



Inmate Advisory Council Meetings, January–June 2024

The Office of the Inspector General's (the OIG) Intake Processing Unit (Intake) receives complaints from the incarcerated population and the public. To assist with the review of complaints, Intake staff actively work to gain knowledge of local and departmentwide issues through attending periodic meetings with inmate advisory councils (IACs) at California Department of Corrections and Rehabilitation (the department) prisons. The IACs "serve to advise and communicate with the warden and other staff those matters of common interest and concern to the inmate general population (The *California Code of Regulations*, Title 15, Section 3230 (a)(1))." Typically, IACs meet at least quarterly with the warden and monthly with members of the warden's management team, including a facility captain and other supervisors.

During the six-month reporting period of January through June 2024, we met with IACs at 14 prisons to educate council members about the OIG's mission and to solicit input. We also provided an OIG Fact Sheet to explain the work of the OIG and how to

reach us, including through a confidential quick-dial number from either a designated incarcerated person phone or State-issued tablet. Below are listed the names of prisons that OIG Intake staff visited, and in this report, we present some of the common issues raised by the IACs regarding departmental processes, along with the OIG's actions and recommendations pertaining to those issues.

Prisons Visited

- Avenal State Prison (ASP); California Institution for Men (CIM); California Institution for Women (CIW); California Men's Colony (CMC); Correctional Training Facility (CTF); High Desert State Prison (HDSP); Kern Valley State Prison (KVSP); North Kern State Prison (NKSP); Pelican Bay State Prison (PBSP); Pleasant Valley State Prison (PVSP); Salinas Valley State Prison (SVSP); San Quentin Rehabilitation Center (SQRC); Sierra Conservation Center (SCC); and Wasco State Prison (WSP).

Complaint Issue

1. Procedures for the collection of grievances from the secure collection site (lockbox) were alleged to have not been consistently followed by some staff, for example:
 - An office technician would pick up the grievances and stop at the program office, where custody staff are assigned, and stay for a few hours before dropping the grievances off in the Office of Grievances (OOG). On other facilities, the office technician would pick up the grievances and go directly to the OOG to drop off the collected forms. An incarcerated person stated that some of their grievances went missing and were not processed, and incarcerated person believed this was due to the office technician stopping at the program office and allowing custody staff access to the grievance.
 - As an office assistant retrieved grievances from the lockbox, custody staff looked over the shoulder of the office assistant and read the grievances as they were being collected and unfolded. Shortly after the grievances were collected, several incarcerated people were confronted by officers and a sergeant for filing grievances or staff complaints.



Photo 1. Departmental lockboxes.





- An office technician collected grievances while being escorted by several correctional counselors, and it was alleged that those counselors read the grievances before they were submitted to the OOG. One example provided involved an incarcerated person who filed a grievance against a correctional counselor, and the same counselor brought the unprocessed grievance back to the incarcerated person to discuss the claim.
2. A few concerns were shared regarding the Prison Rape Elimination Act (PREA), including the following:
- A lack of privacy partitions in the showers allowed for unwanted viewing of incarcerated people—who were showering—by staff or other incarcerated people in the area. It was also alleged that plant operations staff had been slow to respond to this concern and instead used plastic bags to cover up the showers, which either were torn down or had grown moldy.
 - Shower curtains were available, but they were kept in a storage closet and had to be requested by incarcerated people after each shift change. At times, this could cause issues, because transgender incarcerated people had to request privacy curtains multiple times each day, and some custody staff were reluctant to provide them.
 - The privacy screens that the prison provided for showers were inadequate because they allowed nontransgender incarcerated people to view transgender incarcerated people while the latter were showering. Although new shower curtains were provided to half the facilities, the buildings in the other half still had the old curtain style, which was clear on the top half of the curtain. A grievance was filed regarding the inadequate privacy screens, but it was denied by the OOG.

Positive Feedback

The California Model is built on four foundational pillars: dynamic security, normalization; peer support, and becoming a trauma-informed organization. We received several favorable comments regarding “dynamic security,” which involves “promoting positive relationships between staff and incarcerated people through purposeful activities, and professional, respectful communication,” and “normalization” including the following observations:

- Incarcerated people shared that they have encountered several officers whose behavior stood out in a positive way and wanted to know how they could provide positive recognition to



Photo 2. California Institution for Women.



those individuals. The incarcerated people stated they believe in the California Model and want to see change implemented to the fullest potential at their prison.

- A recent food sale, an event at which incarcerated people could purchase items like sandwiches or pizza, generated approximately \$9,000 for the Special Olympics. In the past, incarcerated people were only able to have a food sale every 18 months. Prison management recently approved that food sales can take place on a quarterly basis, which will increase opportunities for the incarcerated population to contribute to nonprofit organizations.
- Incarcerated people spoke positively about a recent soccer game in which a team of staff competed against a team of incarcerated people. The incarcerated people told us they believed playing the sport “humanized” the incarcerated population for, and helped them foster better relationships with, staff. The incarcerated people also noted they believe the warden was supporting the cultural changes and making a difference.
- Incarcerated people shared that staff were more respectful than they had been in the past when communicating with the incarcerated population. In addition, the number of self-help groups and volunteers had increased.
- An incarcerated person stated that, compared with other prisons experienced, sergeants interacted more with the incarcerated population out on the yard. The incarcerated person shared that, at other prisons, sergeants would not speak to incarcerated people.

OIG Actions and Recommendations

The OIG reviewed applicable prison records, departmental regulations, policies, and Penal Code requirements for each of the complaint issues and positive feedback shared by incarcerated people.

1. **Secure Collection Site (Lockbox)** – Departmental regulations provide that specific departmental staff are permitted to collect grievances from lockboxes, and grievances shall be collected at least once per business day. The grievances are to be collected by departmental staff not regularly assigned to that housing unit. Additional local processes provide further direction. In November 2016, a departmental memo titled “Secure Appeal Collections Sites and Form 602/1824 Receipts” provided direction regarding staff who collect the grievance forms. Each prison is to ensure that a lockbox for submission of grievance forms is provided on every yard, in every housing unit, and in the program office used by incarcerated people. These forms should be retrieved by grievance office staff or clerical staff designated by the warden. Custody supervisors are not required to collect the grievance forms from the lockboxes. Of note: the direction states that reading the grievances or inspecting the contents shall only be conducted by grievance staff, and “other staff shall not attempt to do this at the time of receipt.”

Although incarcerated people’s perceptions that the grievance collection process lacks confidentiality and accountability may be unsubstantiated, the examples cited at several prisons raise concerns that the process is not consistently followed.



- The OIG recommends that the department provide refresher training to all staff who are entrusted with the responsibility for collecting grievance forms. Furthermore, the department should develop a signed acknowledgment form for any staff to use who are designated to collect grievance forms. Their signature would document that they agree to conform to the confidential collection and processing of grievances and that a failure to do so could result in progressive discipline.

- 2. Prison Rape Elimination Act (PREA)** – Departmental policy provides that PREA preventative measures shall include modesty screens placed strategically in shower areas to prevent incidental viewing, except in circumstances that impact safety and security. Custody supervisors also shall conduct weekly unscheduled security checks to identify and deter sexual violence of any kind. During our on-site inspection at one prison, we observed plastic coverings used in the showers on both the lower and upper tiers that did not provide adequate privacy. During our exit conference, we notified the warden of these PREA concerns regarding a lack of privacy partitions and ineffective plastic coverings in the showers resulting in potential unwanted viewing. At another prison, we reviewed the OIG's decision that denied a claim of inadequate privacy screens in the shower area. It was noted that privacy screens were vetted and approved for use during transgender showers. The grievance response was issued in December 2022, and the incarcerated person was no longer housed within the department.

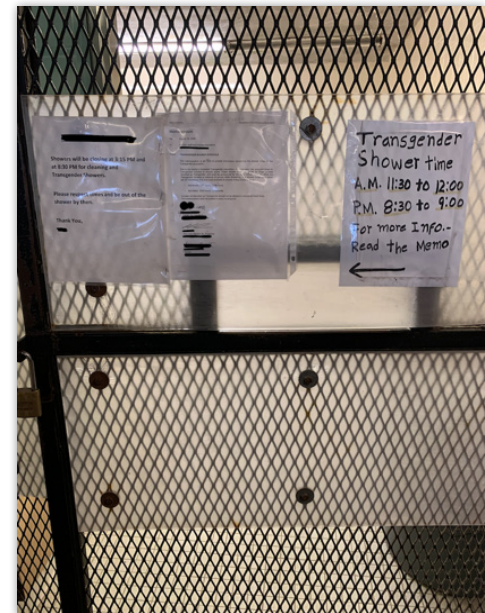


Photo 3. Example of a shower privacy screen.

- The OIG's PREA Ombudsperson received four complaints regarding inadequate privacy screens near showers at four prisons statewide so far in 2024. The OIG forwarded these reports to the respective wardens, PREA compliance managers, and the PREA Coordinator at departmental headquarters concerning possible noncompliance with federal PREA Standards. We will continue to review and monitor complaints involving noncompliance with PREA standards and the department's actions to address the concerns raised.

- 3. The California Model** – The OIG notified the public information officer (PIO) at the respective prisons where incarcerated people were interested in highlighting and sharing positive staff recognitions. The PIO was pleased to consider the possibility of having incarcerated people nominate employees who are exemplary at following the pillars of the California Model.

- The OIG will continue to review, monitor, and provide input to the department regarding its implementation of the California Model.