

OFFICE OF THE INSPECTOR GENERAL

STEVE WHITE, INSPECTOR GENERAL

REVIEW OF THE INMATE APPEAL PROCESS

DEUEL VOCATIONAL INSTITUTION



SEPTEMBER 2000

Memorandum

Date: October 4, 2000

To: C. A. TERHUNE, Director
California Department of Corrections

From: STEVE WHITE 
Inspector General

Subject: REVIEW OF THE INMATE APPEAL PROCESS AT DEUEL VOCATIONAL INSTITUTION

Enclosed is a report of the Office of the Inspector General's review of the inmate appeal process at Deuel Vocational Institution. I am pleased to note that the review found that Deuel has a well-managed process for handling inmate complaints promptly and responsibly. Warden Finn and his staff should be commended.

Given the demonstrated success at Deuel Vocational Institution, you may wish to explore the feasibility of having other institutions consider adopting a similar approach in their appeal processes. The Office of the Inspector General recognizes that each institution has unique circumstances that must be considered, but we believe there is general application in Deuel Vocational Institution's approach to processing inmate complaints.

If you have questions concerning this matter, please contact my Chief Deputy, John Chen, at (916) 928-5990.

cc: Robert Presley, Secretary, Youth and Adult Correctional Agency
Claude E. Finn, Warden (A), Deuel Vocational Institution

OFFICE OF THE INSPECTOR GENERAL



INMATE APPEALS PROCESS REVIEW DEUEL VOCATIONAL INSTITUTION

REPORT

SEPTEMBER 14, 2000

This report presents the results of the Office of the Inspector General's review of the inmate appeals process at Deuel Vocational Institution.

On March 17, 2000, Inspector General Steve White advised California Department of Corrections Director Cal Terhune, via a memorandum, that the Office of the Inspector General would review the inmate appeals process at various California Department of Corrections institutions. The Office of the Inspector General randomly selected Deuel Vocational Institution as one of the institutions to undergo such a review. Review fieldwork was conducted on August 31 and September 7, 2000.

The Office of the Inspector General's review concluded that the inmate appeals process at Deuel Vocational Institution is well managed and efficient. The review did note some opportunities for improvement.

BACKGROUND

Deuel Vocational Institution is located in Tracy, California and houses level I and level III inmates. Opened in 1953, Deuel Vocational Institution currently performs a two-fold mission. It serves as a reception center for Northern California counties and as a mainline institution providing educational opportunities and vocational programming for medium-security classified inmates.

The reception center, which opened in February 1988, currently processes incoming inmates from six Northern California counties. After completing the inmates' files, including criminal records, life histories, medical and physiological histories, and social relationship histories, Deuel Vocational Institution staff members determine each inmate's classification score and institutional placement. The mainline portion of the institution focuses on providing educational and vocational programming geared toward providing inmates with the skills and education needed to enable them to find employment upon release.

INMATE APPEALS PROCESS

The inmate appeals process is documented by the inmate's submission of an inmate/parolee appeal form, CDC Form 602. The inmate appeals process begins with an attempt to resolve the appeal at the informal level. In general, appeals resolved at the informal level are not submitted to the inmate appeals coordinator. Instead, they are handled directly between the inmate and the staff involved in the action or decision. At the informal level of appeal, staff members interview the inmate, review all pertinent documentation and information and, if practical, resolve the appeal issue. In most cases, appeals resolved at the informal level are not logged or tracked.

Most inmate appeals are initially filed and screened at the first formal level. The first formal level requires the inmate appeals coordinator to log the appeal into the automated inmate appeals tracking system. The inmate appeals tracking system automatically assigns a log number to each appeal and calculates a due date for a response. The inmate appeals coordinator then assigns the appeal to the appropriate staff for a response.

If the inmate is not satisfied with the response at the first formal level, the appeal goes to the second formal level (unless the first level of review is waived under *California Code of Regulations Title 15*). This level of appeal is also logged into and tracked by the inmate appeals tracking system.

If not satisfied with the second formal level response, the inmate may appeal to the director of the California Department of Corrections by forwarding the appeal to the Inmate Appeals Branch in Sacramento. This review constitutes the director's decision on the appeal, is conducted by a designated representative of the director under the supervision of the chief of the Inmate Appeals Branch and represents the third, and final, level of appeal.

OBJECTIVES, SCOPE AND METHODOLOGY

The Office of the Inspector General's review was conducted to determine if the Deuel Vocational Institution inmate appeals process provides the necessary means to address inmate complaints responsibly and promptly. A secondary objective of the review was to identify areas for possible improvement in the process.

To accomplish these objectives, the Office of the Inspector General:

- Reviewed and evaluated the policies and procedures used by the appeals coordinator and his staff to process and complete inmate appeals;
- Reviewed quarterly appeal reports generated by the inmate appeals tracking system; and
- Performed analytical review procedures of the trends and fluctuations in the number and categories of inmate appeals for the calendar years 1998 and 1999 and for the period January 1, 2000 through August 29, 2000.

The Office of the Inspector General randomly selected a sample of 60 inmate appeals to verify that the inmate appeals were completed in a timely manner and that decisions, actions

or resolutions were properly supported. The review did not include an audit of the institution's computer hardware and inmate appeals tracking system software used to monitor and track inmate appeal activity or verification of the accuracy of data input into the inmate appeals tracking system.

CONCLUSION

The Office of the Inspector General's review concludes that the Deuel Vocational Institution inmate appeals process is well managed. The staff in the appeals office demonstrated an extensive knowledge of the inmate appeals process. The responses to the inmate appeals are generally well researched and well written. The inmate appeals staff appears to be highly motivated and to take pride in its work and the institution.

The number of overdue inmate appeals has been kept to a minimum. Over the last 32 months (January 1998 through August 2000), the average number of overdue inmate appeals was approximately eight per month. Most of the overdue appeals were cases that required a complex response, such as a medical or psychological review, or were cases sent to other institutions for a response. At the annual California Department of Corrections inmate appeals coordinators' statewide training conference, held in June 2000, the Deuel Vocational Institution inmate appeals coordinator reported that there were no overdue appeals for the month of June 2000. Given the volume of inmate appeals received at Deuel Vocational Institution (approximately 2,200 in calendar year 1998 and 2,500 in calendar year 1999), this average number of late appeals appears to be extremely low.

The Office of the Inspector General attributes this success to the following:

- The inmate appeals coordinator is well experienced and is highly diligent in processing inmate appeals. The inmate appeals received are entered into the inmate appeals tracking system, assigned a reviewer, and distributed on the same day they are received or on the next working day. The inmate appeals coordinator exhibited admirable time management practices in moving paperwork across his desk; and
- The Deuel Vocational Institution warden has given inmate appeals a high priority. The warden fully supports the inmate appeals staff and does not tolerate overdue appeals. On Mondays, at the warden's weekly executive staff meeting, the warden distributes to department heads overdue inmate/parolee appeal reports with instructions to swiftly complete and resolve all overdue appeals. The executive staff takes these instructions seriously and the overdue appeals are completed in an expedient manner.

The benefits of a well-managed inmate appeals system are considerable. Addressing inmate complaints promptly and responsibly reduces tension between inmates and staff and helps provide for a safer environment at the institution. It promotes operational efficiency by eliminating situations, encountered at other institutions, where inmates file multiple appeals over the same issues. Finally, it minimizes the risk of litigation arising from inmate complaints that have not been addressed adequately or within statutory timelines.

The effectiveness of the Deuel Vocational Institution inmate appeal process is further illustrated by the low volume of inmate complaints received by the Office of the Inspector General through its toll-free hot line system. From January 2000 through August 2000, the Office of the Inspector General received only three complaints concerning inmates at Deuel Vocational Institution.

OPPORTUNITIES FOR IMPROVEMENT

While the review by the Office of the Inspector General found that the inmate appeals process at Deuel Vocational Institution is well managed and efficient, the following opportunities for improvement were noted:

- **The personnel computer system should be upgraded by the installation of the most current version of the inmate appeals tracking system software so that accurate quarterly reports and other program statistics can be generated.**

The Office of the Inspector General's review of Deuel Vocational Institution's current version of the inmate appeals tracking system identified issues that raised questions over the accuracy and reliability of the data used to generate quarterly inmate appeals reports and other program statistics. Specifically, the Office of the Inspector General noted that:

1. **The system does not reconcile the ending quarterly balance with the beginning balance of the subsequent quarter.** Over a period of 10 quarters, from the quarter ending March 31, 1998 through June 30, 2000, the Deuel Vocational Institution appeals coordinator submitted 20 reports to the chief of the Inmate Appeals Branch. In 14 of the 18 transitional quarterly appeals reports, the number of appeals in process at the end of the quarter did not match the beginning number of appeals in process for the subsequent quarter. The variances ranged from over-reporting one appeal (from the quarter ending March 31, 1999 to the quarter beginning April 1, 1999) to under-reporting 61 appeals (from the quarter ending June 30, 1998 to the quarter beginning July 1, 1998). The inmate appeals coordinator was not aware of the inconsistencies in the quarterly inmate appeals reports and said that he does not have system documentation or a manual available to determine why the inmate appeals tracking system does not correctly tabulate the ending and beginning numbers for consecutive quarters.
2. **The system does not report the correct number of screened-out inmate appeals.** The number of appeals presented in the quarterly report as screened-out appeals is incorrect. Deuel Vocational Institution does not have a computerized system to track the number of screened-out inmate appeals. The computer hardware used at the institution is outdated and will not support the newest version of the inmate appeals tracking system software, which will track and monitor the screened-out appeals. The numbers included in the screened-out appeals category in the quarterly reports appear to be system input errors, mistakenly tabulated by the system as screened-out inmate appeals.

As a result of the above, the institution's quarterly appeals reports are incomplete and do not present the true number of inmate appeals that are submitted to and rejected by the appeal coordinator's office. The ability to monitor the screened-out process provides a management control and ensures that the inmate appeals staff is appropriately administering the inmate appeals process.

RECOMMENDATION

The California Department of Corrections should consider updating Deuel Vocational Institution's inmate appeals office personal computer and installing the most current version of the inmate appeals tracking system software. Along with the installation, the inmate appeals staff should be provided with training and written manuals documenting the newer version of the inmate appeals tracking system software.

- **The institution does not track informal appeals.**

The staff of the Deuel Vocational Institution inmate appeals office does not track the processing of informal appeals. As a result, there is no assurance that informal appeals are addressed or processed within the 10-working day limit.

Informal appeals are addressed by the inmate and correctional officer and are often resolved at that level. The appeals coordinator directly receives only a small percentage of informal appeals, and these are assigned to correctional staff for informal handling. Because of the decentralized nature of the informal appeals, the appeals coordinator does not have an efficient and effective means of tracking informal appeals.

RECOMMENDATION

The institution has strong management controls that mitigate the need for a tracking system for informal appeals. However, the inmate appeals staff and the warden should continue to diligently monitor all informal appeals to assure that the informal process is working as designed and that a tracking system remains unnecessary.