



March 14, 2006

Jeanne Woodford, Secretary (A)  
California Department of Corrections and Rehabilitation  
1515 S Street, Room 502 South  
Sacramento, California 95814

Dear Secretary Woodford:

Enclosed is the Office of the Inspector General's report entitled "Special Review: Improper Housing of Maximum Custody Inmates at California State Prison Reception Centers."

The special review found that despite new procedures implemented by the department, potentially dangerous maximum custody inmates returning to the custody of the department are still slipping through the screening process at reception centers and ending up in the general population. Furthermore, the Office of the Inspector General found that the new procedures implemented by the department may cause inmates who could be safely placed in the general population to be initially assigned to more expensive administrative segregation housing.

The special review found that the department could more effectively prevent maximum custody inmates from being improperly assigned to general population housing — and avoid placing inmates in administrative segregation unnecessarily — by simply changing the coding in its Distributed Data Processing System to clearly identify inmates who need, or do not need, administrative segregation if they return to custody after paroling. The report makes a total of 13 recommendations for correcting deficiencies related to this issue.

The department's written response to the special review appears as an attachment to the report.

Thank you for the cooperation extended to my staff during the course of this review.


Sincerely,

A handwritten signature in black ink that reads "Matthew L. Cate".

MATTHEW L. CATE  
Inspector General

Enclosure

cc: Joe McGrath, Chief Deputy Secretary, Adult Operations, California Department of Corrections and Rehabilitation

  
*Arnold Schwarzenegger, Governor*

# **OFFICE OF THE INSPECTOR GENERAL**

**MATTHEW L. CATE, INSPECTOR GENERAL**



## **SPECIAL REVIEW: IMPROPER HOUSING OF MAXIMUM CUSTODY INMATES AT CALIFORNIA STATE PRISON RECEPTION CENTERS**

**MARCH 2006**

**STATE OF CALIFORNIA**

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## EXECUTIVE SUMMARY

This report presents the results of a special review conducted by the Office of the Inspector General into the improper placement of maximum custody inmates into general population housing at state prison reception centers. The review grew out of an earlier review by the Office of the Inspector General into the circumstances surrounding the January 10, 2005 fatal stabbing of Correctional Officer Manuel A. Gonzalez, Jr. by an inmate at the California Institution for Men reception center. That review, which was issued in March 2005, determined that the accused assailant was a maximum custody inmate who, despite a long history of in-prison violence, had been placed in a general population cell instead of in segregated housing. As a result of the review, the Office of the Inspector General recommended that inmates who return to prison after paroling from a security housing unit — and who are therefore designated “maximum custody” inmates — be placed in administrative segregation pending review by an institutional classification committee. The Department of Corrections and Rehabilitation issued a memorandum on August 1, 2005 implementing that recommendation and directing reception centers to use the statewide Offender Based Information System to identify inmates who paroled from security housing units or other segregated housing when they return to prison.

In late August 2005, the Office of the Inspector General returned to the California Institution for Men to assess the institution’s progress in correcting deficiencies identified in the earlier review, including the improper placement of maximum custody inmates in the general population. During that August visit, the Office of the Inspector General found 30 maximum custody inmates still assigned to general population housing. Although further review determined that some of the inmates had been evaluated and found to be safe for the general population, one of the 30 inmates was found to have a history of violent behavior similar to that of the inmate accused in the fatal attack on Officer Gonzalez. Under the newly mandated procedures, the inmate should have been automatically placed in administrative segregation when he arrived at the institution. The Office of the Inspector General found the presence of that inmate and other maximum custody inmates in the general population at the facility to be attributable in part to errors by the institution staff, but also to problems in using the Offender Based Information System as a screening mechanism for maximum custody inmates returning to prison.

As a result of that assessment, the Office of the Inspector General undertook the present special review to determine whether the state’s other prison reception centers are inadvertently placing maximum custody inmates in general population housing despite the procedures mandated by the department on August 1, 2005. The review covered six of the state’s reception centers, which together serve 52 of the state’s 58 counties and in 2004 received 125,422 male inmates — 79 percent of the state’s incoming male inmate population.

The review determined that despite the new procedures, large numbers of potentially dangerous maximum custody inmates are still slipping through the screening process and ending up in the general population. The Office of the Inspector General identified 66 maximum custody inmates at five of the reception centers who should have been in administrative segregation but instead were housed with general population inmates. In contrast to the other five institutions, the sixth reception center reviewed, the Richard J. Donovan Correctional Facility, was found to have no maximum custody inmates improperly assigned to general population housing. The Office of the Inspector General determined that that institution had been successful at preventing maximum custody inmates from being inadvertently assigned to the general population because it had instituted additional procedures to supplement those mandated by the department.

As illustrated by the attack on Officer Gonzalez in January 2005, placing potentially violent maximum custody inmates in general population housing endangers institution safety. In examining reception center records during the course of this review, the Office of the Inspector General identified four compelling examples of maximum custody inmates improperly assigned to the general population who had been involved in violent incidents during the relatively short time they had been at the reception centers. Two of the four inmates had attacked correctional officers and one had attempted to murder another inmate in a violent stabbing attack.

Given the thousands of returning parolees who pass through the state's reception centers each year — and the danger posed by even one improperly placed maximum custody inmate — the large number of maximum custody inmates found in general population housing in this snapshot-in-time review suggests a significant problem. The review determined that in some instances, the incorrect placements of maximum custody inmates were attributable to mistakes by the reception centers. This was particularly true at Wasco State Prison, where the staff erred in the placement of 35 maximum custody inmates and at North Kern State Prison, where the staff erred in 10 cases. But the review also determined that problems in using the Offender Based Information System as a screening mechanism are substantial enough that even if institutions carried out the procedures flawlessly, a significant number of maximum custody inmates would still be inadvertently assigned to the general population.

The Office of the Inspector General also found that, in addition to failing to prevent potentially dangerous maximum custody inmates from being placed in general population housing, the new procedures may cause inmates who could be safely placed in the general population to be assigned to administrative segregation unnecessarily until the central file arrives and is reviewed by the classification committee—a process that can take up to five weeks. The inmates affected are those who were placed in administrative segregation at a paroling institution for their own protection or for other reasons not attributable to misconduct. Placing these inmates in administrative segregation contributes to an overuse of expensive administrative segregation housing, which adds \$12,853 a year in custodial and medical staffing costs alone over the cost of housing the same inmate in the general population.

The Office of the Inspector General found that the department could more effectively prevent maximum custody inmates from being improperly assigned to general population housing — and avoid placing inmates in administrative segregation unnecessarily — by simply changing the coding system for maximum custody inmates in its Distributed Data Processing System to clearly identify inmates who need, or do not need, administrative segregation if they return to custody after paroling. Institutional classification committees could designate the coding at the hearings they already conduct whenever an inmate is assigned to or retained in segregated housing. The coding could be altered if subsequent review by the institutional classification committee indicates a change in circumstances. The coding system could be modeled after the highly effective coding system the department already uses to identify inmates who require single-cell housing. That system designates such inmates with an “S” code in the Distributed Data Processing System and also includes a lock-out feature to prevent “S” code inmates from being mistakenly assigned to a cell with another inmate. A similar lock-out system could be used to prevent inmates who need to be placed in administrative segregation from being inadvertently assigned to the general population.

The “S” coding system has a significant added benefit — unlike the rest of the information in the Distributed Data Processing System, which is not available until 24 hours after the inmate arrives at the reception center, the database containing the “S” codes is available at the time the inmate arrives. Coding for maximum custody inmates could also be made available immediately upon the inmate’s arrival at the reception center.

Although the Department of Corrections and Rehabilitation took immediate corrective action upon learning of the improperly housed maximum custody inmates identified in this review, the systemic problems identified require additional action. In addition to recommending that the department implement the coding system as described above, the Office of the Inspector General has presented additional recommendations to address the systemic deficiencies described in this report.

## INTRODUCTION

This report presents the results of a special review by the Office of the Inspector General into the housing placement of maximum custody inmates at state prison reception centers. The review was conducted under the authority of California Penal Code section 6126, which assigns the Office of the Inspector General responsibility for oversight of the Department of Corrections and Rehabilitation.

## BACKGROUND

The Department of Corrections and Rehabilitation operates 11 reception centers for adult male and female felons at prisons throughout the state. The reception centers are located at: San Quentin State Prison; the California Institution for Men; High Desert State Prison; Wasco State Prison; North Kern State Prison; the Richard J. Donovan Correctional Facility; the California Correctional Institution; the Central California Women's Facility; the California Institution for Women; Valley State Prison for Women; and Deuel Vocational Institution.

The reception centers serve as entry points into the state prison system for offenders newly sentenced to prison and for parolees and former inmates returning to prison after violating parole or committing new crimes. They also serve as transfer centers for inmates being moved from one institution to another. As such, the central function of the reception centers is to receive, hold, process, and transfer inmates to other facilities.

Each year, thousands of inmates pass through the state's reception centers, a large percentage of them parolees returning to prison after either violating parole or committing new crimes. In 2004, the reception centers received 173,437 inmates, including 48,408 who were newly committed to prison, and 62,108 who were returning parolees.

Department of Corrections and Rehabilitation policies call for reception centers to follow special procedures in handling returning parolees who were confined to segregated housing units at the time they paroled. The procedures result from the fact that such inmates have been found in the past to require separation from general population inmates because they posed a safety or security threat. Until recently, department policy allowed reception centers discretion in deciding whether such inmates should be confined in administrative segregation when they re-enter the prison system. Often the reception centers made that decision based in part on an interview in which the inmate was asked why he had been assigned to segregated housing at the paroling institution, with the soundness of the decision resting on the inmate's truthfulness. In August 2005, however, the department tightened the rules to require that reception centers automatically confine inmates who return to prison after paroling from segregated housing in administrative segregation pending further evaluation.

Segregated housing in state correctional institutions consists of two types: Segregated housing program units and administrative segregation units. Segregated housing program units, in turn, are comprised of security housing units, psychiatric services units, and protective housing units.

***Segregated program housing units.*** California Code of Regulations, Title 15, section 3341.5, which covers segregated program housing units, provides in pertinent part:

*Special housing units are designated for extended term programming of inmates not suited for general population. [Emphasis added].*

Title 15 further defines the use and purpose of segregated program housing units as follows:

- ***Security housing units.***<sup>1</sup> Title 15, section 3341.5(c) provides for “an inmate whose conduct endangers the safety of others or the security of the institution” to be housed in a security housing unit. Inmates may be placed in a security housing unit for either a *determinate* or an *indeterminate* term. Inmates sentenced to a *determinate* term in security housing units are those who have been found guilty through a formal disciplinary process to have committed one or more of specified serious offenses ranging from murder to threatening institution security. Title 15, section 3341.5(c)(2), in contrast, specifies an *indeterminate* security housing unit term for validated prison gang members and associates, who are deemed “a severe threat to the safety of others or the security of the institution.”
- ***Psychiatric services units.*** Psychiatric services units provide mental health services in a maximum-security setting to inmates serving security housing unit terms who have diagnosed psychiatric disorders and whose conduct threatens the safety of the inmate or others.<sup>2,3</sup>
- ***Protective housing unit.*** California Code of Regulations, Title 15, section 3341.5(a) provides for an inmate whose safety would be endangered by placement

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<sup>1</sup> The department operates three security housing units with a present population of approximately 2,870 inmates. The units are located at the California Correctional Institution, California State Prison, Corcoran, and Pelican Bay State Prison.

<sup>2</sup> California Code of Regulations, Title 15, section 3341.5(b) and the California Department of Corrections and Rehabilitation Operations Manual both use the term “psychiatric management unit” instead of “psychiatric services unit.” According to the department, psychiatric management units were discontinued in 1999.

<sup>3</sup> The department presently operates two psychiatric services units with a total of 256 beds at Pelican Bay State Prison and California State Prison, Sacramento. An additional 64 beds are planned in 2006.



in the general population to be placed in the protective housing unit under specified conditions. The unit is intended for inmates of high notoriety.<sup>4</sup>

***Administrative segregation units.*** Like inmates in segregated program housing units, inmates assigned to administrative segregation are those who have also been found to require separation from the general population. But unlike inmates serving determinate terms in a security housing unit, inmates in administrative segregation units may or may not have been found guilty through a disciplinary process of having committed a serious offense. California Code of Regulations, Title 15, section 3335(a) defines the reasons for placement in administrative segregation as follows:

*When an inmate's presence in an institution's general inmate population presents an immediate threat to the safety of the inmate or others, endangers institution security or jeopardizes the integrity of an investigation of an alleged serious misconduct or criminal activity, the inmate shall be immediately removed from general population and be placed in administrative segregation. [Emphasis added].*

Because only three of the state's male prisons have security housing units, inmates may be retained in administrative segregation to serve a security housing unit term at an institution that does not have a security housing unit. Inmates may also be put in administrative segregation pending the outcome of a disciplinary proceeding that could result in a security housing unit term and may be retained in administrative segregation if, when the decision is rendered, the time remaining on the security housing unit term is too short to justify a transfer to another prison. Inmates also may be placed in administrative segregation pending an investigation into misconduct by others, or for protection because of a drug debt, gang rivalry, or the presence of an enemy at the institution.

In accordance with the *California Department of Corrections and Rehabilitation Operations Manual*, an order to place an inmate in administrative segregation is generally issued by a lieutenant and must be reviewed and approved within two working days by a captain. The captain may return the inmate to the general population at any time during the ten day period following the initial placement.

Under California Code of Regulations, Title 15, section 3335, an inmate's retention or release from administrative segregation must be authorized within ten days of placement by an institutional classification committee, which is chaired by the warden or chief deputy warden and which constitutes the highest classification committee at an institution. The committee bases its decisions in administrative segregation and security housing unit cases on the results of classification hearings. The institutional classification committee hearing may result in retaining the inmate in administrative segregation, assigning the inmate to a segregated program housing unit, releasing the inmate to the general population, or transferring the inmate to another institution.

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<sup>4</sup> The department operates only one protective housing unit, located at California State Prison, Corcoran. The unit has a present population of 34 inmates.

*California Department of Corrections and Rehabilitation Operations Manual*, section 47130.4 requires the results of the institutional classification committee hearing to be immediately entered into a department-wide database—the Distributed Data Processing System—which tracks inmate location, custody level, and classification scores.

***Special procedures for returning inmates who paroled from segregated housing units.*** In recognition of the potential dangers posed by inmates who paroled from segregated housing, reception centers have long been required to follow specified procedures in handling those inmates if they return to prison. California Code of Regulations, Title 15, section 3341.5(c)(8) requires those who paroled from a determinate sentence in a security housing unit to be evaluated by an institutional classification committee if they return to prison to determine whether the security housing sentence should be re-imposed. Section 3342.5(c)(8) reads:

*When an inmate is paroled while serving a determinate term, the remaining time on the term is automatically suspended. When an inmate returns to prison, either as a parole violator or with a new prison commitment, ICC shall evaluate the case for reimposition of the suspended determinate term.*

Although Title 15 does not require a similar procedure for inmates returning to custody after paroling from indeterminate sentences in segregated housing, it does provide that inmates assigned to a security housing unit at an institution for either a determinate or indeterminate term may be released to the general population only upon review by an institutional classification committee.

***Department records include each inmate's housing history.*** Information about whether an inmate was previously confined in segregated housing appears in both the Offender Based Information System and the Distributed Data Processing System, as well as in each inmate's central file. The Offender Based Information System, which reports the inmate's most recent prison housing before he or she paroled or discharged from custody, is usually available to the reception center staff at the time the inmate arrives at the institution. The Distributed Data Processing System, which gives the inmate's placement score and custody level at the time of parole, is available the day after the inmate arrives at the institution. The inmate's central file, which contains detailed information about past in-custody conduct, enemies, and other classification information, including housing history, usually becomes available to classification staff at the reception center between one and five weeks after the inmate's arrival.

***The Gonzalez stabbing.*** In a special review into the fatal stabbing of Officer Manuel Gonzalez by an inmate on January 10, 2005 at the California Institution for Men, the Office of the Inspector General found that the accused assailant had been housed in the general population even though he had paroled with an indeterminate security housing unit term because of a long documented history of in-prison violence. As a result of that review, which was released in March 2005, the Office of the Inspector General recommended that the California Institution for Men use the Offender Based Information System to screen incoming inmates and assign to administrative segregation those who

paroled from an indeterminate security housing unit term or who had a history that otherwise merited such placement. The Office of the Inspector General also recommended that Title 15 be amended to mandate that an offender returning to prison either on a parole violation or with a new commitment after paroling from a security housing unit be placed in administrative segregation pending evaluation by the institutional classification committee.

Consistent with those recommendations, on August 1, 2005, the Department of Corrections and Rehabilitation issued a directive in the form of a memorandum addressed to all associate directors, wardens, and appropriate reception center staff in the Division of Adult Institutions requiring such a procedure. The directive provided as follows:

*In order to ensure the safety of staff and inmates, a thorough case factor review shall be conducted on all inmates who paroled from a segregated housing unit prior to placement back into a non-segregated setting. When inmates are returned to the California Department of Corrections and Rehabilitation as either Parole Violator Returned to Custody or a Parole Violator With a New Term, Reception Center (RC) staff shall complete an Offender Based Information System query as soon as practical to determine if those inmates paroled from a General Population, Administrative Segregation Unit (ASU) or Security Housing Unit (SHU)/Psychiatric Services Unit (PSU). Inmates who have paroled from segregated housing shall be immediately placed in ASU pending review by the Institutional Classification Committee (ICC) to determine if continued placement in segregated housing is warranted.<sup>5</sup>*

The new requirement replaced earlier procedures that allowed reception centers discretion about whether to place returning inmates who paroled from segregated housing into administrative segregation.

***Reception center procedures for assigning returning parolees to housing.*** In summary, department procedures now require reception centers to adhere to the following general procedures:

- When a returning parolee arrives at the reception center, the reception center staff reviews the Offender Based Information System to determine whether the inmate paroled from segregated housing.
- If the Offender Based Information System indicates that the inmate did parole from segregated housing, the inmate is placed in administrative segregation pending review by the institutional classification committee.
- If the Offender Based Information System indicates that the inmate did not parole from segregated housing and if he would otherwise be placed in the general

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<sup>5</sup> The August 1, 2005 directive omitted reference to the protective housing unit located at California State Prison, Corcoran, even though segregated housing includes that unit as well as psychiatric services units and security housing units.

population, the reception center staff interviews the inmate to determine whether he should be placed in administrative segregation because of gang-related issues or other safety concerns.

- When the central file of an inmate assigned to administrative segregation arrives, the institutional classification committee determines on the basis of that information whether the inmate can be reassigned to the general population.
- Following that determination, the inmate is either immediately released from administrative segregation and reassigned to the reception center general population for processing, or retained in administrative segregation.

### **OBJECTIVES, SCOPE, AND METHODOLOGY**

The purpose of the Office of the Inspector General's special review was to determine whether state prison reception centers are assigning inmates who return to prison after paroling from segregated housing — and who are therefore designated “maximum custody” — to general population housing in violation of existing policy and the department's August 1, 2005 directive, and, if so, to identify the reasons for the deficiencies. The review was performed between September 6, 2005 and January 10, 2006.

In performing the review, the Office of the Inspector General conducted the following procedures:

- Obtained a state-wide download from the Department of Corrections and Rehabilitation's Distributed Data Processing System, representing a snapshot of inmate data as of October 14, 2005 at approximately 4 p.m. The download provided data on 158,918 adult prison inmates.
- Developed a query of the Distributed Data Processing System to identify inmates designated maximum custody at six state prison reception centers: San Quentin State Prison; Deuel Vocational Institution; Wasco State Prison; North Kern State Prison; the California Correctional Institution; and the Richard J. Donovan Correctional Facility.
- Identified administrative segregation housing units at each of the six reception centers to determine whether inmates designated in the Distributed Data Processing System as maximum custody were housed in the general population instead of in administrative segregation. The procedure revealed that 240 maximum custody inmates were assigned to the general population. The Office of the Inspector General eliminated from the total inmates who had arrived at the reception center before the August 1, 2005 department directive, which left a total of 176 maximum custody inmates shown as assigned to the general population.

- In the three weeks immediately following October 14, 2005, conducted site visits at the six reception centers represented in the October 14, 2005 download.
- At each of the reception centers shown in the Distributed Data Processing System to have maximum custody inmates assigned to general population housing, obtained printouts from the Offender Based Information System using the cumulative movement history query to identify inmates who paroled from an administrative segregation unit or segregated housing unit.
- Reviewed central files and other relevant documents to determine whether inmates had been appropriately placed in administrative segregation upon arrival at the reception center. The records reviewed included the following:
  - Chronological history (CDC-112)
  - Custody classification - assignment (CDC-262)
  - Administrative segregation unit placement notice (CDC-114D)
  - Security housing unit term assessment worksheet (CDC-629)
  - Classification chronos (CDC-128G)
  - Initial housing review (CDC-1882)
  - Rules violation reports (CDC-115)
  - Incident reports (CDC-837)
- Reviewed incident logs, rules violation reports (CDC-115), incident reports (CDC-837), administrative segregation unit placement forms (CDC-114), return-to-work coordinators' logs, and other documents to identify any violent or potentially violent incidents involving maximum custody inmates who had not been placed in administrative segregation when they arrived at the reception center. Violent or potentially violent incidents were defined as murder, attempted murder, battery on staff, battery on an inmate, possession of a weapon, or mutual combat with significant injuries.
- Analyzed the data gathered and developed conclusions.

## FINDING AND RECOMMENDATIONS

**The Office of the Inspector General found numerous potentially dangerous maximum custody inmates still assigned to general population housing at prison reception centers throughout the state. At the same time, the newly instituted procedures may cause inmates who could be safely assigned to the general population to be unnecessarily placed in administrative segregation.**

Despite procedures now in effect requiring reception centers to place returning maximum custody inmates into administrative segregation, large numbers of potentially dangerous maximum custody inmates are still slipping through the screening process and ending up in the general population. In an October 2005 statewide review, the Office of the Inspector General identified 66 maximum custody inmates at five of the state's reception centers who should have been placed in administrative segregation but instead were housed with general population inmates.

Improper placement of maximum custody inmates threatens the safety of both staff and inmates. In reviewing records at the institutions, the Office of the Inspector General selected four examples of maximum custody inmates improperly assigned to general population who had been involved in violent incidents during the relatively short time they had been at the reception centers. Two of the four inmates had attacked correctional officers and one had attempted to murder another inmate in a violent stabbing attack. In stark contrast to the other five institutions, the sixth reception center covered in the review, the Richard J. Donovan Correctional Facility, was found to have no maximum custody inmates improperly assigned to general population housing. The review determined that the institution has been successful at screening maximum custody inmates because it has instituted additional procedures beyond those required by the department.

In addition to not consistently ensuring that potentially violent maximum custody inmates returning to prison are assigned to administrative segregation, the procedures now in effect may cause maximum custody inmates who could be safely assigned to the general population to be placed in expensive administrative segregation beds unnecessarily.

Implementing a new coding designation in the Distributed Data Processing System to clearly identify maximum custody inmates who need — or do not need — administrative segregation if they return to prison could solve both problems.

***Assessment of corrective action at the California Institution for Men.*** On August 30 and 31, 2005, the Office of the Inspector General visited the California Institution for Men to assess the institution's progress in correcting the deficiencies identified in the March 2005 special review into the death of Correctional Officer Manuel A. Gonzalez, Jr., including the improper placement of maximum custody inmates in the general population. During that assessment, the Office of the Inspector General determined that 30 inmates who were designated maximum custody in the Distributed Data Processing

System were housed in the institution's general population. Further review determined that the institution had re-evaluated some of the 30 inmates and found them to be appropriate for the general population and simply had not changed the maximum custody designation in the computer system. Others, however, were maximum custody inmates who had slipped through the initial screening process and should not have been placed in the general population. One of those was a maximum custody inmate with a history of violent behavior similar to that of the inmate accused in the fatal attack on Officer Gonzalez. The errors occurred despite the August 1, 2005 directive from department management mandating that inmates who paroled from segregated housing immediately be placed in administrative segregation when they arrive at the reception center pending review by an institutional classification committee. The presence of the maximum custody inmates in the general population at the reception center appeared to be attributable both to errors by the reception center staff and to problems in using the Offender Based Information System as the sole means by which to identify inmates who paroled from segregated housing.

***Statewide review of maximum custody inmates at reception centers.*** As a result of the problems identified at the California Institution for Men, the Office of the Inspector General conducted this statewide special review to determine whether the state's other reception centers are improperly assigning maximum custody inmates returning from parole to general population housing. The review examined six of the state prison reception centers — San Quentin State Prison, Deuel Vocational Institution, Wasco State Prison, North Kern State Prison, the California Correctional Institution, and Richard J. Donovan Correctional Facility.<sup>6</sup> Together, these reception centers serve 52 of the state's 58 counties and in 2004 received 125,422 male inmates — 79 percent of the state's incoming male inmate population.

As described in the objectives, scope and methodology section of this report, an October 14, 2005 download and query of information in the Department of Corrections and Rehabilitation's Distributed Data Processing System identified 176 maximum custody inmates who had arrived at the reception centers after the August 1, 2005 directive, but who, on the day of the download, were assigned to general population housing. The Office of the Inspector General reviewed the records of those inmates and determined that 110 of the 176 had not paroled from segregated housing even though the Distributed Data Processing System identified them as maximum custody inmates. These were inmates for whom the maximum custody designation was not removed after the inmate was placed in segregated housing—either before parole or at the reception center — and was later returned to the general population.<sup>7</sup> The maximum custody designation for

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<sup>6</sup> The state's other four reception centers were not included in the review. The three women's institutions —the Central California Women's Facility, the California Institution for Women, and Valley State Prison for Women—were not included because women's facilities have a relatively small reception center inmate population. High Desert State Prison was excluded because of its remote location in the far northeast corner of the state and its relatively small reception center inmate population — 504 inmates as of February 9, 2006 compared to an average population of 3,526 at the six reception centers included in the review.

<sup>7</sup> This is a common practice at reception centers because reception center inmates are technically "unclassified" until the central files arrive and processing is complete. Department policy does not require

those inmates was therefore inaccurate and the inmates were properly assigned to the general population.

The Office of the Inspector General confirmed, however, that the remaining 66 maximum custody inmates had paroled from segregated housing, but had not been placed in administrative segregation when they arrived at the reception center. Under the August 1, 2005 directive, these inmates should not have been assigned to the general population.

The table below summarizes the results of the Office of the Inspector General’s review.

**Table 1**  
**Returning Maximum Custody Inmates Improperly Placed in**  
**General Population Housing**

Reception Center	Inmates Designated Maximum Custody Assigned to General Population		
	Total	Inaccurate Maximum Custody Designation	Improperly Placed Maximum Custody Inmates
Wasco State Prison	69	30	39
North Kern State Prison	23	10	13
Deuel Vocational Institution	71	61	10
California Correctional Institution	10	7	3
San Quentin State Prison	3	2	1
R.J. Donovan Correctional Facility	0	0	0
<b>TOTAL</b>	<b>176</b>	<b>110</b>	<b>66</b>

As shown in Table 1, the reception center with the largest number of improperly placed maximum custody inmates was Wasco State Prison, with 39 maximum custody inmates in the reception center general population. North Kern State Prison reception center had 13 maximum custody inmates improperly placed in the general population; Deuel Vocational Institution had 10; the California Correctional Institution reception center had three; and the San Quentin State Prison reception center had one.

The large number of maximum custody inmates improperly assigned to general population housing in this snapshot-in-time download of October 14, 2005 suggests a significant problem, given the thousands of returning parolees who pass through the

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reception centers to remove maximum custody designations entered into the Distributed Data Processing System either before an inmate paroled or after an inmate is released from segregated housing at the reception center. As a result, maximum custody designations for inmates undergoing reception center processing may be inaccurate.



state's reception centers each year. Although the Office of the Inspector General and the Department of Corrections and Rehabilitation took immediate action with respect to the 66 maximum custody inmates found to be assigned to general population housing in this review, the systemic problems identified require additional analysis and action.<sup>8</sup>

***The dangers of placing maximum custody inmates in the general population.*** As the fatal stabbing of Officer Gonzalez at the California Institution for Men illustrated, placing maximum custody inmates in general population housing endangers prison safety. Maximum custody inmates are so-designated because an institutional classification committee at some time in the past found they required separation from general population inmates, often for reasons of violent behavior.

To help assess the dangers of placing maximum custody inmates in the general population instead of administrative segregation, the Office of the Inspector General examined incident logs and other records at the five institutions in question. In that examination, the Office of the Inspector General identified numerous instances in which maximum custody inmates who had been improperly assigned to general population housing under either the August 1, 2005 directive or requirements governing inmates with unexpired determinate security housing unit terms had been involved in violent incidents at the reception center. Following are four compelling examples:<sup>9</sup>

- ***Attack on correctional officers.*** A maximum custody inmate in the general population at Wasco State Prison injured three correctional officers by striking them in the head with his fist. The attacks occurred on January 9, 2006, only three days after the inmate arrived at the reception center. The inmate had been sent to Wasco State Prison to serve a 16-month term for battering a correctional officer during a previous incarceration, also at Wasco State Prison, and was placed in administrative segregation following that incident. The inmate's records also show that between November 2004 and January 2006, he had been placed in a security housing unit at Corcoran State Prison; had been confined in the California Medical Facility for psychiatric treatment; and had been retained as a mentally disordered offender at Atascadero State Hospital after paroling in July 2005. He was placed in the general population when he arrived at the Wasco State Prison on January 6, 2006, even though court documents available to the reception center when the inmate arrived clearly showed that he had previously assaulted a correctional officer.

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<sup>8</sup> After being alerted by the Office of the Inspector General, the Department of Corrections and Rehabilitation immediately removed eight inmates from general population housing and placed them in administrative segregation. Additional corrective action taken by the Department of Corrections and Rehabilitation upon learning of the maximum custody inmates found to be in general population housing is described in an appendix to this report.

<sup>9</sup> The four inmates selected as examples from the review of incident records were not necessarily among the 66 improperly placed maximum custody inmates identified from the October 14, 2005 download of the Distributed Data Processing System. These four inmates were identified during subsequent site visits to the institutions.

- ***Attempted murder of another inmate.*** A maximum custody inmate in the general population who had arrived at the California Correctional Institution reception center on May 10, 2005, attempted to murder another inmate on July 12, 2005 by stabbing him numerous times with an inmate-manufactured weapon. The inmate had a history of violent in-prison assaults on inmates and staff and had paroled on April 13, 2003 from the administrative segregation unit at the California Institution for Men, where he had been placed for assaulting another inmate with a weapon. Despite that history, he was placed in the general population when he arrived at the California Correctional Institution reception center.
- ***Violent attack on other inmates.*** A maximum custody inmate at Wasco State Prison, who had arrived at the reception center on September 14, 2005, was involved in a fight with another inmate on September 22, 2005 and on October 20, 2005, was involved in a gang-related group attack on two other inmates. The inmates who were attacked sustained puncture wounds, cuts, and abrasions. The inmate had served four previous terms in security housing units for attacking inmates at other institutions and had paroled from the administrative segregation unit at Wasco State Prison on February 16, 2005. He nonetheless had been placed in the general population at the Wasco State Prison reception center.
- ***Fighting with officers.*** A maximum custody inmate at Wasco State Prison, who had arrived at the reception center on September 12, 2005, was involved in a scuffle with two correctional officers six days later, on September 18, 2005. During the incident, the inmate grabbed one officer's arm and struck him on the bicep. The inmate and both officers were exposed to pepper spray as a result of the incident, with the officers requiring medical attention because of the exposure. The inmate had paroled from the administrative segregation unit at California State Prison, Los Angeles County on July 14, 2005 while serving a security housing unit term for battery on a peace officer, but was placed in the general population at the Wasco State Prison reception center.

***Reasons for improper placement of maximum custody inmates in general population.***

The Office of the Inspector General identified two main types of errors that contributed to the improper placement of the 66 maximum custody inmates identified in this special review. In each case, either the information in the Offender Based Information System was inaccurate or the reception center staff did not act correctly upon the information. Table 2 on the following page reports the results of this analysis.

**Table 2**  
**Reasons for Improper Placement of Maximum Custody Inmates**

Reception Center	Reasons for improper placement of maximum custody inmates (Potentially dangerous inmates)		
	Total improperly placed Inmates	OBIS information was inaccurate	Staff did not act correctly on the OBIS information
Wasco State Prison	39	4	35
North Kern State Prison	13	3	10
Deuel Vocational Institution	10	1	9
California Correctional Institution	3	1	2
San Quentin State Prison	1	0	1
R.J. Donovan Correctional Facility	0	0	0
<b>TOTAL</b>	<b>66</b>	<b>9</b>	<b>57</b>

***The Offender Based Information System is sometimes inaccurate.*** The Office of the Inspector General found several instances in which an inmate’s central file showed that he paroled from segregated housing, yet the Offender Based Information System failed to report that fact. These errors occurred because the staff at the paroling institution failed to enter the correct information into the system. As a result, the Offender Based Information System shows that the inmate paroled from the general population, while the central file and other records show that a classification committee retained the inmate in segregated housing until he paroled. As shown in Table 2, nine of the 66 cases reviewed had this error.

***Staff did not act correctly on information in the Offender Based Information System.*** The Office of the Inspector General found that in 57 of the 66 cases, the reception center staff failed to immediately place the inmate in administrative segregation even though the Offender Based Information System showed that the inmate paroled from segregated housing and the department’s August 1, 2005 directive required such placement. In some cases, the inmate’s previous placement in segregated housing was obvious. In other cases, the previous placement was less obvious. For example, an inmate requiring high control parole supervision following release from administrative segregation or segregated housing may be transferred to an institution closer to his parole location to facilitate release directly to the parole agent. In such cases, instead of reporting that the inmate paroled from segregated housing, the Offender Based Information System may omit the administrative segregation information and report that the inmate paroled from the second institution, implying release from the general population.

**Other contributing factors.** The Office of the Inspector General identified the following additional factors that may have led to the improper placement of maximum custody inmates in general population housing:

- ***Segregated housing units not identified in Offender Based Information System.***  
The reception center staff may not know that an inmate paroled from segregated housing because the Offender Based Information System may simply give the name of a housing unit or facility without identifying it as segregated housing. For example, Palm Hall at the California Institution for Men is consistently used as an administrative segregation unit, but when an inmate paroled from that unit, the Offender Based Information System reports only that he paroled from “Palm” without designating the unit as segregated housing. The system also does not always identify administrative segregation overflow beds at the various prisons.
- ***Staff is inadequately trained in using the Offender Based Information System.***  
The reception center staff uses a standard query (termed a “cumulative movement history query”) to identify inmates who paroled from segregated housing. The query initially displays a single page showing the inmate’s most recent housing history, but the Office of the Inspector General found numerous instances in which that first page failed to show that an inmate paroled from segregated housing. To find that information, the staff must look further back into the inmate’s history and print additional pages—a cumbersome and time-consuming task that is not routinely performed. At Wasco State Prison, the tasks of printing the pages and screening the information are assigned to different staff members. This separation of duties compounds the potential for inadequate review of the information if the person printing the pages is unaware of the need to print additional information and the person screening the data does not realize the information is incomplete.
- ***Form used by the reception center staff is inadequate.*** The CDC-1882 Initial Housing Review form used by the reception center staff to screen inmates returning to custody does not include a field in which to record previous placement in administrative segregation or segregated housing. The Office of the Inspector General found that some institutions have modified the form to include such a field, but others have not. The lack of such a field increases the potential for the staff to err in identifying inmates who paroled from administrative segregation or a segregated housing unit. The form also lacks a field to provide the date on which the form was completed.
- ***Post orders at Wasco State Prison differ from the August 1, 2005 directive.***  
Department policy requires that post orders be accurate, complete, and concise, and that they be reviewed and updated annually. Yet, the post orders for the Wasco State Prison receiving and release sergeant, which were updated in September 2005, do not incorporate the requirement specified in the August 1,

2005 directive—that inmates who paroled from segregated housing be placed in administrative segregation upon return to custody.

- ***Operational procedures differ from the August 1, 2005 directive.*** For example, *Wasco State Prison Operational Procedure* Number WSP-001, which was revised in August 2005 and approved by the warden on September 1, 2005, provides as follows: “Inmates who have transferred from an ASU Unit or paroled from an ASU *normally* will be placed in WSP-RC ASU” [emphasis added]. The August 1, 2005 department directive, in contrast, *requires* such inmates to be immediately placed in administrative segregation.

***Richard J. Donovan uses an effective process to identify maximum custody inmates.***

The Office of the Inspector General found no maximum custody inmates improperly housed in the general population at the Richard J. Donovan Correctional Facility during either the initial statewide review on October 14, 2005 or in follow-up reviews. The reason is that the institution has implemented procedures beyond those required by the department for screening inmates returning to custody who may need placement in administrative segregation.<sup>10</sup> The procedures consist of the following:

- The receiving and release staff obtains Offender Based Information System printouts from the records office the day the inmate arrives. The on-duty watch commander or the receiving and release sergeant reviews the printouts and interviews the inmates. Any inmate identified as having paroled from either an administrative segregation unit or a security housing unit is issued a CDC 114-D administrative segregation unit placement notice and is placed in administrative segregation pending review by the institutional classification committee. According to the staff, there are no exceptions to the procedure that would allow them to bypass the administrative segregation placement.
- As a back-up check, a reception center counselor conducts a review the next day, using information from the Distributed Data Processing System to identify all maximum custody inmates who arrived the previous day. This process is effective because the Richard J. Donovan reception center makes a practice of systematically removing maximum custody designations when inmates are released from administrative segregation at the institution, thus ensuring that the system information is up to date. When a maximum custody inmate is identified from the back-up check of the Distributed Data Processing System, the facility staff is immediately notified and the inmate is placed in administrative segregation pending further review. The procedure includes a back-up staff member to take responsibility for this process when the primary staff member is absent.

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<sup>10</sup> At the time of this review, these procedures were not in written form. The institution subsequently formalized procedures governing maximum custody inmates returning to prison in operational procedure number 137, effective November 2005.

- To identify any maximum custody inmates missed in the first two checks, correctional counselors assigned to the reception center are trained to immediately notify facility staff when they find any inmate during subsequent processing whose behavioral history indicates the need for administrative segregation.

***Department does not require back-up procedures like those at Richard J. Donovan.***

The department's August 1, 2005 directive requires institutions to use the Offender Based Information System to identify maximum custody inmates returning to prison and to assign them to administrative segregation until the central file arrives and can be reviewed by the institutional classification committee. The directive does not require institutions to use the Distributed Data Processing System as a back-up check, as does the Richard J. Donovan Correctional Facility. The Distributed Data Processing System data, which is generally available 24 hours after the inmate arrives at the institution, shows the inmate's custody level, with a maximum custody designation signifying parole from segregated housing. The procedures used by Richard J. Donovan could be used by all reception centers to identify inmates who may have been improperly assigned to the general population. Although some institutions do not presently have the ability to generate the report identifying maximum custody inmates from the Distributed Data Processing System, they need only submit a request to headquarters to gain that capability as one of the options in the reports menu.

***Current procedures may cause unnecessary use of administrative segregation beds.*** In addition to failing to consistently prevent maximum custody inmates from being placed in general population housing, the procedures mandated in the department's August 1, 2005 memorandum also may cause inmates who could be safely housed in the general population to be assigned to administrative segregation unnecessarily. Affected are inmates who were assigned to administrative segregation at the paroling institution for reasons other than their own misconduct—such as protection from enemies or to preserve the integrity of an investigation. If those conditions no longer exist, such inmates may no longer need segregated housing. Yet, under procedures now in effect, those inmates would be automatically placed in administrative segregation at the reception center until the central file arrives and the classification committee reviews the case—a process that can take up to five weeks. The result may be an unnecessary use of administrative segregation beds, which, according to the Department of Corrections and Rehabilitation, cost an additional \$12,853 per year in custodial and medical staffing costs alone over the cost of housing the same inmate in the general population. The total additional cost, which includes the cost of providing an additional number of classification hearings, is even higher.

***Administrative segregation inmates may be targeted by other inmates.*** In addition to the added costs, there are other reasons to avoid placing inmates in administrative segregation unnecessarily. According to department staff, even though administrative segregation is intended to enhance safety and security— by providing protection for inmates who are at risk from other inmates and to isolate potentially dangerous inmates — inmates sent to administrative segregation nonetheless may be targeted by other

administrative segregation inmates because of gang rivalries or other issues. As a result, they may be attacked on the administrative segregation yard, by an administrative segregation cell-mate, or when they return to the general population.

***Inmates in administrative segregation are deprived of privileges.*** Placement in administrative segregation also deprives inmates of privileges afforded to general population inmates. Most general population inmates at reception centers eat meals in dayrooms and spend part of the day outside their cells on the exercise yard or undergoing processing. Administrative segregation inmates, in contrast, are confined to cells for all but ten hours a week when they are released for exercise.

***The Distributed Data Processing System could designate inmates needing separation.*** The Distributed Data Processing System provides a means of solving both the problem of inmates being assigned to administrative segregation unnecessarily and the failure of existing procedures to consistently place potentially dangerous maximum custody inmates in administrative segregation when they arrive at reception centers. The solution would involve modifying the custody designation codes to clearly designate maximum custody inmates who should be placed in administrative segregation if they return to custody and those who could be safely placed in general population housing. The system would be similar to an existing highly effective feature in the Distributed Data Processing System that prevents inmates who require single cells from being housed with a cell-mate.<sup>11</sup> That feature uses an “S” designation in the Distributed Data Processing System to identify inmates who require single-cell housing. Because the coding includes a lock-out feature, staff members assigning inmates to housing cannot inadvertently place an inmate with an “S” code into a cell with another inmate.

A review by the Office of the Inspector General of the single-cell coding system demonstrated its effectiveness. On September 15, 2005, the Office of the Inspector General queried the Distributed Data Processing System and obtained a download identifying 2,944 inmates statewide with the “S” designation. The review found that not a single inmate with an “S” designation had been improperly double-celled. The single-cell coding system has a significant added benefit — unlike the rest of the information in the Distributed Data Processing System, which is not available until 24 hours after the inmate arrives at the reception center, the database containing the “S” codes is available at the time the inmate arrives.

The department could implement a similar coding system to identify in the Distributed Data Processing System maximum custody inmates who need — or do not need — to be confined in administrative segregation if they return to prison. The existing code designation used for maximum custody inmates — MAX — could be modified to include additional information based on whether maximum custody inmates need — or do not need — to be confined in administrative segregation if they return to prison.

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<sup>11</sup> This feature appears in the “name verify database file,” which is updated on a continual overnight basis.

Institutional classification committees could make the coding evaluation at the initial and subsequent hearings already held when inmates are placed and retained in administrative segregation. The coding could be entered into the Distributed Data Processing System at the time of the initial hearing and could be re-evaluated and updated as needed at each subsequent hearing. For example:

- The institutional classification committee could use “MAX U” (meaning “unlock”) as the custody code for inmates who would not require placement in administrative segregation if they return to custody even if they were in administrative segregation at the time of parole. These would include inmates who may have been placed in administrative segregation because of a known enemy or other situation at the paroling institution, but who would be suitable for the general population at the reception center.
- The institutional classification committee could use “MAX L” (meaning “lock up”) as the custody code for inmates requiring administrative segregation placement if they return to custody. These would include inmates who paroled from the security housing unit, the psychiatric services unit, or the protective housing unit while serving indeterminate or unexpired determinate terms, as well as other inmates found to require separation from the general population.

The limitations to that change are that without further modification, the information generally would not be available until 24 hours after an inmate arrives at the institution and would not include a lock-out feature. But after the initial modification to the Distributed Data Processing System, additional enhancements could add a lock-out feature and could make the information available more quickly. Those enhancements would make the coding system for maximum custody inmates similar to the lock-out coding system for inmates needing single cells and would make the information available immediately upon the inmate’s arrival at the reception center.

Coding the Distributed Data Processing System to clearly identify returning inmates who have been designated by an institutional classification committee to be appropriate for the general population could more reliably ensure that potentially dangerous maximum custody inmates are placed in administrative segregation when they return to custody. The new procedures could also reduce the need for expensive administrative segregation beds at the reception centers and could save approximately \$1,000 per month for every inmate not placed in administrative segregation unnecessarily.

## **RECOMMENDATIONS**

**The Office of the Inspector General recommends that the California Department of Corrections and Rehabilitation take the following actions to address the problems identified in this report:**



- **Modify existing custody designations in the Distributed Data Processing System to differentiate maximum custody inmates who should be retained in administrative segregation if they return to custody from those who can be safely assigned to the general population. The institutional classification committee should assign the designations as part of the initial hearing already required at the paroling institution at the time an inmate is placed in segregated housing. The committee should change the designation when appropriate at subsequent classification hearings.**
- **Subsequent to implementation of the first recommendation, the department should consider enhancing the process by adding a lock-out feature and using the name verify database file to make the information available immediately upon the inmate's arrival at the reception center. The lock-out feature would prevent maximum custody inmates designated as needing administrative segregation from being inadvertently placed in general population housing. The new system would be similar to the one used for inmates needing single-cell housing and would make the information available at the time the inmate arrives at the reception center instead of 24 hours later.**
- **Amend California Code of Regulations, Title 15 and the *California Department of Corrections and Rehabilitation Operations Manual* as needed to implement the recommendations provided in this report.**
- **Amend California Code of Regulations, Title 15, section 3341.5(b) and *California Department of Corrections and Rehabilitation Operations Manual*, section 62050.12 to replace references to the psychiatric management unit with references to the psychiatric services unit.**
- **Revise department procedures to require that inmates returning to custody who paroled from a protective housing unit be automatically placed in administrative segregation pending review by an institutional classification committee.**
- **To help ensure that the Distributed Data Processing System reflects up-to-date information, require reception centers to promptly remove maximum custody designations in the Distributed Data Processing System when they release inmates from administrative segregation.**
- **Provide training to staff members responsible for entering data into the Offender Based Information System to ensure that information for inmates placed in administrative segregation or segregated housing is accurate.**

- **Provide training to staff members responsible for reviewing Offender Based Information System housing information to ensure that enough of the inmates' history is reviewed to make an accurate evaluation. The review must be thorough enough to accurately identify high-control maximum custody inmates who were transferred immediately before parole and should include printing and reviewing enough pages of the housing history to make a thorough evaluation.**
- **Modify the coding in the Offender Based Information System to clearly identify segregated housing. For example, replace "Palm Hall" with "ASU."**
- **Modify the CDC-1882 Initial Housing Review form to include fields showing previous segregated housing and the date the form is completed.**
- **Update receiving and release post orders and local operating procedures to be consistent with screening methods required by the August 1, 2005 directive or new screening methods subsequently developed.**
- **Designate and train appropriate staff members to immediately notify facility staff when they identify inmates during subsequent processing who should be placed in administrative segregation.**
- **Develop a standardized report in the Distributed Data Processing System to identify all maximum custody inmates at each reception center and ensure that each reception center uses the report every day to screen for maximum custody inmates improperly assigned to general population housing.**

**INITIAL CORRECTIVE ACTION TAKEN BY THE  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION**

The Inspector General alerted Department of Corrections and Rehabilitation management on October 21, 2005 that maximum custody inmates appeared to be improperly assigned to reception center general population housing units. The Office of the Inspector General provided the department with a list of maximum custody inmates at the reception centers. In response, department management held a conference call with the reception centers and directed them to immediately review the list. On October 25, 2005, the department completed its review and reported that as a result of the review and subsequent examination of the inmates' records, eight potentially dangerous maximum custody inmates were immediately moved into administrative segregation.

The difference between the 66 maximum custody inmates identified by the Office of the Inspector General as improperly assigned to the general population and the eight inmates the department found it necessary to move results from several factors. First, the 66 inmates were identified by applying the criteria established in the department's August 1, 2005 directive, which requires reception centers to automatically place into administrative segregation all inmates who paroled from segregated housing. In identifying the eight inmates requiring immediate transfer to administrative segregation, however, the department was able to take into account the inmates' subsequent behavior at the reception center, as well as completion of security housing unit terms and other factors. By reviewing the inmates' records, for example, the department was able to identify inmates who had been placed in administrative segregation by the paroling institution for reasons other than misconduct—such as protection from enemies or to preserve the integrity of an investigation—and who did not need to be placed back in administrative segregation.

On October 24, 2005, the department took additional corrective action by directing reception centers to revise their *Department Operations Manual* supplements or institution operating procedures to address the deficiencies identified by the Office of the Inspector General's review. The department directed the reception centers to provide copies of those revisions to headquarters by October 28, 2005. The department further directed the reception centers to complete at least a weekly review of the Distributed Data Processing System's Max A/B listing.

The Office of the Inspector General obtained and reviewed copies of the *Department Operations Manual* supplement and institution operating procedure revisions prepared by the six reception centers in response to the department's October 25, 2005 request. The review determined that the revisions included a review of the Distributed Data Processing System to identify maximum custody inmates who are not housed in the administrative segregation unit. The Office of the Inspector General also found that four of the six reception centers were conducting a weekly review of the Distributed Data Processing

System's Max A/B listing, and reporting the results to headquarters, as requested by the department on October 24, 2005. (As of February 6, 2006, the department had not provided this information for the California Correctional Institution.) In addition, the department advised the Office of the Inspector General that the Richard J. Donovan Correctional Facility does not report the results of its weekly review to headquarters—although, as noted elsewhere in this report, the Office of the Inspector General observed that the institution was using the Distributed Data Processing System to identify maximum custody inmates.

**RESPONSE OF THE CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION**

**ADULT OPERATIONS**

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



March 6, 2006

Mr. Matthew L. Cate  
Inspector General  
Office of the Inspector General  
P. O. Box 348780  
Sacramento, CA 95834-8780

Dear Mr. Cate:

I have reviewed the draft report detailing systematic deficiencies in the "Improper Housing of Maximum Custody Inmates at California Prison Reception Centers." We appreciate the audit and concur with your findings and intent of the recommendations.

The report indicates that the California Department of Corrections and Rehabilitation (CDCR) continues to be deficient in appropriately housing previous in-custody maximum security inmates as they return to the Department's Reception Centers (RC).

The CDCR is taking immediate steps to address and correct the deficiencies noted. Based on the age of the system, we are researching whether the recommended changes to the Distributed Data Processing System (DDPS) can be made, and if so, the resources needed to make the system changes. Within the next week, written direction will be issued to the RC Wardens, clarifying expectations, and expanding oversight requirements by the Associate Director's Office.

All of the recommendations contained in the special review will be responded to in a Corrective Action Plan (CAP) that is forthcoming. Although any potential DDPS modifications and/or Regulatory changes are considered long-term solutions, the remaining CAP items are being addressed and corrected immediately. The RC Associate Director will be personally meeting with all RC Wardens to reiterate the Department's expectation in this matter and requesting standardization of operational procedures that govern the appropriate housing of maximum security inmates returning to State prisons.

I assure you that safety and security, both inside and outside of our institutions, is our highest priority. As I mentioned, we have already initiated efforts to meet

Mr. Matthew L. Cate  
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recommendations and we will continue to make necessary adjustments to ensure the safety of staff and inmates, and the security of the institutions.

If you have any questions, please contact me at 323-6001 or John Dovey, Director, Division of Adult Institutions, at 445-7688.

Sincerely,



JOE MCGRATH  
Chief Deputy Secretary  
Adult Operations

cc: J. S. Woodford, Secretary (A), California Department of Corrections and Rehabilitation  
John Dovey, Director, Division of Adult Institutions  
Teresa Schwartz, Associate Director (A), Reception Centers, Division of Adult Institutions