



CALIFORNIA STATE PRISON, SOLANO QUADRENNIAL AUDIT

**OFFICE OF THE
INSPECTOR GENERAL**

**DAVID R. SHAW
INSPECTOR GENERAL**

STATE OF CALIFORNIA

JULY 2009



July 16, 2009

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

Dear Mr. Cate:

Enclosed is the Office of the Inspector General's audit report of the California State Prison, Solano and related operations at the California Department of Corrections and Rehabilitation's headquarters and California Prison Health Care Services (receiver). This audit satisfies our statutory requirement to audit each adult institution at least once every four years.

The report presents four findings and 19 recommendations. Specifically, we identified wasteful warehousing and procurement practices that may have cost millions of dollars statewide. Some of these purchases were made by Health Care Services Division employees under the direction of the former receiver. Consequently, we have also sent a copy of the report to the receiver and his response is included as part of this report. In addition to the warehousing and procurement issues, we found that the institution was not effectively using its limited resources to rehabilitate inmates, the department's firearms training policies were deficient, and the institution was not adequately protecting inmate central files. Your response to these findings and recommendations is included in the report.

We would like to thank you and your staff for the courtesy and cooperation extended during the audit. Please contact Jerry Twomey, Chief Assistant Inspector General, Bureau of Audits and Investigations, at (916) 830-3610 if you have any questions.

Sincerely,

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

David R. Shaw
Inspector General

cc: J. Clark Kelso, Receiver, California Prison Health Care Services

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Executive Summary

This report presents the results of an audit by the Office of the Inspector General (OIG) concerning the operations of California State Prison, Solano (CSP Solano). The audit was performed under California Penal Code section 6126(a)(2), which requires the Inspector General to audit each correctional institution at least once every four years.

Our team of inspectors examined CSP Solano's operations and programs to identify problem areas and recommend workable solutions. The institution gave our inspectors full access to its records, logs, and reports, and site visits allowed us to observe CSP Solano's day-to-day operations. We also interviewed the institution's staff members, inmates, and the department's headquarters personnel. In all, our inspectors made four audit findings and 19 recommendations, which are detailed in this report and are summarized below.

CSP Solano and headquarters wasted \$512,000 because of faulty procurement and warehouse practices—and similar problems may have cost the CDCR as much as \$6.3 million more statewide

During our inspection of the institution, we found \$215,000 of new equipment kept in storage areas, despite state law that requires the department to minimize fiscal waste. Most of the 483 pieces of new equipment—including computers and maintenance motors—was one or two years old, but some items were up to ten years old. In reviewing the unused items we identified \$165,000 in computer equipment, \$37,000 in motors, and \$13,000 in audio-video and other miscellaneous equipment.

We found that poor inventory controls and procurement practices by CSP Solano and the department contributed to the amount of unused equipment. The department lacks a statewide system to track and manage its computer inventory. Consequently, equipment purchased for designated programs and/or staff was neglected as implementation plans changed and CSP Solano was unsuccessful in identifying alternative uses for the equipment in a timely manner. Besides wasting state funds that could be used elsewhere, the unneeded equipment is subject to theft, damage, and obsolescence while it sits in the institution's warehouse.

Furthermore, we found that the department paid vendors for inadequate services, did not claim all rebates to which it was entitled, and paid tax on non-taxable recycling fees. In reviewing statewide purchases, we identified instances where the state paid a vendor for imaging services to set up computers. However, that work is frequently faulty and must be redone by institution staff. In other cases, the department did not claim all purchase rebates from vendors to which it was entitled. We also found that the department paid tax on non-taxable recycling

fees. Due to the nature of these items, the potential statewide impact could not be readily determined. However, the cost for the identified items alone was \$297,000.

In reviewing the procurement issues at CSP Solano, we identified evidence of larger procurement and payment issues at the department level that may be costing the state millions of dollars. Specifically, through reviewing a sample of statewide computer equipment purchases and observing warehouse inventories during audits and inspections at the California Institution for Men, Salinas Valley State Prison, Pleasant Valley State Prison, and the Correctional Training Facility, we determined:

- **Similar computer equipment is being stored in warehouses at other prisons** – Based on observations at four other prisons, it is likely that there is similar unused equipment at prisons throughout the state. To the extent that the other 32 prisons have excess computer equipment in storage similar to CSP Solano, as much as \$5.3 million may have been wasted (\$165,000 x 32).
- **The department paid licensing fees for the unused computers** - In addition to the direct costs of unused computer equipment, the department incurred additional costs related to software licensing fees. These fees (\$490 per machine) cost almost as much as the computer equipment itself. Moreover, because the department purchased most of the equipment through consolidated purchase orders, the procurement problem we observed at CSP Solano likely is indicative of a larger statewide problem. At CSP Solano there were 65 computers in the warehouse. Therefore, if all 33 institutions have unused computer equipment to the same extent as CSP Solano, at \$490 per computer, this could be a \$1 million issue for the department.

The institution has limited rehabilitative programming for its inmates, and it fails to effectively use the resources it does have

More than 30 percent of CSP Solano's 5,700 inmates are not assigned to rehabilitative programming because the institution lacks sufficient educational and vocational resources. These rehabilitation programs are vital to providing inmates with the skills they need to succeed when they parole. Even with its insufficient programming resources, the institution uses those resources inefficiently because it often assigns inmates with long-term sentences to the education and work programs—at the expense of inmates with shorter terms who will be paroling in the next few years. In addition, inmates attended academic and vocational instruction less than 50 percent of the time due to security delays, lockdowns, teacher absences, and other circumstances that keep them out of class.

By not providing rehabilitative opportunities for inmates, the state incurs increased costs from higher recidivism rates.

To mitigate this problem, in March 2008, the CDCR began a pilot project at CSP Solano that is designed to improve rehabilitation programs and also expand substance abuse programming at the prison. In the future, the Inspector General, through his role as the chair of the California Rehabilitation Oversight Board (C-ROB), along with C-ROB members and other OIG employees will monitor and evaluate the rehabilitative progress made in this pilot project.

The department's firearms training policies could endanger CSP Solano's employees and inmates, as well as the public

CSP Solano fails to ensure that all custody employees assigned to armed posts are current in their firearms training, and we found that the department's policies and its interpretation of those policies only worsen the situation. For instance, correctional officers are not adequately trained to fire from an elevated position and at moving targets, and transportation officers are not trained for firing weapons in public areas.

Proper instruction and regular firearms practice is crucial to the protection and safety of employees, inmates, and the public. In fact, the California Penal Code requires that peace officers permitted to carry firearms shall qualify with the firearm at least quarterly. Moreover, the basic premise of training is that a person will perform as trained in an actual event. Therefore, training should be as realistic as possible.

Inmate records are stored in a modular building that lacks a fire alarm and sprinkler system

Inmate central files (or c-files) contain crucial reports, evaluations, and correspondence related to an inmate's commitment history, and much of the information in these files is irreplaceable. However, we found that CSP Solano stores these files in a modular building that does not have a sprinkler system to prevent a fire from destroying the c-files. Further, in a September 2008 inspection report, the state fire marshal expressed concern about the lack of a fire alarm and sprinkler system and the potential danger to case records personnel who work in the building.

The loss of inmate c-files could impact the institution and department's ability to effectively manage inmate placements and could jeopardize the safety and security of the institution.

CDCR's Response

In its response, the department generally agreed with the findings and recommendations. Specifically, the department states that it is in the process of automating its procurement systems and has taken and continues to take steps to deploy unused goods that are deemed surplus to its operations. Also, the department points out that CSP Solano's existing voluntary programs help minimize inmate idle time by providing inmates independent study, distance learning, college courses, alcoholic and narcotic anonymous programs, victim reconciliation, and veterans programs. In addition, the department is trying to redesign the work change building to more efficiently process inmates through to their work or education assignments. CSP Solano is also continuing with the "proof project." One of the main goals of the "proof project" is to ensure that the right inmates are placed in the right programs. As for the inmate central files, the department believes that a new offender information system will eventually create digital offender records and will be the department's primary record keeping system.

The department did take exception to the recommendations regarding their weapons policies and practices. It believes its current policies and practices are adequate for the safety of staff, inmates, and the public.

California Prison Health Care Services' Response

The California Prison Health Care Services generally agrees with the recommendations regarding its procurement and accountability of CDCR health care equipment and is taking corrective action.

Institution Overview

California State Prison, Solano (CSP Solano) is one of 33 adult prisons operated by the California Department of Corrections and Rehabilitation (the department). Its primary mission is to provide custody, care and treatment, and rehabilitative programs for those inmates committed to the department by the courts. It is designed as a medium security institution to provide housing for general population inmates.

The institution opened in August 1984 and was designed to hold 2,610 male inmates. However, as of October 15, 2008, CSP Solano housed 5,416 inmates: 2,906 classified as Level II and 2,510 classified as Level III.¹ The institution comprises four separate, semi-autonomous facilities; a 400-bed administrative segregation unit to isolate inmates; and a 16-bed correctional treatment center for medical care.

CSP Solano provides comprehensive rehabilitation programs geared toward providing inmates with work skills and education. Inmate programs include:

- The Prison Industry Authority's (PIA) bookbinding, laundry, lens lab, metal fabrication, and optical programs
- Vocational training in auto body, auto mechanics, carpentry, computer repair, eyewear manufacturing, industrial electronics, landscaping and horticulture, machine shop, masonry, mill and cabinet making, office services, painting, refrigerator and air-conditioning repair, and welding
- Academic education programs for adult basic education, high school and General Education Development (GED), pre-release, English as a second language, and literacy
- The bridging program's basic life skills
- Substance abuse programs
- Other programs such as arts in corrections and victim awareness

In addition, CSP Solano has various self-help programs for alcohol and narcotics dependency, military veterans, victim offender reconciliation, and prison outreach. Through the academic education, vocational training, work assignments, and self-help programs, the institution provides inmates with the opportunity to develop the life skills necessary for successful reintegration into society.

From January 2, 2008, through October 15, 2008, CSP Solano deactivated 513 Level II beds in its dormitories and gymnasium and reduced its Level II

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

population by 493 inmates to ease overcrowding and prepare for the department’s pilot project to improve inmate rehabilitation. The pilot project at Solano represents the department’s initial efforts to implement the recommendations from its Expert Panel on Adult Offender and Recidivism Reduction Programming. The panel reported its recommendations in 2007 to the California State Legislature in a report titled “A Roadmap for Effective Offender Programming in California.”

Budget and Staffing

For fiscal year 2007–08, CSP Solano’s expenditures for all institution operations were \$199 million.² The institution has 1,407 budgeted positions, of which 836 (or 59.4 percent) are custody staff. The table below compares CSP Solano’s budgeted and filled positions as of September 30, 2008. Overall, the institution filled 89.7 percent of its total budgeted positions.

Staffing Levels at California State Prison, Solano*

Position	Filled Positions	Budgeted Positions	Percent Filled
Custody	783	836	93.7%
Education	56	72	77.8%
Medical	115	141	81.6%
Support	185	216	85.6%
Trades	112	129	86.8%
Management	11	13	84.6%
Total	1,262	1,407	89.7%

Source: California Department of Corrections and Rehabilitation, COMPSTAT for September 2008, California State Prison, Solano

** Unaudited data*

² Because the institution’s budget changes throughout the year as funding is increased or decreased, we chose the most recent fiscal year-end expenditure information to more accurately reflect CSP Solano’s operating budget.

Objectives, Scope, and Methodology

California Penal Code section 6126(a)(2) requires the OIG to audit each correctional institution at least once every four years. To satisfy this requirement, we reviewed applicable laws, policies, and other criteria related to CSP Solano's essential functions to gain an understanding of the institution's mission, management practices, and safety and security procedures. We surveyed selected employees and key stakeholder groups, and reviewed prior audit reports and statistical data that pertain to the institution. We inspected the institution, observed its general operations, interviewed employees and inmates, and reviewed the institution's records in the following operational areas:

- Business services
- Plant operations
- Inmate appeals
- Investigative services
- Use of force
- Employee/labor relations
- Inmate records
- Fire department
- Warehouse
- Inmate transportation
- Educational and vocational programs
- Inmate visiting
- Receiving and release
- Personnel assignment
- In-service training
- Health care
- Housing units
- Prison Industry Authority

We also interviewed the department's headquarters personnel to better understand the impact of statewide policies and procurement practices on the institution's operations.

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

- Waste of state resources
- Inmate rehabilitation programs
- Weapons training policies and practices
- Safeguarding of inmate central files

Waste of State Resources

During our audit, we observed large numbers of unused computer equipment, motors, televisions, and projectors stored at the institution. Therefore, we inventoried the items and reviewed the supporting purchase documents to determine the amount of financial resources the department had expended. We also interviewed various institution and department headquarters staff to

understand their procurement and property management processes and controls to determine why some of the equipment was ordered and never used. In addition, we reviewed relevant laws, regulations, and policies and procedures to identify applicable state requirements. Finding 1 discusses our findings and recommendations in this area.

Inmate Rehabilitation Programs

Pursuant to the California Code of Regulations, Title 15, section 3040(a), every able-bodied person committed to the custody of the department is obligated to work. Consequently, to determine whether the institution's inmates are properly placed in education and job assignments, we reviewed relevant laws, regulations, and policies and procedures; interviewed members of the correctional counseling and inmate assignment staff; and evaluated inmate data from the department's Distributed Data Processing System (DDPS) and Offender Based Information System (OBIS). We also evaluated inmate parole dates, eligibility factors, waiting lists, and job assignments for 5,700 inmates as of August 3, 2008. Further, to determine whether the institution provides the required daily time for education instruction, we assessed applicable laws and education policies and procedures, interviewed members of the education and management staff, and consulted with the department's Office of Correctional Education. We also reviewed research on correctional education and evaluated student attendance reports and monthly summaries, which included the hours each student attended classes. Finally, we observed facility space availability. Finding 2 discusses our findings and recommendations in this area.

Weapons Training Policies and Practices

According to the California Code of Regulations, Title 15, section 3276(a) "only peace officers...who are currently qualified in the firing of departmental firearms shall be assigned to armed posts." As a result, to determine whether the institution's armed personnel meet weapons proficiency requirements, we reviewed relevant laws, regulations, and policies and procedures; interviewed members of the in-service training and personnel assignment staff; and examined the custody employee roster, weapons training records, and post assignment histories. We also contacted the department's other law enforcement units and other outside agencies to compare the training they provide to their employees in comparison with the training provided to the institution's transportation officers. Finding 3 discusses our findings and recommendations in this area.

Safeguarding of Inmate Central Files

During our initial interviews with employees, they expressed concerns regarding the storage of inmate central files (c-files). Accordingly, to determine whether the institution was adequately safeguarding the inmate c-files, we toured the modular buildings, observed the ceilings for any fire prevention system, and reviewed the State Fire Marshal's September 2008 Safety Correction Notice. In addition, to determine whether the institution could readily reconstruct destroyed c-files, we contacted the department's chief of correctional case records and posed the question to her. Finding 4 discusses our findings and recommendation in this area.

Other Issues

During our initial assessment and survey work, we identified two other noteworthy issues: inmate cell phones and the management of administrative segregation. However, because the OIG is addressing these issues in separate reports due to their statewide impact, we did no additional work on these issues during the CSP Solano audit. We have, however, included them here as information because of their importance to the institution's operations.

- ***Increased number of cellular phones entering the institution is a significant safety concern***

During the first six months of 2008, about 400 cellular phones were found within the secure perimeter of the institution. Several employees told us that the introduction of cellular phones into the institution is their biggest safety and security concern. Cellular phones allow inmates to freely communicate with accomplices inside and outside the institution. Given this situation, inmates can arrange with accomplices to ambush officers, attack other inmates, or exchange contraband while at court or medical appointments.

- ***CSP Solano did not comply with department policies and due process requirements for inmates housed in administrative segregation***

The OIG's special review into the management of administrative segregation units in California's adult male prisons³ found that CSP Solano, along with two other institutions, repeatedly failed to comply with department policies and due process requirements for inmates.

³ You can view the entire text of the special review by clicking on the following link to the Inspector General's Web site:

<http://www.oig.ca.gov/media/reports/BAI/reviews/Management%20of%20the%20California%20Department%20of%20Corrections%20and%20Rehabilitation's%20Administrative%20Segregation%20Unit%20Population.pdf>

Consequently, some inmates were held in segregation units too long. Segregated housing is used for inmates who threaten institution safety and security or require protective custody. Segregated housing is also more restrictive than the housing for the general inmate population. Therefore, inmates in administrative segregation are entitled to mandated due process rights. CSP Solano's violation of policies and requirements potentially exposed the department to costly litigation while state funds were wasted on additional segregated housing.

Finding 1

Wasteful warehousing and procurement practices at CSP Solano and headquarters resulted in \$512,000 of unused equipment, lost rebates, and inadequate computer imaging services. Moreover, similar problems related to unused equipment at other institutions may be indicative of a statewide problem worth millions of dollars.

Although it seems intuitive, there is a state law that requires departments to set up systems to minimize financial waste. Despite this law, we found 483 pieces of new equipment stored—unused—in CSP Solano’s warehouse and in a storage trailer. The equipment included 333 various computers, monitors, printers and related equipment, scanners, and digital projectors that cost \$165,000. In addition to the direct costs related to purchasing the computer equipment, the department incurred additional costs related to software licensing fees. These fees cost almost as much as the computer equipment. The other 150 pieces of equipment included classroom projector equipment, televisions and accessories, and small maintenance motors totaling nearly \$50,000. Most of the items had been purchased between one and two years ago, but some items were up to ten years old. This equipment went unused because the institution has poor inventory controls and property records, and it neglected to find alternative uses for the equipment. Furthermore, when we reviewed the statewide purchase orders for the various computers, monitors, printers, and related equipment, we found technical errors and irregularities that resulted in vendor and state tax overpayments up to \$297,000.

In addition to the poor controls at the prison, we found that lapses in department-level procurement practices contributed to the unused equipment problem. Specifically, because the department does not have a statewide system to track and manage its computer equipment, it unnecessarily purchased most of the extra equipment we found. As a result, not only is the state tying up valuable financial resources that could be used elsewhere, but the equipment is subject to theft, damage, and ultimately obsolescence. To make matters worse, because the department purchased most of the unused computer equipment and software through statewide consolidated purchase orders, it is likely that our findings at CSP Solano may be indicative of a larger departmental problem and mirrored throughout the state’s prisons. The extension of this issue to institutions throughout the state is supported by our observations during audits and inspections at the California Institution for Men, Salinas Valley State Prison, Pleasant Valley State Prison, and the Correctional Training Facility. Therefore, if the other 32 adult institutions have computer equipment purchasing issues to the same extent as CSP Solano, this issue may be an additional \$6.3 million problem statewide.

State law requires departments to minimize waste

As part of the Financial Integrity and State Manager’s Accountability Act of 1983, Government Code section 13401(b)(3) requires that all levels of management within state agencies be involved in assessing and strengthening systems of internal accounting and administrative control to minimize the waste of government funds. Even with this law,

the California Department of Corrections and Rehabilitation neglected to meet this obligation.

Procurement and Inventory Management Problems at CSP Solano

- **CSP Solano had \$215,000 worth of unused computer, education, and maintenance equipment in storage.** During our inspection of CSP Solano’s warehouse and other storage areas, we identified large amounts of new computer equipment stored in the warehouse. We inventoried the equipment in May 2008 and found 333 pieces of computer equipment, including 65 computers, 161 printers and components, 101 monitors, 4 scanners, and 2 digital projectors—all of which had never been used. Although the department purchased five of the items eight months prior to our inspection, most of the items were purchased one to two years earlier, and three items were purchased ten years ago. This unused computer equipment cost the department \$165,000 and was still in the manufacturer’s boxes.



Rows of computer equipment stored in CSP Solano’s warehouse

Besides the computer equipment, we found 150 other equipment items including ten-year-old motors bought for facility maintenance, as well as televisions, projectors, maps, and related items for education programs. We determined that this additional equipment cost almost \$50,000.

The table below identifies the surplus equipment we found and summarizes the cost, amount, and age of the items by category. We determined the cost and age of the equipment based on our review of purchases orders and other related procurement documentation. For some of the older equipment, we used estimates from vendors and our own information technology (IT) employees.

Equipment the OIG Identified as Surplus					
Equipment Type	Total Cost	Total # of Items	Age of Equipment Items		
			6-11 months	12-23 months	24 or more months
Computer Equipment					
<i>Printers & Components</i>	\$82,967	161	92	55	14
<i>Monitors</i>	\$17,113	101	13	17	71
<i>Computers</i>	\$44,693	65	22	27	16
<i>Scanners</i>	\$15,210	4	4		
<i>Digital Projectors</i>	\$5,063	2		2	
Total:	\$165,046	333	131	101	101
Percent:			40%	30%	30%
Other Equipment					
<i>Motors</i>	\$36,995	73			73
<i>Televisions TV</i>	\$4,541	12	12		
<i>Accessories</i>	\$2,002	32	32		
<i>Projectors</i>	\$2,163	17		17	
<i>Screens/Maps</i>	\$3,799	16		11	5
Total:	\$49,500	150	44	28	78
Percent:			29%	19%	52%
Total Surplus Equipment					
Total:	\$214,546	483	175	129	179
Percent:			36%	27%	37%

The table illustrates that 101 pieces (30 percent) of the computer equipment and 78 pieces (52 percent) of the other equipment were two or more years old. By not adequately controlling stored property, turnover is inhibited and unneeded property may be ordered, thefts can go unnoticed, and damaged equipment is not identified. In fact, when we inventoried the warehouse computer equipment, we identified six monitors in water-damaged boxes, yet the institution had not inspected the equipment to determine the extent of any damage. Also, by leaving the extra property in the warehouse, the institution is taking up space that could be used for other purposes.



Boxed monitors, including six with water damage

- **CSP Solano has poor inventory controls and property records and did not take sufficient action to find other uses for the unused equipment.** The institution fell short in managing its property. Not only did the institution leave older unused equipment sitting idle in its warehouse, some of it for ten years, it also neglected to keep adequate inventory records identifying the unused equipment. Moreover, the institution did not conduct required annual reviews of the equipment to maintain and control the property and identify equipment that should have been redirected to other facilities or disposed of properly.

When we asked for records identifying the computer equipment stored in the warehouse or any documentation that we could use as an inventory tool, the associate information systems analyst obtained a current ad hoc inventory list from the institution's property control database. The list was entitled Warehouse Information Systems Inventory. However, the analyst indicated that the list was unreliable; and, when we used the list to conduct our inventory of the unused equipment, we found errors. For example, we could not locate many listed items, and we identified 16 items that were not on the list. These items could be lost or stolen, and the institution would not know. Also, 70 items on the list were identified as "unknown" – meaning that the institution had not determined why the equipment was ordered or where it belonged. When we spoke with the property controller about the reliability of the property control database, she indicated that the prior property controller did not maintain the database and, as a result, she is in the process of updating the database as she identifies errors.

The associate information systems analyst stated that he attempts to find uses for unneeded computer equipment that is one or more years old and that it is not unusual

for institutions to keep some extra equipment on hand to use for replacement purposes. He added that he purposely kept some of the older items to use as temporary replacements; and, that the institution would have to pay vendors to dispose of these older items. When we spoke to the warehouse manager and property controller about the unused equipment stored in the warehouse, they both indicated that they were concerned about the age of some of the equipment but stated that the associate information systems analyst was responsible for it. While we understand the need to keep some equipment items for unplanned replacements of existing equipment, CSP Solano had 333 pieces of unused computer equipment stored in its warehouse – far in excess of what would reasonably be needed.

The Department Operations Manual addresses specific requirements for institutions' management of state-owned sensitive property such as computer equipment, televisions, and projectors, which CSP Solano neglected to follow. Specifically, the property controller did not maintain accurate property records for the computer equipment. More importantly, neither the property controller, nor the warehouse manager, nor the associate information systems analyst took responsibility for managing the unused equipment by either finding uses for it or disposing of it. Furthermore, because the institution only recently established a property survey board, it had not fulfilled its duties to identify unused or obsolete property and dispose of it properly. By merely storing unused equipment and not taking prompt action to find other uses for it, the equipment depreciates, warranties expire, and the equipment ultimately becomes obsolete and worthless.

After we informed the institution of the unused equipment, it took steps to find other uses for it. Specifically, as previously shown in the table on page 13, we found projectors, maps, and screens worth nearly \$6,000 that were not being used. Although the projectors and maps were only about one year old, the institution had recently purchased SMART Boards with sound systems for 26 of its 27 academic classrooms. SMART Boards are 77-inch whiteboard screens that, along with the sound systems, cost the institution about \$49,000. The purchase of the SMART Boards made the projectors, maps, and screens expendable according to the new education principal. As a result, the institution's property controller contacted the department's Office of Correctional Education (OCE) in an attempt to find other institutions that could use the almost new equipment. OCE ultimately directed the property controller to donate the equipment to other educational entities. As of October 2008, the institution had donated many of the items to four local elementary schools that were reportedly "thrilled" to receive the new equipment.

Procurement Problems at the Department's Headquarters

- **The department's headquarters purchased most of the unused equipment we found at the institution.** Although the institution did not adequately address its equipment problem, it was department headquarters that purchased most of the equipment. Specifically, department headquarters purchased 88 percent of the

computer equipment we found in CSP Solano's warehouse. When we reviewed the department's statewide consolidated purchase orders for the computer equipment, we found that it spent \$93,000 on equipment intended for 'medical' IT needs, \$50,000 on equipment intended for 'miscellaneous institutional' needs, and \$2,000 on equipment intended for 'educational' needs. With regard to the other (non-computer) equipment, although we could not identify whether the department or the institution purchased the motors, we found that the department purchased most (70%) of the remaining 'other' equipment for educational use.

To understand why the unused equipment was ordered in the first place, we interviewed several employees at CSP Solano including the warehouse manager, property controller, associate information systems analyst, education principal, and procurement officer. And, because most of the equipment was ordered by the department, we also interviewed department headquarters' staff at its Office of Business Services (OBS) procurement office, its Enterprise Information Services (EIS), and its Office of Correctional Education (OCE). In addition, we interviewed a procurement services manager at the California Prison Health Care Services,⁴ the successor to the department's Health Care Services Division.

In reviewing the department's statewide consolidated purchase orders supporting its computer equipment purchases, we found that officials from the department's EIS authorized most of the 'institutional use' equipment; and, officials from the department's Health Care Services Division and the Receiver's office authorized most of the 'medical use' equipment. In both cases, the purchase orders were processed through the department's procurement office and many purchases were made at fiscal-year-end. According to EIS officials, for the prior two years it had ordered replacements for institutions' aging computer equipment at or near the fiscal-year-end after surveying institutions to determine their replacement needs. Based on our review of 'medical use' procurement documentation, the Health Care Services Division ordered computer equipment based on its calculation of institutions' health care IT needs. However, we found examples where the department's EIS and Health Care Services Division did not adequately assess the institutions' current needs.

For example, we reviewed supporting documents related to 40 unused monitors the department purchased in June 2005. The department had purchased 48 monitors along with computers. CSP Solano installed the 48 computers, replacing 48 of its old network computers. However, the institution only needed eight of the 48 monitors because the department had just purchased new monitors for 40 of those computers in the prior fiscal year. As another example of unused equipment, we obtained copies of the department's requisition documents supporting ten computers and ten monitors the Health Care Services Division ordered in March 2007. The documentation showed that the equipment was for "new mental health staff for the Coleman

⁴ In April 2006, the federal court appointed a receiver to take over the delivery of medical care to inmates. The receiver's employees and the department's employees work together under the receiver's direction. Their combined efforts are referred to as California Prison Health Care Services.

Litigation.”⁵ However, upon further review, we found that the planned positions were never filled.

As previously discussed, in addition to computer equipment, we found other unneeded equipment that included televisions and related accessories that were stored in CSP Solano’s warehouse and in education storage trailers. The televisions were 27-inch DVD/VCR combo televisions purchased by the department’s OCE. We were told that the televisions were purchased to facilitate inmates’ community college program course work and were “probably part of a statewide classroom modernization” program that OCE implemented in 2007. CSP Solano received 40 televisions as part of that purchase in October 2007. Shortly thereafter, CSP Solano purchased SMART Boards and did not need the televisions in its classrooms. According to the property controller, the institution installed many of these new televisions throughout the institution, sometimes replacing existing ones that were relatively new.



Education TVs stored in warehouse

According to the OCE’s associate superintendent for CSP Solano, OCE normally queries each institution’s principal before making statewide purchases. However, CSP Solano only has 27 academic classrooms yet 40 televisions were purchased. As of August 2008, the institution still had 12 unused televisions stored in its warehouse. The cost of those 12 units, with accessories, was about \$6,500.

We also found specific instances where the department purchased new computer equipment while similar equipment sat idle. For example:

- One of the unused items we found was an extra printer that the department’s Board of Parole Hearings (BPH) purchased in April 2007. The total cost of the printer, including a 3-year warranty, was almost \$700. We discovered after contacting CSP Solano’s acting case records manager who handles BPH equipment orders that the department had purchased a new printer to implement a new hearing tracking system even though an unused printer was stored in the warehouse.
- Other unused items included three scanners costing almost \$14,500 that the department purchased in April 2007 for medical use. When we contacted California Prison Health Care Services, a procurement services manager indicated that she was unaware that any institutions had unused scanners because the department does not have a tracking system for its statewide computer equipment. The manager further indicated that more scanners were purchased.

⁵ Coleman Litigation refers to the *Coleman v. Schwarzenegger* class action lawsuit filed in June 1991 regarding inmates’ access to mental health care.

Both the department and California Prison Health Care Services told us that they are taking corrective action to better manage the department's computer equipment. The chief of EIS Policy, Planning, and Support Services unit told us that the department is implementing an enterprise-wide Business Information System (BIS) project to track and manage the department's entire computer equipment inventory. EIS implemented the first phase of the project in November 2008. Further, by August 2009, California Prison Health Care Services plans to place at least two permanent IT staff members in each institution to support the IT needs of medical, mental health, and dental staff. These additional IT employees may facilitate better inventory management for health care.

The department overpaid vendors for inadequate services, uncollected rebates, and non-taxable recycling fees

While we recognize that the state receives a cost benefit from procuring equipment on a statewide basis, we found that some of these benefits were reduced when we reviewed the department's statewide consolidated purchase orders used to procure computer equipment at CSP Solano. Specifically, the department may have wasted another \$297,000 as follows:

- **Payments for inadequate imaging services:** On five statewide purchase orders, the department paid one vendor an \$18 per unit fee for imaging services to set up computers with consistent software configurations and background images. Paying for these services is intended to reduce the time that IT employees spend to set up computers. However, we were told that the vendor's imaging is often faulty and must be partially or completely reconfigured by the institution's employees—effectively eliminating the value of the imaging services. Although the department paid \$152,820 for imaging services on the five purchase orders we reviewed, we found no evidence that the department has taken steps to improve the imaging services or renegotiate contract terms to exclude the services.
- **Rebate discounts not taken:** One vendor contract allowed a \$40 per unit rebate for statewide purchases of certain equipment. But for two of four applicable purchases, employees from the department's EIS or Health Care Services Division made errors when writing the statewide purchase orders. For example, on one purchase order the employee used a rate of \$4 instead of \$40 per unit and on the other purchase order the employee assessed the rebate on only one half of the units purchased. As a result of these errors, the state lost \$143,724 in rebates.
- **State sales tax paid on non-taxable charges:** On two purchase orders we reviewed, employees in Health Care Services Division inappropriately calculated sales tax on non-taxable electronic recycling fees. According to the department's chief of accounting, his staff members rely on procurement or other staff who prepare the purchase orders to identify items that should and should not be taxed. Although the

tax overpayments we identified amounted to only \$457, the state could be overpaying much more if there are similar errors on other statewide purchase orders.

If other institutions have large amounts of unused computer equipment, the state could potentially be wasting millions of dollars

Most of the unused CSP Solano computer equipment was part of statewide purchases. Between May 2003 and August 2007, the department purchased thousands of computers and related equipment and software for institutions throughout the state. Furthermore, during recent audits and inspections at other institutions, our inspectors identified more unused computer equipment. For example, during our audit fieldwork at the California Institution for Men in March 2008, employees told us about computer equipment that was ordered for educational purposes but never used. They provided us the purchase documentation for 52 pieces of computer equipment, some of which was ordered in May 2006. Similarly, during our audit fieldwork at Salinas Valley State Prison in March 2008, we saw many unused computer equipment items stored in vacant vocational classrooms. In addition, during a November 2008 inspection at Pleasant Valley State Prison, we found about 20 computers stored in a warehouse, and in a January 2009 inspection at the Correctional Training Facility, we found 191 unopened boxes of computer equipment stored in a warehouse. These examples, coupled with departmental procurement lapses discussed earlier, suggest that many or all institutions throughout the state have unused equipment. If so, the department could be overspending a significant amount of state resources by its wasteful procurement and warehousing practices. Considering that the department spent \$165,000 on the unused computer equipment we found at CSP Solano, if each of the department's other prisons has a similar amount of excess computer equipment, this is potentially an additional \$5.3 million issue statewide.

In addition to the direct costs related to purchasing this equipment, we found that the department incurred costs for software licensing fees. When we interviewed an employee from the department's EIS about its statewide purchase orders used to procure computer equipment, we were shown separate statewide requisition documents for software licensing fees. These fees cost almost as much as the computer equipment itself, an average cost of \$490 per computer. If each of the department's 33 institutions has 65 new and unused computers, the same number we found at CSP Solano, the potential waste related to software licensing fees could be more than \$1.0 million statewide.

Based on our estimates of \$5.3 million for equipment costs and \$1.0 million for licensing fees, the department may have wasted an additional \$6.3 million purchasing unneeded computer equipment and software for its other institutions statewide.

Recommendations

The OIG recommends that the department:

- Complete the development and implementation of the computer inventory tracking feature of its Business Information System (BIS) so that Enterprise Information Services (EIS) and the Office of Correctional Education (OCE) can assess each institution's specific needs before initiating statewide consolidated orders for computer and other equipment; and
- Provide training to EIS and OBS Procurement office employees who prepare and authorize statewide consolidated purchase orders to review the purchase orders and ensure they are accurate, consistently written, and agree with state requirements and negotiated terms of vendor contracts.

The OIG recommends that California Prison Health Care Services:

- Assess each institution's current needs before initiating statewide consolidated purchase orders for computer equipment;
- Improve its communication with institutions about why equipment is ordered and where it belongs; and
- Train employees who prepare and authorize purchase orders to review the purchase orders and ensure they are accurate, consistently written, and agree with state requirements and negotiated terms of vendor contracts.

The OIG recommends that the warden at CSP Solano:

- Assign warehouse or IT staff members to annually inventory computer equipment stored in the institution's warehouse and update the property control database records accordingly; and
- Ensure that the Property Control Board fulfills its duties. Specifically, the board should identify equipment that is unneeded and work with the department's EIS or OCE, or with Prison Health Services to determine whether there are other institutions to which the unneeded equipment can be redirected. For equipment that is significantly damaged or obsolete, the board should determine how the institution should dispose of it.

Finding 2

CSP Solano does not have adequate rehabilitative opportunities for its inmates and does not use its limited resources effectively.

One of CSP Solano’s primary missions is to provide rehabilitative programs for inmates committed to the department by the courts. These education and work training programs are intended to provide inmates with the skills necessary to break the revolving door of the prisons in California. However, because of a lack of programming resources and vacant education positions, more than 30 percent of the institution’s 5,700 inmates were not assigned to rehabilitative programming, and many of these inmates will be released from prison within the next five years. The institution also fails to effectively use the resources it does have. CSP Solano assigns inmates with long-term sentences to education and work training programs at the expense of inmates with shorter terms— inmates who will be paroling in the next few years. This practice creates an increased risk of recidivism because it allows unprepared inmates to be released into society. It also conflicts with the department’s overall mission, which calls for rehabilitative strategies that successfully reintegrate offenders into the community.

In addition, CSP Solano is ineffective at getting its inmates to their rehabilitative programs. Limited operating hours for its security checkpoints and too few processing lines prevented the smooth flow of inmate traffic to and from programming assignments. As a result, inmates missed, on average, almost one hour of instruction each day. Further, the school attendance records indicate that inmates attended class less than half the available classroom time because of lockdowns, teacher absences, and other circumstances that prevented their attendance.

The department recognizes these problems, and it is implementing a pilot project aimed at reducing recidivism by more effectively using its rehabilitative resources. The pilot project is in its early stages, so we could not evaluate its effectiveness in this audit. However, the California Rehabilitation Oversight Board, chaired by the Inspector General, is charged with reporting biannually on CDCR’s rehabilitative programming and is reviewing the progress of the CSP Solano pilot project.

According to the experts, education programs make a difference in reducing inmate recidivism

Studies have shown that education programs reduce recidivism rates. A 2006 study by the Washington State Institute for Public Policy of ten basic adult and vocational education programs found that such programs reduce inmate recidivism. The study found that basic adult education programs reduce recidivism by an average of 5.1 percent and that vocational education programs reduce recidivism by an average of 12.6 percent.⁶ Further, in 2007, a department-sponsored Expert Panel on Adult Offender and Recidivism

⁶ Washington State Institute for Public Policy, “Evidence-Based Adult Corrections Programs: What Works and What Does Not,” January 2006.

Reduction Programming issued a report to the California State Legislature.⁷ The report cited research that shows correctional programs reduce recidivism by changing offender behavior. In 2008, the Legislative Analyst's Office (LAO) also issued a report on inmate education.⁸ The LAO's report cited research showing that academic and vocational programs can significantly reduce the likelihood that offenders will commit new offenses and return to prison. However, the LAO found that the state offers these programs only to a relatively small portion of the inmate population.

CSP Solano lacks adequate programming opportunities for its inmates, which leads to safety concerns and ultimately costs the state more money

On August 3, 2008, CSP Solano had 1,850 unassigned inmates, almost one-third of its inmate population. They had no education or work training opportunities because, according to the institution's chief deputy warden, programming opportunities have not kept pace with the increased inmate population. In addition, the institution reported a 22 percent vacancy rate for its education positions. According to the chief deputy warden, a problem resulting from the lack of inmate programming opportunities is that idle inmates are more likely to get into trouble. CSP Solano was opened in 1984 and originally designed to house 2,610 inmates, yet at one point during our review it had over 5,700 inmates. As a result of overcrowding, areas originally designed for programming space are now being used as living areas. Besides the safety and security problems that idle inmates may cause, unassigned inmates ultimately cost the state more money because of higher recidivism rates.

As stated previously, studies show that education programs reduce recidivism rates. Both the Legislature and the department recognize the correlation between literacy and recidivism. Further, department policy, in step with the experts, requires that the warden ensure that all inmates reading below a sixth grade level be assigned to an academic program. However, we found that 79 (17%) of the 476 unassigned inmates not serving a life sentence who could be eligible for parole within two years had reading scores below the minimum sixth grade level. On further review of records from the department's Office of Correctional Education (OCE), we found another 58 (12%) unassigned inmates with no reading score on file. Therefore, CSP Solano may have up to 137 or 29% of its unassigned inmates paroling in the near future who currently read below the required sixth grade level.

⁷ Expert Panel on Adult Offender and Recidivism Reduction Programming, "Report to the California State Legislature: A Roadmap for Effective Offender Programming in California," June 2007.

⁸ Legislative Analyst's Office, "From Cellblocks to Classrooms: Reforming Inmate Education to Improve Public Safety," February 2008.

CSP Solano assigned and retained the wrong inmates in the education and work programs

The institution assigned part of its limited rehabilitative resources to inmates who have many years before they are eligible for parole. We identified 98 inmates who will not be eligible for parole consideration for between 10 and 99 years but who are currently assigned to academic programs. We made similar findings in the vocational education area, where 45 inmates with long sentences remaining were assigned to various vocational training programs designed to teach rehabilitative job skills. By assigning these inmates with long sentences to academic and vocational programs, CSP Solano is preventing other shorter sentenced inmates who will soon parole from obtaining the skills needed to successfully return to society. We noted several reasons why the institution incorrectly assigned or retained the wrong inmates in rehabilitative programs.

- **Classification committees sometimes inadequately assess inmates' rehabilitative needs.** Many opportunities exist for staff members to assess an inmate's rehabilitative needs. Every inmate received by the institution goes through an initial classification committee to establish an adequate rehabilitation plan. For example, inmates who read below a sixth grade level are required by department policy to be assigned to academic reading programs. In addition to the initial classification committee meetings, each inmate meets with his correctional counselor annually to reassess programming needs. However, we reviewed all 576 June 2008 decisions for initial and annual classification committee meetings and found 11 cases where an inmate's reading score was reported as below a sixth grade level, but the classification committee did not recommend the inmate for the academic program. However, this number may be understated because we identified 39 other cases where inmates weren't recommended for academic programming and the committee didn't record the inmates reading score on the meeting summary report. We could not determine whether the 11 exceptions identified were due to carelessness, poor training, lack of supervision, or other reasons.
- **Even though correctional counselors recommend inmates for academic programs, the Inmate Assignment Office (IAO) does not always place low-scoring inmates into academic programs.** While department policy requires inmates scoring below a sixth grade reading level to be assigned to adult basic education or English as a second language programs, we identified 600 inmates with low reading scores who are not in academic programs. These inmates were either unassigned or assigned to non-academic jobs or vocational programs. As discussed previously, classification committee errors or oversights contribute to this problem, but we found another contributing factor in the IAO's inmate assignment procedures.

Current institutional practices allow classification committees to refer inmates to multiple job waiting lists because the most beneficial choice may not be available. However, this practice complicates the inmate assignment process when inmates are placed on multiple lists because an inmate may initially receive a paid or a more

preferable job assignment. In some instances, an inmate may later resist a forced transfer from a more preferred job assignment to a less preferred academic assignment that, if not handled appropriately, could result in disruption to the institution's operations. An IAO lieutenant told us that CSP Solano's policy is to give priority to an inmate's academic needs over other job placements. However, another IAO staff member told us that inmates currently in a "skilled" or "paying" job will not be moved to an academic program when the inmate's name comes to the top of the academic waiting list. The staff member said that a former IAO supervisor had implemented this procedure many months earlier, and she was still following the former supervisor's instructions. This poor practice results in inmates not being moved into the correct rehabilitation program, per department policy.

- **The Prison Industry Authority's hiring practices also contribute to placing the wrong inmates in rehabilitation programs.** The Prison Industry Authority (PIA) employs over 500 CSP Solano inmates in such vocational jobs as metal fabrication, bookbinding, optical, and laundry services. According to the PIA's website, its "primary function is to rehabilitate inmates and facilitate their successful reentry into society." We found that the PIA hires most of its inmates based on the recommendation of counselors, as well as the existing desire and skills of the inmate. Because the PIA pays inmates a higher hourly wage, PIA positions are highly sought by inmates. According to PIA management at the institution, they don't give priority hiring considerations to inmates with shorter sentences. In support of this statement, we found that the CSP Solano PIA employs 66 inmates who had between 10 and 100 years until they were eligible for parole consideration. In fact, at the time of our review, 342 (66 percent) of the 515 inmates PIA employs at CSP Solano had life sentences with no parole dates. Meanwhile, hundreds of other inmates with shorter sentences and parole eligibility in the next two years remain unassigned and missing rehabilitation opportunities.

CSP Solano was not maximizing inmate class time, resulting in slower inmate learning and wasted teacher resources

We found that the combination of limited processing hours and too few security processing lines prevented inmates from arriving at class on time causing inmates to lose almost an hour a day of learning time. In addition, the department's own school attendance reports indicated that inmates attended class less than half the available time. In fact, we found that inmates may have actually attended class even less frequently than the reports indicated because teachers were found to be regularly underreporting inmate absences and overstating class attendance time. We found several correctable factors that contributed to this problem:

- **Limited operational hours for security checkpoints and too few processing lines prevented inmates from attending class for the full class day.** Most of CSP Solano's academic, vocational, and PIA assignments share work locations far from the main facility housing yards. The inmates in these

programs must travel some distance and be processed through one of two security checkpoints twice daily. The checkpoints handle over 1,300 inmates twice daily, and the search process consists of both a metal detector scan and a strip search. To manage the flow of inmates, correctional officers call the inmates to the security checkpoint in an orderly, time-delayed manner that requires inmates to line up at staging points outside before they are processed one-at-a-time through the checkpoints. The process can take at least an hour in both the morning and evening to search all the inmates and perhaps longer if delays occur.

Based on our inquiries and observations, we found that the security processing delays kept inmates from arriving at class on time. The underlying cause was a combination of too few operating hours for the checkpoints and an insufficient number of processing lines. These problems prevented inmates from being quickly searched and ultimately getting to their classes on time. At the time of our review, checkpoint officers worked a ten-hour shift, and their standard practice was to give the 500 PIA inmate workers priority processing while 800 education students waited their turn. In effect, the security checkpoints were only open to student inmates for about 9.25 hours each day. However, department policy requires that when teachers work four ten-hour days each week, inmates must attend school for 8.5 hours a day plus a 30-minute lunch break, for a total of nine hours each day. As a result, there were only 15 minutes outside the normal school day to process the education program's 800 inmates twice daily through the checkpoints. These limited operational hours combined with the number of processing lines were inadequate to handle the flow of inmate movement and caused the inmate school day to be routinely and predictably shortened.

To confirm our observations, we interviewed several education program teachers who regularly teach inmates affected the most by checkpoint processing. Nearly all the teachers told us that inmates routinely arrived late to class and sometimes left early from class to be processed through the security checkpoints. Based on information provided by teachers, we calculated that inmates processed through the security checkpoints missed an average of 56 minutes of instructional time each day, or just over ten percent of the day's required 8.5-hour class time. As a result, teaching resources were wasted waiting for inmates to arrive in class. During our review, the school's principal told us that, to alleviate delays caused by the checkpoints, the prison's management team has begun making plans to require teachers to work a traditional workweek of five eight-hour days. Subsequent to the conclusion of our fieldwork, according to the school's principal, the teachers now work five eight-hour days and inmates attend school from 8:00 a.m. to 3:00 p.m., Monday through Friday. Also, inmates are getting to and from school timelier.

- **Security checkpoints were closed at certain times during the day, which also factored into poor class attendance.** During our review, we found that CSP Solano's security checkpoints were only open during designated hours of the day and often for only short periods of time so officers could vacate the area to perform other custodial duties. When inmates with medical needs must leave class for doctor

appointments or daily medication, they must be reprocessed through the checkpoints. According to the school's principal, the security checkpoints were closed to returning inmate traffic at certain times, which substantially increased the time that inmates were absent from class. Officers told us that they did not reopen the checkpoint to inmate traffic until designated times because they wanted to discourage inmates from coming and going whenever they want. According to the school's principal, subsequent to the conclusion of our fieldwork, the institution worked with medical personnel to schedule appointments before and after school. Also, the security checkpoints now remain open throughout the day allowing inmates to reenter the educational area timelier.

For the period of August 1, 2007 to July 31, 2008, CSP-Solano had 164 scheduled academic teaching days. Based on our review, we found that inmates passing through security checkpoints missed almost an hour of instruction time each day. This equates to 11% of each school day missed or 18 full school days lost each year due to inmates missing class as a result of checkpoint operations.

- **CSP Solano's own statistics show that it is inefficient at delivering education services to inmates.** Based on information reported to the department's Office of Correctional Education (OCE), CSP Solano's inmates attended academic and vocational classes only 49 percent of the total time during the period of July 2007 through August 2008. According to the school's principal, the low class attendance percentage was, in part, attributable to two inmate lockdowns, an inmate work stoppage, and daily logistical problems that the institution has in getting inmates through security checkpoints.

Even the institution's 49 percent inmate academic and vocational education attendance rates may be overstated. We reviewed the methods teachers used to track inmate attendance and identified two common errors.

- First, we found that most teachers incorrectly identify inmates as attending class when in fact the inmates arrive late due to processing through the security checkpoints. We interviewed 16 teachers to determine how they account for inmate absences caused by security checkpoint delays. Based on teacher responses, 12 of 16 (75%) stated that they give inmates full attendance time credit at both the beginning and end of the day when inmates miss class time because of security checkpoint processing. This practice is contrary to department policy, which only allows class attendance time to be recorded when inmates are actually in class. As discussed earlier, we found that inmates passing through security checkpoints, on average, miss almost an hour of instruction time each day.
- Second, we found that 31 of 37 (84%) teachers reviewed were basing the inmate school day on 8 hours instead of the 8.5 hours mandated by department policy. The deviation was caused by teachers who were tracking class time based on inmate duty statements that identified the school day as 8 hours. However, department policy sets the required minimum class hours of 8.5 a day for teachers who work the type of

alternative workweek schedule that was previously in place at CSP Solano. The effects of this discrepancy caused inmate absences to be underreported by one-half hour per day.

The department recognizes that it needs a better strategy to effectively rehabilitate inmates

In June 2007, the CDCR’s “Expert Panel” report⁹ detailed a new plan for rehabilitation programming in the state’s prisons. This report, coupled with guidelines published in the December 2007, Governor’s Rehabilitation Strike Team report¹⁰ led to the department’s adoption of a master work plan detailing the steps necessary to implement evidence-based principles and practices collectively called the “California Logic Model.” The complexity of implementing the California Logic Model statewide resulted in the department designating three Northern California pilot locations: Deuel Vocational Institution as a reception center, CSP Solano for general population inmates, and Parole Region I (Sacramento and San Joaquin counties) for parolees.

In early 2008, CSP Solano was selected as one of the pilot locations, the purpose of which was to implement the full scope of the California Logic Model and to identify barriers and other issues affecting the statewide implementation of rehabilitation programs. The pilot project at Solano, also known as the “proof project,” is designed to maximize rehabilitation efficiency by placing the right inmate into the right rehabilitative program with the goal of ultimately reducing recidivism. The project is a multipronged attempt to address an array of staffing, inmate movement, overcrowding, housing, programming, and funding issues that negatively affect the institution’s ability to deliver adequate and effective rehabilitation programs.

Some of the steps the department and CSP Solano have undertaken were to remove gang leaders from the institution, implement an incentive program to reward inmates who actively participate in a rehabilitative program, and implement a disincentive program to restrict the privileges of inmates who do not participate in rehabilitative programs. The institution’s education program is also taking steps to increase available classroom learning time by considering switching teachers from an alternative ten hour, four day workweek schedule to a more logistically feasible traditional eight hour, five day workweek. In addition, CSP Solano now provides educational distance learning during periods of lockdown and modified programming.

Most of the proof project changes were still being implemented during our fieldwork, so we were unable to evaluate their effectiveness. However, in the future, the Inspector General, through his role as the chair of the California Rehabilitation Oversight Board

⁹ “California Department of Corrections and Rehabilitation Expert Panel Report on Adult Offender Reentry and Recidivism Reduction Programs. Report to the California State Legislature: A Roadmap for Effective Offender Programming in California,” June 2007.

¹⁰ “Meeting the Challenges of Rehabilitation in California’s Prison and Parole System: A Report from Governor Schwarzenegger’s Rehabilitation Strike Team,” December 2007.

(C-ROB), along with members of C-ROM and other OIG employees will monitor and evaluate the progress made in the proof project.

Recommendations

The OIG recommends that CSP Solano's warden, in conjunction with the department's executive management team:

- Identify and implement additional programming opportunities for unassigned inmates.
- Fill vacant teacher positions.
- Ensure that rehabilitative job assignments are made available to those unassigned inmates with the greatest literacy and rehabilitative needs such as those inmates nearing parole. Conduct a review of the institution's entire current academic, vocational, and PIA inmate assignments to identify those long-term inmates who are least likely to parole and offer those assignments to inmates with shorter sentences.
- Develop and implement a long-term strategy that focuses on assigning inmates who would benefit the most from the institution's academic, vocational, and PIA rehabilitation assignments.
- Ensure that inmates reading below a sixth grade level are only temporarily assigned to a non-academic program until an appropriate academic program is available.
- Ensure that inmates attend class for the mandatory school day.
- Ensure that teachers record class time based on actual inmate attendance and on the department's required minimum number of allowable school day hours.

Finding 3

Department weapons policies and practices compromise the safety of staff, inmates, and the public.

CSP Solano is responsible for the safety of its staff, its inmates, and the public. However, department policies and other circumstances at the institution compromise that safety. For example, we found that the institution does not ensure that all armed staff members are current in their weapons training, and the department's Operations Manual and the interpretation of that manual worsen the problem. Moreover, officers are not adequately trained to fire from an elevated position and at moving targets, and transportation officers are not trained to fire weapons in public areas.

Having properly trained officers in armed posts is critical to the safe management of inmates

To protect the safety of staff members, inmates, and the public, correctional officers are trained to maintain order and control, and they are authorized to use different types of force, depending on the circumstances. In most circumstances, simple verbal commands are sufficient to maintain order and control, but sometimes physical force, such as pepper spray, or impact force, such as batons, is necessary and appropriate. Officers are also trained and authorized to use deadly force when other force options fail or when deadly force is the only means available to protect institutional or public safety.

At CSP Solano, over 100 officers are assigned each day to armed posts. These armed posts include perimeter and yard gun towers, housing unit control booths, patrol vehicles, and transportation of inmates to court or outside medical appointments. Depending on the post, the institution may assign the officer a .38-caliber revolver, a 40 mm direct impact launcher for rubber-like projectiles, or a mini-14 rifle. Proper instruction and regular practice with these weapons is crucial, and the frequency of that training is specified in state law.

California Penal Code section 830.5(d) stipulates that peace officers "permitted to carry firearms...shall qualify with the firearm at least quarterly." Similarly, California Code of Regulations, Title 15, section 3276(a) states that "only peace officers...who are currently qualified in the firing of departmental firearms shall be assigned to armed posts or otherwise be authorized to possess, carry, or use a departmental firearm."

State law requires quarterly weapons qualification for officers who carry firearms, but CSP Solano does not ensure that its officers meet this requirement

We reviewed the qualification status of officers assigned to 727 armed posts during the week of April 28 through May 4, 2008. We found that 90 of the 727 armed posts, or 12 percent, were assigned to officers who did not complete weapons qualifications within

the past quarter. Of the 90 posts, 27 (30 percent) were assigned to officers who had not completed a weapons qualification in over eight months. In addition, one transportation post was assigned to an officer who had no record of completing a weapons qualification within the past year.

The table below shows the assignments for the 90 posts we identified.

Armed Posts Assigned to Officers without Current Weapons Qualifications	
Type of Assignment	Number of Posts
Permanent/Relief Assignment	25
Transportation of Inmates/Hospital Coverage	17
Overtime Assignment	35
Trade/Swap Assignment	13
Total	90

As the table shows, there were many occasions where CSP Solano assigned officers to armed posts who were not currently qualified with the weapons they may be required to use to defend the life of other officers, inmates, or members of the public. We attribute this problem to the institution not ensuring that officers are currently qualified before assigning them to an armed post, as well as the language in the department’s Operations Manual and the department’s interpretation of that language.

CSP Solano does not ensure that officers are currently qualified before assigning them to an armed post

All CSP Solano officers are required to complete weapons qualification at least annually, and officers assigned regularly to armed posts are required to qualify each quarter. After each weapons qualification session, the range instructor provides the in-service training (IST) unit with a list that identifies the officers who attended and completed weapons qualification. The IST unit uses this information to update each officer’s training records. Therefore, the IST unit has the information needed to generate a report of all officers who comply with the annual or quarterly weapons qualification requirement. However, the IST unit does not provide this information to staff members who assign officers to various posts.

The personnel assignment office is responsible for assigning officers to the various posts throughout the institution. However, if an officer calls in sick or if more officers are needed for assignments such as after-hour transports of inmates to outside hospitals, the watch office is responsible for filling those posts. The personnel assignment office and the watch office do not consider an officer’s weapons qualification status when assigning the officer to a post. According to staff members in both the personnel assignment and watch offices and CSP Solano’s management, officers are responsible for informing their supervisors if they are not currently qualified, and it is the supervisor’s responsibility to verify the officer’s weapons qualification status. Each officer must carry evidence that shows he or she has passed weapons qualification and the date of that qualification. However, we found no requirements in the duty statements for the armed post officers or their supervisors that armed post officers are responsible for being quarterly qualified.

Department policy endorses the assignment of unqualified staff to armed posts

Contributing to the lack of qualified staff in armed posts is the language in the department's Operations Manual (DOM) and the department's interpretation of that language. The DOM section 32010.19.7 requires that "all departmental peace officers who are issued a departmental weapon as part of their regular or special assignment...shall complete a proficiency course on a quarterly basis prior to assuming the post." According to the department, regular assignments include permanent assignments, relief duties (vacation, sick, holiday, training), inmate transportation, or outside hospital coverage. Temporary assignments like redirects, overtime, trades, and swaps are not regular or special assignments. As such, the department believes that DOM section 32010.19.7 does not apply to temporary assignments.

The California Code of Regulations allows for exceptions to the California Penal Code's requirement of quarterly weapons qualification. Section 3276(a) of the California Code of Regulations states:

Exceptions are only authorized in extreme emergencies when peace officers are not available in sufficient numbers or in time to stop or control a situation which warrants the immediate use of force.

Extreme emergencies are reasonable exceptions to the quarterly weapons qualification requirement, and as described above, would warrant the immediate use of force to stop or control a situation. An emergency, as defined in Webster's Dictionary, is an unexpected, serious occurrence or situation urgently requiring prompt action. A major riot or natural disaster affecting the lives and safety of staff, inmates, and the general public would seem to qualify as an emergency. However, that was not the situation at CSP Solano.

During our fieldwork, CSP Solano experienced no major riots, natural disasters or other extreme emergency. Yet we found that the institution frequently assigned officers to armed posts without regard to weapons qualifications. For example, the watch office redirected officers within the institution or requested officers to work voluntary or involuntary overtime when officers called in sick or the institution did not have enough regularly assigned transportation officers. Neither of these situations required the immediate use of force to stop or control the situation. Instead, they appeared to result from incomplete planning because officers call in sick everyday and inmates are transported everyday. In addition to these non-emergency situations, the institution allowed officers to exchange jobs for personal reasons without considering the officers' qualifications.

The following example, although hypothetical, illustrates the problem of allowing officers to arrange job exchanges. Officer A, who is permanently assigned to an armed post and is required to be quarterly qualified, arranges with his friend, Officer B, to fill in for him so he can take a day off. Officer A will reciprocate and fill in for Officer B at a later date. The department calls this a "swap" or "trade." The problem is that Officer B

has not qualified every quarter. Instead he may have qualified 12 months ago. These routine occurrences are inconsistent with the weapons qualification requirements of the California Penal Code.

CSP Solano does not adequately prepare officers for real-life shooting conditions

While most of the armed posts at CSP Solano are elevated, which requires officers to shoot at a downward angle, the weapons qualification and training is performed at ground level. And even though shooting from an elevated position does not affect the flight of the bullet or projectile, it does affect the shooter's target area and the shooter's positioning of the weapon. Moreover, the institution's weapons training does not include shooting at moving targets, which is usually the case when inmates are fighting.

A staff member told us the elevated platform at CSP Solano's range has not been used for years because it was deemed unsafe. The staff member did not know who made that determination or what steps would be necessary to make the platform usable.

Besides the lack of training for officers in armed posts, CSP Solano does not properly prepare its officers for escorting inmates off institution grounds to court appearances and medical appointments. During our one-week test period of April 28 through May 4, 2008, on average each day, 27 officers were assigned to transport inmates to court or outside hospitals or to provide inmate coverage at outside hospitals. These officers are issued a mini-14 rifle and a .38-caliber revolver, but they receive no special training for their escort duties. Their training does not address real-life situations, such as ambushes, escape attempts, or firing weapons in public areas. Institution transportation officers expressed their concern about the lack of training they receive. Also, the range instructors felt that additional training is needed for officers working among the public.

We inquired about the training received by other armed peace officers within the department. We found that special agents working in the department's internal affairs office receive training to prepare them for firing their weapons in a public place. Their training curriculum varies each quarter, and their course of fire focuses on quickness, failure drills, shooting from a barricade or a vehicle, and public and backdrop awareness. The officers at CSP Solano do not receive this type of training.

Recommendations

CSP Solano's warden should:

- Ensure that all officers assigned to armed posts complete the quarterly weapons qualification.
- Ensure that each month the In-Services Training Unit prepares a list of officers who are in compliance with the annual or quarterly weapons qualification

requirement and distribute the list to the personnel assignment office and the watch office.

- Provide the institution transportation staff with additional training in transporting and guarding inmates in public areas.

The California Department of Corrections and Rehabilitation should revise the DOM section 32010.19.7 to delete the wording “as part of their regular or special assignment.”

Finding 4

Critical inmate history files are stored in a modular building that lacks an adequate fire protection system.

Every institution maintains a central file (c-file) for each inmate in its custody. The c-file contains reports, evaluations, and correspondence regarding an inmate's commitment history. Staff members throughout the institution use c-files to make decisions for safely incarcerating and programming inmates. CSP Solano stores these critical, irreplaceable files in a modular building outside the secure perimeter fence next to a parking lot. We discovered that this modular building does not have a sprinkler system to prevent a fire from destroying all the c-files. Further, in a September 2008 report, the state fire marshal expressed concern that the lack of a fire alarm or sprinkler system could endanger staff members who work in the building.

The c-file is used to make critical decisions regarding an inmate's security classification, release date, and other key areas

The inmate c-file is a master file consisting of numerous pieces of information collected over the years regarding an inmate's time in prison. An inmate's c-file is in a folder or multiple folders, and the file follows the inmate when he or she transfers from one institution to another. The c-file contains critical information about the inmate's classification, treatment, employment, training, and disciplinary history. Basically, the c-file details the inmate's criminal past, his behavior inside department institutions, and his programming progress. In addition, the c-file holds detailed calculations regarding sentencing and the inmate's release date. The department has tried to automate the c-files, but previous attempts have failed. Consequently, this paper file continues to be the major source of critical individual inmate information that is vital to the department and its institution's operations.

Staff members throughout the institution use c-files to make decisions for safely incarcerating and programming inmates. For example, an inmate may have enemies in the institution who would harm the inmate if the opportunity arose. This information is recorded in the c-file and is reviewed before making inmate housing assignments. Knowing this information allows the institution to separate these inmates and prevent an incident from occurring. Thus, the c-file contains critical lists of enemies and gang information that, if lost, may be irreplaceable. As another example, before transporting an inmate off institution grounds, officers review the inmate's c-file to determine security needs, such as additional escort officers or officer supervision. The c-file also contains Board of Prison Hearings reports used during parole consideration hearings.

The department recognizes the importance of c-files and limits access to the files

The DOM section 71010.11 only allows specific personnel to access, read, handle, or transport an inmate's c-file. The c-file must be returned to the case records office at the close of business each workday unless an extreme emergency occurs; under no circumstance will a c-file be taken off state property without the permission of the warden or his designee.

As mentioned above, the inmate's c-file is the main source of information about an inmate's time in prison. Documents as important as those contained in the c-file should be protected from destruction. Yet CSP Solano's case records office, where the c-files are stored, is located in a modular building that during our site visit, lacked fire sprinklers, fireproof cabinets, or any other fire protection system. In addition, staff members who work in this building expressed concerns to us about the lack of a fire protection system.

The state fire marshal has concerns about the building used to store inmate records

In September 2008, the state fire marshal inspected the modular buildings occupied by CSP Solano's case records office. The fire marshal's Fire Safety Correction Notice states that the modular buildings do not have a fire alarm system or fire sprinklers. The notice further states that the buildings are provided with single-station smoke alarms that did not appear to be tied together. In addition, the fire marshal recommended that CSP Solano review the feasibility of installing fire sprinklers in the modular buildings, as well as installing an automatic smoke and heat detection system for early warning to enhance staff safety. The fire marshal noted, "In the case of a fire at night, there is no early warning to the fire department, and without sprinkler protection, there is liable to be a large loss of contents to the building. There may be a significant impact to the institution should a fire occur."

Reconstructing the contents of c-files would be a lengthy process, with some information lost forever

According to the department's chief of correctional case records services, an institution has never lost a c-file and she was unable to find any policy on recreating a c-file. However, she did say that if a catastrophic loss were to occur, inmates would probably be barred from transferring or paroling because the inmate's c-file must be reviewed before a transfer or parole can occur. Moreover, it would probably take several months for staff members to rebuild the files, and during that time, other institutional functions might possibly be shutdown. One of her managers told us that duplicate sentencing documents would have to be obtained from the originating courts to rebuild the files. Other legal and sentencing information would have to be obtained from the Offender Based Information System (OBIS), the Distributed Data Processing System (DDPS), and the automated

release data tracking system. Further, various institutional program files would have to be searched for applicable information such as centralized disciplinary logs, inmate appeal logs, and work history records. However, some information may never be recoverable, including miscellaneous correspondence, correctional counselor notes, and other internal documents.

According to a department official, the need to reconstruct a paper c-file will be eliminated once the department develops an electronic file system. The project director for the Strategic Offender Management System (SOMS) told us that all existing paper c-files will be scanned beginning in November 2009. The project director further indicated that digital images of all offender records will be completed by October 2011.

Recommendation

Until the all paper c-file records are electronically scanned, CSP Solano's warden should take all necessary steps to protect the property located within the modular buildings where the institution's c-files are stored. Moreover, the warden should follow the fire marshal's recommendations for enhancing staff safety.

California Department of Corrections and Rehabilitation's Response

OFFICE OF THE SECRETARY

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



July 6, 2009

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 Inspector General's (OIG) draft report titled *California State Prison, Solano (SOL) Quadrennial Audit*, dated June 2009. We were pleased to meet with representatives from the OIG on Monday, June 22, 2009, to review and discuss the preliminary draft of this audit. We appreciate the time your staff set aside for the California Department of Corrections and Rehabilitation's (CDCR) consideration of the report. As usual, deficiencies identified by external agencies are an impetus for change and from this report, corrective action has already begun.

The audit identified wasteful warehousing and procurement practices by SOL and headquarters. As you point out, CDCR is in the process of automating its procurement systems through the procurement and deployment of a customized Business Information System software. This software links the Department's budget with its procurement needs, and once fully deployed, will allow designated personnel the opportunity to view inventory levels of all goods on hand or en route and can warehouse, deploy, restock or redirect as appropriate. This software will enable CDCR to strengthen internal controls and ultimately minimize financial waste. In addition, CDCR has taken and continues to take steps to deploy unused goods that are deemed surplus to its operations.

This report maintains that SOL does not have adequate rehabilitative opportunities for its inmates and does not use its limited resources effectively. Specifically, you state that more than 30 percent of the institution's 5,700 inmates sit idle every day. Although SOL may have a limited number of inmate assignment positions in its institution, SOL works to minimize idle time by providing opportunities for inmates to participate in a wide selection of voluntary programs. For example, during the review period, SOL maintained approximately 115 inmates in volunteer Independent Study programs, 351 in Distance Learning programs, and 315 in college programs, 120 in volunteer literacy programs and over 300 inmates participated in Inmate Leisure Time Activity Groups such as Alcoholics Anonymous/Narcotics Anonymous, Victim Reconciliation, and Veterans programs. A significant number of inmates also participate in religious programs and a variety of organized and individual recreational activities which are not included in the assignment numbers you reviewed.

In addition, while stating that SOL is ineffective in getting inmates to their rehabilitative programs, you acknowledge CDCR's efforts to redesign the work change building to facilitate higher efficiencies in processing inmates to increase the amount of time the inmate

Mr. David R. Shaw
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is available for classroom instruction. Reconfiguration of this space depends upon State Fire Marshall approval of the plans and the receipt of funding.

You also recognize the Proof Project that is being piloted at SOL, aimed at reducing recidivism by more effectively using our rehabilitative resources. One of the Proof Project's main goals is to ensure that the right inmates are placed into the right programs, eliminating the possibility of assigning inmates with long-term sentences to education and work training programs at the expense of inmates with shorter terms.

We agree with your assessment that the modular building where inmate history files are stored lacks an adequate fire protection system. CDCR has long established Design Criteria Guidelines utilized by its architects and engineers in the design and construction of all of its facilities that outline the need for a fire alarm system that reports to a central control and the fire house and/or signals to a centralized area with lights and sound. The statewide rollout of the Strategic Offender Management System application, scheduled to begin November 2009 with the full implementation by 2011, will create digital offender records for adult and juvenile institutions and parole. This system will replace and decommission dozens of other stand alone databases throughout the Department, and will be the primary offender record keeping system for all CDCR. During the transition to this digital system however, we will centralize the signaling of the fire alarm in this modular building, as we believe the addition of fire sprinklers, if activated, could potentially destroy these paper-based records.

The concern that CDCR's weapons policies and practices compromise the safety of staff, inmates, and the public appears to be an ongoing issue with the OIG. We believe that based on the California Code of Regulations and the Department Operations Manual, CDCR correctional staff have met the criteria for qualification. CDCR already requires quarterly qualification of correctional staff regularly assigned to an armed post or who have a high likelihood of being assigned to an armed post (i.e., armed post relief officers, permanent-intermittent employees, vacation relief officers, holiday relief officers, sick relief officers, and training relief officers).

The deficiencies identified in this report are being immediately addressed and will be reported to CDCR's Office of Audits and Compliance in a corrective action plan for monitoring and follow up. We would like to thank the OIG for allowing us the opportunity to provide comment on the deficiencies identified in your preliminary report. We appreciate your continued professionalism and guidance in CDCR's efforts to improve its operations. If you should have any questions or concerns, please call my office at (916) 323-6001.

Sincerely,


MATTHEW L. CATE
Secretary

California Prison Health Care Services' Response

PRISON HEALTH CARE SERVICES



July 14, 2009

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

Re: JUNE 2009 CALIFORNIA STATE PRISON, SOLANO – QUADRENNIAL AND WARDEN AUDIT

Dear Mr. Shaw,

The California Prison Health Care Services (CPHCS) thanks the California Office of the Inspector General (OIG) for your evident professionalism in investigating and documenting the unused Information Technology (IT) equipment problems as documented in the audit report of the operations at the California State Prison, Solano. I especially appreciate your thoroughness in noting that these items were purchased before I was the Receiver. Thank you for also noting that California State Prison, Solano is already working to make certain that the computer equipment in question is assigned to good use.

I take the responsibility of stewardship over taxpayers' money very seriously. Even before learning about your investigation, I have been taking steps to guard against the loss of valuable technological tools. To that end, I fully concur with the three OIG recommendations stated in the report asking that CPHCS implement the following:

1. Assess each institution's current needs before initiating statewide consolidated purchase orders for computer equipment;
2. Improve its communications with institutions about why equipment is ordered and where it belongs;
3. Train employees who prepare and authorize purchase orders to review the purchase orders and ensure they are accurate, consistently written and agree with state requirements and negotiated terms of the vendor contracts.

Therefore, I am pleased to report that CPHCS is already implementing the following actions to enhance loss mitigation:

A) By the end of August 2009, the CPHCS Information Technology Services Division (ITSD) will finish the recruitment efforts for at least two field support IT employees per each of the 33 prisons. These new IT employees are dedicated to support the IT needs of the Dental, Medical and Mental Health clinicians in the prisons. The field support IT staff will be managed by local CPHCS ITSD supervisors who report to regional CPHCS ITSD managers who then report to ITSD leadership at CPHCS Headquarters (HQ). CPHCS will now

have IT staff resources that can work with the local clinical staff to accurately identify IT software and hardware needs, deploy the procured technology and provide cradle to grave asset management over the IT resources that the CPHCS is responsible for overseeing.

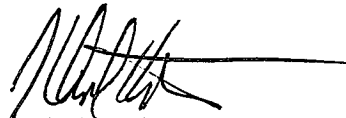
B) CPHCS is now working with the California Department of Corrections and Rehabilitation (CDCR) to deploy the asset management tracking module within the new CDCR Business Information System (BIS). The first 20 CPHCS staff will be trained to use the BIS system to track IT assets by the fall of 2009. This IT asset tracking system will contain the data that includes the request, procurement, deployment, use and disposal of all IT equipment and software.

C) CPHCS ITSD staff is currently performing a statewide baseline inventory of all IT assets. This will be followed by an annual inventory of all IT assets throughout all 33 prisons and CPHCS HQ locations. IT equipment that is found to be surplus at one prison will be evaluated and distributed for use at other locations that have a need.

Furthermore, the CPHCS procurement staff is also now using the BIS system to manage and track all IT procurements. CPHCS procurement staff has been trained to prepare and review purchase orders to ensure they are accurate, consistent and comply with state guidelines and the terms of the vendor contracts.

Again, thank you for the service you provide our state's taxpayers. Please rest assured that we are making every effort to improve the system we inherited with a conscious effort towards the careful acquisition, maintenance and tracking of our equipment.

Sincerely,



J. Clark Kelso
Receiver