



SPECIAL REPORT

**AUGUST 2009 RIOT AT THE
CALIFORNIA INSTITUTION FOR MEN**

**OFFICE OF THE
INSPECTOR GENERAL**

DAVID R. SHAW
INSPECTOR GENERAL

STATE OF CALIFORNIA
APRIL 2010



April 22, 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 special report concerning the August 2009 riot at the California Institution for Men in Chino (CIM). The purpose of the special report was to identify the conditions and circumstances leading up to the riot and to evaluate the institution's and the department's actions in addressing the riot and re-establishing normal operations in the riot's aftermath.

The report concludes that despite being warned of the inherent risks of housing reception center inmates in the open dormitories of CIM's Reception Center West, the department took no substantive action to alleviate the security risks in that facility's design. Additionally, although the report concludes that CIM heeded warnings from past reviews and audits by enhancing its emergency medical preparedness, there are still areas in which CIM and the department could have improved their performance.

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,

A handwritten signature in blue ink that reads "David R. Shaw".

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

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Executive Summary

At approximately 8:30 p.m. on Saturday, August 8, 2009, a riot involving more than 1,000 inmates occurred at the California Institution for Men’s (CIM) Reception Center West facility (RC West). The rioting inmates caused damage so severe that seven of the eight housing units at the facility were rendered uninhabitable. During the four hours of fighting, the inmates fashioned weapons from a variety of materials on hand, including pieces of metal bed frames,

shards of porcelain bathroom fixtures, glass from broken windows, broom handles, and broken wood. In the aftermath of the riot, nearly 200 inmates sustained injuries— including 54 that needed transportation to local hospitals for treatment.

Findings in Brief

The Office of the Inspector General finds that:

- The Department of Corrections and Rehabilitation failed to house a suitable inmate population at CIM’s Reception Center West
- Despite the liabilities of the facility’s design, CIM staff responded effectively to the August 2009 riot at Reception Center West

Despite the inherent dangers of housing reception center inmates in an open dormitory setting—as was the case with RC West—the California Department of Corrections and Rehabilitation (CDCR) took no substantive action that could have prevented a riot of this magnitude. RC

West’s recent history included a riot in December 2006 involving about 800 inmates that required correctional staff twelve hours to contain. At least three more riots at RC West have occurred since then, leading up to the August 2009 riot that severely damaged the facility.

In addition to the history of significant riots at RC West, CDCR also received information from outside agencies warning against housing reception center inmates in an open dormitory setting. In a November 2007 report filed after touring the one of RC West’s dormitories, the former director of the Texas Department of Corrections, Wayne Scott, declared, “The housing unit was a serious disturbance waiting to happen. If the prisoners wanted to take over the dorm they could do so in a second and no one would know.” In November 2008, the Office of the Inspector General (OIG) also warned that “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.”

Prior to April 2008, CDCR even received documentation from its own experts advising that the RC West facility should be replaced, as well as “negative documentation” issued by the Office of the State Fire Marshall, advising CDCR that RC West didn’t meet building codes and fire safety requirements.

However, CDCR did not alleviate the risky security conditions inherent in RC West’s design. Those conditions contributed to the severity and duration of the August 2009 riot. CDCR later acknowledged that less volatile inmates would be a more suitable population for RC West, and stated that it plans to place level-II inmates there to prevent a recurrence after it repairs the housing units.

In the absence of detailed contingency plans to house large numbers of inmates in the event of a major incident, CIM used holding cells and outdoor exercise areas to secure displaced inmates until beds could be found for them in the days immediately following the riot. Within 72 hours after the incident began, CDCR relocated the majority of RC West's 1,154 displaced inmates to an empty housing unit at nearby Heman G. Stark Youth Correctional Facility (Stark), and the remainder to other institutions.

Although the OIG had concerns regarding inadequate living conditions during the immediate post-riot period, CIM provided evidence that the prison generally provided inmates with food, medications, clothing, blankets, and hygiene supplies and found housing for most inmates within days of the riot. However, in the post-riot environment, the nature and extent of services provided to inmates clearly were less than would be provided under normal circumstances.

CDCR is now in the process of repairing the damaged housing units at an estimated cost of \$5.2 million. CDCR also plans to convert Stark to an adult prison at an estimated cost of \$130 million. Included in that estimate are plans for a new electrified fence, gun towers, buildings to house reception center inmates, and medical facilities.

In contrast to CDCR's inaction in addressing the on-going security risks inherent in RC West's design, CIM heeded the recommendations from outside agencies to enhance its emergency preparedness, and those actions likely reduced the number of inmates needing hospitalization during the August 2009 riot.

Days before the riot, staff learned of a particular inmate group's intention to cause an institution-wide riot. As a result, the prison's investigative staff searched key inmates and discovered handwritten notes instructing inmates to participate in a large-scale riot throughout the institution. In response, the prison placed the institution on modified program status to restrict inmate movement and added more employees on RC West to prepare for the potential disturbance. Nonetheless, given the structural limitations at RC West, the staff at CIM was unable to prevent the large, coordinated riot.

Once the riot started, the prison promptly activated an emergency operations center (EOC), which coordinated the response at all levels throughout the prison during the incident and in its aftermath. Overall, the OIG found that the prison had reasonably planned and prepared for such an emergency and coordinated its efforts with those of other prisons and community emergency service agencies to restore security and provide emergency medical care. About 200 inmates received injuries ranging from minor to serious. The prison's medical staff conducted triage and provided immediate medical attention to inmates as needed. During this time, custody staff was forced to conduct fingerprint identification of hundreds of inmates who lost or abandoned their identification cards.

By effectively executing its emergency medical response plan, CIM efficiently evaluated and treated many inmates' injuries, which minimized the number of inmates requiring treatment at outside hospitals. In addition, community emergency service agencies responded quickly, providing essential services that supplemented the institution's efforts and greatly assisted

CIM in containing the riot and giving medical care. Concurrently, CIM's crisis response team assembled and acted to regain control of the facility.

Nevertheless, several problems surfaced that indicate deficiencies in the prison's and in CDCR's emergency response. First, there were an insufficient number of armed correctional officers to provide security for inmates transported outside the institution for medical care. Second, CDCR personnel were unable to communicate by radio directly with the outside agencies on the scene because CDCR lacks access to radio frequencies compatible with outside agencies' frequencies. Third, CIM's lethal electric fence impeded a local fire department's efforts to suppress fires. Fourth, because CDCR's reliance on hard-copy ID cards, CIM was challenged to quickly identify inmates immediately following the riot. Fifth, CIM and CDCR's lack of a contingency plan to house large numbers of inmates in the event of a major incident resulted in delays in quickly placing inmates in replacement housing.

Finally, conflicting orders from one of CIM's managers delayed the tactical operations of CIM's crisis response team, a group of officers specially trained and equipped to respond to high-risk situations. The manager's actions interfered with the team's approved plan of operations and undermined established procedures.

Recommendations

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

- Proceed with its plans for changing RC West's mission so that it no longer houses reception center inmates, given its current open dormitory design. Even if the department changes the mission, the Office of the Inspector General questions the future use of RC West's dormitories to house the number of inmates (1,300) they held prior to the riot. Therefore, while we support the change in mission, if CDCR decides to house such numbers of inmates in these dormitories, we also recommend that it identify and complete all security and staffing modifications necessary to house those inmates safely.
- Ensure that emergency operation plans for CIM and all other prisons provide adequate housing, food, clothing, medical attention, and other essential services to large numbers of inmates who may be displaced by major events such as riots or natural disasters.
- Share critical lessons from the CIM riot that have universal application to the state's other prisons to help them improve their own emergency operations plans. Universally applicable lessons from the CIM riot include information on identifying inmates who no longer have ID cards, and information on identifying medical facilities with capacity to accept inmate patients.

The Office of the Inspector General further recommends that the California Institution for Men:

- Establish emergency operation procedures to assure that the institution can summon a sufficient number of trained and properly equipped peace officers to transport or escort injured inmates to outside medical care facilities.

- Provide for direct communication between its Emergency Operations Center and community emergency service agencies by obtaining compatible radios and radio frequencies or having representatives of key agencies present in the EOC.
- Obtain field-deployable equipment capable of rapidly identifying inmates who have become separated from their ID cards. Such equipment should be capable of using any combination of fingerprints, iris scans, or facial photos
- Establish in emergency protocols a means to access the data system that shows real-time availability and location of local hospital beds to enhance efficient transfer of injured inmates.
- Develop procedures and contingencies for fire suppression activities in the vicinity of a lethal electrified fence.
- During emergency response training, emphasize the importance of establishing a tactical command post near the emergency scene and of respecting the chain of command established by the Emergency Operations Plan.

CDCR's Response

In its response, the department agreed with the findings of this report and expressed its intent to change RC West's mission from housing reception center inmates to that of housing general population inmates classified at a low security ("level II"). Further, the department stated that all deficiencies identified will be evaluated and addressed in a corrective action plan to be monitored by its Office of Audits and Compliance.

Background

Overview of the California Institution for Men

The California Institution for Men (CIM), located in Chino, San Bernardino County, opened in 1941 and is the California Department of Corrections and Rehabilitation's (CDCR) third-oldest adult institution. CIM serves as a reception center for male parolees returning to custody and felons newly committed to CDCR. Covering 1,600 acres, CIM is comprised of four separate self-contained facilities: Reception Center Central (RC Central), Reception Center West (RC West), Reception Center East (RC East), and a minimum support facility that houses inmate workers and those at the lowest risk for disruptive behavior. The separate facilities are one to two miles apart.

Through its three reception centers, CIM receives about 600 inmates weekly for initial screening and processing into the state prison system. These inmates are initially evaluated at RC Central, where employees apply CIM's local operational policy to assign inmates to each of its reception centers. Generally, inmates are classified into one of four "levels" using a point system based on various factors, including the inmate's commitment offense, sentence length and behavior while in custody. The classification score thus determines the security conditions under which an inmate can be housed.



Photo 1: View of RC West fence during fire.

Note helicopter providing illumination overhead.
(Source: Chino Valley Fire Department)

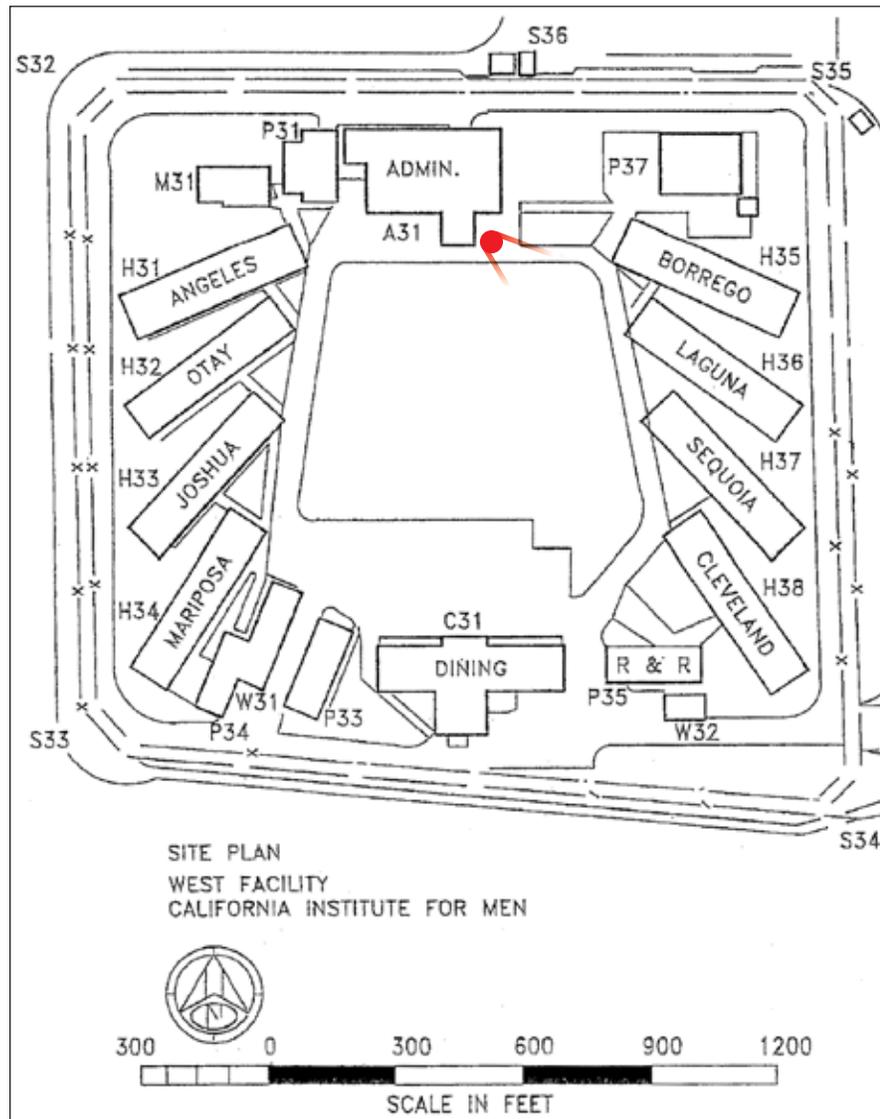
Generally, inmates evaluated as the highest safety and security risk, and those who are en route from one institution to another, are retained in RC Central. For example, inmates with histories of assaulting officers or other inmates are retained in RC Central's administrative segregation unit where their contact with other inmates is limited and their movement is restricted and closely controlled. Inmates with the next highest security needs are assigned to RC East, which contains mostly celled housing, while inmates with lower security needs are transferred to dormitories at RC West, where up to 1,500 inmates may live in eight open dormitories with two correctional officers supervising each dormitory. Inmates inclined to violence are best housed in celled facilities, which divide the population into smaller groups of inmates who live in contained units. Inmates at low risk for violence can be permitted to interact in larger numbers, living in larger, more open spaces like dormitories.



Above: Photo 2: View of RC West yard looking southeast at Laguna, Sequoia and Cleveland buildings. (Source: Office of the Inspector General, August 11, 2009)

Left: Figure 1: Site map of RC West (Source: CDCR)

Photo point of view: 



RC Central often does not have enough beds for all inmates who arrive during the day, according to staff members working there. To avoid having to use temporary overflow holding cells at RC Central, staff members must quickly decide which inmates to transfer out, even though some inmates' classification information may be temporarily unavailable or incomplete when transfer decisions must be made. Thus, while classification staff strive to avoid doing so, inmates with disruptive tendencies may be transferred into the dormitory environment of RC West where the consequences of their negative behavior is magnified.

As a reception center, RC West's mission is to house inmates returning to prison for parole violations or convictions for new crimes, as well as inmates entering state prison for the first time. Accordingly, its inmate population is composed of approximately 1,300 inmates with a broad range of commitment offenses, gang affiliations, and behavioral histories.

Like the populations at all reception centers, the inmate population at RC West is not only varied but fluid: inmates typically remain in RC West for a relatively short period of time, ranging from 60 days to one year, until CDCR either transfers them to prisons more suitable to their particular security and treatment needs or releases them back to the community on parole. RC West's inmate population changes daily, thereby continually changing the population dynamics which may result in a potentially volatile mix of inmates living in relatively low security dormitories.

Yet another factor to be taken into account is that CIM is overcrowded. On August 5, 2009, CIM housed 5,867 adult inmates within the four facilities, nearly twice its design capacity of 2,976. On this same date, RC West held 1,335 inmates, which was more than twice its design capacity of 615.

Compounding the inmate overcrowding, CIM's buildings suffer from long-standing maintenance and repair shortfalls that may soon require replacement of many of these buildings. Among the worst of the buildings were the eight wooden barracks that housed inmates on RC West. Against this backdrop of overcrowding and deteriorating buildings, CIM has a history of critical

Photo 3: Inside Mariposa Hall (Source: OIG, August 11, 2009)



incidents. In addition to the tragic death of one of its correctional officers at the hands of an inmate in 2005, riots in December 2006, March 2007, and in February and April 2008 disrupted the institution's operations, resulted in serious injuries, and required many staff hours to contain. In light of these incidents and structural deterioration, the OIG reported in its November 2008 audit of CIM that "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."

The August 8, 2009 Riot on the Reception Center West Facility

At approximately 8:30 p.m., inmates on RC West began fighting in their dormitories, eventually forcing their way out to the yard, causing vastly outnumbered correctional officers — generally, two officers in each dormitory of nearly 200 inmates — to retreat for their own safety before returning with additional officers in organized skirmish lines. Rioting inmates damaged nearly all of RC West’s housing units, rendering them uninhabitable. In fact, one of the buildings—Joshua Hall—was set on fire and destroyed. CDCR’s damage assessment noted that nearly all of the windows in each unit were destroyed and that half of the exterior doors suffered damage. The riot left substantial damage to walls and doors separating day rooms from bunk areas, damage to some gas piping and electrical conduit and outlets, and broken pipes behind walls and ceilings. CDCR noted that porcelain fixtures in the bathrooms were heavily damaged, most having been removed and broken into pieces for use as weapons.



Photo 4: (left):
Inside Sequoia Hall

Photo 5 (bottom):
Borrego Hall.

(Source: OIG, August 11,
2009)



During the incident, inmates fashioned weapons from a variety of materials on hand, including shards of porcelain bathroom fixtures, pieces of metal bed frames, glass from broken windows, broom handles, and broken wood.

The fighting ended after four hours, quelled by the prison's correctional staff, with help from special teams sent from the California State Prison, Los Angeles County in Lancaster and the Richard J. Donovan Correctional Facility in San Diego County. Staff from several other prisons also arrived to render assistance. The area was completely secured by 7:00 a.m. on Sunday, August 9, 2009. Nearly 200 inmates sustained injuries during the riot, and medical staff from the prison and other responding agencies provided medical treatment. Fifty-four inmates suffering moderate to serious injuries required transportation to local hospitals.

Photo 6 (right):
rear window of
Mariposa Hall

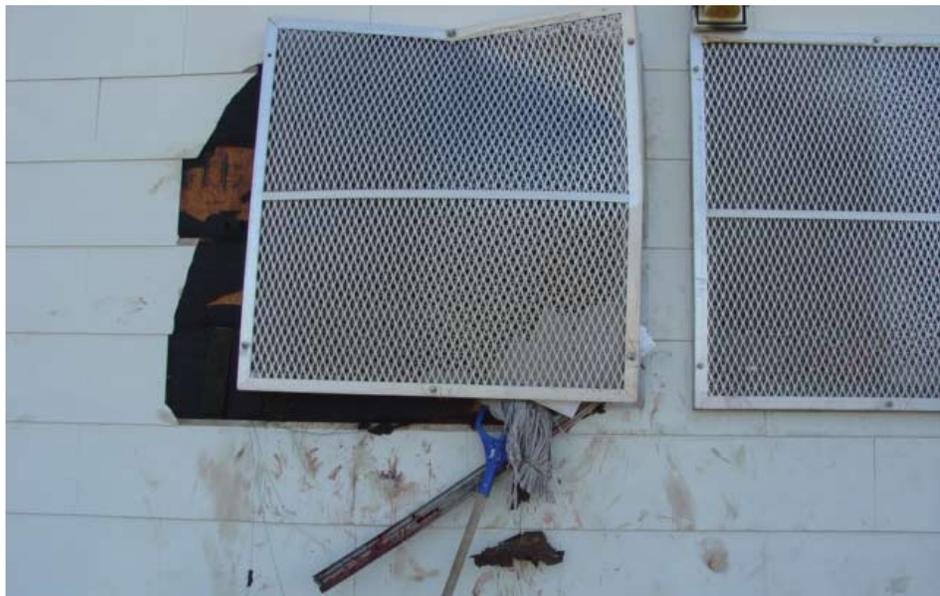


Photo 7 (bottom):
inside Mariposa Hall

(Source: OIG, August
11, 2009)



Objectives, Scope, and Methodology

The purpose of this special review is to evaluate the August 8, 2009 inmate riot at the California Institution for Men, to examine the conditions and circumstances that may have caused it, and to evaluate CIM's and CDCR's actions to address the riot and meet the challenges of re-establishing normal operational processes. Representatives of the Office of the Inspector General's Bureau of Independent Review arrived on scene hours after the riot began, with additional staff arriving a few days later to gather information and observe the scene. These teams limited their review to the riot and the events taking place during the three days following it.

During the course of the review, the Office of the Inspector General performed the following procedures:

- Reviewed various laws, policies and procedures, and other criteria related to key systems, functions, and processes.
- Conducted physical inspections of various areas of the facility, including the riot scene.
- Reviewed institutional files, logs and other relevant documents.
- Interviewed appropriate senior management and other employees, including facility captains, housing unit officers, and records staff.
- Met with and obtained information from community emergency service providers.
- Observed activities and processes at the emergency operations center.
- Monitored the transport of inmates for purposes of medical treatment.
- Met with departmental employees responsible for facilities planning, maintenance, and construction projects.
- Talked with inmates affected by the riot.

Finding 1

The Department of Corrections and Rehabilitation Failed to House a Suitable Inmate Population at Reception Center West

CDCR ignored the dangerous incompatibility of RC West's open wooden dormitories, which had numerous security deficiencies including blindspots and no gun coverage, with a large population of reception center inmates who, for a variety of reasons, are typically housed in a celled environment. RC West's recent history included a riot in December 2006 involving about 800 inmates from five of the dormitories. That riot required correctional staff twelve hours to contain, and the prison's medical staff treated 66 inmates and sent 30 others outside the institution for emergency treatment. Other riots at the reception center included a March 19, 2007 incident involving 40 inmates, an incident involving 30 inmates on February 1, 2008, and a riot involving 200 inmates on April 4, 2008. All of these smaller riots were contained within a single dormitory.

In addition to the history of significant riots at RC West, CDCR also received information from outside sources warning CDCR against its use of RC West to house reception center inmates. In a November 2007 report that he filed in federal court after touring one of RC West's

Photo 8: Damage in Joshua Hall. (Source: OIG, August 11, 2009)





Photo 9 (top): Handmade weapon

Photo 10 (bottom): Weapon fashioned from safety glass.

(Source: OIG, August 11, 2009)

dormitories, former director of the Texas Department of Corrections Wayne Scott asserted, “The housing unit was a serious disturbance waiting to happen. If the prisoners wanted to take over the dorm they could do so in a second and no one would know.”¹

In a November 2008 report, the Office of the Inspector General (OIG) warned, “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.”²

In an April 2008 document to CDCR requesting funds to replace the dormitories at RC West, CIM argued that both the Office of the State Fire Marshall and the Architectural and Engineering Section of CDCR reported that the buildings do not comply with California Building Codes for their current occupancy groups nor have fire alarm protection.

Despite these prior incidents and warnings, CDCR did not alleviate risky security conditions inherent in RC West’s design, such as wooden construction, numerous blind spots, glass windows and porcelain bathroom fixtures that could be broken and used for weapons, and no fire suppression systems or gun coverage. Those conditions contributed to the severity and duration of the August 2009 riot.

In the aftermath of the riot, CDCR began repairing RC West’s damaged housing units to their pre-riot condition, with minimal additional security upgrades. However, after inquiries by the OIG related to CDCR’s October 5, 2009 Activation Proposal, which describes the future of the repaired RC West units, CDCR acknowledged that the design of RC West is not well-suited to house reception center inmates and stated that it plans to place level II inmates there after it repairs the housing units.

The physical structure of RC West contributed significantly to the scope of the August 2009 RC West riot and hindered correctional staff in quelling the riot.

When it first opened, RC West’s mission was to house fire camp inmates who are at relatively low risk for in-prison violence. Accordingly, RC West was designed without the safety and security features customarily built into facilities housing higher-risk inmates. For example, RC

1 Scott’s report was filed in connection with his testimony before a three-judge panel convened for the *Coleman* and *Plata* cases to examine crowding in California prisons.

2 The entire report can be viewed at the following address:

<http://www.oig.ca.gov/pages/reports/bai-audits.php> Click on the title, “Quadrennial and Warden Audit 2008-11 CA Institution for Men.pdf”

West's living units are wooden structures containing open dormitories filled with rows of bunk beds rather than individual cells. Over the years CDCR changed RC West's mission from a fire camp to a reception center, a change that required it to house a higher-risk inmate population. Yet CDCR did not change the facility's physical structure and inherent security features to accommodate the higher-risk population.

The open dormitory setting hampered the officers' ability to quickly suppress the riot and control the inmate violence. At the time of the riot, each of the eight dormitories on RC West housed between 100 to 200 inmates, yet was supervised by only two correctional officers. The dorms also lacked gun coverage—an elevated and secure area from which an officer can deploy lethal or less-than-lethal force. Considering these security weaknesses, there was little to deter the inmates from rioting. In contrast, at RC Central and RC East, almost all inmates are housed in separate celled units so that disturbances can be limited to a smaller number of inmates and quickly controlled. In his November 2007 report, former director of the Texas Department of Corrections Wayne Scott warned of the riot danger at CIM. In describing his tour of Cleveland Hall, one of RC West's dormitories, Scott wrote, "I saw 198 prisoners with only two officers to keep order, one in an office, with the other roving. Half of the dorm was in another building connected by the shower/bathroom area, and one room in the back was completely out of sight. It is impossible to provide any type of security or proper services under these circumstances."

The Office of the Inspector General also noted the potential risks associated with housing reception center inmates at the open dormitory setting of RC West. In its November 2008 report, the OIG noted that 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. 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.

After the August 2009 riot, CDCR sought repair funds and acknowledged the shortcomings of the RC West facility.

In response to our inquiries regarding the future of RC West, CDCR acknowledged that RC West was not suited to be a reception center and provided its Activation Proposal for repairing RC West's dormitories and housing a more suitable inmate population there. According to its Activation Proposal dated October 5, 2009, CDCR announced that it is taking steps to prevent a reoccurrence of an inmate disturbance of this magnitude. The proposal recognizes that "as demonstrated, the design of [RC West] is not best suited to house reception center inmates due to the wooden structure design." Accordingly, CDCR plans to change RC West's mission to house only non-reception center, level II inmates, up to 50 percent of whom may be inmates serving life sentences, a stable population more invested in maintaining order in their housing environment. CDCR's proposal argues that changing the facility's mission in this way would enhance security because such inmates would be appropriate for RC West, which would remain an open dormitory.

In September 2009, CDCR requested \$7.2 million for repairing RC West's housing units and for responding to the riot. This amount includes \$4 million to repair seven of the eight housing

units, \$1.2 million to rebuild the housing unit that was damaged by fire, and \$2 million for one-time operating costs relating to stopping the riot and transferring inmates, as well as other unspecified operational costs. CDCR's scope of repairs for seven of the eight housing units proposes to replace glass windows with safety glazing and install stainless steel toilets and basins instead of porcelain fixtures to minimize their potential for use as weapons. CDCR estimated that it could repair the first seven dormitories by the end of April 2010 and repair the eighth dormitory by mid-June 2010. However, the repairs will not change the overall design of the open dormitory setting.

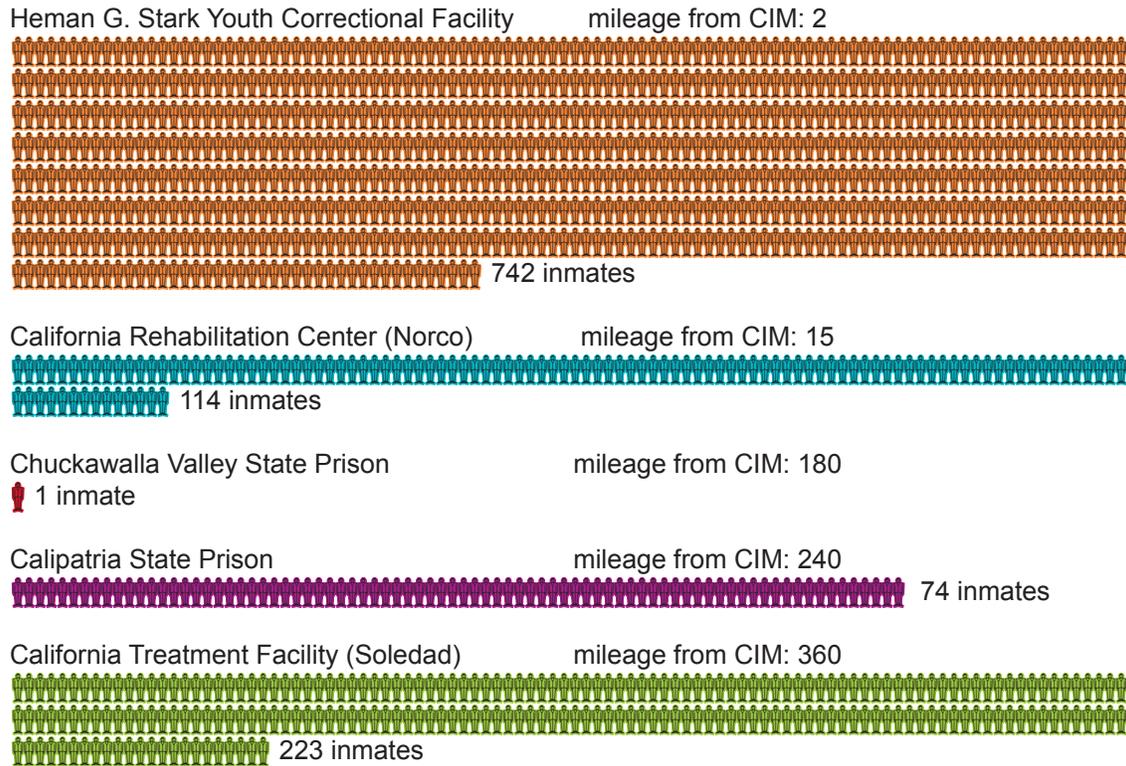
CDCR was challenged to find appropriate housing for RC West inmates in the aftermath of the riot.

Absent a detailed plan to house inmates displaced by such a large scale event, CIM resorted to use of holding cells and outdoor exercise areas to secure approximately 1,100 displaced inmates until beds could be found for them in the days immediately following the riot. While CIM's Emergency Operations Procedure contemplates the possibility of having to relocate large numbers of inmates, it simply states that inmates will be transported to "nearby local institutions" or "local county jails" without discussing the logistics involved in such an undertaking. Fortunately, a nearby state youth correctional facility was nearly empty, and the August weather was generally conducive to temporarily containing inmates outdoors, otherwise the time required to provide displaced inmates with adequate housing and essential services might have been considerably longer than it was.

Based on inmate counts, by Monday, August 10, 2009 the number of inmates in holding cells and exercise areas had fallen from over 1,100 to just over 400 as inmates were moved to other prisons. On Tuesday, August 11, there were approximately 50 inmates remaining in holding cells and exercise areas awaiting housing. However, because the majority of inmates had lost or abandoned their identification cards, the records of inmate movements are limited to overall counts and generally do not track the movement of individual inmates during this period. CIM provided evidence that the prison took measures to supply the holding-cell inmates with food, medications, clothing, blankets, and hygiene supplies to the extent possible given the post-riot conditions, and found housing for most of the displaced inmates within three days of the riot. Nonetheless, for several days after the riot the normal services and privileges provided to inmates were interrupted.

In the aftermath of the riot, CDCR sent 1,154 inmates to five prisons throughout the state. The majority of these inmates went to the Heman G. Stark Youth Correctional Facility (Stark), located next door to CIM. Although built as a youth facility, Stark had celled housing available that was suitable to immediately house adult inmates. However, CDCR found that the facility had a number of shortcomings to address. For example, nearly 200 of the cells were equipped with only one bunk, but the number of adult inmates sent there required most of the cells in the housing unit to be double-bunked. Consequently, many inmates had to sleep on mattresses placed on the floor. Another drawback was that the small recreational yards adjacent to the housing unit lacked razor wire and other security features.

Figure 2: CDCR Relocated 1,154 Inmates After the Riot:



To address these issues, CDCR began short-term emergency modifications at Stark on September 15, 2009. According to CDCR’s documents, these modifications included adding second bunks to 196 cells, installing razor wire and making access areas for the deployment of chemical agents to two group recreational yards.

On November 6, 2009, CDCR formally announced its plans to convert Stark to an adult prison. Ultimately, CDCR estimated that it would house roughly 1,800 general population inmates and approximately 940 reception center inmates at Stark at an estimated \$441 million in related costs. As of December 2, 2009, this amount was comprised of \$130 million for conversion costs, such as installing an electric fence, perimeter guard towers, and other security enhancements; \$250 million for construction of a new reception center; and \$61 million for construction of new mental health crisis beds.

Recommendations

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

- Proceed with its plans for changing RC West’s mission so that it no longer houses reception

center inmates, given its current open dormitory design. Even if the department changes the mission, the Office of the Inspector General questions the future use of RC West's dormitories to house the number of inmates (1,300) they held prior to the riot. Therefore, while we support the change in mission, if CDCR decides to house such numbers of inmates in these dormitories, we also recommend that it identify and complete all security and staffing modifications necessary to house those inmates safely.

- Ensure that emergency operation plans for CIM and all other prisons provide adequate housing, food, clothing, medical attention, and other essential services to large numbers of inmates who may be displaced by major events such as riots or natural disasters.

Finding 2

Despite the Liabilities of the Facility's Design, CIM Staff Responded Effectively to the August 2009 Riot at Reception Center West

Using past experiences, current gang intelligence, and recommendations from outside agencies including the Office of the Inspector General, CIM improved its emergency operations procedures and was therefore better prepared to respond to the August 8, 2009 riot. However, as with the disturbances preceding it, the August 8, 2009 riot itself provided additional opportunities for CIM and CDCR to enhance emergency preparedness by learning from challenges that arose during the event.

The California Institution for Men used lessons from previous incidents to improve its emergency medical response procedures.

Past inmate riots and other emergencies identified weaknesses in CIM's emergency preparedness. These weaknesses were documented by CDCR, the Office of the Inspector General, and others in reports prepared in the aftermath of those incidents. Two major events that shaped CIM's emergency medical response procedures were the death of one its correctional officers in 2005, and a riot at RC West in December 2006.

On January 10, 2005, Correctional Officer Manuel A. Gonzales was attacked and killed by an inmate at CIM's RC Central facility. The Office of the Inspector General's ensuing review uncovered serious deficiencies in CIM's emergency response, including insufficient medical supplies and equipment and the failure of medical professionals to act effectively in their life-saving efforts. Notably, CIM had not established an emergency operations center or instituted an emergency operations plan.³ Our review also provided recommendations for improvements by CDCR, as well as by CIM.

After the December 2006 riot at RC West, CDCR's regional health care administrator wrote a January 2, 2007 memo to CDCR's Director of Correctional Health Care Services, critiquing the institution's medical response to that incident. The regional administrator noted that CIM's medical department did not maintain a list identifying the medical professionals to be contacted during emergencies, nor those responsible for contacting them. Further, the regional administrator found that medical staff had no policies or procedures for responding to mass-casualty events, and that poor communication between institution medical staff and community emergency service providers impaired the emergency response. The regional administrator also found that members of CIM's medical staff were not initially represented in the institution's emergency operations center (EOC), thus impairing critical communications between medical and custody personnel during the emergency.

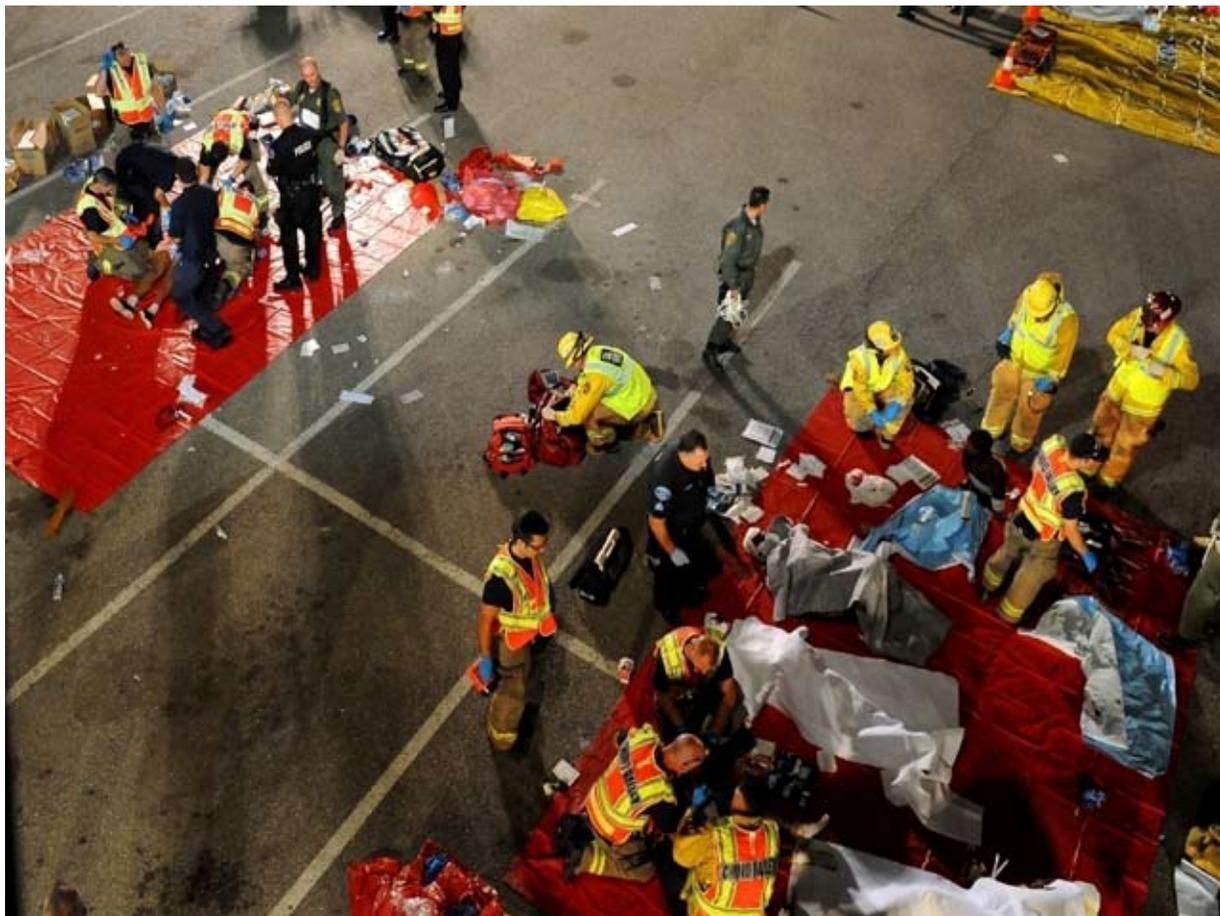
³ The Office of the Inspector General reported on deficiencies associated with the January 10, 2005 murder of Manuel A. Gonzales in a report, *Special Review Into the Death of Correctional Officer Manuel A. Gonzalez, Jr. on January 10, 2005 at the California Institution for Men*, March 16, 2005.

In response to these past shortcomings, on January 14, 2008, CIM adopted a local operating procedure entitled “Medical Emergency Response in Disastrous Situations.” Its purpose is “[t]o establish a fast and effective medical response to mass casualties at CIM in the event of an incident or natural disaster.” This procedure created an immediate and unambiguous command structure by identifying the Medical Emergency Incident Commander (MEIC) when an incident occurs. Under the procedure, the designated MEIC reports to the emergency operations center to coordinate the institution’s medical response. The MEIC assesses the severity of the emergency, summons on-duty physicians and nurses, and may also contact off-duty physicians and place them on standby status.

In addition to establishing a medical command structure, the local operating procedure also directs responders to establish an on-site medical emergency command center, designates those responsible for delivering medical supplies and equipment to the emergency site, and gives guidelines for categorizing injuries (performing triage).

Subsequent to the stabbing of Officer Gonzales and the 2006 riot, CIM also increased its capacity to address medical emergencies. Recognizing the high cost of medical treatment and custodial

Photo 11: Medical personnel working in separate triage areas during the riot. (Source: Chino Valley Fire Department)



resources needed to send inmates outside the institution for medical care, CIM hired medical staff with emergency medical experience. According to CIM's director of nursing, the number of inmates transported by ambulance for outside emergency medical care has been reduced from about 60 per month to 15 per month. This increased capacity may be credited, in part, to the fact that CIM has hired nurses certified in advanced cardiac life support and who also possess either military emergency responder experience or a background in emergency room care.

Finally, key supervisors on CIM's medical staff worked with community emergency service agencies to improve coordination of services. Before the August 8, 2009 riot, for example, medical staff arranged a tour of the institution for the Chino Valley Fire District to enhance their knowledge of institution policies and familiarize them with barriers they might encounter in an actual emergency.

Knowledge of building gang tensions and the potential for an upcoming incident increased the institution's state of alert.

On August 5, 2009, CIM's inmate appeals office received a handwritten note, referred to in inmate slang as a "kite." The kite indicated that one group of inmates would attack another group on the yard at RC East in retaliation for an earlier incident involving the same groups. After corroborating evidence was discovered the next day during routine searches by officers, members of CIM's Investigative Services Unit (ISU) deemed the kite to be credible.

CIM Institutional Gang Investigators (IGI) began interviews and cell searches of key inmates to learn more about the threat detailed in the kite and to institute appropriate steps to mitigate the threatened event. On August 6, 2009, IGI and ISU investigators conducted several searches resulting in the discovery of numerous additional kites. Two of the kites contained detailed instructions for inmates affiliated with a particular gang to strategically assault rival inmates institution-wide. The kites also indicated that the assaults were sanctioned by an influential inmate who later confirmed to ISU investigators that a major incident was planned in retaliation for an earlier altercation between the two groups. Following receipt of this information, CIM modified its inmate programs to limit and control inmate movement, and brought in additional staff in anticipation of violence.

The growing tensions led to a riot between the two rival gangs involving approximately 100 inmates in RC East on August 7, 2009. On the same day, RC Central had a riot involving approximately 20 inmates. These tensions escalated to a larger scale in RC West on the evening of August 8, 2009, involving over 1,000 inmates.

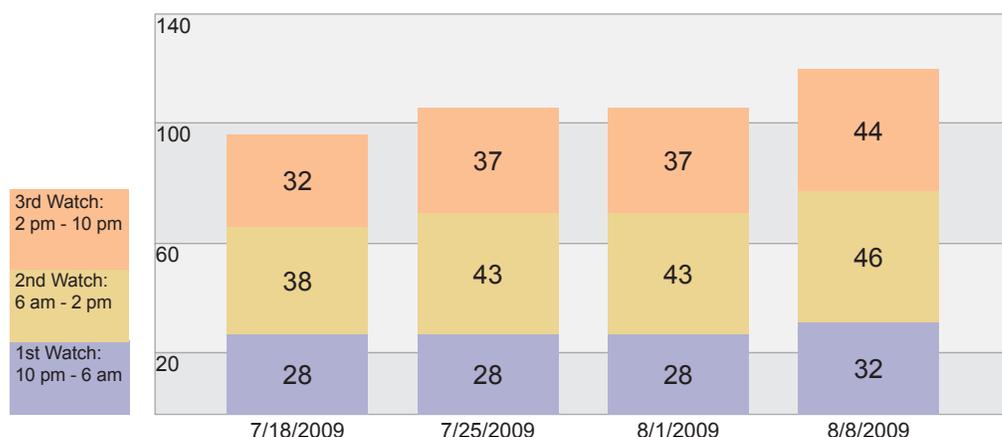
The institution increased its staffing levels on RC West in response to growing tensions.

According to CIM's warden and chief deputy warden, CIM increased staffing levels on RC West on August 7, 2009, even before the riot occurred. The chief deputy warden indicated that CIM added "disturbance control" positions to RC West on each eight-hour shift, or watch,⁴ in

⁴ Prison employees work around the clock in three shifts, or "watches." Generally, 1st watch is 10 p.m. to 6 a.m., 2nd watch is 6 a.m. to 2 p.m., and 3rd watch is 2 p.m. to 10 p.m..

Figure 3: CIM Officers on Duty by Watch.

Based on intelligence gathered in the course of duty, CIM increased staffing levels in the days preceding the riot (measurements taken on Saturdays preceding the riot).



preparation for the potential disturbance. Based on employee timesheets, at the time the riot started, there were six additional officers present at RC West.

We reviewed the employee time-keeping records for RC West for the period July 29, 2009 through August 8, 2009 and confirmed that CIM began to modify its staffing levels on August 7, 2009. Records confirm that the institution added one disturbance control position on Friday, August 7, 2009 during the second watch and three positions during the third watch. The institution continued to increase staffing levels on Saturday, August 8, 2009, the day of the riot. The OIG found that staffing levels on that day exceeded those of the two preceding Saturdays by 14 officers, as CIM added four officers at the beginning of the first watch, three at the beginning of second watch, and seven officers at the beginning of the third watch (see Figure 3).

Yet, given the physical design limitations of RC West, CIM was not able to prevent or even quickly contain the large coordinated riot, even with additional staff.

The combined efforts of outside agencies and CIM’s personnel resulted in an effective emergency response, but several challenges arose during the event.

CIM effectively executed its emergency medical response plan, which likely minimized the number of inmates requiring treatment at outside hospitals. Meanwhile, community emergency service agencies responded quickly, delivering essential services complementing the institution’s efforts, greatly assisting CIM in containing the riot, and providing medical care. At the same time, CIM’s crisis response team assembled to regain control of the facility. However, several challenges surfaced during the coordinated response. These included an insufficient number of correctional officers to provide security for inmates traveling outside the institution for medical care, the inability to communicate directly with outside agencies because CDCR personnel lacked access to compatible radio frequencies, conflicting orders to the crisis response team from an institutional manager operating outside the EOC protocol, and

the lethal electric fence impeding a local fire department's efforts.

Preceding the August 8, 2009 riot, the medical staff at CIM refined their procedures for reacting to emergencies, hired staff qualified in emergency medicine, and planned effective responses to a mass casualty event. During the riot, with few exceptions, CIM's response to the disaster was competently executed, with no loss of inmate life. However, improvements are necessary in communications between CIM's responders and community resources, in identification of inmates during and following the riot, and in quickly determining where to send inmates to ensure continuity of medical services.

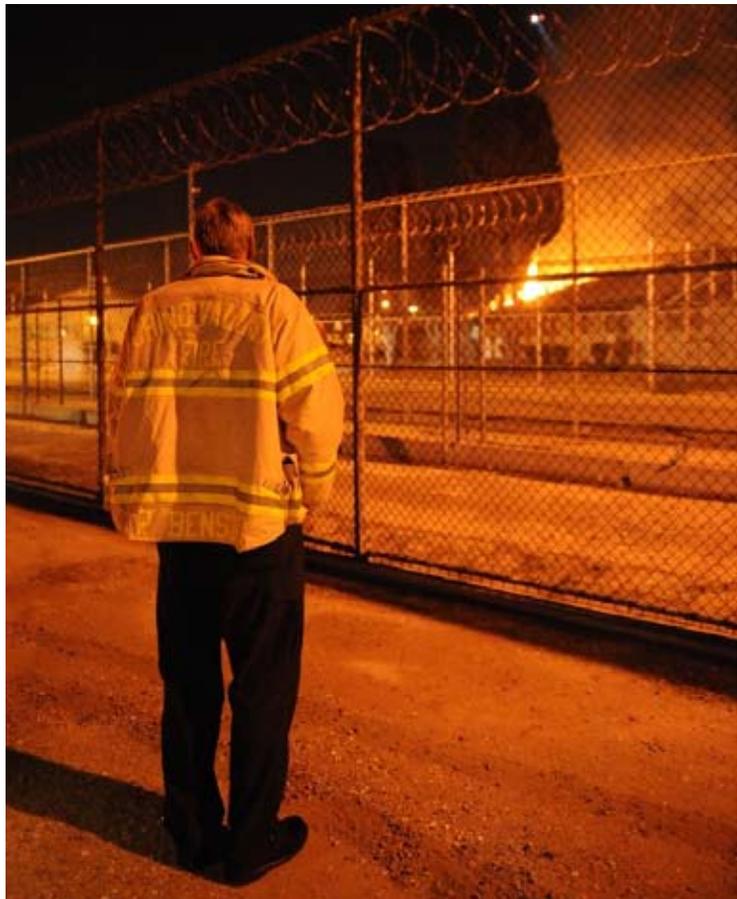


Photo 12: RC West's lethal electric fence initially impeded fire fighters' efforts. (Source: Chino Valley Fire Department)

CIM's prompt activation of its emergency operations center (EOC) led to generally good coordination of medical efforts, but communication issues hindered its ability to coordinate medical efforts with outside agencies.

CIM's chief medical officer and other medical staff were on heightened alert before the weekend of August 8, 2009. The medical officer on-call arrived at 8:00 p.m. on August 8, 2009 to review an x-ray, and had been alerted to stay near the institution by the chief physician. As he was leaving the institution at around 8:30 p.m., he heard an alarm. After learning that a riot had erupted in RC West, he called the chief physician and another doctor.

The chief deputy warden contacted the chief medical officer (CMO) at about 8:40 p.m. Upon arriving, the CMO assumed his duties as the medical coordinator in the EOC, which had been activated minutes after the riot began. By 10:00 p.m., several nurses had also responded, including all of the designated "first responder" nurses from the institution's clinics, along with supervising nurses who were initiating a triage process. Medical personnel established two triage areas, thereby keeping members of the rival factions separated.

CIM's medical personnel evaluated 1,127 inmates, determining 895 to be uninjured. Only 54 inmates were sent to outside medical facilities, returning to prison within days of the

riot. Of 232 inmates requiring treatment, all but the 54 transported to community hospitals received treatment from CIM physicians and nurses, prompting community emergency service responders to remark that there was not a single unnecessary transport. However, while CIM's medical staff provided good triage and treatment, some seriously injured inmates were not transported to outside hospitals for three hours or more because of an insufficient number of armed CDCR custody personnel to act as transport or escort officers. CDCR requires that each inmate transported to outside medical facilities must be escorted by two armed officers. Eventually, parole agents from the CDCR Office of Correctional Safety arrived to assist the institution's correctional officers in providing transport services.

CIM's emergency medical efforts were also hindered by communication issues. Community emergency service agencies arriving at the riot had no means of determining how many inmates required transportation for emergency care because emergency service responders were unable to communicate directly with the institution's medical staff inside the prison. This communication void occurred because local emergency service agencies did not have a



Photo13: Personnel from several agencies coordinating transportation of an inmate during the riot. (Source: Chino Valley Fire Department)

member representative in the prison's EOC. Because community medical responders initially did not know how many hospital beds and other resources would be needed, they were concerned about overwhelming local hospitals and clinics with potentially hundreds of riot casualties.

Eventually, the communication void was filled after CIM's Emergency Medical Services Liaison Nurse arrived sometime between 11:00 p.m. and midnight. He successfully resolved most communications issues and provided a more accurate assessment of the number of inmates likely requiring transportation to area hospitals. Community medical

providers, including receiving hospitals, commended the liaison nurse's work in coordinating inmate transports. They attributed his success to his pre-incident preparation with community providers and to his capable management during the incident.

The San Bernardino County Fire Dispatch Center also assisted in determining how injured inmates would be distributed to area hospitals by providing the institution information about available bed space at those hospitals. However, information that could have been provided to the hospitals about the number of injured inmates and the nature of their injuries was delayed because no one at the scene had access to the computerized tracking system used by the hospitals. CIM officials later learned that temporary access to the system can be provided in the event of future emergencies, thus facilitating CDCR's ability to provide and receive timely

Figure 4: Multiple Organizations Provided Assistance During the Riot

- *Chino Independent Fire District*
- 48 ambulances provided by *American Medical Response (Rancho Cucamonga, Victorville, Riverside, Redlands, and Irwindale divisions)*
- Four ambulances provided by *Cole Schaefer Ambulance Company*
- Two helicopter ambulances provided by *Mercy Air*
- *Arrowhead Regional Medical Center*
- *Chino Valley Medical Center*
- *Kaiser, Fontana*
- *Loma Linda University Medical Center*
- *Montclair Hospital Medical Center*
- *Pomona Valley Hospital Medical Center*
- *Redlands Community Hospital*
- *Riverside Community Hospital*
- *Riverside County Regional Medical Center*
- *San Antonio Community Hospital*
- *Chino Police Department*
- *Rancho Cucamonga Police Department*
- *Chino Hills Police Department*
- *Ontario Police Department*
- *San Bernardino County Sheriff's Department*

Photo 14: A fire crew suppresses the fire in Joshua Hall. (Source: Chino Valley Fire Department)



information using the hospital tracking system.

CIM received effective and competent support from outside fire and law enforcement agencies responding to the riot, but had to overcome logistical and communication challenges.

The response from community emergency service agencies included assistance from law enforcement, fire departments, and emergency medical resources. The institution contacted local law enforcement agencies within minutes after the riot began, and the Chino Valley Independent Fire District arrived with its first unit at 8:41 p.m.

Responding law enforcement agencies included the police departments from Chino, Rancho Cucamonga, Chino Hills, and Ontario, in addition to the San Bernardino County Sheriff's Department. Personnel from these departments provided valuable assistance outside the prison by placing patrol cars around RC West's perimeter in case inmates were able to get past the fence line, and by closing nearby thoroughfares to vehicle traffic until the institution re-established control of the yard. With this outside security coverage, CDCR officers were free to concentrate on containing the riot and providing transportation security for inmates evacuated to outside hospitals.

A patrol helicopter from the San Bernardino County Sheriff's Department also assisted by providing lighting and serving as an intelligence resource for those on the ground. Local law enforcement officers also

provided a valuable service by identifying inmates. Many of the inmates requiring transport to outside hospitals lacked identification cards, having lost or discarded them during the event. Identifying inmates is critical because law enforcement would be greatly disadvantaged in attempts to recapture unidentified inmates. To address this issue, local law enforcement agencies used portable fingerprint scanners to identify inmates before they were transported to outside hospitals. In addition, the identities of some inmates were corroborated by using mobile data terminals in local law enforcement patrol cars to access databases containing other identifying information, such as tattoos. Chino Valley Independent Fire District took

Photo 15: Several agencies coordinate communications during the riot. (Source: Chino Valley Fire Department)



the primary role in suppressing the fire in Joshua Hall, while engine companies from other local communities also responded and CAL Fire provided food for personnel assigned to the riot. Initially, fire fighters planned to shoot water from outside of the fence to suppress the fire in Joshua Hall, but the lethal electrified fence surrounding the area presented a safety concern. Once fire fighters gained access to the yard, they limited the fire damage to the building of the fire's origin.

While local law enforcement and fire fighting agencies could communicate with one another on common radio frequencies, CDCR radio equipment does not allow CDCR employees

direct communication with outside law enforcement, thereby delaying delivery of information. CDCR's access to local police and fire radio frequencies would provide for immediate communication during future events requiring aid from outside agencies.

CIM's Crisis Response Team responded effectively, but was hampered by conflicting communications.

The Crisis Response Team took about two hours to deploy from the time the riot was first reported during which the team's members traveled from home, obtained emergency equipment, participated in a situation briefing, and conducted a rescue operation. The team's subsequent activities were delayed for 45 minutes by conflicting orders given by different personnel at the scene.

CIM's Crisis Response Team (CRT) is a group of officers specially trained and equipped to respond to high-risk situations, such as inmate riots. In response to the riot, CIM requested assistance from other state prisons in the region. CIM deployed its CRT, which was later

reinforced by CRT members from California State Prison, Los Angeles County and the Richard J. Donovan Correctional Facility in San Diego County.

The CRT initially deployed at 10:35 p.m. and within minutes successfully rescued unharmed a correctional officer who had secured himself with 16 inmate workers inside the RC West kitchen. The CRT's tactical operations after the kitchen rescue were delayed due to conflicting orders. Following the kitchen rescue, the team received orders from the Emergency Operations Center (EOC), located in the prison's administration building, to clear the inmates from the Borrego Hall dormitory. Witnesses told the OIG that one of CIM's managers at the scene gave conflicting orders — redirecting the CRT from clearing Borrego Hall to another task. Upon receiving the manager's conflicting orders, a CRT team member contacted the EOC for confirmation of the new orders.

The CRT team waited approximately 45 minutes for confirmation until the field incident commander at RC West noted the team had not begun clearing Borrego Hall and ordered them to clear Borrego Hall as previously directed by the EOC. While the team was doing so, the manager separately questioned the field incident commander about not following the manager's order. The field incident commander responded by asserting his own authority under established emergency protocols and allowed the CRT to continue as he initially directed.

The conflicting orders and resulting delay likely would not have occurred if CIM had established an incident command post.

CIM's Emergency Operations Procedures specifically provide for an on-scene incident command post, stating, "in the event of a mass disturbance, the activation of a tactical command post near the site is essential for coordinating the efforts of on-site teams and maintaining direct contact with the EOC." CIM's Emergency Operations Procedures also establish the lieutenant on-duty at an incident scene as the designated field incident commander, responsible to the emergency commander in the EOC and responsible for controlling the disturbance and keeping the emergency commander apprised of the situation. Without the command post, the EOC and personnel at RC West worked independently and communicated with each other only minimally, thus allowing the manager's intervention to temporarily disrupt the CRT's operations until the field incident commander took charge pursuant to his designated role.

Recommendations

The Office of the Inspector General recommends that the California Department of Corrections and Rehabilitation share critical lessons from the CIM riot that have universal application to the state's other prisons to help them improve their own emergency operations plans. Universally applicable lessons from the CIM riot include information on identifying inmates who no longer have ID cards, and information on determining medical facilities with capacity to accept inmate patients.

The Office of the Inspector General further recommends that the California Institution for Men:

- Establish emergency operation procedures to assure that the institution can summon a

sufficient number of trained and properly equipped peace officers to transport or escort injured inmates to outside medical care facilities.

- Provide for direct communication between its Emergency Operations Center and community emergency service agencies by obtaining compatible radios and radio frequencies or having representatives of key agencies present in the EOC.
- Obtain field-deployable equipment capable of rapidly identifying inmates who have become separated from their ID cards. Such equipment should be capable of using any combination of fingerprints, iris scans, or facial photos
- Establish in emergency protocols a means to access the data system that shows real-time availability and location of local hospital beds to enhance efficient transfer of injured inmates.
- Develop procedures and contingencies for fire suppression activities in the vicinity of a lethal electrified fence.
- During emergency response training, emphasize the importance of establishing a tactical command post near the emergency scene and of respecting the chain of command established by the Emergency Operations Plan.

California Department of Corrections and Rehabilitation's response to the special report

STATE OF CALIFORNIA — DEPARTMENT OF CORRECTIONS AND REHABILITATION

ARNOLD SCHWARZENEGGER, GOVERNOR

OFFICE OF THE SECRETARY

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April 13, 2010

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

Dear Mr. Shaw:

This letter is being submitted in response to the Office of the Inspector General's (OIG) report titled *Special Report: August 2009 Riot at the California Institution for Men* (CIM), dated April 2010. During this review, the main concern the OIG identified was that the California Department of Corrections and Rehabilitation (CDCR) housed an unsuitable inmate population at CIM's West Facility. Specifically, the OIG noted the potential risks associated with housing reception center inmates in an open dormitory setting and for not alleviating the risky security conditions inherent in this dormitory design. To mitigate that risk in the future, CDCR intends to house general population inmates, those classified as level II, in the West Facility dorms per the established criteria set forth in the California Code of Regulations. However, it should be noted that 92 percent of the reception center population housed in the West Facility met the criteria for level I/II housing prior to the riot.

CIM has employed both past experiences and recommendations from outside agencies to improve its emergency operations and we appreciate and thank the OIG for recognizing the tremendous effort achieved during this crisis. First, CIM's medical staff, administration, and mutual aid responders medically evaluated over 1,100 inmates efficiently and effectively, lessening the fiscal impact to transport inmates to outside hospitals. Secondly, CIM and staff statewide rapidly transferred 1,154 displaced inmates to other facilities within 3 days with little to no disruptions to the daily operations of CDCR. And thirdly, the overwhelming response from community emergency service agencies allowed CDCR officers to concentrate on containing the riot, resulting in an effective emergency response. While we recognize the lessons learned from this and prior emergency operations, we feel all those involved should be highly praised for this coordinated effort. We would like to commend CIM staff, CDCR staff statewide, and those local fire and law enforcement agencies that responded to the riot.

We would like to thank the OIG for your continued professionalism and guidance in the CDCR's efforts to improve its operations. All deficiencies identified will be evaluated and 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,


SCOTT KERNAN
Undersecretary, Operations



SPECIAL REPORT

AUGUST 2009 RIOT AT THE
CALIFORNIA INSTITUTION FOR MEN

OFFICE OF THE INSPECTOR GENERAL

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STATE OF CALIFORNIA
APRIL 2010

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