



**CALIFORNIA STATE PRISON,
LOS ANGELES COUNTY**

WARDEN BRIAN HAWS

ONE-YEAR AUDIT

**OFFICE OF THE
INSPECTOR GENERAL**

**DAVID R. SHAW
INSPECTOR GENERAL**

STATE OF CALIFORNIA

APRIL 2010



April 7, 2010

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 performance of Warden Frederick "Brian" Haws at the California State Prison, Los Angeles County (LAC). The purpose of the audit was to satisfy our statutory requirement to audit each warden one year after appointment.

The report concludes that under Warden Haws' leadership, the prison functioned satisfactorily in three areas reviewed, but the warden had several challenges in the area of employee-management relations. Specifically, Warden Haws was unable to establish a productive working relationship with the California Correctional Peace Officer's Association (CCPOA) local chapter, had a significant number of correctional officers who expressed low morale, and had a fragmented senior management team. Several factors contributed to and compounded Warden Haws' challenges, including the unsettling nature of frequent leadership and mission changes since 2002. The difficulty of LAC's problems is underscored by the fact that Haws had two and one-half years as either the warden or acting warden to resolve the institution's significant personnel issues and was unable to do so.

In late January 2010, Warden Haws retired from state service and the department is pursuing a permanent replacement. Regardless of who is appointed warden, LAC management needs to work cohesively and develop an effective working relationship with its correctional officers. Otherwise, these longstanding issues will continue to be challenges for LAC into the future.

Mr. Matthew L. Cate, Secretary

Page 2

April 7, 2010

If you have any questions concerning this report, please contact Jerry Twomey, Chief Assistant Inspector General, Bureau of Audits and Investigations, at (916) 830-3600.

Sincerely,



David R. Shaw
Inspector General

cc: Scott Kernan, Chief Deputy Secretary, Adult Operations, CDCR
George Giurbino, Director, Adult Institutions, CDCR
Michele Minor, Chief Deputy Secretary (A), Adult Programs, CDCR
Kim Holt, External Audits Manager, CDCR

Contents

Results in Brief.....	1
One-Year Evaluation of Warden Brian Haws	2
Background of Warden Brian Haws.....	2
Institution Overview	2
Objectives, Scope, and Methodology	4
Review Results	6
Category 1 – Safety and Security.....	6
Category 2 – Inmate Programming	10
Category 3 – Business Operations	11
Category 4 – Employee-Management Relations	15
Overall Summary	23
Appendix – Employee Survey Responses	25
Response from the California Department of Corrections and Rehabilitation	27

Results in Brief

Warden Brian Haws

From its review of Warden Frederick “Brian” Haws, the Office of the Inspector General (OIG) found that the California State Prison, Los Angeles County’s (LAC) safety and security, inmate programming, and business operations are functioning at a satisfactory level based on factors under the warden’s control. However, in the area of employee-management relations, the warden has several problems. Specifically, he has a very poor working relationship with the California Correctional Peace Officer’s Association local chapter, a fragmented senior management team, and low morale among his correctional officers.

Challenges affecting the warden’s performance result from the prison’s complex mission, an array of long-standing personnel issues that demand constant attention, and changing leadership over the past eight years. Since 2002, there have been seven different wardens at LAC and the average tenure for the previous six wardens was only ten months. Regardless of these challenges, in the two and one-half years that Haws has served in either the warden or acting warden position, the institution continues to have significant personnel problems.

Prior to our site visit, we surveyed a broad range of LAC employees, key stakeholders, and department executives. We then analyzed all the collected data and categorized it into four areas: safety and security, inmate programming, business operations, and employee-management relations. Based on initial survey results, a majority of responding employees expressed negative opinions about the warden’s overall performance.

During the August and September 2009 site visits, we followed up on survey results by interviewing management team members and employees who manage key institutional functions. Most LAC employees told us that the institution’s overall operations have improved since the warden’s appointment in 2007. However, we received a mixture of positive and negative comments regarding the warden’s performance. The warden fared well in some areas such as safety and security and business operations. However, in other areas, such as employee-management relations, many employees had concerns. Based on our interviews, the warden’s average performance rating was satisfactory; however, as discussed in the body of this report, there was a noteworthy variance in employees’ opinions. Many employees rated the warden as doing a very good or outstanding job, while many others rated him as doing an unacceptable job

CSP, LAC FACTS AT A GLANCE

Location: Lancaster, CA

Opened: 1993

Missions: Reception Center,
High-medium (Level III) and
Maximum Security (Level IV)

Inmate Population: 4,523

Designed Capacity: 2,400 inmates

Employees: 1,448

Budget: \$183 million, FY 2009-10



Warden Brian Haws

or needing improvement. As discussed throughout this report, we found that numerous factors play a role in the employees' opinions regarding Warden Haws' performance.

One-Year Evaluation of Warden Brian Haws

California Penal Code section 6126(a)(2) requires the Office of the Inspector General (OIG) to audit each warden of an institution one year after his or her appointment. To satisfy this requirement, we evaluated Warden Brian Haws' performance at California State Prison, Los Angeles County since his appointment.

Background of Warden

Warden Haws began his career with the California Department of Corrections and Rehabilitation (department) in December 1983 as a correctional officer at the California Correctional Center in Susanville, California. He later transferred to the California Correctional Institution (CCI) in Tehachapi, California. While at CCI, Haws promoted to correctional sergeant in February 1991 and to correctional lieutenant in June 1996. In September 2000, Haws transferred to CDCR's Office of Internal Affairs as a Special Agent. He later returned to CCI in March 2001 and then promoted to Facility Captain in July 2002 where he managed the investigative services unit. In October 2005, Haws transferred to Kern Valley State Prison and promoted to Correctional Administrator. In this capacity, Haws served as associate warden over the activation of the sensitive needs yard, transitional housing unit, substance abuse program, investigative services unit, and equal employment opportunity office.

In February 2007, Haws was promoted to the position of chief deputy warden at CCI and then became the acting warden at California State Prison, Los Angeles County in March 2007. Governor Schwarzenegger appointed Haws as warden on October 21, 2007.

Institution Overview

LAC is one of the 33 adult prisons operated by CDCR and is the only state prison located in Los Angeles County. Opened in 1993, the prison is one of nine male reception centers in the state that directly receives felons sentenced to prison following conviction in local jurisdictions or returning to prison due to parole violations.



California State Prison, Los Angeles County

As a reception center, the prison receives new inmates who must undergo classification assessments to determine their initial security level and either be endorsed to stay at LAC

or sent to another prison. In addition to its mission as a reception center, as of September 2009, LAC also houses over 2,000 high-medium level III and maximum custody level IV inmates, 756 of whom are serving life sentences with the possibility of parole and another 360 serving life sentences without the possibility of parole.

Over the past few years, the mission of LAC has changed several times. In 2005, the prison’s mission was partially changed to include a reception center for new inmate arrivals at one of the four facilities. From 2006 to 2008, the reception center was expanded to three facilities and housed over 3,200 total inmates. In 2009, one of the three facilities was converted from a reception center to a sensitive needs yard.¹ In addition, LAC operates a licensed correctional treatment facility, and it also provides medical, custody and emergency assistance to several community correctional facilities in the area.

Rehabilitation Programs

Because a significant portion of LAC’s inmates are housed in the reception center, its work, education, and other rehabilitation programs are limited. For example, the prison offers only three vocational classes for about 80 inmates: mill and cabinet, plumbing and janitorial, and office services related technology. Another 97 inmates work in the Prison Industry Authority’s (PIA) detergent production and laundry services. LAC’s academic offerings are limited as well. Currently, they include just three adult basic education and general educational development classes for up to 81 inmates. Programs have included community service crews, religious services, arts in corrections, and victim awareness. Other programs such as alcoholics anonymous and narcotics anonymous programs were recently stopped due to budget shortfalls.

Budget and Staffing

For fiscal year 2009-10, LAC’s budget is \$183 million. This includes \$129 million for institution and education operations plus \$54 million for medical-related services. LAC has 1,634 budgeted positions, of which 998 (or 61 percent) represent custody employees. Table 1 compares LAC’s budgeted and filled positions as of September 30, 2009. Overall, the institution has almost 89 percent of its total budgeted positions filled.

Table 1: Staffing Levels at California State Prison, LAC

Position	Filled Positions	Budgeted Positions	Percent Filled
Custody	908	998	91.0%
Education	36	43	83.8%
Medical	219	252	86.9%
Support	194	237	81.9%
Trades	80	92	87.0%
Management	11	12	91.7%
Total	1,448	1,634	88.7%

Source: California Department of Corrections and Rehabilitation, CompStat ending September 30, 2009 California State Prison, LAC. Unaudited data.

¹ Because of their crimes, notoriety, or gang affiliations, inmates placed on sensitive needs yards cannot mix with general population inmates.

Objectives, Scope, and Methodology

To fulfill our objective of assessing the warden's performance, we employed a three-part approach. First, we used surveys to solicit opinions and comments from employees, department management team members, and other stakeholders. Next, we analyzed operational data maintained by the department and compared it with the averages for like institutions² and all institutions statewide. In addition, we reviewed relevant reports prepared by the department or other external agencies. Finally, we visited the institution to interview various employees, inmates, and a representative of the inmate family council. We also followed up on noteworthy concerns identified from surveys, operational data, or reports.

To understand how the employees and other stakeholders view the warden's performance, we sent surveys to three distinct groups: department and LAC managers, LAC employees, and key stakeholders outside the department. For our employee survey, we randomly selected 252 of the institution's employees and sent them a survey. The survey provides us with information about employees' perception of the warden's overall performance plus information about specific operational areas at the prison—Safety and Security, Inmate Programming, Business Operations, and Employee-Management Relations.

To simplify our analysis of the survey results, we grouped survey respondents into three employment categories: Custody, Health Care, and Other (which includes employees in education, plant operations, administration, and clerical positions.) Then, to identify strong trends or patterns, we classified the responses to our questions as either positive or negative. For example, if the respondent 'agreed' or 'strongly agreed' with our question, we classified it as positive; and, if the respondent 'disagreed' or 'strongly disagreed' with our question, we classified it as negative.

After we sent surveys to the 252 employees, a California Correctional Peace Officer's Association (CCPOA) local union representative independently solicited additional individuals beyond those 252 employees we randomly selected. The union representative reproduced the OIG's survey format, distributed and collected surveys from over 170 additional employees, tabulated and disseminated the results to his members, and forwarded the group of survey forms to the OIG. Because this deviated from our standard protocols of having the survey forms originate from the OIG and to maintain confidentiality and integrity in the process, none of the surveys collected and submitted to the OIG by the union representative were used for statistical purposes in this report. However, we reviewed the information and included some of the concerns raised in those surveys when developing our fieldwork procedures.

² Institutions with a similar mission include: California Institution for Men, Deuel Vocational Institution, North Kern State Prison, R J Donovan Correctional Facility, San Quentin State Prison, and Wasco State Prison.

Our inspectors also analyzed operational data maintained by the department (called CompStat – comparable statistics) and evaluated the responses to our surveys. We reviewed relevant reports related to the institution’s operations prepared by the department or external agencies. From these efforts we identified strong trends or patterns – either negative or positive – or other issues to help us identify topics for further review and evaluation during our on-site visit to LAC.

During our visit to LAC, we gained insight into the environment in which the warden works. We interviewed certain key employees and other randomly selected employees, using information gathered from our analysis of statistical information and from employee surveys. Our interviews involved employees in various operational areas throughout the prison, including:

- Business services
- Educational programs
- Employee/labor relations
- Food services
- Health care
- Housing units
- Human resources
- Information technology
- Inmate appeals
- Inmate assignments
- Inmate case records
- In-service training
- Investigative services
- Personnel assignment
- Plant operations
- Prison industry authority
- Receiving and release
- Use of force review
- Vocational programs
- Warehouse management

We performed our site visit the weeks of August 24 and August 31, 2009. During our visit, we interviewed 70 individuals on various topics such as safety concerns, prison operations, and the warden’s performance. These individuals included custody employees, executive management team members, education employees, plant operation and administration staff, health care professionals, inmate advisory committee members and an inmate family counsel representative.

Review Results

We found that the department’s management believes the warden is doing a “very good” to “outstanding” job overall. However, LAC employees who work daily with the warden rated his performance as only “satisfactory” with individual ratings varying between “unacceptable” to “outstanding”.

Survey responses were mixed in the four categories of safety and security, inmate programming, business operations, and employee-management relations. For example, we received mainly positive responses for safety and security, marginally positive comments for business operations, and marginally negative comments for both inmate programming and employee-management relations. However, many of the negative responses related to inmate programming issues that are outside the warden’s control.

Category 1: Safety and Security

The department’s primary mission is to enhance public safety through safe and secure incarceration of offenders. The importance of safety and security is embodied in the department’s requirement that custodial security and the safety of staff, inmates, and the public must take precedence over all other considerations in the operation of all the department’s programs and activities. As shown in Table 2 above, 73 percent of the prison employees we surveyed had positive opinions about the safety and security of the institution.

Table 2: Safety and Security – Employee Survey Results

Respondents	Positive	Negative
Custody	65%	35%
Health care	86%	14%
Admin, Plant Operations, and Other	83%	17%
Weighted Average	73%	27%

Source: OIG survey of LAC employees. See Appendix for details.

After considering the interviews in conjunction with comments from the warden, and the results from our employee survey, we noted three areas for further discussion: Survey Results and Interview Results, Use of Force, and Communication-Related Medical Program Concerns.

Survey and Interview Results

The survey questions we asked related to safety and security scored the most positive responses of all survey questions. For example, 95 percent of the respondents indicated that employees effectively respond to emergencies, and 85 percent indicated that they have received all required training. In addition, 79 percent of the employees responded that they have been issued all of the safety equipment they need.

In contrast to the relative strong scores for emergency response, equipment, and training, only 21 percent of the custody employees surveyed felt that safety and security has improved since the warden’s appointment. Because this figure was surprisingly low, we interviewed the institution’s management team and line employees to obtain possible reasons. In total, we conducted 70 interviews with members of the warden’s executive

management team, other institution employees, and other individuals knowledgeable about the prison's operations and asked them for their biggest concerns related to safety and security. While some respondents identified isolated security issues in a particular program or operation, they generally couldn't identify any specific physical infrastructure weaknesses that would jeopardize institutional security. In addition, we found that the warden has either revised or implemented at least 15 local operating procedures related to safety and security, including: cell extraction, alarm response, and holding cell procedures. According to the institution's public information officer, all prisons have these types of procedures, but before Warden Haws arrived the procedures were either not used, used incorrectly, or lacked proper information. After Haws' arrival, the procedures were reviewed, changed and implemented.

Our review also found that soon after Haws' arrival, the institution underwent a security audit that found many security weaknesses. According to a prior chief deputy warden, Haws was proactive in correcting the issues identified by the audit. Some of the security improvements which Haws cited include adding inmate holding cells in housing units, moving vehicles away from the perimeter fence, conducting real-world alarm response training, and requiring staff to lock program doors that historically had been kept unlocked.

Despite the warden's efforts to improve safety and security, one common theme of the line employees' negative responses was the high number of employee investigations initiated by the warden. Some employees were concerned that the warden places employees under internal affairs investigations that result in harsh punishment such as job terminations or pay reductions, instead of using progressive discipline and training to correct problems. Some even stated they may hesitate before acting in fear of making an incorrect decision that could result in an investigation. This issue is discussed in more detail in the Employee-Management Relations section

Use of Force

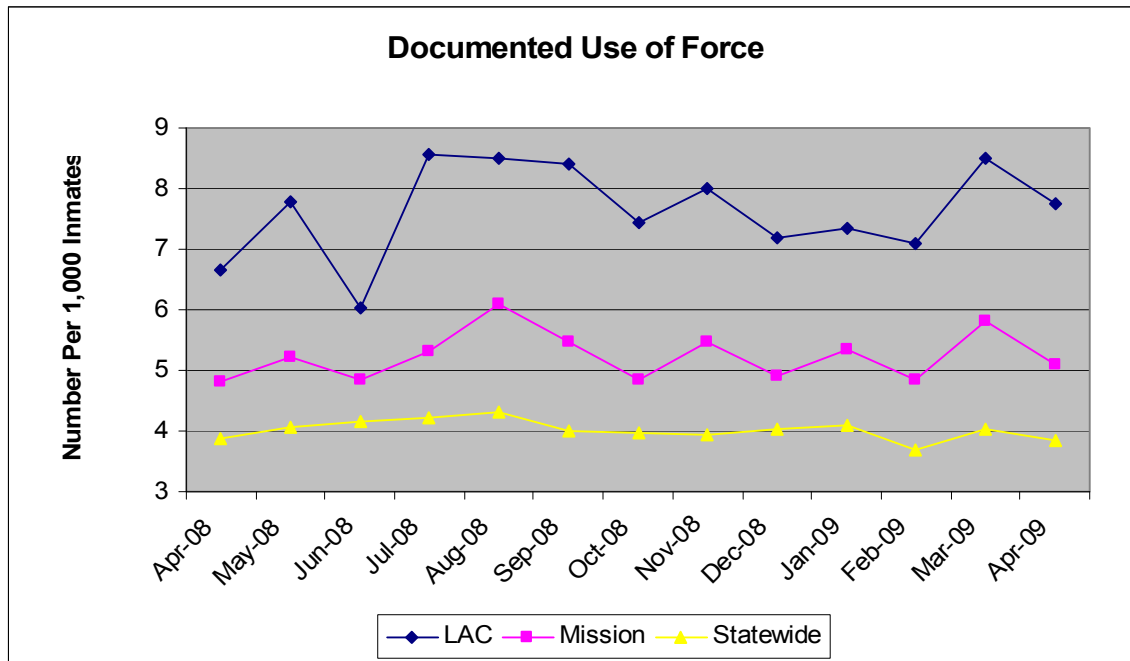
The number of incidents where force is necessary to subdue an attacker, overcome resistance, effect custody, or gain compliance with a lawful order is a measure of inmate behavior and the institution's ability to safely incarcerate inmates. To assess LAC's use of force, we reviewed the department's use of force data for the 13-month period of April 1, 2008 through April 30, 2009. As shown in Chart 1, the institution's use of force incident rate is consistently higher than both the statewide average and the average for institutions with reception center missions. Further, based on the inmate population, LAC has the third highest rate of incidents in the state with a monthly average of 7.7 incidents per 1000 inmates.

Some of its high use of force rate may be explained by LAC's unique mission. Unlike most other reception centers, LAC has a large number of high-medium and maximum custody non-reception center inmates. Specifically, as of September 2009, it had almost 2,400 level III and IV inmates including those with mental health and sensitive needs

issues. In fact, based on departmental data during the period of April 1, 2008 through April 30, 2009, LAC had the second highest average number of high security level IV inmates in its mission group. One would expect these maximum security inmates to be involved in more use of force incidents than lower security level inmates. Furthermore, of the two other institutions in the state with higher use of force incident rates than LAC, both have more high security inmates.

We also asked management team members why use-of-force incidents are high for a reception center. The team members provided us with two reasons. First, new arriving inmates constantly struggle or fight to determine who is going to “run the yard.” Second, LAC officers historically have used physical force first rather than verbal persuasion to gain inmate compliance. The Warden recognizes this problem and is providing employees training. Several of those interviewed stated that the warden personally attends employee block training sessions to discuss using verbal persuasion to deescalate potential incidents.

Chart 1:



Source: California Department of Corrections and Rehabilitation, CompStat ending April 30, 2009, California State Prison, LAC. Unaudited data.

Communication-Related Medical Program Concerns

Although most of the medical operations at LAC do not fall under the responsibility of the warden, surveys and interviews identified medical related safety and security concerns. We explored three such safety and security concerns that ultimately related to poor communications between medical workers, custody officers, and the warden’s management team.

During our interviews, we heard complaints from two high level health care administrators that mental health care workers' access to suicidal inmates was routinely prohibited during lockdowns due to poor communications between custody and medical employees. We subsequently spoke with lower level custody and mental health employees, as well as members of the warden's management team and confirmed that this condition did exist and was caused by a combination of poor communications and medical employees' unfamiliarity with custody procedures. Employees we interviewed said the main problem was caused during the initial phases of a lockdown when custody staffing levels may not be adequate to provide both mental health representatives access to suicidal inmates and custody employees enough time to complete lockdown procedures. Several health care workers told us that these conditions had recently improved.

In addition, we found that LAC's process for custody staff to officially notify medical workers of lockdown orders and subsequent unlocks is often lengthy. This delayed communication affects the medical program's ability to maximize its resources by rescheduling appointments for inmates not under lockdown orders. We were told that all custody captains have just recently received Blackberry communication devices that should help speed up the lockdown notification process between custody and health care.

In a related area, we heard complaints from a mental health manager that custody employees were not attending required suicide prevention and mental health quality improvement team meetings. These meetings are a key communication portal between the mental health program and custody management, and the absences were adversely affecting the mental health program's ability to efficiently plan and provide inmate services. We subsequently interviewed the chief deputy warden who confirmed the lack of attendance by custody representatives. The chief deputy warden stated that once she recognized the problem, she issued an internal memorandum reminding employees of their responsibilities.

Finally, during both the survey and interview phases of our review, we noted that contagious disease outbreaks at LAC were not communicated to all employees. In fact, an employee cited one recent instance where inmates exposed to chicken pox were transferred from the institution in error due to an inadequate outbreak notification. Normally, the department's practice is to notify employees of infectious disease outbreaks so that inmate movement can be restricted for those who might have come in contact with the disease. While the department recognizes that controlling inmate movement is critical to controlling disease, poor communication prevented the activation of inmate movement restrictions.

Further, based on an interview with a key medical program manager, we found that because of a poor working relationship between the warden's management team and health care management, the e-mail contact listing used for institution-wide infectious outbreak notification was outdated. As a result, employees and inmates alike may have been unknowingly put at risk to exposure. Further, the institution may not have been

maximizing its ability to identify and quarantine inmates during the early stages of a contagious disease outbreak.

Category 2: Inmate Programming

Research shows that inmate programs can reduce the likelihood that offenders will commit new crimes and return to prison. In fact, a 2006 Washington State Institute for Public Policy study of adult basic and vocational education programs found that such programs reduce inmate recidivism by an average of 5.1 percent and 12.6 percent, respectively.³ The department recognizes these benefits and provides academic and vocational training and a number of self-help and self-improvement services including substance abuse programs to inmates. An added benefit is that programming requires inmates to have a more structured day and less idle time. As a general rule, inmates with a structured day tend to be easier to manage. As a result, the institution’s safety and security can be affected by the amount of available inmate programming.

Table 3: Inmate Programming – Employee Survey Results

Respondents	Positive	Negative
Custody	31%	69%
Health care	79%	21%
Admin, Plant Operations, and Other	65%	35%
Weighted Average	44%	56%

Source: OIG Survey of LAC Employees. See Appendix for details.

Overall, as shown in Table 3 above, only 44 percent of all respondents gave favorable ratings to questions related to inmate programming. The employee survey specifically asked employees whether inmate programming has improved since the warden’s appointment and only 39 percent responded positively. Additionally, we asked whether inmate programming is adequate for the number of inmates at the institution who would benefit from the education or work experience and only 33 percent responded favorably. These results maybe explained by the limited programming opportunities available to inmates.

Programming Opportunities

LAC has relatively few programming opportunities for its inmates. According to April 2009 data, LAC housed 4,525 inmates but only had designated work or education assignments for 1,056 inmates or 23 percent of its population. Further, only approximately 150 of LAC’s inmates were assigned to academic or vocational classes.

We identified two key factors outside of the warden’s control that have changed inmate programming opportunities at LAC. First, mandated budget cuts have significantly reduced the number of education and vocational programs offered to inmates. The institution’s school principal told us that previously, LAC offered over 100 academic and vocation programs to its inmate population, but now it offers just six of these programs due, in part, to cut-backs. Some of the education downsizing was also due to the mission

³ Washington State Institute for Public Policy, “Evidence-Based Adult Corrections Programs: What Works and What Does Not,” January 2006.

changes as discussed below. However, the prison did add 30 bridging⁴ programs for the inmates in its reception center. Second, LAC’s recent mission changes and the department’s policy restrictions on the types of programming assignments that reception center inmates can hold have further limited the number of opportunities available to them. LAC’s mission has changed from a long-term housing institution to a combination reception center and long-term housing facility. These changes affect inmate work assignments placements. For safety and security purposes, the department restricts the work placement of reception center inmates until their security levels can be established. Some of the restrictions include prohibiting reception center inmates from leaving the reception center area or mixing with non-reception center inmates. As a result, because the inmate’s time in reception centers is usually short, few inmate programming opportunities are made available to these inmates.

Further, LAC has a large number of enhanced outpatient (EOP) mental health inmates, administratively segregated inmates, or inmates serving life sentences without the possibility of parole. Generally, these inmates are not suitable for most types of programming assignments.

In a similar area, our review found that some of the institution’s voluntary participation inmate self-help groups have also been affected by cut-backs. For example, programs such as alcoholics anonymous and narcotics anonymous programs were recently stopped due to budget shortfalls. While these types of programs are not deemed official programming assignments, they do positively influence inmates’ rehabilitation.

Category 3: Business Operations

An institution’s business operations include budget planning and control; personnel administration; accounting and procurement services; employee training and development; and, facility maintenance and operations. It is important for the warden to be knowledgeable in these areas to effectively perform his duties.

Table 4: Business Operations – Employee Survey Results

Respondents	Positive	Negative
Custody	49%	51%
Health care	63%	37%
Admin, Plant Operations, and Other	72%	28%
Weighted Average	57%	43%

Source: OIG survey of LAC employees. See Appendix for details.

As shown in Table 4, 57 percent of the prison employees had positive responses about the institution’s business operations and 43 percent had negative responses. Our analysis of the information gathered from the department’s data, employee survey responses, and employee interviews uncovered three specific areas that we discussed further with the warden and other management team members: Day-to-Day Operations, Overtime Usage, and Administrative Segregation Housing.

⁴ The Bridging Program is offered to inmates in most institutions but is concentrated in the reception centers and some general population institutions. This non-academic program includes educational and motivational materials for the students to complete as independent study or in small- to medium-sized groups.

Day-to-Day Operations

We found that only 42 percent of the employees surveyed believed that business services operations have gotten better since the warden's appointment. The warden identified one possible cause for the respondents' low opinions: the relative lack of experience and short tenure of administrative staff. Specifically, the chief deputy warden, an associate warden and the correctional business manager are relatively new with less than two years in their current positions. Furthermore, during the interviews we found that employees in key program functions such as personnel were new to their positions.

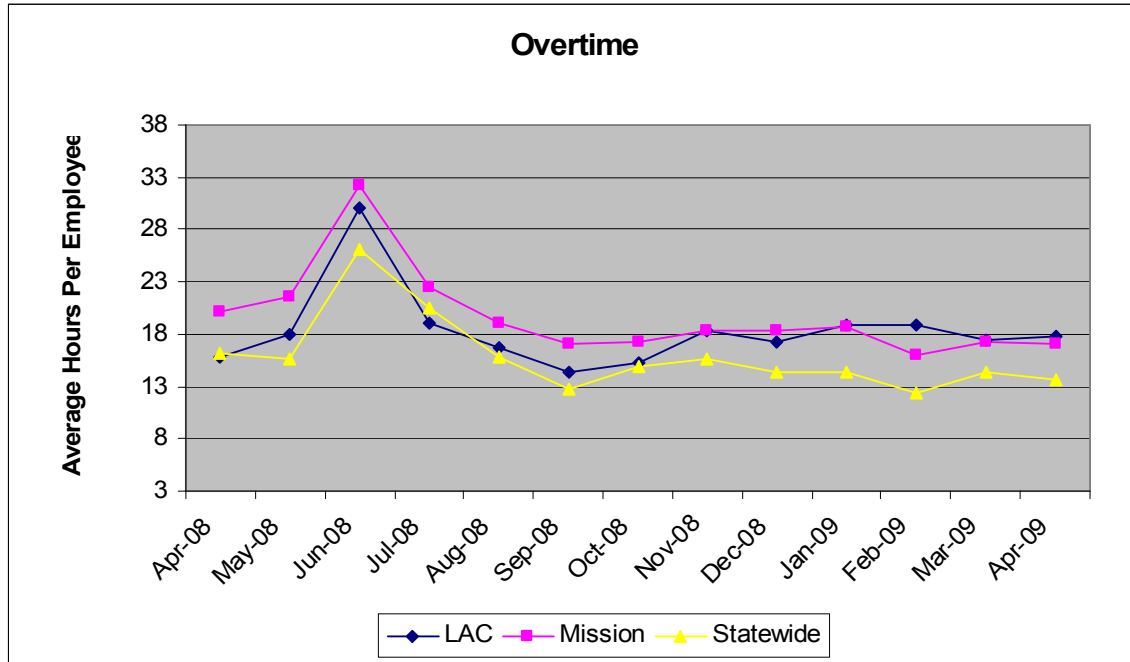
We also identified other possible causes that could have influenced the survey respondents' low perception of business operations. First, several employees interviewed told us of a large scale investigation initiated under a prior warden's administration. The investigation consisted of inappropriate and illegal business services activities that resulted in several employee dismissals and early retirements. Although the events occurred several years ago, this misconduct may negatively linger with employees. Second, as discussed in the Overall Summary section later in this report, the surveyed employees' low perception of business services operations may have been influenced by their personal opinions of the warden and his poor relationship with CCPOA.

Conversely, when we interviewed employees at the institution, and asked them directly about business operations, most of them made neutral or positive comments as opposed to the negative responses identified in the survey responses. For example, interviewed employees said that since the warden's appointment: inmate appeals are down, very few inmate disciplinary actions are lost due to time constraints, and the prison is cleaner—all signs of positive business operations.

Overtime Usage

The control of overtime is one indicator of a warden's ability to manage his institution's overall operations because it requires the warden to ensure that good budgeting, planning, and personnel administration practices are in place. To assess LAC's overtime usage, we compared its overtime statistics to both the statewide average for all prisons, as well as the average for the other six prisons with a similar reception center mission. As displayed in the chart below, we found that since April 2008, on average, LAC's has incurred slightly less overtime hours per employee than other prisons with a similar mission. We also found that LAC's overtime usage rate was only slightly higher than the statewide average. Based on this data, the warden appears to be doing a good job at controlling overtime.

Chart 2:



Source: California Department of Corrections and Rehabilitation, CompStat ending April 30, 2009, California State Prison, LAC. Unaudited data.

We also reviewed LAC’s recent historical changes in overtime usage for institutional operations (excluding medical and education). For fiscal year (FY) 2006-07 overtime expenditures were \$18.3 million but dropped to \$15.1 million in FY 2007-08 and \$10.4 million in FY 2008-09. According to the institution’s budget staff, part of the previously high overtime usage was caused by a mission change when LAC was initially converting to a reception center. In addition, the warden implemented two specific measures to address overtime costs. First, he identified that prior management had inappropriately granted approval for approximately 30 custody employees to have Saturday and Sunday as their regular days off. As a result, LAC had surplus employees during the week and had to hire additional employees on the weekend. This surplus of employees with weekends off, coupled with other senior custody staff who also had weekends as their regular days off, caused LAC to generate a significant amount of overtime in relief coverage. Once the warden identified the problem, he worked with departmental headquarters to adjust the employees’ regular days off which resulted in reducing overtime expenditures. Second, the warden told us that when he arrived at LAC, there were nine CCPOA bargaining unit job stewards with no assigned job posts. The warden assigned these custody employees to posts which freed up employees for other relief coverage.

During interviews with employees, we asked what LAC does to control overtime. They told us that overtime usage is partly a function of sick leave usage because when employees assigned to mandatory posts call in sick, other employees must work to fill the post. If an excessive number of employees are unexpectedly absent and the pool of available relief officers is inadequate, employees from an early shift may voluntarily, or in some cases, be mandated to work a double eight-hour shift. Members of the warden’s

team told us that they have been reviewing sick leave usage for the last year with the goal of controlling it and reducing its use. Recently, they have begun taking action against identified sick leave abusers. In addition, we inquired as to why overtime spiked in June and were told that June is a double pay-period reporting month. Bargaining unit 6 employees are paid every four weeks, and as a result, every year two pay periods occur within one month—thereby inflating employees’ average hours of overtime for that monthly reporting period.

Administrative Segregation Housing

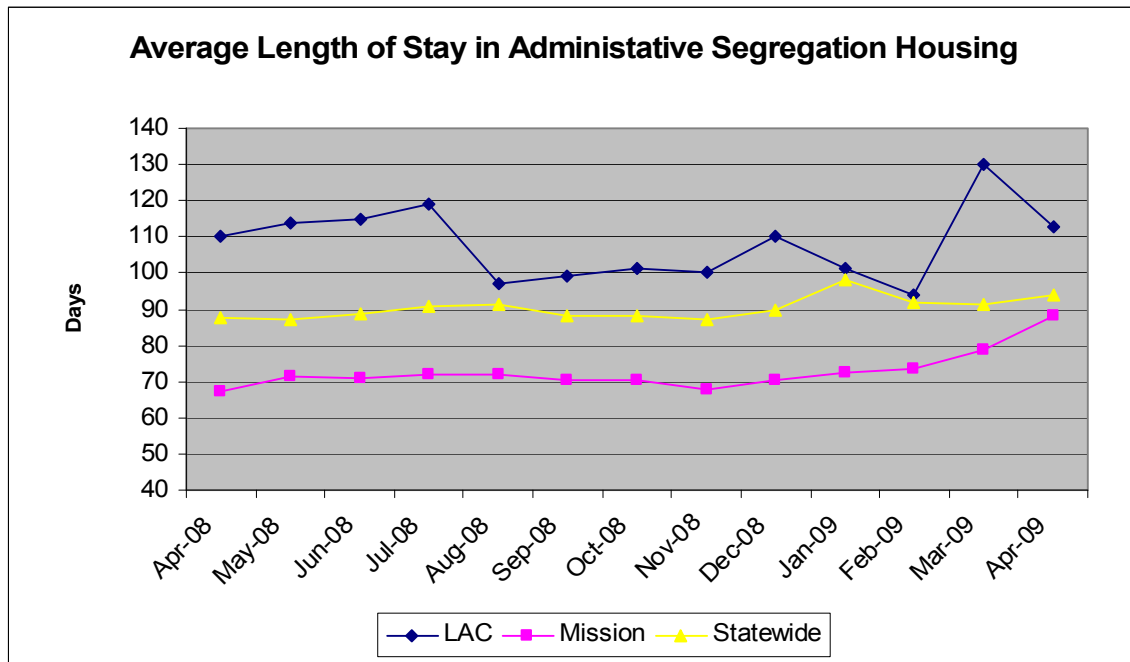
Inmates that are either disruptive to other inmates or victimized by other inmates are temporarily placed in segregated housing areas known as Administrative Segregation Units (ASU) until employees investigate the level of threat to the institution or inmate. As a lower cost option to ASU, sensitive needs yards are the preferred long term method of housing many of the inmates seeking protective custody. ASU housing areas are more expensive to operate than general population and sensitive needs yard (SNY) housing units because they have increased security requirements. Effectively managing the time it takes the institution to investigate the threat level can significantly reduce the average length of stay, and in turn, the cost of housing inmates in ASU. As a result, the average length of stay in ASU is an indicator of how well an institution is managing its resources and protecting inmates’ due process rights.

We reviewed the institution’s data for the average length of stay in ASU for the period of April 1, 2008 through April 30, 2009, and as shown in Chart 3, LAC’s average is significantly higher than both the statewide average and the average for institutions with a similar mission. In addition, an OIG report released in January 2009 cited numerous problems with LAC’s management of ASU. Problems noted included untimely hearings and investigations and other process violations that resulted in inmates being held in ASU too long. LAC employees told us that they have been challenged in trying to get inmates out of administrative segregation. For example, the warden told us that correctional counselors had not been held accountable for preparing timely the case files needed for administrative segregation committee hearings. This lack of preparedness delays hearings and prevents prompt inmate movements out of ASU. To correct this situation, the warden implemented regular meetings with counselors to help ensure that case files were being prepared timely. Furthermore, LAC’s classification and parole services representative told us that the prison has difficulty transferring some of its inmates out of administrative segregation because certain level IV mental health and other high-security inmates are hard to place at other prisons. In general, there are limited transfer options due to the state’s overcrowded prison system.

We also learned from an associate warden that LAC places a large number of reception center inmates in its ASU because its reception center facilities are inadequate to protect sensitive needs inmates. Our review found that while the prison has a designated sensitive needs yard it is not suitable for inmates still processing through the reception center. According to the associate warden, LAC receives a large number of sensitive needs inmates from the Los Angeles County jail system. Many of these inmates may develop

enemy concerns due to their court room testimony, visibility, or proximity to other jailed rival gang members and former associates. As a result, they seek protective custody upon arrival at LAC’s reception center requiring placement in ASU pending endorsement to its own SNY or another institution. Consequently, with limited SNY beds available statewide, these inmates spend longer periods of time in ASU awaiting placement resulting in higher costs to the institution. An associate warden told us that LAC has recently begun addressing this problem by creating a special transitional living unit for the inmates in its reception center facility. Nevertheless, this is an area in which the warden needs to improve performance.

Chart 3:



Source: California Department of Corrections and Rehabilitation, CompStat ending April 30, 2009, California State Prison, LAC. Unaudited data.

Category 4: Employee-Management Relations

“Successful leaders invite communication, listen well, and prove themselves trustworthy by exhibiting rational, caring, and predictable behavior in their interpersonal relationships.”⁵ The warden’s ability to communicate plays an important role in

Table 5: Employee-Management Relations – Employee Survey Results

Respondents	Positive	Negative
Custody	29%	71%
Health care	63%	37%
Admin, Plant Operations, and Other	81%	19%
Weighted Average	46%	54%

Source: OIG survey of LAC employees. See Appendix for details.

employee relations and is vital in implementing the department’s vision and mission at the institution level. Not only must the warden interact with employees at all levels and

⁵ *Correctional Leadership Competencies for the 21st Century*, U.S. Department of Justice, National Institute of Corrections (December 2006).

communicate instructions and directions clearly and effectively, but the warden must also communicate effectively with departmental headquarters as well as the surrounding community.

As shown in Table 5 above, only 46 percent of the survey responders had positive opinions about various areas related to employee-management relations. Although the opinions of employees and other stakeholders provide one measure of the warden's employee-management relations, another measure can be found in the number of grievances filed by the institution's employees. Our analysis of employees' responses to our surveys, interviews with the warden's management team and other employees, and statistics on employee grievances resulted in seven topics for further consideration: Work Environment, Warden and CCPOA Relations, Employee Investigations, Employee Grievances, Warden's Management Team, Interview and Survey Comments and Employee Morale.

Work Environment

The survey questions in the employee-management relations category dealt with such areas as the warden's knowledge, use of authority, professionalism, communication, employee discipline, and overall employee-management relations. These areas all contribute to the formation of the work environment. As shown in Table 5 above, most of the LAC employees who responded to our survey had negative opinions related to employee-management relations and their weighted average score was positive only 46 percent of the time. In fact, when we analyzed only custody officer's responses, the largest classification of survey respondents, we found that only 29 percent responded positively.

The low employee-management relations scores can be explained by a combination of several factors that affect the work environment. First, LAC's management team members do not work well together. We found that most of the warden's management team members we interviewed indicated that their team was dysfunctional. For example, they were fragmented into two or more non-interacting groups. Further, several team members commented that the warden's own actions often give an appearance of preferential treatment to some managers.

Employees outside the management team have concerns with the warden's performance as well. We also heard employees express concerns that the warden's bitter relationship with CCPOA was affecting his performance, and we found that a large number of employees used the employee grievance process to express their concerns. As discussed below, it is apparent to us that at least five contributing factors play an interconnected role in the warden's poor performance rating: poor communications between CCPOA and the warden, high numbers of warden-initiated employee investigations, low employee morale, high numbers of employee grievances, and low management team unity. Left unresolved, these factors adversely affect good communication and teamwork, which are important in managing any organization.

Warden and CCPOA Relations

Since 2002, there have been seven different wardens at LAC, and the average tenure for the previous six wardens has been only ten months. To his credit, Haws has the longest tenure in recent history with more than two and one-half years as either the acting or appointed warden. However, even with that experience, there are still a significant number of employees that do not believe the warden is an effective leader.

During the past leadership changes, CCPOA has maintained a strong presence and union culture that hasn't always worked favorably with the wardens. Haws told us that since his first day as warden he has been in constant conflict with the negative influence that CCPOA has had over custody employees at LAC. While his stated goal was to improve institutional operations and hold staff accountable, the warden has made several managerial decisions that were not popular with CCPOA bargaining unit employees. For example, he redirected CCPOA bargaining unit stewards who had no official assigned posts and altered certain custody employees' work week schedules to reduce the number of employees that had Saturdays and Sundays as regular days off. These measures, while unpopular with the local union leaders, appear to be legitimate and appropriate for reducing overtime and managing the institution's budget. Further, the warden and department initiated steps to have a bargaining unit representative barred from institutional property for inappropriate conduct.

The examples of managerial decisions cited above appear to contribute to the CCPOA's lack of support for Warden Haws. In fact, an unusually high 83 percent of custody staff surveyed said that the warden does not work affectively with the local bargaining unit representatives. Further, our interviews with the warden, chief deputy warden and a CCPOA representative indicate that there has been no open line of communication or exchange of ideas between the warden and the CCPOA since the warden's appointment in 2007. The warden claims that he has an open door to the CCPOA; however, the CCPOA representative feels that it is useless to take any subject matter to the warden because the warden will not make a good faith effort to resolve the issue. As a result, the warden and CCPOA have not met directly in almost two years. While Warden Haws and union representatives have not been meeting, the chief deputy warden does meet informally with CCPOA representatives. It is important that ongoing dialogue occur between management and CCPOA. However, it is unclear whether the warden is advised of these meetings and supports this alternate communication method. Ultimately, the warden needs to have communication with the union representatives, and using the chief deputy warden or some other management team member could be a reasonable alternative approach. However, Warden Haws should formally designate a specific person as the point of contact and should be informed of issues presented and the resolutions. Otherwise, these informal communications could potentially undermine the warden's authority and exacerbate morale issues.

Employee Investigations

We found that 77 percent of all survey respondents and 93 percent of the officers responding to the survey do not believe that the employee investigation disciplinary processes are fair, effective, and timely. We also heard many employees comment on the large number of employees under investigation. To determine the significance of employees' concerns, we analyzed available department information for the period of April 1, 2008 through April 30, 2009 and found that LAC had more open investigations than any of the other 32 state prisons. However, this large number of open investigations is not necessarily an indicator that the process is not working correctly. Department policy requires that, as the hiring authority, the warden must ensure that each allegation of employee misconduct is logged, receives prompt attention and, if appropriate, forwarded to the department's Office of Internal Affairs (OIA). OIA is then responsible for determining whether an investigation is warranted. This large number of open investigations could also demonstrate the warden's willingness to refer allegations and OIA's concurrence that the employee misconduct warranted investigation.

As discussed earlier in the Category 1 section of this report, we also looked at the department's use of force data for the same employee investigation time period discussed above. Statewide, LAC had both the third highest total number of reported use of force incidents as well as the third highest average. LAC's average use of force incident rate is 37 per month, more than double the state average rate of 18 per month. This high rate might partly explain why LAC has so many open investigations related to employee misconduct.

We spoke to the warden on the subject of investigations, and he stated that, upon arrival at LAC, existing policies and procedures were inadequate and staff were not being held accountable for their actions. Further, he began an aggressive plan to revise and enforce many local operating procedures related to safety and security at the institution. To do this, he notified staff of his expectations for them to do their designated job and for them to follow approved policy or be held accountable. Once the warden's expectations were established, he began holding staff accountable by utilizing the employee investigative and disciplinary processes.

Based on the survey results and our follow-up interviews with employees, the warden's management philosophy of strict enforcement of policy and procedures has had a clear affect on the employees' ratings of the warden's performance. The number of employees under investigation at LAC was a significant concern to many employees we interviewed. Several of them commented that employees were afraid to fully do their job out of fear of being put under investigation and the financial and emotional costs to defend themselves, even if eventually exonerated.

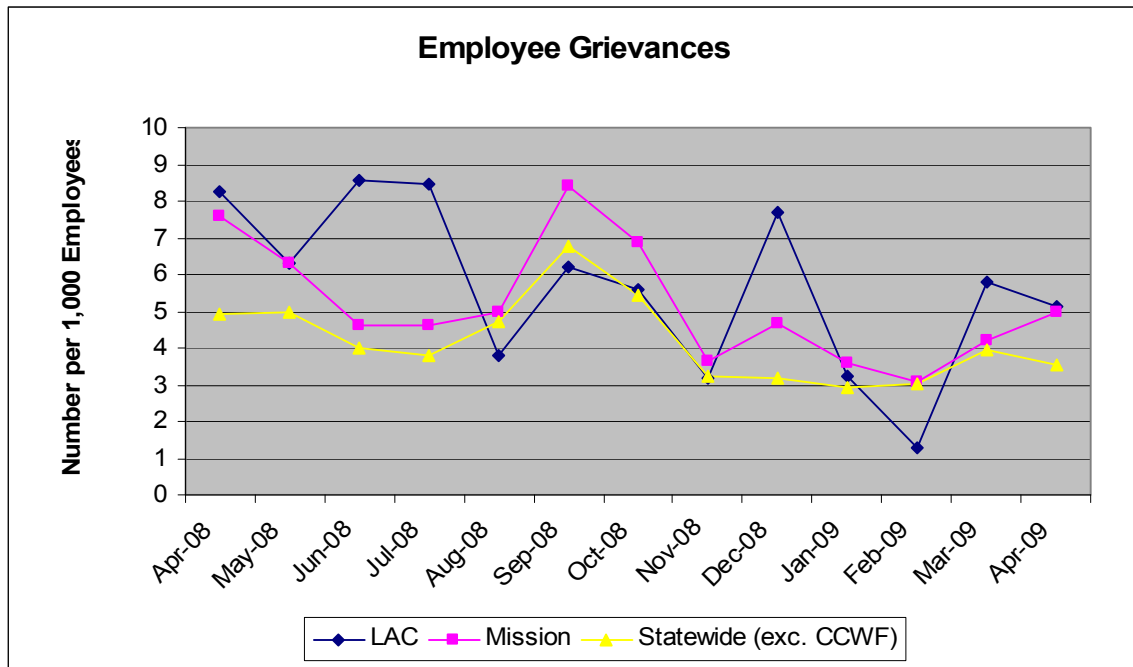
Many employees also commented that there was a lack of an adequate progressive discipline process in place at LAC. The warden told us that he thoroughly reviews the evidence of every case, considers mitigating and aggravating factors, and follows the department's established disciplinary matrix prior to determining penalty assessments.

Further, the department has established policies and procedures for conducting employee investigations and has designated OIA as the central authority to oversee all investigations of employee misconduct. If an employee is found guilty of misconduct, department policy requires the warden, as the hiring authority, to follow a disciplinary matrix and apply a penalty after considering mitigating and aggregating factors. The warden also believes that there is a very high majority of employees that support his investigative efforts and only a small group of discontented employees opposing his efforts to hold staff accountable

Employee Grievances

All employees have the right to express their grievances through an established departmental procedure. As shown in Chart 4 below, for most months during the period of April 1, 2008 to April 30, 2009, LAC was somewhat comparable with both the statewide average and the mission average for number of employees that filed a grievance. However, as discussed below, we did find one notable anomaly that is not identifiable in the chart that follows.

Chart 4:



Source: California Department of Corrections and Rehabilitation, CompStat ending April 30, 2009, California State Prison, LAC. Unaudited data.⁶

⁶ The Central California Women’s Facility (CCWF) employee grievance data was not included in the statewide average because it had abnormally high grievances for nine of the 13 months. The data was removed because it created a similar abnormal affect on the statewide average displayed in the Chart 4 above.

During the period of January 2007 through mid-August 2009, 1,201 employee grievances were filed of which 1,074 (89 percent) were made by CCPOA represented employees. Approximately 970 of these grievances came in early 2008 when bargaining unit represented employees filed grievances on a host of issues. The state's Department of Personnel Administration (DPA) stepped in to assist LAC management and ruled that most of the disputed claims were "frivolous, trivial, or patently non-meritorious" and subsequently denied the claims. As a result, the majority of the 970 grievances were treated as only one grievance for reporting purposes.

While the chart above details the volume of grievance filing activity, it does not reflect employee opinions on whether they believe the process works. Only 32 percent of the respondents indicated that they believe that the grievance process is responsive to employee complaints and, more specifically, only 15 percent of custody employees responding believe it is effective. We were not able to easily determine if the poor ratings were primarily caused by the large number of grievances denied, the large number of employees currently under investigation, the poor relationships between the warden and CCPOA, or a combination of these and other factors. However, we did conclude that all of the reasons probably played a part in surveyed employees' opinions.

Conversely, the fact that CCPOA filed 970 grievances in early 2008, many of which were ultimately deemed "frivolous, trivial, or patently non-meritorious" by DPA, highlights how broken the relationship is between the local union representatives and not only Warden Haws, but also the department. Further, when the DPA and the department attempted to work with the CCPOA to identify and prioritize the grievances so that items might be addressed expeditiously, the union refused. Clearly, relations with the union representatives at LAC must be addressed for the safe and effective management of the prison. However, the problem appears to be more than a local LAC issue and requires the continued participation of the department's executive leadership, as well as possibly CCPOA statewide leadership.

Warden's Management Team

The warden's management team, which consists of the chief deputy warden, associate wardens, facility captains, and other department heads, plays an important role in implementing the warden's vision for the prison and running the institution's day-to-day activities.

The OIG interviewed nearly every member of the management team and many, including the warden, described the team as dysfunctional, bifurcated or lacking leadership. For example, several members told us that certain team members do not associate with each other or share ideas during meetings. Both the warden and chief deputy warden said that they have recognized that problems do exist and that they are reportedly working to address the issues; however, at the time of our review, it was too soon to tell if their efforts were effective. The warden also said that one of his challenges was that he previously was "by himself." He noted that, since his appointment, he has had several vacancies on his management team including the chief deputy warden position and

several other employees that were working on a temporary basis. The warden said that it has only been in the last few months that he has had a full compliment of management team members.

Based on our interviews, the OIG found that one reason for disunity among the management team is a perception of warden favoritism towards some team members. For example, the warden carpools with at least two members of the management team, and other members believe the carpoolers have more access to the warden and thereby have more influence or receive preferential treatment. While no concrete evidence was provided of favoritism, the situation clearly provides an appearance that would allow other managers to make the claim. When we questioned the warden regarding the issue, he did not believe it to be a problem. It is that insensitivity to the potential perception that is troubling, and the negative perceptions alone adversely affect management team member’s morale and work environment unity.

Interview and Survey Comments

During our interviews, we asked employees to identify accomplishments that the warden has made since his appointment. While many employees we interviewed did not identify any notable accomplishments, some credited the warden with increasing investigations and holding staff accountable for their actions. Others credited the warden with launching an innovative program designed to reward those level IV inmates that want to program. Employees also commented that the warden cleaned up the prison grounds. Yet others credited the warden with managing all of the mission changes that LAC has faced.

In addition, department officials and LAC managers surveyed rated Haws somewhat favorably for his management abilities. In our survey, we asked the officials and managers to consider the warden’s performance in six management skills and qualities and rate the performance as either unacceptable, improvement needed, satisfactory, very good, or outstanding. As shown in Table 6, the survey results indicate that Warden Haws is performing at a level of “Satisfactory” to “Very Good” in various management-related categories.

Table 6: Rating of Warden’s Management Skills and Qualities

Category	Average Rating
Personal Characteristics/Traits	Satisfactory
Relationships with Others	Satisfactory
Leadership	Satisfactory
Communication	Very Good
Decision Making	Satisfactory
Organization/Planning	Very Good

Source: OIG survey of CDCR and LAC management.

Generally, the survey results were better than many of the comments received from employees during our site visit. For example, during our interviews we heard many suggestions from employees such as that the warden needs to correct the negative perception resulting from his carpool, improve his relationship with CCPOA, improve his people skills, improve his management teams’ interaction, be more approachable, and be

willing to accept criticism from employees. Despite these suggestions, some employees complimented the warden by indicating he was doing an “outstanding” job and for making institutional changes that demonstrate a willingness to improve operations.

Finally, we interviewed representatives from both the inmate advisory committee and the inmate family council. While both groups had isolated concerns related to visiting procedures, the groups supported Haw’s overall performance as warden.

Employee Morale

From the surveys and interviews, we received many responses and comments related to LAC’s low employee morale. At least four factors contribute to this low morale. One factor is that staff are concerned with the large number of investigations at LAC, and they conclude that the process is unfair based on the limited or misconstrued set of facts that are spread through rumors among employees. Second, employees perceive that their concerns are not being heard because the CCPOA and the warden do not have a working relationship. A third factor is personal financial concerns caused by the State’s employee furlough program that has cut salaries by approximately 14 percent. And fourth, several custody employees tended to indicate a correlation between low morale and the fear of making an incorrect decisions that might subsequently result in an investigation for failure to follow correct polices and procedures.

In one noted example, a correctional sergeant told us that he was a responding supervisor to a riot that occurred several months earlier. The sergeant felt as though he performed well and responded correctly during the crisis, yet because of all the investigations at LAC, he is worried that he could still face disciplinary action because he unknowingly made a mistake. The sergeant said that even though it has been many months since the incident, he is still concerned about his job since employees are typically not immediately aware of when they are put under investigation.

In a contrast to the low morale expressed by employees, when we asked the warden, he felt that morale was “good.” Further, he stated that employees who approach him do not raise morale issues nor do the employees that attend his presentations during in-service training classes. The OIG has concerns that since the warden does not recognize the level of poor morale that exists at LAC, there is no active plan to try and improve morale or the overall work environment.

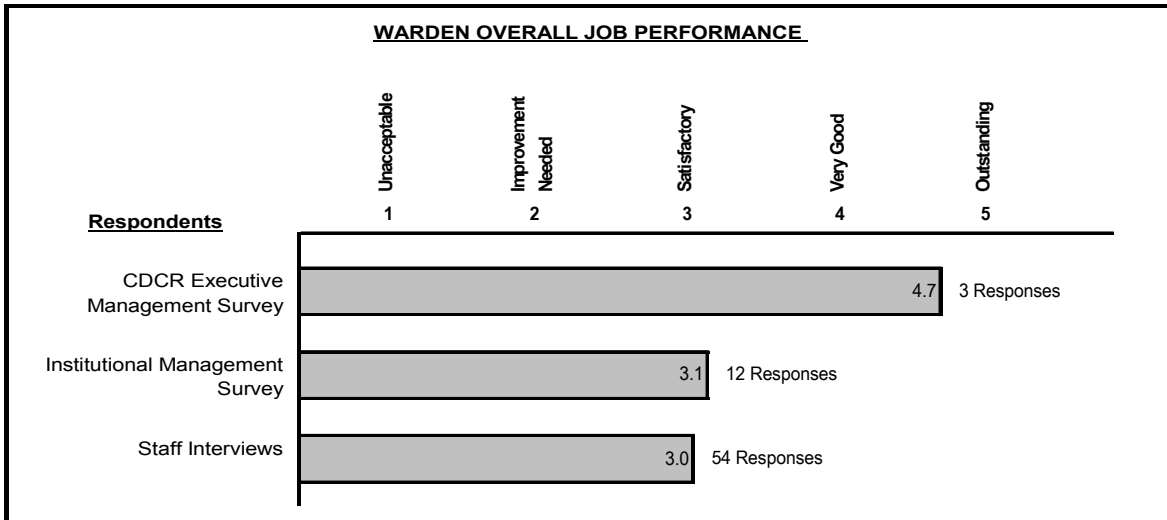
Overall Summary

In our survey, we asked employees whether they agree that, given all of the institutional challenges, the warden was an effective leader. Of those respondents providing either a positive or negative opinion, only 42 percent gave positive responses that they either strongly agreed or agreed with the statement. The remaining 58 percent disagreed or strongly disagree that he is an effective leader. Further, analysis of the responses identified that only 17 percent of the custody employees supported the assertion that the warden was an effective leader. We concluded that these low opinions of the warden’s effectiveness result from a combination of the large number of employee investigations, poor warden communications with CCPOA, low morale, and a dysfunctional management team.

In addition to our review of the four work environment categories identified above, our assessment of the warden’s performance also included an overall performance rating. We based the rating on survey responses from department officials and LAC managers and from interviews we conducted with LAC employees during our site visit.

As shown in Chart 5 below, the respondents rated Warden Haws’ overall performance between “satisfactory” and “outstanding.” However, as shown in the chart below, those respondents that work daily with the warden scored him much lower than department officials.

Chart 5:



While only three persons from CDCR’s executive management team responded to our survey regarding the warden’s performance, all gave high scores indicating that they believe the warden is doing a very good or outstanding job overall. In contrast, the twelve surveyed institutional managers who rated the warden’s overall performance gave responses that ranged from unacceptable to outstanding, which averaged to a satisfactory score. Similarly, of the 54 interviews we conducted with employees who rated the warden’s overall performance the scores also ranged from unacceptable to outstanding

and averaged to a satisfactory score. In short, of those employees who work on a daily basis with the warden, nearly 30 percent of those interviewed feel that Warden Haws is performing below a satisfactory level.

Overall, we found the institution's safety and security, inmate programming, and business operations are functioning at a satisfactory level based on factors under the Warden's control. However, in the arena of employee-management relations, the warden has systemic leadership and morale problems from the lowest line staff member to top management. These morale issues may ultimately impact the warden's ability to effectively manage.

Post Fieldwork Update

In late January 2010, Warden Haws retired from state service, and the department is pursuing a permanent replacement. In the interim, the department temporarily moved a manager from another institution into the warden position. While some of the issues raised in this report reflect directly on Warden Haws' performance and leadership style, many of the issues will remain beyond Haws' retirement.

APPENDIX

Results from our survey of institution employees

To prepare for the site visit, we randomly selected 252 of the institution’s employees and sent them a survey. The survey requests information about the employees’ perception of the warden’s overall performance plus information about specific operational areas at the prison—Safety and Security, Inmate Programming, Business Operations, and Employee-Management Communication. Seventy-eight LAC employees responded to the survey—a 31 percent response rate. To simplify the analysis of the survey results, we grouped survey respondents by category and identified response trends.

Specifically, we grouped the respondents into three employment categories: Custody, Health care, and Other (which includes employees in education, plant operations, administration, and clerical positions.) Then, to identify strong trends or patterns, we classified the responses to the questions as either positive or negative. For example, if the respondent ‘agreed’ or ‘strongly agreed’ with the question, we classified it as positive; and, if the respondent ‘disagreed’ or ‘strongly disagreed’ with the question we classified it as negative. We did not include passive responses. If employees responded that they were ‘neutral’ or responded ‘unknown’ to the question, we excluded their response.

We report the results of the employee survey in a table on the following page.

Appendix: Compilation of Institutional Employee Survey Responses - California State Prison, Los Angeles County

Operational Area/Question	Respondents' Employment Category						Total Responses			
	Custody		Health Care		Other		Pos		Neg	
	Pos	Neg	Pos	Neg	Pos	Neg	Pos	(%)	Neg	(%)
<u>Safety and Security</u>										
1. The institution is meeting its safety and security mission.	27	18	9	2	18	3	54	70%	23	30%
2. Employees effectively respond to emergencies.	41	4	11	0	20	0	72	95%	4	5%
3. You are issued or have access to all safety equipment you need.	35	10	9	2	17	4	61	79%	16	21%
4. You receive all required safety training.	37	8	9	0	18	3	64	85%	11	15%
5. The CDC-115 inmate disciplinary process modifies inmate misbehavior.	18	25	4	2	8	6	30	48%	33	52%
6. The CDC-602 inmate appeal process provides inmates an effective method for airing their grievances.	32	11	9	1	12	5	53	76%	17	24%
7. Safety and Security has improved since the warden's appointment.	8	31	6	2	17	1	31	48%	34	52%
Totals	198	107	57	9	110	22	365		138	
<i>Percent of Respondents by Category</i>	<i>65%</i>	<i>35%</i>	<i>86%</i>	<i>14%</i>	<i>83%</i>	<i>17%</i>	<i>73%</i>		<i>27%</i>	
<u>Inmate Programming</u>										
8. The institution is meeting its inmate programming mission.	19	19	6	1	9	3	34	60%	23	40%
9. The inmate assignment process places the right inmate into the right rehabilitative program.	11	25	5	1	7	5	23	43%	31	57%
10. Inmate programming is adequate for the number of inmates at the institution who would benefit from the education or work experience.	8	29	4	2	6	6	18	33%	37	67%
11. Inmate programming has improved since the warden's appointment.	8	28	4	1	8	2	20	39%	31	61%
Totals	46	101	19	5	30	16	95		122	
<i>Percent of Respondents by Category</i>	<i>31%</i>	<i>69%</i>	<i>79%</i>	<i>21%</i>	<i>65%</i>	<i>35%</i>	<i>44%</i>		<i>56%</i>	
<u>Business Operations</u>										
12. Plant operations employees are able to meet maintenance and repair needs in your assigned area.	26	17	6	4	18	3	50	68%	24	32%
13. Your assigned area has enough employees to get all of the required work done.	22	22	5	5	14	8	41	54%	35	46%
14. Your work area operates without waste of resources.	25	18	8	3	14	8	47	62%	29	38%
15. Business operations have improved since the warden's appointment.	8	27	3	1	11	3	22	42%	31	58%
Totals	81	84	22	13	57	22	160		119	
<i>Percent of Respondents by Category</i>	<i>49%</i>	<i>51%</i>	<i>63%</i>	<i>37%</i>	<i>72%</i>	<i>28%</i>	<i>57%</i>		<i>43%</i>	
<u>Employee-Management Relations</u>										
16. The warden is knowledgeable about the day to day operations in your work area.	17	24	1	3	14	4	32	51%	31	49%
17. The warden welcomes feedback, including criticism from employees.	14	28	5	1	15	3	34	52%	32	48%
18. The warden does not abuse his or her power or authority.	14	29	6	1	15	2	35	52%	32	48%
19. The warden works effectively with the local bargaining unit representatives.	7	33	0	1	11	2	18	33%	36	67%
20. The warden is ethical, professional, and motivated.	18	21	7	1	18	1	43	65%	23	35%
21. The warden is in control of the institution.	20	21	7	1	19	1	46	67%	23	33%
22. The management team keeps employees informed about relevant issues.	14	30	6	3	16	5	36	49%	38	51%
23. The employee investigation/disciplinary process is fair, effective, and timely.	3	40	2	5	10	5	15	23%	50	77%
24. The employee grievance process is responsive to employee complaints, is fair in its application, and does not result in retaliation.	6	33	2	3	12	6	20	32%	42	68%
25. Employee-management relations have improved since the warden's appointment.	7	35	3	4	10	3	20	32%	42	68%
Totals	120	294	39	23	140	32	299		349	
<i>Percent of Respondents by Category</i>	<i>29%</i>	<i>71%</i>	<i>63%</i>	<i>37%</i>	<i>81%</i>	<i>19%</i>	<i>46%</i>		<i>54%</i>	
<u>Overall Warden Rating</u>										
26. Considering all institutional challenges, how would you rate the warden's performance?	7	35	8	2	15	5	30	42%	42	58%
<i>Percent of Respondents by Category</i>	<i>17%</i>	<i>83%</i>	<i>80%</i>	<i>20%</i>	<i>75%</i>	<i>25%</i>	<i>42%</i>		<i>58%</i>	

Source: OIG, institutional employee survey results for California State Prison, LAC

California Department of Corrections and Rehabilitation's Response

OFFICE OF THE SECRETARY

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



March 23, 2010

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

Dear Mr. Shaw:

We were pleased to meet with representatives from the Office of the Inspector General (OIG) on Thursday, March 11, 2010, to preview and discuss a preliminary draft of your audit report of Brian Haws' performance as warden at the California State Prison, Los Angeles County (LAC). We agree that LAC has difficult challenges to overcome and appreciate your recognition that the issues are not necessarily indicative of Warden Brian Haws' tenure but are long-standing systemic concerns.

We would like to point out that while we recognize the specific concerns at LAC, Mr. Haws has performed the duties of warden boldly and professionally and the California Department of Corrections and Rehabilitation (CDCR) has greatly benefited from his 25 years of experience. As warden, Brian Haws made significant safety and security improvements at LAC, controlled overtime use, and maintained staff accountability through diligence and courage.

In this report the OIG identified several areas of concern. First, the ongoing labor issue with the California Correctional Peace Officers Association (CCPOA) at LAC has been very challenging. It should be noted management-labor relation issues are not unique to Warden Haws, as communication with the local chapter of CCPOA has been strained during several prior wardens' administrations at LAC. We commend Warden Haws for both his efforts to establish and maintain open dialogue with CCPOA and his professionalism as a CDCR manager.

Secondly, the report raised safety and security concerns due to the large number of employee investigations and the effect on employee job performance. Although the OIG indicated the number of employee investigations was higher than other institutions, there was no objective analysis to ascertain if the investigations were or were not warranted. To improve safety and security at LAC, Brian Haws revised and implemented many local operating procedures including cell extractions, alarm response, and holding cell procedures. Warden Haws corrected security weaknesses identified by the OIG in a prior security audit such as adding inmate holding cells in housing units and conducting real-world alarm response training. In the absence of evidence to the contrary, a high number of investigations demonstrates an appropriate commitment to addressing employee misconduct.

Mr. David R. Shaw

Page 2

Another concern raised by the OIG is the fragmented senior management team. We recognize that there are currently several management vacancies within LAC, now including the Warden's position itself after Warden Haws' retirement on January 15, 2010. We believe that these vacancies have undermined management cohesion and are themselves a testament to the challenges of undertaking a leadership position at an institution such as LAC. We are thankful that Warden Haws rose to this challenge, and we are committed to ensuring an effective management team, with good communication abilities, is placed and maintained at LAC with the goal of increased institutional safety, security, and employee morale.

We concur with the OIG's findings that LAC's safety and security, inmate programming, and business operations are functioning at an overall satisfactory level. This is due in part to Warden Haws' leadership, professionalism, and many years of dedicated service to CDCR.

Finally, I would like to thank the OIG for allowing CDCR the opportunity to provide comment on the deficiencies identified in this preliminary report. Your continued professionalism and guidance in CDCR's efforts to improve its operations is appreciated.

If you have any questions or concerns, please call my office at 323-6001.

Sincerely,



SCOTT KERNAN
Undersecretary, Operations

cc: Matthew L. Cate, Secretary