

## **CALIFORNIA MEDICAL FACILITY 2008-2009 Grand Jury Report**

### **REASON FOR INSPECTION**

California Penal Code §919, subdivision (b) provides: “The grand jury shall inquire into the condition and management of the public prisons within the county.” Pursuant to the statute, on September 26, 2008, the 2008-2009 Solano County Grand Jury inspected the California Medical Facility located at 1600 California Drive, Vacaville, California.

### **GRAND JURY ACTIONS**

- Interviewed the Acting Warden and Administrative Staff
- Toured the Ambulatory Care Unit
- Toured the new Mental Health Crisis Bed Unit
- Toured the Department of Mental Health licensed hospital within California Medical Facility
- Toured the Hospice Unit
- Toured the Urgent Care Unit
- Toured inmate housing units
- Toured the Administrative Segregation Unit
- Toured the Education Center

### **BACKGROUND/SUMMARY**

The California Medical Facility (CMF) was established in 1955 by the Legislature to provide a centrally located medical/psychiatric institution to meet the health care needs of the adult male inmate population in California’s prisons. The facility was originally designed to house 2,315 inmates. Housing areas have been reconfigured over time, and the current inmate capacity is 3,292. The daily inmate census is approximately 3,100. Of this number, over 3,000 inmate patients have chronic medical and/or mental health conditions. The remaining inmates work in the kitchen, library, and provide janitorial and landscaping services. The staff appears to be managing the California Medical Facility well, given that the present population is near capacity.

CMF is staffed by approximately 1,962 employees, comprised of 891 sworn custody staff and 1,071 health care and support staff. The current operating budget for the facility is approximately \$214 million. About 47% of the budget (\$103 million) funds clinical services. In addition, the Department of Mental Health has an annual operating budget of approximately \$40 million.

Upon entering CMF, prisoners are assessed and assigned a security level from Level I (minimum security) to Level IV (maximum security). An inmate’s security level is based on an individual assessment of his criminal history, prior incarceration history, current commitment offense and actions during incarceration. CMF is designed as a medium-security prison. However, due to its mission as a medical/psychiatric treatment facility, CMF houses inmates of all four levels of security risk, from minimum to maximum. Level IV inmates are in the minority and whenever

appropriate, are transferred to maximum security prisons that have facilities designed to meet the needs of inmates requiring medical and/or psychiatric care.

The majority of CMF inmates are housed inside the perimeter of an electrified security fence in cells that accommodate one or two prisoners, in dormitories with shared living quarters or in the medical units. The lowest security risk inmates are housed in dormitories outside the electric fence and can be assigned to work on community projects. The facility appeared clean and well-maintained. Inmates are allowed to purchase, at their expense, a small television, radio or CD player for use in their cells, but reception is limited. There are pay telephones available for use by the inmates where they may make collect calls to outside parties. Inmate mail is opened and inspected for security purposes.

***CMF Staff indicated to the Grand Jury that cellular phones pose a serious security problem for the facility.*** Prisoners who possess illegally obtained, unmonitored cell phones have the capability to communicate and coordinate escape plans and other illegal activities. Using a network of cellular phones, incarcerated gang leaders can order simultaneous riots, attacks on other gangs and staff assaults throughout the California prison system. They can also order killings and oversee other criminal activity outside the prison.

Only approved staff may carry State-issued cellular phones inside the facility. Any other cellular phones must have prior approval from the Warden to be brought into the secure perimeter of the facility. Despite all efforts, prisoners still obtain access to cellular phones. Staff members have been terminated for providing cellular phones to inmates. It is the opinion of prison administrators; however, that most cellular phones in the possession of inmates have either been smuggled in by visitors or have been tossed over the perimeter fence from the outside by confederates of inmates. Prison staff is hampered by a disciplinary system that is governed by legislation and case law and that imposes no serious penalties for cellular phone possession by inmates. Possession of a cellular phone merely results in the loss of good behavior credits, which can easily be restored over time.

CMF Hospital Services meets the medical needs of the inmates with:

- 65 licensed general acute care beds
- A 76-bed Intermediate Care Unit
- A 50-bed Mental Health Crisis Unit
- 21 licensed elderly-care beds
- Three negative-pressure isolation rooms
- Surgical services with two operating rooms and a minor surgery room
- A 17-bed licensed Hospice Unit for terminally-ill patients
- A full range of outpatient services

CMF has a fully functional licensed hospital providing medical, surgical and mental health services. The hospital includes a clinical laboratory, radiology, pharmacy and dietary services. In addition, treatment is provided for respiratory problems and kidney disease.

In March 2005, CMF opened the Ambulatory Care Clinic (ACC), which provides patient care in a setting exceeding community standards. The consolidation of many satellite clinics into the ACC has enabled CMF to become more efficient in the delivery of medical care.

CMF operates a hemodialysis unit with seven stations to provide acute and chronic hemodialysis treatments and services to inpatients and outpatients housed at CMF. There is also a full range of respiratory services including pulmonary function testing, sleep studies, respiratory specimen collection, medication administration, oxygen therapy and arterial blood gases for CMF patients.

CMF Public Health Services provides consultation, immunization, treatment, outbreak investigation, post exposure management, disease surveillance, infectious disease reporting and in-service training.

A dental care unit provides dental services, and an on-site dental laboratory prepares partial and full dental prosthetics. Inmates receive a complete dental examination upon entering the facility. Inmates under the age of 50 are examined once every two years. Inmates 50 and above receive examinations annually.

The nurse-to-patient ratio at CMF is the same as required by law for all hospitals in California. Registered nurses staff the emergency room 24 hours per day. A physician is present during the regular day shift. A Medical Officer of the Day who is a licensed physician and a Psychiatric Officer of the Day who is a licensed psychiatrist provide after-hours care so that urgent and emergent problems can be dealt with 24/7.

CMF has special housing and comprehensive services for 500 HIV/AIDS patients. There is also a 17-bed hospice unit. The hospice unit is the only one of its kind in the State prison system and is considered to be a model for prospective hospice units statewide. The Hospice Unit offers care, comfort and support for all terminal patients. It includes a Pastoral Care Services Program to meet the spiritual needs of inmate-patients who are terminally ill to ensure that no inmate-patient dies alone. Inmates who meet certain requirements can volunteer to provide support care for these patients. Family visitation is more lenient in this unit.

The Department of Mental Health operates a licensed, acute care psychiatric hospital within CMF. Mental health services at CMF are categorized into four separate levels of care:

- The lowest level of care is for inmates who require minimal support on an outpatient basis.
- The second level provides a higher level of clinical intervention and a more structured system of support services while remaining an outpatient program.
- The third level provides in-patient care for significantly mentally-ill inmates in need of long-term care.
- The highest level is an Acute Psychiatric Program that provides an ongoing psychiatric assessment and treatment facility for acutely mentally-ill inmates within a highly structured environment.

The hospital was originally licensed by the Department of Health Services in November 1988. It primarily serves Custody Level I, II and III inmates from adult male prisons throughout the state.

In June 2008, CMF activated a fully licensed 50-bed Mental Health Crisis Bed Facility (MHCBF). This facility serves as a statewide resource. Licensed as a Correctional Treatment Center, the MHCBF provides the largest current concentration of crisis beds at any prison in the State. The MHCBF provides 50 beds to help meet the mental health treatment needs of California Department of Corrections and Rehabilitation inmate-patients requiring short-term crisis care.

Visiting hours at CMF are on Friday, Saturday and Sunday. Inmates on good behavior can have visitors on seven holidays throughout the year. In most cases, visitors and inmates meet in a common open secure area and may have limited and monitored physical contact. There are some inmates who, due to security reasons, may not be allowed contact visits. These inmates are accommodated in an area of the visiting room where they are separated and have one-on-one, non-contact visits through a non-breakable glass partition.

The Education Center provides educational, recreational, general and law library services for the inmates. The Center also includes an academic education program. This program provides classes in adult basic education at three levels based on grade level of reading. Level 1 is below 4th grade, Level 2 is 4th to 6th grade and Level 3 is 7th to 9th grade. Inmates reading at or above the 9th grade level may enroll in the high school or GED program. In addition, classes are available for literacy and English as a Second Language. The number of inmates in need of these classes exceeds the space available. The Acting Warden and the teaching staff expressed a desire to expand available classroom space to allow more students to participate in these programs. Eligible inmates may take classes and earn credits in courses offered over the internet by local community colleges.

Inmates within 120 days of release are assigned to a re-entry program. Emphasis is placed on employment skills, communication skills, money management, community resources, parole resources, self-esteem, social values and taking personal responsibility.

Vocational education is available in the fields of horticulture, electronics, office skills, and janitorial services. Students in the electronics program are required to complete 18 certification units. Certification is offered through the Electronic Technicians Association International.

The Education Center also provides a Disability Placement Program for disabled inmates. A resource center and classrooms are set aside for inmates with vision, hearing, speech and mobility impairment. Instruction is provided in computer use with adaptive software for disabled persons (basic literacy skills, Braille and American Sign Language). Other inmates may volunteer to take part in a program to transcribe books onto tapes and into Braille format.

Lawsuits regarding prison staffing and inmate overcrowding resulted in the Federal courts placing the State Prisons in receivership. Court-appointed receivers make recommendations about the operation and staffing of prisons.

## FINDINGS AND RECOMMENDATIONS

**Finding 1** - The staff appears to be managing the California Medical Facility well, given that the present population is near capacity.

**Recommendation 1** - The Department of Corrections and Rehabilitation should continue to work toward increasing the size of the facility.

**Finding 2** - *Possession and use of smuggled cellular phones by prison inmates poses a serious security problem that is not being adequately addressed within the prison system.*

Prison staff is hampered by a disciplinary system that is governed by legislation and case law and that imposes no serious penalties for cellular phone possession by inmates. Possession of a cellular phone merely results in the loss of good behavior credits, which can easily be restored over time. A change in the system would require legislation that would make cellular phone possession by a prison inmate a felony punishable by an additional prison sentence.

**Recommendation 2a** - The Grand Jury recommends that the California State Legislature pass legislation that will make cellular phone possession by a prison inmate a felony punishable by an additional prison sentence.

**Recommendation 2b** - Given the gravity of the situation, we recommend that the Solano County Board of Supervisors sponsor legislation as part of its legislative platform to make it a felony for inmates to possess cellular phones within a state prison as well as a felony for staff or visitors to provide inmates with cell phones.

## COMMENTS

The court-appointed receivers have made recommendations that have been implemented. These changes have improved staffing levels and reduced mandatory overtime as well as turnover of medical staff.

The Acting Warden and staff appeared to be attentive to the needs of the inmate population, and demonstrated a high level of professionalism in their management of the institution. The 2008-2009 Grand Jury commends the Warden and his staff for their achievements in establishing and operating a truly modern confinement, care, and treatment facility.

Past Grand Juries have made recommendations regarding ways to effectively deal with cell phone possession by inmates. The recommendations were made to the prison, which is the local office of the California Department of Corrections. In order for recommendations to be seriously considered, they must reach the appropriate agent of change, which in this case is the California State Legislature - not the local prison. Implementation of Recommendation 2a would require *legislation* to impose realistic penalties for cell phone possession by inmates. In an effort to emphasize the gravity of this issue, courtesy copies of this report are being sent to appropriate members and committees of the State Legislature along with a cover letter reiterating our concerns and requesting a response to those concerns.

**RESPONDING AND AFFECTED AGENCIES**

Warden California Medical Facility  
Secretary of California Department of Corrections and Rehabilitation  
Solano County Board of Supervisors

**COURTESY COPIES**

City of Vacaville – Mayor, City Council, City Manager  
Solano County Sheriff/Coroner  
Solano County District Attorney  
City of Vacaville Police Chief  
State Senators, Districts 4 and 5  
State Assembly Districts 7 and 8  
California State Senate Public Safety Standing Committee  
California State Assembly Public Safety Standing Committee  
California Department of Justice  
Warden California State Prison-Solano  
U.S. District Judge Thelton Henderson  
Clark Kelso, Court-Appointed Receiver  
The California District Attorneys Association