, including CIM, to evaluate the condition of each institution's “assets” and estimate the costs to repair or replace them. “Assets” include buildings and related infrastructure such as electrical, plumbing, heating and cooling, and security systems.

In early 2008, VFA completed a detailed assessment of CIM's facilities. The assessment determined the condition of the institution's assets, identified repair priorities, and calculated each asset's anticipated repair cost. The assessment resulted in a “facility condition index” (FCI),⁴ which the consultant calculated by dividing the cost to repair CIM's assets by the current replacement value of those assets as shown below:

$$\text{FCI} = \frac{\text{Near-term system renewal costs}^5 + \text{requirement costs}^6}{\text{Asset current replacement value}^7}$$

³ According to its Web site, VFA is the leading provider of integrated software and services for facilities asset management and capital planning and has assessed assets for state correctional departments in Missouri, Virginia, and Idaho. Other clients include Raytheon, Bank of America, and Kaiser Permanente.

⁴ The facility condition index (FCI) is an industry-standard index that measures the relative condition of a facility by considering the costs of deferred maintenance and repairs as well as the value of the facility.

⁵ The near-term renewal costs are the costs of repairing those assets that will reach the end of their useful lives during the next fiscal year.

⁶ Requirement costs are the costs of renewing, or repairing, assets that have already reached or exceeded their useful lives.

In simple terms, the FCI is a ratio of an asset’s repair costs compared to its replacement value. The lower an asset’s FCI, the better its overall condition. In general, as an asset’s FCI approaches 1.00, it becomes more cost-effective to replace the asset rather than repair it.

The FCI is recognized in the facilities management industry as a useful means of measuring the condition of buildings and their component systems.

CIM’s overall FCI places it beyond “poor” condition, and many of its buildings rate far worse

The cumulative FCI for all of CIM’s collective assets as of August 2008 was 0.409. However, VFA’s ratings for CIM’s individual assets show many rated at 0.60 and higher—the same index rating at which some experts recommend replacement. For example, seven of the 12 inmate living units within CIM’s Minimum Support Facility are rated 0.70 and higher, with three scoring over 0.90. At CIM’s Reception Center West (RCW), all eight living units have an FCI over 0.60. Although interpretation of the numeric ratings may vary, an FCI rating greater than 0.10 is considered within the industry to be “poor” while a rating of 0.60 or greater suggests the asset should be replaced. The following table illustrates the qualitative ratings associated with various FCI levels by 11 different facilities management entities.

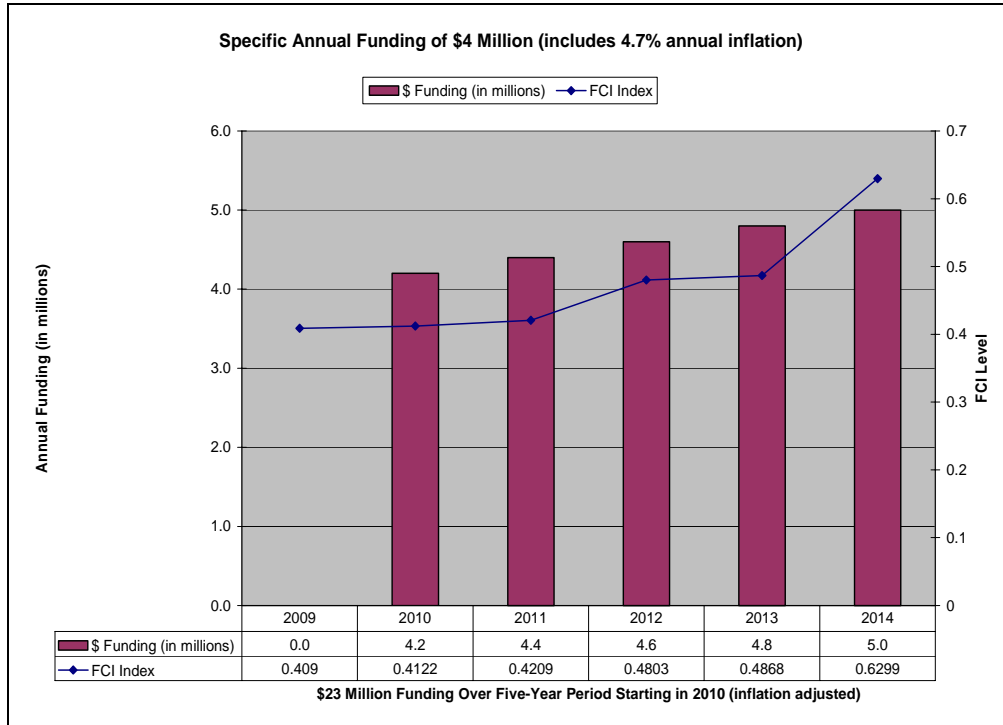
Facility Condition Index (FCI) Ratings Comparison

	FCI Rating Categories							
	Excellent	Very Good	Good	Adequate	Fair	Poor	Very Poor	Replace
CDCR – VFA (contractor)	.00 – .05		.05 – .10		.10	> .10		
U.S. Dept. of Energy, Oak Ridge National Laboratory	.00 – .02		.03 – .05	.06 – .10	.11 – .25	> .25		
U.S. Office of the Architect of the Capitol	< .02		.02 – .05		.05 – .10	> .10		
Portland, Oregon, Parks and Recreation		< .05	.05 – .10		.11 – .30	.31 – .50	> .50	
Kentucky Council on Postsecondary Education			< .05		.05 – .10	> .10		
Virginia State Council of Higher Education, George Mason Univ.			< .05		.05 – .10	> .10		
National Assoc. of College & Business Officers			< .05		.05 – .10	> .10		
Port of Seattle, Seattle Port Commission			< .05		.05 – .10	.11 – .59		> .60
NASA – Nextor (contractor)	.00 – .02	.02 – .04	.04 – .06		.06 – .10	> .10		> .30
University of Colorado, Boulder								.30
Santa Monica College – 3D/I (contractor)			< .10		< .10	> .10		.50

⁷ The asset replacement value is the current cost to replace an asset.

The department's current spending levels are inadequate and will lead to rapid degradation of CIM

The following graph depicts the effect on the FCI of maintaining a \$4 million specific annual level of funding for repair and maintenance of CIM, adjusted for annual inflation using a factor of 4.7 percent. This specific annual funding is based on the department's actual average allocations to CIM for repair and maintenance for fiscal years 2003–04 through 2007–08.

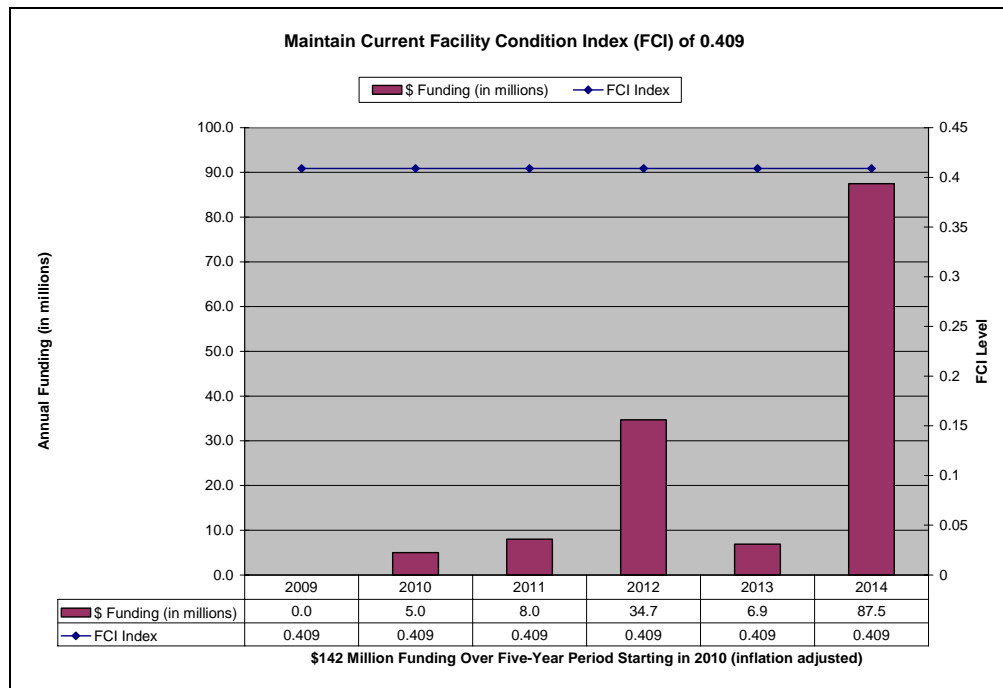


Based on the consultant's model, the department's present level of funding, if continued, will result in a steadily increasing FCI projected to exceed 0.60 by 2014. As noted above, industry experts recommend replacement of an asset when it reaches the 0.60 FCI level.

Maintaining CIM at its current condition will cost roughly a third of the department's annual maintenance and repair spending for its entire adult prison system

The graph below projects the annual maintenance expenses that would be needed to maintain CIM's current FCI level of 0.409 without improving the institution or allowing it to deteriorate further. Simply maintaining CIM's present FCI at 0.409, according to the consultant's model, will require an investment of over \$5 million

in 2010 and more than \$142 million during the next five years, averaging over \$28 million annually during that period.



This \$28 million annual average need is significantly more than the \$4 million currently allocated to CIM by the department, and in fact, represents nearly one-third of the department’s entire maintenance and repair budget. Specifically, in fiscal year 2007–08, the department was allocated \$49 million for maintenance and \$47 million for special repairs for all its prisons.⁸ According to the department’s chief deputy secretary of facility planning, construction, and management, the department’s estimated total current maintenance and special repair need is about ten times greater than its current allocation.

The department lacks a centralized system to provide relevant, reliable, and complete data on which to base funding allocations to its prisons

According to a February 2007 report by the Legislative Analyst’s Office (LAO),⁹ the department lacks an objective and systematic maintenance funding method. The LAO’s report noted that the formula used by the department to determine

⁸ This amount does not include funds approved by the Legislature for capital outlay.
⁹ *Analysis of the 2007–08 Budget Bill: Judicial and Criminal Justice*, February 2007, http://www.lao.ca.gov/analysis_2007/crim_justice/cj_05_an107.aspx

each prison's maintenance allotment does not consider a prison's age, physical size, mission, or inmate population. Consequently, in the past the formula did not allocate resources in a way that ensured they were used in prisons that needed them the most. According to the department's chief deputy secretary of facility planning, construction, and management, beginning in fiscal year 2007–08 the department moved toward a more analytical method that involves examining unique characteristics and needs of individual institutions in considering budget allotments. The new method allocates funding after considering various institution factors, including acreage, square footage, age, environment, and inmate population.

Nonetheless, the lack of a comprehensive system in the past that considered a prison's mission, age, inmate population, and geography for allocating maintenance and repair funds has contributed to underfunding of CIM's maintenance needs. In turn, this underfunding leads to a growing deferred maintenance backlog and greater long-term costs. Deferred maintenance results when routine and preventive maintenance is inadequate and special repair projects are not accomplished as needed. If repairs to buildings and infrastructure components are constantly deferred, normal decay is accelerated; eventually, prisons will require more expensive investments, such as emergency repairs, capital outlay projects, or full replacement. Besides the risk of experiencing increased material and labor costs in the future, the long-term effects of deferring maintenance and repairs often include additional costs, such as loss of use of a facility or asset, and lawsuits over health or safety conditions.

Underfunding has left CIM with significant maintenance problems

CIM's plant operations managers led us on a tour of the institution to show us examples of the most significant problems, including an ineffective water treatment system, failing plumbing, dilapidated housing units, leaking roofs, and hazardous materials in need of removal.

Water and plumbing

CIM sits on an underground aquifer from which it produces water to supply itself and the adjacent California Institution for Women, Heman G. Stark Youth Correctional Facility, and Prado Fire Camp, delivering roughly three million gallons of water daily during peak demand times. The area surrounding CIM previously consisted of dairies, and cow manure from the dairies



Copper pipe clogged by mineral deposits at CIM

left the groundwater high in nitrates. According to CIM's plant operations supervisor, high-nitrate water causes pipes to clog by forming a crystallized buildup that prevents normal water flow, especially in hot water pipes (see photo). The restricted water flow also requires water pumps to work harder, subjecting them to more frequent repair. Inmates routinely complain about lack of hot water and the related hygiene issues. CIM's widely spread campus provides more opportunities for the nitrate problem to manifest itself because water pipes travel over such a large area within the institution's 1,600 acres. Further, heat exchangers used to produce the institution's hot water require frequent cleaning to maintain the flow of hot water, diverting plant operations staff from other maintenance and repair projects.

A major factor in CIM's water quality problems is its failed denitrification plant. Built in 2000, according to the plant's supervisor, the plant is insufficient to mitigate CIM's nitrate levels. Water high in nitrates is associated with health



Bathroom in Pine Hall dorm showing water damage from plumbing leaks

problems in pregnant women, affecting the neighboring California Institution for Women, which must buy bottled water for its female inmate population at an approximate cost of \$40,000 a month.

The high nitrate levels in CIM's water have also drawn the attention of the California Department of Public Health's Drinking Water Program enforcement unit, which visited the institution

in 2007 and threatened enforcement action. According to an official from the Department of Public Health, the enforcement action could result in an order to cease-and-desist operations at the water plant if the condition is not fixed. According to the department's chief deputy secretary of facility planning, construction, and management, a construction project to repair the plant is currently underway, and the plant is expected to be operational in September 2009.

Dormitories at Reception Center West

According to CIM's plant operations management, the Office of the State Fire Marshal and the department's Architectural and Engineering Section determined that none of RCW's eight housing units comply with current California building codes, nor do they have any fire protection systems. Consequently, the Architectural and Engineering Section recommended that CIM replace all eight housing units.

Reception Center Central

CIM's current receiving and release building, Reception Center Central (RCC), lacks adequate space to safely and securely process the incoming inmate population. The original building design can no longer process the high volume of inmates efficiently. Prior building modifications to accommodate the increasing number of inmates have resulted in poor air circulation, cramped quarters, and line-of-sight problems resulting in blind spots that create safety issues for officers and inmates.

Hazardous materials

The institution's environment contains significant levels of known allergens and hazardous materials. Lead paint and mold affect many structures, which lack modern air filtration systems and modern insulation, especially in inmate bathrooms. For example, lead paint chips can take on the form of dust that can be hazardous if inhaled. Asbestos, also recognized as a hazardous material, can be found in CIM's buildings. The proper removal of asbestos, lead, and other contaminants must meet federal government guidelines and can be an expensive and time-consuming process, but this process is required whenever repairs or renovations are performed on areas containing such materials. According to the department's chief deputy secretary of facility planning, construction, and management, the department has sought and obtained funding to add environmental staff to help prisons respond to hazardous materials.

Roofing

Several living units require roof repairs to fix water leaks that, if not repaired, can lead to further structural damage and therefore increase overall repair expenses.

CIM's infrastructure problems are familiar to department management and to the Legislature, but approved projects remain unfunded

The department's former undersecretary of operations toured CIM in March 2006 while still the chief deputy director of the Division of Adult Institutions. In a subsequent memorandum to the deputy director of the department's Facilities Management Division, the then-chief deputy director wrote about the "painfully obvious [state] of the aging infrastructure within the institution. In fact, there are plumbing chase doors that are so dilapidated that the doors are literally hanging off their hinges and cannot be secured to the framing because of the prolonged rust and deterioration. In one unit, the sub flooring is rusted and the plumbing is so bad that the unit is



Rusted subflooring, South Dorm

not being used for inmate housing (South Dorm at the Minimum Support Facility)... Furthermore, there are serious calcification problems throughout the institution due to high nitrates in their water supply.”

The memorandum further expresses the chief deputy director’s desire to meet with the division chief of the Facilities Management Division to map out a strategic plan addressing CIM’s needs. In the interim, the memorandum’s author became the department’s undersecretary of operations until August 2008, yet the number of approved but unfunded special repair projects at CIM reached 21 in May 2008, the highest of any prison in the department, totaling \$9.6 million.

The Legislative Analyst’s Office (LAO) also cited the department’s infrastructure problems in its February 2007 report, recognizing the department’s failure to maintain the infrastructure of its adult prisons. The LAO also reported that the state’s failure to perform preventive maintenance is becoming a liability for the department as small problems grow and require more costly special repairs.

According to the department’s chief deputy secretary of facility planning, construction, and management, the department has addressed some of the LAO’s concerns by developing a Maintenance Services Branch to oversee plant operations, set standards, and ensure compliance statewide.

Recommendations

The Office of the Inspector General recommends that the department secretary require that the California Department of Corrections and Rehabilitation:

- Develop and use reliable data on current and future maintenance and repair needs on which to base funding allocations and plan for maintenance and special repair expenditures. The VFA project will provide the groundwork for developing this information, but the department must commit to using the information to full advantage and to supplementing it with its own data collection and monitoring efforts.
- Direct the newly created Maintenance Services Branch to work with CIM to complete an analysis by December 2009 to determine whether performing the necessary repairs and modifications identified by VFA to bring present structures into a condition that meets the department’s current needs is more cost-effective than constructing a new prison on CIM’s present site.

Finding 2

Despite the formidable gap between available repair and maintenance funding for CIM and the institution's actual needs, CIM can still take actions to mitigate its infrastructure problems.

While the funding gap, discussed in Finding 1, is a major factor contributing to CIM's infrastructure problems, CIM has inefficiencies it could correct to maximize the effectiveness of its existing plant operations resources. These inefficiencies include failing to fill plant operations vacancies, neglecting to take full advantage of an established system for tracking and planning maintenance activities, and allowing duplicate work orders to clutter its system. By correcting these problems, CIM can reduce unnecessary work, improve local supervisors' capacity to manage maintenance activities, and provide objective evidence for the department's use in establishing equitable maintenance funding allocations to CIM.

CIM officials cite difficulties in hiring and filling vacant positions as a key factor limiting the institution's ability to address infrastructure problems

CIM's plant operations manager reported that as of July 22, 2008, CIM had 14 vacant positions in its plant operations unit, a 19 percent vacancy rate (14 of 73). According to the institution's personnel staff, two factors contribute to plant operations vacancies:

- Departmentwide examinations for plant operations positions are geared toward journey and supervisory levels, leaving the institution responsible for its own recruiting and hiring of entry-level plant operations employees. However, local response to open "spot exams" for entry-level plant operations positions has not been strong, and not enough candidates apply for the open spot exams.
- An emphasis on inmate medical care requires the personnel office to focus its recruitment and examination efforts on health care positions while neglecting recruitment of entry-level plant operations workers. Thus, there are no open certification lists for plant operations positions at CIM.

CIM's inability to fill its 14 vacant plant operations positions hinders the institution's ability to promptly address needed repairs and maintenance and places an additional burden on existing plant operations employees. Further, the inability to promptly respond to needed repairs contributes to the deterioration of the physical plant and ultimately increases costs.

CIM’s staffing vacancies, combined with a prevalence of emergency projects, challenge the maintenance staff’s ability to perform preventive maintenance work

In its February 2007 report, the Legislative Analyst’s Office (LAO) recognized that maintenance workers responsible for preventive maintenance at prisons are also tasked with performing emergency repairs, which take priority over preventive maintenance. We found this to be true at CIM.

Representatives at the institution and in various department divisions at headquarters said that reception centers such as CIM tend to suffer more abuse from inmates than other types of prisons. According to the representatives, inmates at reception centers stay for relatively short terms during their initial processing and thus have no incentive to keep their cells in working order, and they often act out by intentionally damaging their cells. As a result, CIM’s plant operations staff must continuously repair inoperable cells to prepare them for occupancy by a flow of newly arriving inmates. Moreover, the institution’s maintenance staff incurs what a plant operations supervisor termed “a ridiculous amount of overtime,” which he said exceeded a half-million dollars in fiscal year 2006–07, while preventive maintenance is neglected altogether.

Besides having plant operations vacancies, CIM may be receiving an inadequate allocation of such positions relative to its size and mission

We found that CIM, despite being the state’s third oldest prison, is one of several prisons that had never received a baseline “staffing package,” according to the Program Support Unit in the department’s Division of Adult Institutions. Since the 1980s, the department has developed staffing packages for its prisons based primarily on inmate population. The staffing package determines the number of custody and support staff members allocated to each prison.

When compared to Kern Valley State Prison (KVSP), which was activated in 2005, CIM’s staffing allocation appears inadequate. The following table compares the authorized staffing levels for plant operations for the two prisons.

Comparison of CIM and KVSP Inmate Population to Plant Operations Positions Authorized

	CIM	KVSP	Difference
Inmate population as of March 31, 2008	5,925	4,734	1,191
Plant operations positions authorized, fiscal year 2007–08*	72.5	78.6	(6.1)
Ratio of inmate population to plant operations positions	81.7	60.2	

*Per Governor’s Budget, Salaries Wages Supplement, FY 2008–09, as listed under “Facilities Operations” and omitting fire department, auto mechanic, and warehouse positions.

Thus, while CIM houses 25 percent more inmates, KVSP has more authorized plant operations positions. Since the department's staffing packages consider inmate population the primary factor in allocating positions to an institution, this comparison suggests CIM is understaffed in plant operations positions. If the 60.2 inmate-to-staff ratio at KVSP were applied to CIM based on its inmate population, CIM would have 98 plant operations positions instead of 73.

Further, CIM is over 60 years old, yet it has fewer authorized plant operations positions than a three-year-old prison with fewer inmates and must use its plant operations staff primarily on emergency repair work while preventive maintenance is neglected. The inconsistent nature of the department's allocation of plant operations positions was also noted in the LAO's February 2007 report, which said that the complement of plant operations staff members established by the department for its individual prisons "is not based on any objective measure of their repair needs, such as their size, age, or mission." We discussed these issues with the department's chief deputy secretary of facility planning, construction, and management, who said that the department is actively pursuing a baseline adjustment to plant operations staff for all its institutions to take into account the age of each facility and its required maintenance needs.

CIM does not fully use a computer system developed to track preventive maintenance, which may be contributing to its maintenance funding gap

The department implemented the Standard Automated Preventive Maintenance System (SAPMS) statewide in fiscal year 2001–02 to provide tracking, scheduling, recording, analysis, and retrieval of maintenance and operational data to manage institutional maintenance. Although data from this system is a factor in allocating maintenance funding, CIM is significantly underreporting the number of maintenance workers' hours.

The plant operations unit at each adult prison reports its SAPMS data through a local area network with the ability to produce comprehensive reports on the condition of all physical plant assets, as well as projections for preventive and corrective maintenance. The SAPMS also includes a time-tracking database to account for staff time worked, training time, and time off.

We found that CIM's plant operations staff falls far short of complete accountability in recording hours in the SAPMS database. We analyzed the hours recorded in CIM's SAPMS database for calendar year 2007 and concluded that the plant operations staff failed to account for 72,804 hours, or roughly 35 state personnel years.

CIM's Operational Procedure #031, *Maintenance Work Requests, Work Orders and Project Requests*, requires staff members to provide documentation of an

eight-hour workday, as well as any overtime, training, and time off, on the Plant Operations Daily Work Log. Completed work is to be recorded on this document to ensure tracking and accountability for all work performed by the plant operations staff. This document must be submitted to the plant operations office daily, with completed work orders recorded on the document, for SAPMS processing.

Assuming conservatively about 40 to 45 staff members charge hours to the SAPMS database during the year, we calculated the expected number of hours that should have been charged each month if each non-supervisory employee recorded 40 hours a week. We found that actual hours recorded in the SAPMS for 2007 totaled only 39,925, while our predictive test calculated 89,592 hours. When factoring in the 23,137 overtime hours charged by staff members, the unaccounted difference was even more significant, totaling 72,804 hours (89,592 expected regular hours, plus 23,137 overtime hours, minus 39,925 hours actually recorded), or approximately 35 personnel years. CIM's management cited frequent emergency repairs and overtime as significant barriers that prevent staff members from consistently recording their activity in the SAPMS.

This significant under-recording of activity leaves decision-makers with faulty data from which to make asset-allocation decisions and may negatively affect CIM's efforts to obtain funding for maintenance and repairs. The Facilities Management Division introduced a formula in fiscal year 2007–08 to allocate maintenance funding for each prison using a scoring system. According to the Facilities Management Division, the funding formula is based in part on past expenditures for which the SAPMS will serve as a primary source. By failing to record activity in the SAPMS, CIM is understating the maintenance and repair activity on which funding is based and consequently may not receive its full funding allocation from the department.

CIM's failure to follow its own operating procedure causes duplicate work orders and creates unnecessary work for the plant operations staff

The plant operations analyst responsible for entering work orders into the SAPMS database showed us a stack of about 1,000 duplicate work orders accumulated from 2006 to 2008. Work orders not immediately recognized as duplicates are entered in the SAPMS database, causing the list of open work orders to be overstated and leading to unnecessary time spent by plant operations staff members, who may be dispatched to perform repairs that have already been completed.

CIM's Operational Procedure #031, *Maintenance Work Requests, Work Orders and Project Requests*, requires a designated work order coordinator for each facility in the institution. The work order coordinator is responsible for tracking

all maintenance work requests for his or her facility by maintaining a logbook and copies of all maintenance requests submitted, as well as assigning a tracking number to each request.

If CIM followed this operating procedure, duplicate work orders would be reduced significantly because the work order coordinator for each facility would be able to identify duplicates and prevent them from being submitted to plant operations for action.

Recommendations

The Office of the Inspector General recommends that the warden at CIM:

- Continue to aggressively recruit and conduct examinations for plant operations positions to fill existing vacancies, soliciting assistance from department headquarters if necessary.
- Hold plant operations employees accountable for recording all of their time in the SAPMS database.
- Enforce the local policy requiring a work order coordinator at each facility to reduce duplicate work orders.

Finding 3

Staff at CIM's central reception center inappropriately approved some dangerous, high-risk inmates for housing in crowded dormitories.

When staff members at Reception Center Central (RCC) approved some inmates to be housed at the institution's Reception Center West (RCW), they did not follow procedures for reviewing the inmates' classification scores to ensure those scores do not exceed the limit for RCW. As a result, the staff placed unsuitable inmates at RCW, where two correctional officers supervise about 200 inmates in each of seven open dormitories and about 100 additional inmates in another open dormitory. CIM's inmate eligibility criteria for RCW exclude certain inmates because their classification scores are too high or are unknown; a high classification score often results from repeated bad behavior while in prison. Moreover, in an open dormitory setting where fights among inmates can quickly escalate and spread, it is difficult for officers to gain control of inmates who assault staff members or other inmates.

CIM local policy clearly establishes inmate eligibility criteria for the institution's reception centers

CIM receives about 600 inmates weekly at its RCC for initial screening and processing into the state prison system. Generally, inmates who represent the highest safety and security risk and those en route from one institution to another are retained at RCC. Transportation unit staff at RCC must evaluate the remaining inmates to identify those eligible for transfer to one of CIM's other two reception centers, Reception Center East (RCE) or Reception Center West (RCW).

CIM's local operational policy establishes criteria for inmate eligibility for each reception center. Inmates with higher security needs are moved to RCE, which contains mostly celled housing. Inmates with lower security needs are transferred to dormitories at RCW, where roughly 1,500 inmates live in eight open dormitories with two correctional officers supervising each dormitory. In these dorms, inmates move freely in areas crowded with two-tier bunks and inmates' personal items, potentially obstructing the officers' line of sight and inhibiting the officers' ability to control volatile situations before they escalate to violence.

An inmate's classification score, which is an indicator of the inmate's behavior in prison, is one criterion the officers at RCC must consider when assigning housing. The classification score is based on various case factors, including the inmate's sentence length and behavior while in prison. Points are added to an inmate's classification score when the inmate is found guilty of a serious rules violation. For example, an inmate found guilty of possessing a deadly weapon is assessed an additional 16 points. Points are subtracted when the inmate has no serious

disciplinary problems during annual review periods. California Code of Regulations, Title 15, section 3375(d) states that a lower placement score indicates lesser security control needs while a higher placement score indicates greater security control needs.

Inmates with a classification score higher than 35 or whose classification score is unknown are ineligible for placement at RCW. However, an inmate's prior classification score is not always known when RCC staff (which includes correctional counselors) must decide where to house the inmate. For parole violators, who comprise most of CIM's inmate population, the 35-point limit refers to their most recent classification score—their score at the time they last paroled. This score is retained with other information in the department's Distributed Data Processing System (DDPS). But according to a system analyst in the department's DDPS unit, an inmate's record in DDPS is archived upon parole. The analyst explained that in cases where a parole violator returns to the same reception center from which he last paroled, his record in DDPS is still available at that reception center. However, if a parole violator comes into a reception center after paroling from a different institution, his online DDPS record containing the previous classification score is not available to that reception center until the next day. After the reception center staff enters the inmate's arrival date and other information into DDPS, the system updates itself and restores the inmate's archived record during its overnight update process.

Staff did not follow procedures that provide a safety net in instances when they must move inmates before knowing their classification scores

We reviewed the classification scores of inmates living at RCW on April 4, 2008, and on May 1, 2008, and we identified 19 inmates who should not have been housed at RCW because their classification scores were either too high or unknown. Specifically, ten of the 19 inmates had classification scores higher than 35, and the other nine inmates had a "999" code instead of a classification score, meaning their score was unknown. CIM's desk procedures for RCW do not allow such inmates to be housed at RCW. Although the inmates' scores were not available at the time the staff transferred the inmates, the staff did not follow up the next day when the scores became available.

RCC does not have enough beds for all inmates who arrive during the day, according to a CIM associate warden who previously managed operations there. To avoid having inmates spend the night in temporary overflow holding cells at RCC, staff members must decide which inmates to transfer out of RCC, although some of those inmates' classification scores may still be unavailable. The associate warden explained that because about 85 percent of the inmates who come into RCC remain there for at least 24 hours, their scores are available for staff members to review. The remaining 15 percent may not have their prior

classification scores available for consideration when staff members must decide which inmates can be transferred out of RCC.

Sometimes inmates must be transferred out of RCC on the same day they arrive because of capacity issues. If the inmates' previous classification scores are unavailable, staff members must evaluate other information about the inmates before initially approving them for RCW. Specifically, staff members told us that they evaluate historical information in the department's Offender Based Information System (OBIS) regarding inmates' movement within the prison system to identify case factors that may exclude them from RCW. For example, the information may show that before paroling, an inmate transferred to an outside hospital, to a medical clinic within the institution, or to an administrative segregation unit. Staff members use this information to identify inmates with histories of medical or mental health problems or other behavioral problems.

Staff members said they also consider the nature of the institution at which the inmate lived just before paroling. For example, disregarding all other exclusionary factors, most inmates who parole from Avenal State Prison are probably eligible for placement at RCW because most of Avenal's inmates are Level I or Level II, meaning their classification scores should not be higher than 27. However, Avenal also houses a small percentage of Level III inmates whose classification scores may be as high as 51, which is 16 points more than CIM allows for inmates at RCW. Thus, while the RCC staff makes an educated assessment of inmates' transfer eligibility, those assessments are not without risk.

To mitigate this risk, according to the staff, when it becomes necessary to transfer inmates to RCW before the inmates' classification scores are available, staff members follow a "safety net" process by reviewing those inmates' classification scores when they become available the next day. If staff members identify inmates whose scores are higher than 35, they immediately transfer them out of RCW. However, the staff did not follow this procedure for the 19 inmates we identified at RCW on April 4, 2008, and May 1, 2008, because these inmates had all been at RCW for more than one day. In fact, one inmate with a classification score of 82 was at RCW for over five weeks before the staff realized and transferred him to RCE.

When we discussed our audit findings with an associate warden, he suggested that the staff could use another system, called DECS (Disability and Effective Communication System), to check parole violators' classification scores. The associate warden explained that DECS has been available to the staff in CIM's receiving and release unit at RCC for several months. Unlike the Distributed Data Processing System (DDPS), DECS is designed to provide CIM the classification score on all returning inmates, not just those who paroled from CIM. The receiving and release unit staff use DECS to identify inmates with disabilities, but the transportation unit staff has not yet been required to use it.

Even when inmates' classification scores are available, staff members do not always review them before deciding to transfer the inmates to RCW

We found that CIM staff members failed to check the classification scores of five of the 19 inmates before approving their transfer to RCW, even though the staff had ample time to do so. One inmate whose classification score was 38 was at RCC for six days before the staff transferred him to RCW. Four of the inmates with the 999 code were at RCC for more than 24 hours—one of them for seven days—before the staff transferred them to RCW.

When notified of the presence of inmates with classification scores over 35 points at RCW, one of CIM's chief deputy wardens remarked that because RCW's design includes an electrified perimeter fence, it qualifies as a Level III facility, so inmates with classification scores as high as 51 points can technically be placed there. However, by setting a lower score limit for the inmates it is willing to house at RCW, CIM's management recognizes the elevated risk of negative behaviors associated with higher-scored inmates, especially when such inmates are housed in a crowded dormitory supervised by only two correctional officers. While an electrified fence may mitigate escape attempts, it does little to prevent violent behaviors by the inmates living within its perimeter. Placing inmates with histories of disruptive or assaultive behavior in an open setting where they can roam freely and where fights among inmates can quickly escalate and spread creates a more dangerous environment for inmates and staff members. Incidentally, three of the 19 inmates we identified had classification scores above 52, exceeding the "technical limit" of 51 cited by the chief deputy warden. Department regulations require that inmates with scores of 52 and above be placed in a Level IV facility with additional security features, such as cells.

CIM's local operational policy does not reflect the institution's current practice of using classification scores to evaluate inmates for placement at RCW

CIM revised its local operational policy establishing inmate eligibility criteria for its reception center facilities in January 2008, but the revision failed to delete references to "inmates' prior custody level" from the list of criteria—even though this information is no longer available. Since August 2006, DDPS no longer displays an inmate's prior custody level if it was rated below "maximum" at the time of parole. Moreover, CIM's written policy does not reflect its actual practice of using inmates' classification scores to determine which inmates can transfer to RCW. CIM's Operational Supplement requires the institution's management to ensure that staff members review policies annually and ensure that managers revise the policies as necessary to reflect department or institution operational needs. By not revising policies to ensure that they contain accurate information,

CIM's management is not clearly communicating its expectations to employees, which increases the possibility for errors to occur.

Recommendations

The Office of the Inspector General recommends that CIM managers:

- Require transportation staff in the central reception center, who make the decisions to move parole violator inmates to RCW, to check inmates' classification scores in the Disability and Effective Communication System (DECS) before moving them. In instances when overcrowding in the central reception center forces the officers to transfer inmates to RCW before their classification scores are available, assign a staff member the responsibility of checking the scores the next day. If the staff member identifies an inmate who is not eligible for RCW, promptly transfer the inmate out of that facility, and hold the staff member accountable if any inmate with a classification score above 35 is found at RCW more than 24 hours after being transferred there.

- Ensure the institution's local operational policy for inmate eligibility at RCW is updated by deleting the reference to "prior custody level" and replacing it with relevant evaluation factors that may include classification score, behavioral history, and mitigating or aggravating factors.

Finding 4

CIM allows peace officers who have not attended mandatory quarterly firearms training sessions to assume armed posts at the institution and off-site in local hospitals.

Although CIM has a process for identifying peace officers who fail to attend mandatory quarterly qualification sessions, many such peace officers continue to work armed posts instead of being redirected to alternate posts pending completion of quarterly qualification requirements. Furthermore, a departmentwide memorandum issued in November 2004 permits peace officers who are not quarterly qualified to work armed posts through shift swaps or overtime. This practice conflicts with various California statutes and regulations, as well as other department policies, which require officers to complete quarterly firearms training sessions before assuming armed posts. In addition, according to the department's Operations Manual, an officer who fails to attend or qualify at a quarterly session must be redirected to a non-armed post pending completion of the missed session. Allowing peace officers to work armed posts without completing the required quarterly qualification sessions endangers employees, inmates, and the public and exposes the state to litigation if such an officer uses deadly or less-lethal force.

Various statutes, regulations, and department policies require officers to complete quarterly firearms training sessions before assuming armed posts

California Penal Code section 830.5(d) requires quarterly qualification for correctional officers assigned to armed posts. Likewise, Title 15, section 3276(a) of the California Code of Regulations states that only peace officers who have satisfactorily completed firearms training and who are currently qualified to fire department firearms will be assigned to armed posts. The department's Operations Manual section 32010.19.7 requires all department peace officers issued a department weapon as part of their regular or special assignment, such as armed posts, to "complete a proficiency course on a quarterly basis *prior to* assuming the post." [Emphasis added.] The department's Operations Manual requires the watch commander to assign *qualified* transportation officers to transportation details if unscheduled or emergency transportation needs arise. Finally, according to Operations Manual section 32010.19.10, peace officers must notify their supervisor upon assignment to an armed post if they have not met the requalification or quarterly proficiency requirement.

These policies also serve to restrict the activity of peace officers who fail to meet the quarterly firearms qualification requirements. Specifically, Operations Manual section 32010.19.5 states that officers will not be permitted to work in an armed

post or any other assignment that requires them to be armed until they meet the minimum requirements.

CIM has established local procedures to enforce department policy

In a February 2, 2006, memorandum to custody staff, Warden Poulos designated four months (February, May, August, and November) as the quarterly firearms qualification months for CIM's correctional officers. Officers regularly assigned to armed posts as well as officers serving in armed posts as permanent intermittent and relief officers must attend a quarterly qualification session during each of these four months to work at an armed post during the three-month period immediately following the designated qualification month. For example, the February qualification sessions cover the quarter beginning March 1 and ending May 31. Similarly, the May qualification sessions cover the quarter beginning June 1 and ending August 30. Each officer is responsible for ensuring he or she maintains quarterly firearms qualification by attending the mandatory training in each of the four months. The In-Service Training (IST) Unit publishes the dates and times for each quarterly qualification session in the IST bulletin.

CIM's IST manager identifies the peace officers who fail to attend or fail to qualify at the mandatory quarterly qualification sessions and distributes an exception list at the weekly executive staff meeting to all associate wardens. The associate wardens distribute the information down the supervisory chain of command. The memorandum accompanying the list specifies that officers on the list are to be redirected to non-armed posts pending firearms qualification, and any officer who has met the quarterly qualification requirements should provide coverage for redirected officers. The IST armory sergeant prepares a letter of instruction for each peace officer on the exception list, provides the letters to the IST manager for review, and ensures that the employee relations officer receives the letters for distribution to the non-compliant officers.

Although CIM identifies officers who fail to attend or pass mandatory quarterly qualification sessions, those officers continue to work armed posts

We reviewed the March 2008 time sheets of the 43 officers appearing on CIM's February 2008 exception list and found that 34 of the officers (79 percent) had worked in at least one armed post. These officers were out of compliance with CIM's policy because as of March 1, 2008, they failed to qualify at a range session during February 2008. For example, a vacation relief officer who worked four shifts at the gym observation post had not attended a qualification session since May 31, 2007, a period of nine months prior to March 1, 2008. Another vacation relief officer worked five gym gun shifts during March 2008, despite having no record of attending any qualification session from May 1, 2006,

through February 29, 2008, a 23-month lapse. Finally, two training relief sergeants worked armed posts despite appearing on the exception list. One sergeant worked two control shifts and one medical transportation shift even though the sergeant had not attended a qualification session since February 28, 2007, a 12-month lapse. The other sergeant worked three control shifts and two perimeter security shifts despite having not attended a qualification session since September 19, 2007.

Further, CIM supervisors are not working with the IST manager to ensure that subordinates meet the minimum qualification requirements. For example, 18 of the 34 officers working an armed post during March 2008—despite appearing on the February 2008 exception list—were relief officers supervised by the personnel assignments office. The personnel assignments office receives a copy of the exception list and should have redirected the 18 officers to non-armed posts until they made up the missed qualification session. In addition, five of the officers report directly to CIM's watch office, where the watch sergeant receives a copy of the exception list and should have redirected the five officers. Similarly, the remaining 11 officers reported to various facilities within CIM and should have received redirection instructions from their respective supervisors. These 34 officers violated a department policy (Operations Manual section 32010.19.10) requiring them to notify their supervisor at the time of assignment if they had not met the quarterly proficiency requirements.

We discussed our findings with CIM's security operations captain and chief deputy warden, and they both agreed that supervisors were not redirecting non-compliant officers as required. The captain also stated that supervisors were not checking the officers' weapons qualification cards. The day after our discussion, the security operations captain distributed a memorandum to all sergeants instructing them to review the weapons qualification card of each officer to ensure that current qualifications have been met. The memorandum also asked all supervisors assigned to the watch office to familiarize themselves with IST's exception list and to redirect any officers who have not met the qualifications.

The department allows officers who do not meet quarterly firearms qualifications to work armed posts under a department memorandum that contradicts state law

The deputy director of the department's Institutions Division (renamed the Division of Adult Institutions) issued a November 4, 2004, memorandum to all regional administrators and wardens that allows officers who are not regularly assigned to armed posts to work such posts in overtime assignments. The memorandum also permits officers to swap or trade work assignments without regard to their firearms qualifications or training. According to the memorandum, officers working an armed post in overtime status or through shift swaps do so

voluntarily or temporarily and thus should not be required to quarterly qualify before assuming the armed post.

However, we believe that the November 2004 policy is contrary to the formal department rules and state law. As reported in our April 2008 accountability audit,¹⁰ CIM was one of five institutions tested in our audit sample that allowed officers not quarterly qualified to assume armed posts under the departmentwide memorandum. While our April 2008 report took exception to the practice, the report did not evaluate the magnitude of the issue. To evaluate the issue at CIM, we analyzed data from CIM's timekeeping system for March 2008, the month following CIM's designated quarterly qualification month of February 2008, and found a significant number of officers working in armed posts who typically receive only one firearms training session a year.

On any given day, CIM must ensure that about 110 permanently assigned armed posts are filled, as well as a varying number of armed posts in local hospitals for medical guarding and medical transportation escorts, depending on the number of inmates requiring outside medical attention. CIM's timekeeping data revealed that on March 4, 2008, CIM filled 120 predetermined armed posts, 75 medical guard posts, and 19 medical transportation posts—214 armed posts in total. We analyzed the training records of officers working these posts on March 4, 2008, to determine the extent to which non-compliant officers worked in armed posts that day. We also determined the time elapsed since those officers' last qualification sessions. As shown in the following table, CIM's watch office filled 62 of the 214 armed posts (29 percent) with officers who had not met the quarterly firearms qualification requirement. Furthermore, nearly 67 percent of the officers assigned to medical guard posts in local hospitals had not met the quarterly qualification requirements.

¹⁰ *Accountability Audit: Review of Audits of the California Department of Corrections and Rehabilitation, 2000–2006* (April 30, 2008) may be found on the OIG's Web site: http://www.oig.ca.gov/reports/pdf/2008_Accountability_Audit_WEB_FINAL.pdf

March 4, 2008, Analysis of Armed Posts

Type of Armed Post	Total Posts	Total Filled by Regular Quarterly Qualified Officers	Total Filled by Officers Not Quarterly Qualified	Percent Filled with Officers Not Quarterly Qualified	Range of Days Elapsed Since Last Qualification Session (for Officers Not Quarterly Qualified)
Predetermined	120	110	10	8.3%	34 to 356 days
Medical Guard	75	25	50	66.7%	34 to 674 days
Medical Transportation	19	17	2	10.5%	34 to 153 days
Total	214	152	62	28.9%	

Source: CIM timekeeping system reports and watch sheets for March 4, 2008, and IST records for officers who worked on March 4, 2008.

The table above also highlights the large range of time elapsed between the 62 non-compliant officers' last qualification sessions and March 4, 2008. For many officers, the time elapsed since their most recent qualification session was well beyond a quarterly requirement. For example, officers assigned to work three tower posts had not been to a qualification session for 265, 293, and 300 days, respectively. In addition, an officer assigned to a front-gate post had not attended a qualification session for nearly a year. Officers working in medical guard posts on March 4, 2008, also had not attended a qualification session for long stretches of time. For example, two of the officers had no record of attending a qualification session from May 1, 2006, to February 29, 2008, over 20 months. Eleven of the officers had not attended a qualification session from 300 to 366 days—the remaining medical guard officers experienced lapses of 34 days to 293 days.

Several officers who were out of compliance worked armed posts through shift swaps

To determine the extent to which CIM permits peace officers not quarterly qualified to swap shifts with officers regularly assigned to armed posts, we analyzed all shift swaps worked during March 2008. We found that 11 officers swapped into armed post shifts despite their lack of quarterly firearms proficiency. Five of the 11 officers had not participated in qualification training since at least September 19, 2007, over five months prior. These five included an officer who swapped into a tower position despite not attending a qualification for ten months at the time of the swap. Another officer swapped into a control post even though the officer had not participated in a qualification session since March 7, 2007.

Medical transportation and medical guarding of inmates requires a significant number of armed officers—and many of these officers were out of compliance

CIM's watch office fills medical guard posts every day, and the number of officers assigned depends on the number and classification level of inmates requiring treatment at outside hospitals. We analyzed the timekeeping summary of all medical guard shifts worked in overtime status during March 2008 and found that 321 officers worked one or more such shifts even though the officers were not quarterly qualified. The elapsed time since each officer's last qualification session varied. For example, 21 of the 321 officers (6.5 percent) had no record of attending a qualification session during the period May 1, 2006, to February 29, 2008 (a 22-month lapse), and one officer had not attended a qualification session since September 13, 2006, 18 months earlier. In another example, 72 of the 321 officers (22.4 percent) had not participated in a qualification session for at least ten months as of March 1, 2008.

Our testing of medical transportation shifts revealed that 75 different officers not quarterly qualified worked one or more medical transport shifts on overtime status during March 2008. For example, four of the 75 (5.3 percent) had no record of attending a qualification session between May 1, 2006, and February 29, 2008. Ten of the 75 (13.3 percent) had their most recent qualification session at least ten months prior to March 2008. Further, 18 of the 75 (24 percent) had no record of attending a qualification session for at least eight months as of March 1, 2008.

Despite assurances to the contrary, we found medical escort teams on which neither officer had met quarterly firearms qualifications

Various CIM officials, including the security operations captain and the chief deputy warden, told us that not all outside hospital posts are armed. For example, in situations where an inmate's custody level necessitates two officers to guard the inmate, only one of the two must be armed. Further, the officials emphasized that CIM's watch office sergeant would ensure that the armed officer would be a quarterly qualified officer. However, we reviewed the outside hospital correctional officer pairings from records maintained in the watch office for March 4, 2008, and found that 14 of the 34 outside hospital pairings were out of compliance with the quarterly qualification requirement. That is, neither of the "paired" officers met the quarterly qualification requirement. The time elapsed since each officer's last qualification session as of March 4, 2008, ranged from 48 days to one year. One pairing included officers who had not participated in a qualification session for at least ten months.

When we informed the security operations captain and the chief deputy warden that we planned to analyze the extent to which non-compliant officers work armed posts, the chief deputy warden agreed that it would be ideal to have all officers

quarterly qualified but said that it is not cost-effective to do so. The captain also said that it would be too expensive for CIM to require all officers to be quarterly qualified before assuming an armed post.

Allowing officers to work armed posts without completing the required qualification sessions endangers employees, inmates, and the public and exposes the state to litigation if a non-compliant officer uses deadly force

Peace officers who have not demonstrated recent firearms proficiency may expose the state to litigation and endanger themselves or others if insufficiently trained. Inmate behavior is unpredictable, and the institution and the department assume great risk by allowing officers who have not satisfied quarterly qualification requirements to work in armed posts. Riots or fights involving inmates occur often enough that any officer in an armed post, including those assigned to medical transports or outside hospitals, may be called on to use deadly force. A recent incident in which an inmate from a Northern California prison escaped from his assigned bed at an outside hospital illustrates this risk. The inmate fled through the fire exit door as one officer drew a state-issued weapon and ordered the inmate to stop. The inmate refused to comply and ran into the hospital's parking lot. The officers ultimately regained control of the inmate without having to fire a weapon. However, the incident could have ended differently. Had the officer discharged the weapon in such a public area, the department's efforts to defend itself in any resultant litigation would have been further complicated because at the time of the incident the officer had gone ten months without a firearms proficiency qualification. Both CIM and the department must consider whether they are willing to continue assuming such risk through continued adherence to the November 2004 policy memorandum. In addition, CIM places itself and the department at risk when it does not enforce various statutes, regulations, and department policies concerning quarterly qualification requirements.

Recommendations

The Office of the Inspector General recommends that the warden take the following actions to ensure that peace officers who assume armed posts have completed quarterly firearms qualification requirements:

- Instruct supervisors to periodically review the master roster to ensure their familiarity with peace officers assigned to armed posts and those who could be assigned to armed posts in a "relief" position.
- Instruct supervisors to examine the weapons qualification card of officers whose qualifications they are unfamiliar with to ensure assigned officers

meet the quarterly qualification requirements before assuming an armed post.

- Ensure that officers who receive a letter of instruction for failing to attend a quarterly qualification session sign and return the letter of instruction to the employee relations officer.
- Hold supervisors accountable for failing to redirect officers from armed posts when those officers fail to meet the quarterly qualification requirement.
- Use the monthly in-service training bulletin, or similar means, to emphasize to the custody staff that qualification must occur before assuming an armed post.
- Limit armed post assignments only to peace officers who complete a quarterly firearms qualification session as required in the department's Operations Manual section 32010.19.7.
- Allow officers who complete an annual qualification session during CIM's designated months of February, May, August, or November to work armed posts through special assignment in the three months following the annual qualification. For example, officers who complete annual qualification sessions during May would be eligible to work armed posts during June, July, or August. Moreover, officers who complete annual qualification sessions during a quarter would be eligible to work armed posts during the remainder of that quarter.

The Office of the Inspector General recommends that the department secretary repeal those provisions of the November 4, 2004, departmentwide memorandum that allow officers to assume armed posts without completing quarterly firearms qualification requirements.

Finding 5

The visiting area for CIM's Minimum Support Facility accommodates hundreds of inmates and visitors, but the institution lacks an effective means of monitoring visiting activities to control the exchange of contraband.

The department recognizes the value of inmate visitation as a way for inmates to maintain family and community connections. However, effective monitoring of visiting is necessary because some inmates use visiting as an opportunity to smuggle drugs and other contraband into the institution. At CIM's Minimum Support Facility (MSF), only two officers are assigned to actively monitor visitor activities, and suspicious behavior may be missed because there are no surveillance cameras. The use of cameras would enable officers to scan various areas of the visiting yard and allow for continual observation of suspicious activity. In addition, video recordings could serve as an additional resource to the investigative services unit officers to successfully prosecute visitors and inmates found with drugs or other contraband.

Only two officers are assigned to monitor CIM's large visiting area

The institution's MSF visiting area is an outdoor yard—roughly 183,000 square feet, or over 4 acres—and it contains 198 picnic tables arranged in two staggered rows under an awning. The tables stretch along the north, south, and east perimeter of the yard, surrounding a large grassy area divided by a walkway in the center of the yard. The west side houses vending machines, visitor restrooms, and a family picture-taking area.



MSF Visiting Yard



The visiting area allows for a maximum of 198 inmates at one time, with one inmate assigned to each table, and on some occasions, the number of visitors has exceeded 300, for a total of over 500 people in the visiting yard. Four officers work in the visiting yard. Two of these officers process the visitors and the inmates in and out of the visiting yard, and two officers roam the yard. Typically,

one of the two roaming officers stays near the picture-taking area and the nearby vending machine area to ensure that picture poses are appropriate and that children stay out of the vending machine area. This leaves only one officer available to walk among the visiting tables.

Visiting is a gateway for contraband to enter an institution even though officers take security precautions

Officers make sure that each visitor walks through a metal detector, and they search visitors' personal belongings before allowing them to enter the visiting yard. In addition, officers ensure that each inmate undergoes an unclothed body search before he returns to the housing unit. However, officers do not always find contraband through these security measures alone. Visitors have successfully passed the initial security checks by hiding non-metal contraband items, and inmates have successfully passed the unclothed body search by either swallowing the items or otherwise secreting the items on their person. For instance, at one institution, officers observed three inmates hide unknown objects on their person. However, when officers conducted unclothed body searches they were unable to find anything on two of the three inmates. After placing one inmate on contraband watch and taking another to a hospital, officers eventually recovered the contraband, which turned out to be drugs. In another instance, an officer observed a female visitor pass what appeared to be contraband to an inmate while the visitor and the inmate kissed. The inmate was placed on contraband watch, and about two days later officers recovered five balloons of heroin from the inmate. In both instances, officer observation was vital to finding contraband that would not be detected by an unclothed body search. Although the MSF visiting officers observe and stop inappropriate behavior between inmates and their visitors and confiscate contraband, it is unlikely that two officers monitoring over 500 people could see every instance of suspicious or inappropriate behavior, especially if the conspirators watch the officers' whereabouts and wait for them to become distracted.

During our observation of a Saturday visiting day, we saw inmates and visitors taking advantage of the commotion caused by an announced, but unexpected, early termination of visiting. Some groups appeared to ignore the initial announcements to exit the visiting yard, others began to slowly gather their belongings and say their goodbyes, while still others began walking toward the exit gates. During the commotion, we observed some inmates and their visitors engage in excessive touching and kissing, violating the rules against prolonged physical contact. Although we did not observe anyone pass contraband, we, like the officers in the yard, could see only those inmates and visitors close to us.

Surveillance cameras in the visiting areas of other institutions have proven to be an effective enhancement to the security measures already in place. For example, during a video surveillance of visiting at one institution, officers observed an

inmate receiving a package from his visitor. As a result, officers confiscated a latex glove containing separately bundled packets of various drugs including heroin. The inmate admitted that he already swallowed another package that also contained heroin.

Taking additional preventive measures, such as using cameras in the MSF visiting yard, benefits the entire institution because some MSF inmates have access to the other facilities within CIM and thus have the opportunity to pass contraband to inmates in those facilities. For instance, some inmates live in the MSF but receive clearances allowing them to work on projects at all three of CIM's reception centers. Furthermore, according to officers from the investigative services unit, inmates have staged fights in an effort to be moved into the administrative segregation unit, located at Reception Center Central, with the intent to pass written correspondence or contraband to inmates housed there.

Recommendation

The Office of the Inspector General recommends that the warden install surveillance cameras with video recording capabilities in the Minimum Support Facility's visiting area and allocate sufficient staff to operate the cameras and monitors.

Finding 6

Supervisors are conducting fewer than half of the required fire/emergency evacuation drills in their work areas, which may leave employees and inmates ill-prepared to respond to a crisis.

We found that quarterly compliance reports for the fourth quarter of calendar year 2007 showed only 13 percent of CIM's reporting areas conducted any fire/emergency evacuation drills. Section 52090.19 of the department's Operations Manual states:

Evacuation drills shall be held quarterly under varying conditions on all three watches by designated supervisors. Such drills shall be actual unless the drill would cause a security or unusual safety problem with removing the inmates. At the conclusion of fire drills, the area supervisor shall complete a DS 5003 [Fire/Evacuation Drill Report] indicating the necessary information, and forward a copy to the Fire Chief.

Conducting drills prepares employees and inmates to respond quickly and safely in the event of a fire or other emergent need to evacuate a building. CIM's age and state of disrepair, combined with inadequate fire sprinkler coverage throughout the institution, increases the importance of preparing employees to respond. In addition, inmate turnover at CIM introduces new inmates into living units frequently, and supervisors must conduct regular drills to ensure that newly arrived inmates are prepared in case of a fire or other emergency.

Although CIM's fire chief confirmed that compliance with the drill requirement improved during the first and second quarters of calendar year 2008, a significant number of drills are still not conducted. The following table illustrates an increasing compliance rate over three recent calendar quarters, but the most recent quarter reviewed still shows only a 43 percent compliance rate.

Summary of Quarterly Drill Reports

Reporting Period	Drills Conducted	Drills Not Conducted	Drills Required	Noncompliance Percentage
4th Quarter 2007	30	202	232	87%
1st Quarter 2008	113	184	297*	62%
2nd Quarter 2008	169	128	297	43%

*Redistribution of staff and inmates created additional reporting area requirements effective in the first quarter of calendar year 2008.

Source: CIM Fire Chief

According to a facility captain at CIM, drills are not being conducted because of a lack of supervisor awareness of the requirement and failure to document the drill and forward the information to the fire chief.

Recommendation

The Office of the Inspector General recommends that the warden ensure that supervisors are aware of the quarterly fire/emergency evacuation drill requirement in their areas of responsibility, and that they document the drills and submit copies of documentation to CIM's fire chief as required in section 52090.19 of the department's Operations Manual.

California Department of Corrections and Rehabilitation's Response

OFFICE OF THE SECRETARY

P.O. Box 942883
Sacramento, CA 94283-0001



November 17, 2008

Mr. David R. Shaw
Inspector General
Office of the Inspector General
P.O. Box 348780
Sacramento, CA 95834-8780

Dear Mr. Shaw:

We appreciate the opportunity to have met with representatives from the Office of the Inspector General (OIG) to discuss the preliminary draft of your Quadrennial and Warden Audit conducted at the California Institution for Men (CIM). We are pleased with your acknowledgement of Warden Michael Poulos as an effective administrator who is responsive to institutional issues, and we concur with this assessment. Warden Poulos demonstrates innovation in managing the third oldest adult institution in California and has been praised for his skills. He attributes his performance to the work commitment of CIM staff.

While several areas of deficiency were identified in your report, we appreciate the recognition by the OIG that funding needs for CIM, and indeed of all our prisons, are inadequate to address the overall need to maintain our facilities. Nonetheless, the California Department of Corrections and Rehabilitation (CDCR) is committed to expediting special repair and maintenance projects and to diligently pursuing all avenues to address unfunded needs.

Your report states that despite the disparity between funding for maintenance and repair and the facility's actual needs, CIM could take independent action to mitigate its infrastructure problems by aggressively recruiting for plant operations staff. You also write that CIM is not taking full advantage of an established system for tracking and planning maintenance activities. We agree that CIM encounters distinct difficulties in recruiting and retaining experienced plant operations staff. To mitigate the risk of underreporting the number of maintenance hours for the appropriate allocation of maintenance funding, local procedures have been implemented and reinforced to ensure accurate record maintenance and repair activity in the Standard Automated Preventive Maintenance System.

In response to your concern regarding supervisors conducting fewer than half of the required fire and emergency evacuation drills in work areas, CIM has emphasized the importance of compliance with the quarterly fire and emergency evacuation drill requirements. Complete and full compliance has been achieved for the 2008 third quarter reporting period of CIM fire drills. Ongoing monitoring will be conducted to maintain compliance.

Mr. David R. Shaw
Page 2

I would like to thank the OIG for allowing us the opportunity to provide comment on the deficiencies identified in your preliminary report. Your audit assists the Department in the refinement of processes and furthers compliance with applicable laws, rules, and regulations. All deficiencies identified will be addressed in a corrective action plan submitted to CDCR's Office of Audits and Compliance for follow-up and monitoring. If you should have any questions or concerns, please call my office at (916) 323-6001.

Sincerely,

A handwritten signature in blue ink that reads "Matthew L. Cate". The signature is written in a cursive style with a large initial "M" and a stylized "C".

MATTHEW L. CATE
Secretary

cc: Michael Poulos, Warden, California Institution for Men