



January 6, 2006

“Dante once said that the hottest places in hell are reserved for those who in a period of moral crisis maintain their neutrality.”

John F. Kennedy

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STATEWIDE INCIDENTS

Ironwood State Prison reported about 17 Hispanic inmates were involved in 3 simultaneous and separate physical altercations on the Facility D, main yard. A Code 3 alarm was announced and staff responded utilizing OC pepper spray, CS scat rounds, side-handled baton and 40 mm direct impact rounds to quell the incident. Six inmates sustained superficial stab/slashing wounds. One inmate sustained severe stab wounds to the abdomen and was transported to Palo Verde Hospital for treatment. Seventeen inmates were placed in ASU.

At California State Prison-Solano at approximately 1003 hours, a riot involving about 150-200 Black and Southern Hispanic inmates occurred on the Facility II Yard. Staff utilized 37mm baton rounds, CN projectiles, OC Pepper spray, and batons to quell the incident. There were no staff injuries as a result of this incident. Several inmate manufactured weapons were recovered at the scene.

Inglewood parole agents contacted LEIU Fugitive agents requesting assistance in apprehending a parolee-at-large. Apparently on Nov. 8, the parolee drugged and brutally sodomized and raped his cousin. Torrance police detectives filed the open felony charge and their surveillance team worked with the LEIU Fugitive team. The parolee has a prior conviction of Manslaughter. U.S. Marshals were contacted and an all out effort was made to apprehend the parolee. On Nov. 21 he was observed entering a vehicle along with his mother in the Santa Clarita area. Torrance

PD, LEIU Fugitive agents and the U.S. Marshals were able to apprehend the subject without incident. The parolee was taken to Torrance PD and booked for Rape and Parole Violations.

A ward at the N. A. Chaderjian Youth Correctional Facility was booked at the San Joaquin County Jail on four counts of PC314 (1) Indecent Exposure. The ward's mother has been in contact with Books Not Bars and was attempting to organize a protest (harassment) regarding her son at Chad.

At approximately 0925 hours at California State Prison-Solano, staff observed approximately 23 Northern and Southern Hispanic inmates involved in a riot in Building #18, Facility III. OC Pepper spray and expandable batons were used to quell the disturbance. Specifically, as the Northern Hispanic inmates were returning to building #18, a group of Southern Hispanic inmates attacked them. All of the involved inmates was medically evaluated and cleared for placement in ASU. Inmate manufactured weapons discovered at the scene were one razor blade wrapped in masking tape and a pen with a nail at one end with a cloth handle. The injured inmates sustained cuts and bruises consistent with being in a fight, however, none were life threatening. There were no staff injuries as a result of this incident.

At approximately 1130 hours, at Centinela State Prison, a search warrant was served on an inmate visitor, mother of an inmate. The visitor cooperated with staff and surrendered 27 pre-packaged bindles of heroin (13 grams) contained within several balloons that she had hidden on her person. The mother was subsequently booked into Imperial County Jail on charges of Possession of a Controlled Substance with Intent to Distribute. The inmate was placed in ASU pending investigation of charges of Conspiracy to Introduce a Controlled Substance into State Prison.

A Redding parolee and registered sex offender who had cut off his electronic confinement anklet, was involved in a hit-and-run collision on Churn Creek Road in Redding resulting in the death of 35-year-old woman. The victim's abandoned car led the police to her residence where the parolee and a 17-year-old girl were seen leaving the home through a back window. On Nov. 27, the parolee was arrested and booked into the Shasta County Jail.

A parolee, San Bernardino Unit IV, was arrested as a suspect in a fatal stabbing incident that occurred at a sober-living residence in San Bernardino where the parolee resided. According to reports, the 39 year-old, female victim was found stabbed in the chest and lower neck area.

An Ontario Unit III parolee was arrested for the shooting of her sister and brother-in-law. Upland police officers responded to San Antonio Community Hospital to investigate a call about two shooting victims. Further investigation indicates one shot, fired by the parolee, entered and exited the subject's brother-in-law and then entered the sister. Officers were able to locate and subsequently apprehend the parolee. Both victims are expected to survive.

At Deadwood Conservation Camp, 14 southern Hispanic and White inmates were involved in a riot. The motive is unknown. Eleven inmates were injured, with five inmates taken by camp

personnel to an outside hospital. Various weapons of opportunity were used. All involved inmates were taken back to the California Correctional Center for housing in ASU pending investigation. There were no staff injuries.

STAFF ASSAULTS

An inmate at the Kern Valley State Prison committed battery on a peace officer. The inmate spat in the officer's face striking him in the eyes. The incident started when the inmate was ordered to empty the coffee from his cup when exiting the chow hall. He became resistive to staff, pepper spray was utilized to bring him under control.

At SVSP an inmate assaulted a peace officer by pulling on the waist chains while an officer tried to un-cuff him. This caused abrasions to the officer's hand and finger.

An inmate at the North Kern State Prison became hostile when he was removed from his cell for a cell search. While he was being escorted he struck a correctional officer with his hand on the chest. He also tried unsuccessfully to head-butt the officer.

An inmate at the California State Prison – Solano struck an officer in the face with a hand that was in a cast due to a previous injury. The incident occurred when the inmate was escorted to his cell and was having the cuffs removed. The force of the blow knocked the officer to the floor. The officer sustained lacerations, a broken nose and tooth.

Three Southern Hispanic inmates were involved in a battery on staff. An officer was escorting an inmate out of the dining hall in Facility A, Kern Valley State Prison, when another inmate came up behind him, striking the officer on the back with a broom handle. Another officer injured his knee during the incident; both officers were taken to the hospital for treatment.

A staff assault occurred on E/F Company at Heman G. Stark Youth Correctional Facility. A youth correctional officer was forcefully pushed and hit in the face by a ward as the ward was attempting to attack another ward. The incident will be investigated for possible court prosecution.

At CCI, staff was conducting bed moves in Unit 4A H.U. 2 when an inmate became angry and struck an officer in the chest, knocking him to the ground. Pepper spray was used but was not effective. The control booth officer utilized the 40mm and 37mm launchers, with no effect. Staff exited the dayroom to await responding staff. An extraction team entered the day room and took custody of the inmate without further incident. One officer suffered a leg injury during the incident.

At NKSP, an inmate was being escorted to the Ad-Seg Yard when he spat on the officer striking him on the face shield, chin and mouth. The officer immediately discharged Pepper Spray at the inmate. All appropriate exposure protocols were followed. The inmate was decontaminated, medically cleared and re-housed within Ad-Seg. There were no other injuries to staff.

A Heman G. Stark Youth Correctional Facility ward gassed a youth correctional counselor with an unknown substance. The counselor was transported to the facility's medical clinic for treatment and then taken to an outside hospital.

A Pelican Bay State Prison inmate assaulted a correctional officer by kicking him in the groin. The incident occurred on Facility IV. The officer was removing the inmate from a holding cell; he kicked the officer without provocation. The officer used physical force to stop the attack by forcing the inmate to the floor.

A Youth Correctional Counselor at Preston Youth Correctional Facility was punched in the chest by a ward after the staff stopped to talk to the ward.

STATEWIDE GRIEVANCES, ARBITRATIONS AND NEGOTIATIONS

CCPOA continues to negotiate over continued unit 12 cuts, clothed body search policy at female institutions, drug testing, CTO and the Juvenile Justice Divisions Post Assignment Schedule.

QUESTION OF THE WEEK

Question: Other than specified holidays in the M.O.U., and days previously requested off which were denied, are there any circumstances where medical verification may be mandated?

Answer: Yes, if the employee uses three or more consecutive days, or if the employee is not able to personally make the sick call in. However, only if required in advance. Medical verification cannot be required after the fact.

FROM THE OIG REPORT

The Office of the Inspector General conducted an investigation after receiving a request from a correctional counselor at Valley State Prison for Women to intervene in a sexual harassment investigation involving an associate warden. The correctional counselor reported that she had previously filed a compliant with the Office of Civil Rights of the Department of Corrections and Rehabilitation and with the California Department of Fair Employment and Housing. The request said the Office of Civil Rights failed to conduct a complete and thorough investigation into the matter and had closed the case with no sustained findings against the associate warden. The correctional counselor alleged that the Office of Civil Rights had failed to interview witnesses she had identified in the complaint.

The Office of the Inspector General requested that the Office of Civil Rights investigation be reopened and the additional witnesses interviewed. As a result of the Office of the Inspector General's intervention, the Office of Civil Rights did reopen the investigation and did interview the additional witnesses and ultimately sustained allegations of sexual harassment.

A *Skelly* hearing on the sustained sexual harassment findings against the associate warden was held on April 5, 2005. As a result of the hearing, he received a 10-day suspension without pay. The Office of the Inspector General closed its investigation.

INSTITUTION ACTIVATION SCHEDULE FOR JANUARY 2006

CDCR plans to transfer 360 level I inmates to the Mesa Verde Community Correctional Facility in January. An additional 225 level II inmates will be placed in three Community Correctional Facilities in February of 2006. Once again the State is turning to private prisons as the answer to their lack of insight and inability to manage their institutions. Meanwhile the State is deactivating beds at several institutions to send inmates to the private prisons.