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Blog Reader,

On 10/31/2011, (Halloween Night) an inmate at this prison (in another bldg.) killed his cell-mate. (one was white, another black) Despite the fact that forced integrated housing policy is in effect, the guidelines are rarely-if ever-honored.

Enclosed is 13 pages of the policy. 50 Pounds Weight difference and/or 4 inch height difference-is supposed to cause an 'alert'- but it's always disregarded.

Along with the policy is some other articles on 'cell mate' 'situations'.
You be the judge.

In each building - there is 100 cells; most have 2 persons inside.

-What do you think some of the biggest issues among 'cell-mates'?

Give me a holla & I'll give you an answer!

W Respect,

Michael Singh

MULE CREEK STATE PRISON	Section: 54055
DEPARTMENTAL OPERATIONS MANUAL SUPPLEMENT	INTEGRATED HOUSING PROGRAM
	NEW: JUNE 2008

PURPOSE / INMATE PARTICIPATION

The purpose of the Integrated Housing Policy (IHP) is to safely integrate inmates in celled and dormitory housing not using race as a primary determining factor but rather utilizing available documentation and individual case factors to guide staff in their efforts to house inmates in accordance with established policy.

An inmate is responsible for participating in the decisions effecting his housing assignment and is afforded an opportunity to express an opinion regarding housing with inmates of races other than his own during the intake interview process and other prison classification possesses; however, the inmate's agreement with staff's interpretation of policy and its implementation is not required. If an inmate refuses to cooperate with housing expectations as determined by individual case factors and staff, appropriate disciplinary action will be pursued.

Integrated Housing Code(s) (IHC)

RE - Racially Eligible; can be housed with any race. It is the expectation of the California Department of Corrections and Rehabilitation (CDCR) that all inmates will be coded RE, unless individual case factors dictate otherwise. Those inmates who have been the victim or perpetrator of a racially motivated crime shall be evaluated on a case by case basis before being determined racially eligible or ineligible for an integrated housing assignment.

RP - Restricted Partially; can be housed only with specific races or ethnic groups due to individual case factors.

RO – Restricted to Own; is used when the inmate has been the victim and/or perpetrator of a racially motivated crime.

RT – Restricted Temporarily by custody; is used when there is initially insufficient or conflicting information available to assign an IHC. Once the additional information is obtained and evaluated the inmate code shall be changed from RT to RE, RP or RO. RT should also be used for inmates placed on single-cell status.

RR - Restricted by Refusal; is used when an otherwise eligible offender refused to participate in the IHP.

INITIAL SCREENING

For all new inmate arrivals at Mule Creek State Prison (MCSP), including inmates returning from outside hospitals, long term out to court appearances, etc., the Screening Authority (a staff member at the level of Correctional Supervisor, Lieutenant or Sergeant) will review Central Files or available documentation, conduct a personal interview with the inmate and complete a CDCR 1882 Initial Housing Review – revised 02/07 (Attachment A).

Based on the available information, the Screening Authority shall determine if the inmate is suitable for single or double cell housing with or without special restrictions and confirm or change the inmate's Integrated Housing Code (IHC) as directed in this supplement and shall document this information on the CDCR 1882.

The following intake process shall be followed at MCSP:

- Upon intake from CDCR transportation, the Receiving and Release (R&R) staff shall verify each inmate's identification using the CDC 135, Transfer Record, along with the inmate's photograph, prior to inmate(s) disembarking from the transportation vehicle. Once in R&R the inmates shall be given an unclothed body search and issued appropriate clothing. Inmates will be placed in an appropriate holding cell pending further processing.
- The CDC 135, Transfer Record will be taken to Central Control to be input into the DDPS. The "transfer in" process will place the offender into an "IIZZ" bed.
- While inmates are in R&R, custody staff will explain the CDCR's IHP. The IHP video is shown on the inmate channel and all new arrivals have access to orientation program to include inmate television.
- During intake, each inmate will be photographed and issued a new identification card.
- During intake processing, custody staff at the level of Correctional Supervisor (Lieutenant or Sergeant) will complete a new CDCR 1882, Initial Housing Review noting any ethnic groups/races the inmate cannot be housed with. Any previous CDCR 1882 must remain in the Central File as a historical record.
- Review of the CDCR 1882 requires an interview with the inmate, and review of any available documentation from the Central File, such as court documents, the endorsement chrono, classification chronos, medical and mental health information, disciplinary history and any other documents available in the file. The custody supervisor shall consider relevant information contained within these documents when verifying the inmate's IHC. This information will provide the basis for determining the inmate's IHC to be recorded on the CDCR 1882.

- If the custody supervisor is unable to complete the interview due to the inmate's acute medical or psychiatric condition, this will be considered incomplete information and the inmate will be assigned the IHC of RT, Restricted Temporarily and pending further review.
- The custody supervisor or designee will access DDPS and verify the IHC currently assigned to the offender. If the code has not changed, he/she will mark the box indicating the information has been reviewed and will save the record. If the IHC requires change, the information will be entered and saved in the Integration Eligibility Screen of DDPS. The new IHC will be noted on the CDCR 1882 and placed in the Miscellaneous Section of the Central File.
- The R&R Sergeant or designee will provide a copy of the CDC 135 and CDCR 1882 to Central Control for inputting into the DDPS. Staff assigned to Central Control will utilize a Bed Vacancy Report (BVR) to match the inmate, according to height and weight, in the first available and appropriate cell/bed.

Note: DDPS has been programmed to not allow an inmate to be placed into a regular cell/bed assignment until the offender's IHC, height and weight have been input. An "alert" will show on the screen if the two offender's weight and height differ greater than 50 pounds and 4 inches. Since DDPS will not prevent the housing transaction, it is important for staff to verify and document compatibility before disregarding the alert.

- The Central Control Sergeant will be responsible for entering the admittance move(s) into the institution and updating the Integrated Eligibility Screen if needed before entering the bed assignment. The inmate(s) will be moved from R&R holding area and housed according to established institutional procedures.
- Inmate requested "convenience moves" should be eliminated as part of the IHP unless there are irresolvable issues between inmate cellmates. If an inmate has a problem/issue with his cellmate he is responsible to report the situation to the housing unit staff. Custody staff will review the situation and work with the facility sergeant to make a change in the cell/bed housing assignment consistent with the IHP. Any change will place the inmate in the next available and appropriate cell/bed commensurate with the inmate's assigned IHC. Custody staff is responsible for managing "convenience moves" to ensure they are not enacted for the sole purpose of circumventing the IHP.

Restrictions are any case factors which may limit the inmate's placement options at the institution such as:

- History of Racial Violence
- Commitment offense/time to serve

- Education
- Prior Administrative Segregation Unit/Security Housing Unit (ASU/SHU) placement
- Medical concerns
- Mental health status
- Enemy concerns
- Disciplinary history of aggressive/assaultive behavior toward inmates (in cell)
- Classification Staff Representative (CSR) endorsement reflecting custody level, classification score and endorsed facility
- Release date
- Prison gang or disruptive group affiliation
- Race based incidents
- Age, weight, height
- Prior single cell status
- In prison sexual assaults
- County of commitment
- Departmental Review Board (DRB)

In addition to the individual case factors above, the Screening Authority shall also review prior in cell behavior toward cell partners. Verification that an inmate is or has been predatory toward a cell partner, has a history of in cell sexual abuse, is or has been assaultive toward a cell partner, or demonstrates a pattern of significant in cell violence against a cell partner, shall require that the inmate be temporarily assigned single cell status and coded RT pending Unit Classification Committee (UCC) or Institutional Classification Committee (ICC) review.

The Screening Authority shall document placement concerns, which require single cell assignment on the CDCR 1882. If the information is based on the inmate interview, then the Screening Authority shall document the interview information on a CDC 128B General Chrono and reference it as supporting documentation on the CDCR 1882.

In all cases, a copy of the CDCR 1882 and CDC 135, Inmate Transfer Record will be forwarded to Central Control after securing the Screening Authority's approving signature. The Control Sergeant will enter the appropriate Integrated Housing Code (IHC) into the Distributed Data Processing System (DDPS) and house the inmate in the first available and appropriate bed, consistent with their assigned IHC. The housing bed cards and Central Control Vector Cards are to be flagged with the designated IHC and any other designated housing needs.

Central Control staff will identify the available beds within the respective facilities and determine housing for the inmate following the IHP. Once the cell assignments have been determined, copies of the CDCR 1882s will be forwarded to the affected Facility Captains.

The original CDCR 1882 will be delivered to the Case Records Office for placement in the Miscellaneous Section of the inmate's Central File. A copy of the CDCR 1882 will be placed in the Watch Commander's Office for a period of one (1) month. After one month, the Watch Commander will shred the previous month's CDCR 1882s.

HOUSING AND DISCIPLINE

Unless approved for single cell assignment, inmates are expected to house in the first available and appropriate bed, consistent with their assigned IHC. Non-compliance with the IHP absent precluding case factors or medical/psychiatric needs exposes the offending inmate to the disciplinary process.

An inmate's refusal to be housed consistent with his IHC will be documented in a CDC 115 Rules Violation Report (RVR) for violation of California Code of Regulations Section 3005(c), Conduct, for the specific act of Willfully Resisting, Delaying or Obstructing any Peace Officer in the Performance of Duty (Title 15, subsection 3323(f)(6), a Division D offense. The inmate shall be re-coded Restricted by Refusal (RR) and the inmate may be housed in the Administrative Segregation Unit (ASU). **Inmates will not be forced to move into a particular cell;** however, if the inmate is otherwise eligible to house with inmates possessing ethnic traits/characteristics other than his own and he willfully refuses, the disciplinary process shall be implemented as delineated in the IHP.

Per California Code of Regulations (CCR) 3341.5, Segregated Housing Units, an inmate found guilty of the above offense is eligible to be sanctioned and assessed a Security Housing Unit (SHU) term. Per 3341.5(c)(9)(L), Refusal to Accept Housing carries a low term of 3 months, a mid term of 6 months and a high term of 9 months.

PROCESS FOR CHANGING IHC TO "RT" RESTRICTED TEMPORARILY

The IHC/status of any inmate may be temporarily changed to the more restrictive status of RT (Restricted Temporarily) by a custody supervisor under any of the following circumstances, but not limited to:

- When a serious incident occurs between inmates of different races and the inmate was identified as an instigator, participant or victim during the incident.
- When an incident occurs and the custody supervisor determines that racial attitudes or beliefs were a motivating factor in the commission of the offense.

- When a housing change is required for reasons of safety or security and the custody supervisor determines that the change is required as a result of racial attitudes or beliefs.
- When the custody supervisor determines circumstances exist indicating there may be a safety or security basis to restrict the inmate's IHC pending further review by classification committee.

The temporary integration status change shall be documented on a CDC 128B, identifying and explaining the specific reasons why the inmate's IHC was changed. Copies of the CDC 128B will be distributed to Central Control, Facility Captain, Supervising Correctional Counselor II and the inmate. The original CDC 128B shall be routed to Records for placement in the inmate's Central File. Central Control will utilize their copy to support changing the inmate's IHC in DDPS, unless classification staff has already entered the change in committee.

If the custody supervisor initiates the change to the IHC, the supervisor will be responsible to notify the Central Control Sergeant of the need to enter the new IHC into DDPS. If the change in the IHC creates the need for a cell/bed change, this move will be processed as soon as possible in keeping with safety and security of the prison.

A custody supervisor may temporarily restrict the inmate's IHC based on new information received. Once the restriction has been entered into DDPS, only a staff member authorized to conduct administrative reviews or a classification committee can restore or change the offender's IHC. The new information must be documented on a CDC 128B and routed as indicated above. It will then be the staff member conducting the administrative review or classification committee's decision whether or not to restore the inmate's IHC. If the IHC is restored during administrative review and the inmate is scheduled for release from Administrative Segregation as a result of this action, the staff member making that decision shall document the restoration of the IHC on the CDC 114D, Administrative Segregation Placement Notice and CDC 114A, Inmate Segregation Record. The custody supervisor carrying out the cell/bed move will make notation on the GA 154, Inmate Housing Assignment Change before sending to Central Control for inputting into DDPS. The custody supervisor will attach a copy of the CDCR 114D to the GA 154 and route to Central Control for processing.

CENTRAL CONTROL PROCEDURE

The Central Control Sergeant for each watch will initiate a Single Cell Inmate Report (SCIR) and a Bed Vacancy Report (BVR). The SCIR and BVR will list all inmates with an "S" Suffix. The SCIR will be compared with the Vector Files to identify any discrepancies. The BVR will list all vacant cell/beds available in the institution.

The Central Control Sergeant will notify the Watch Commander of any discrepancies. The Watch Commander will ensure the appropriate facility is notified and corrections are made immediately.

On weekends and non-business hours, the Administrative Officer of the Day (AOD) will be notified of any discrepancies in the SCIR/BVR. The Watch Commander will prepare an AOD contact form. The error will be included in the Daily Chronological Report.

As needed, the Central Control Sergeant will generate the Conflict Message Report (CMR) prior to approving a requested cell move. The Central Control Sergeant has the capability to place an "S" Suffix on any new arrival if deemed appropriate by the Screening Authority.

ORIENTATION

Inmates arriving at MCSP will be instructed by custody staff in R&R and again at their initial Classification Committee hearing that they are expected to participate in the IHP.

The inmate's verbal refusal to be housed consistent with his assigned IHC (either while in R&R or during an actual cell/bed move) will be subject to disciplinary action consistent with the IHP. The custody supervisor shall be responsible for changing the inmate's IHC to Restricted by Refusal (RR) and documenting this action on a CDC 128B, General Chrono and is responsible to notify Central Control of this action in addition to providing Central Control a copy of the CDC 128B. In addition to this action, the staff member shall initiate the disciplinary process by documenting the inmate's refusal to participate in the IHP by writing a rules violation report consistent with established policy. As a result of the inmate's IHC being changed to RR, the inmate shall be housed with another inmate of his own race pending adjudication and appropriate classification action.

The inmate may remain coded RR for the remainder of his incarceration unless new reliable information is received that would likely change the inmate's IHC, in which case the information will be forwarded to the assigned Correctional Counselor for evaluation and worked up for presentation to the appropriate classification committee. The inmate's IHC will be reviewed at minimum, every Annual Review as described in these procedures. If the classification committee changes the inmate's IHC, the reasons for such change will be thoroughly documented in the CDC 128G, Classification Chrono with the assigned Correctional Counselor updating the inmate's IHC in the DDPS. IHC changes entered by CCI's should also be forwarded to Central Control for documentation on inmate's Vector Card.

Level II and III Sensitive Needs Yard (SNY) Orientation inmates shall be housed in the following manner:

- Building 13 – Orientation SNY Level II and III
- Building 6 – Endorsed Level III SNY Enhanced Outpatient (EOP)
- A Gym – Orientation Level III SNY Medium Custody
- B Gym – Orientation Level II SNY Medium Custody
- C Gym – Orientation Level II or III SNY Medium Custody

Orientation Level IV SNY inmates shall be housed in the following manner:

- Building 1 – Orientation
- Building 5 – Level IV EOP SNY

NOTE: Any inmate endorsed for Level IV SNY will be housed in Building 1 Orientation. If bed space is not available, the inmate will be placed in ASU pending bed space availability.

All inmates on orientation will be provided a copy of the IHP tri-fold brochures, shown the IHP video and scheduled to be seen in initial UCC within 14 days.

The respective Facility CCII will be responsible for tracking all new arriving inmates to ensure initial UCC is conducted in a timely manner, regardless of where the inmate is housed on Orientation Status.

The Watch Commander will ensure the CDCR 1882 is completed with all critical information as follows:

- Name, CDC number and housing
- Ethnicity, date of birth (DOB), place of birth, county of commitment
- CSR endorsement, classification score, sending institution, release date/type
- Prior ASU/SHU placement
- Enemies, gang/disruptive group affiliation
- Health concerns, mental health status (i.e. Correctional Clinical Case Management System [CCCMS], EOP)
- Inmate suitable for dorm/cell housing
- History of in cell assaults
- History of aggression toward other inmates

The Screening Authority will send the completed copies of all CDCR 1882 forms to the following staff:

- Associate Wardens – Programs and Housing and Central Services
- Facility A, B or C Captains
- The Mental Health Coordinator, Facility B Mental Health Clinic

ADMINISTRATIVE
SEGREGATION

Facility Captains are responsible to continually monitor the placement of inmates in housing assignments appropriate to custody level and classification.

Inmates arriving at MCSP on Administrative Segregation Unit (ASU) status from a sending institution will not automatically be housed in MCSP's ASU. The Screening Authority will determine if the need for ASU placement still exists at MCSP. If the need no longer exists, the inmate shall be housed on Orientation Status in the appropriate facility and consistent with his assigned IHC.

When an inmate is placed in the ASU, regardless of the reason, the offender's IHC shall be part of the review for double cell or single cell housing. It will not be necessary to complete a CDC 128B to document this review. A CDC 128B will only be necessary if staff ordering the ASU placement decide that due to the inmate's actions, a temporary change in the offender's IHC to RT is necessary, in which case a CDC 128B will be completed and forwarded to Central Control who will input the required change into DDPS as soon as possible. If the offender's IHC is changed by the ICC, the completed CDC 128G, Classification Chrono shall serve as documentation of the change and the assigned Correctional Counselor shall be responsible for entering the new IHC into the DDPS as soon as possible. IHC changes entered by CCI's should also be forwarded to Central Control for documentation on inmate's Vector Card.

Inmates that arrive with EOP ASU endorsements or EOP HUB shall be single cell status in Building 12 ASU only until reviewed by ICC. EOP OHU inmates will be housed in Building 13 ASU "A" Section.

During the initial ICC review following the inmate's placement in ASU, ICC will review the inmate's IHC for appropriateness, based on case factors including the reason for initial placement in ASU. If the inmate's placement in ASU is based on involvement in a racially motivated incident, the inmate's IHC may have been changed by the custody supervisor ordering the placement in ASU, or it may be changed by the classification committee. The ICC review and any reasons for a change in the IHC will be thoroughly reviewed and documented on the CDC 128G, Classification Chrono and the new IHC entered into the DDPS by the Correctional Counselor and the inmate housed in accordance with his assigned IHC.

Inmates housed in ASU who are being released from this housing will have their IHC reviewed by ICC and documented on the CDC 128G, Classification Chrono prior to their release. The new IHC will be entered into the DDPS by the Correctional Counselor.

The ASU custody supervisor shall be notified immediately by the Correctional Counselor whenever a change in an inmate's IHC by classification committee will likely require a cell/bed assignment change. The bed/cell move must be accomplished as soon as practical in keeping with institutional security needs. The custody supervisor will contact Central Control to facilitate the change in housing assignment in accordance with the inmate's IHC.

Approval for double cell assignments in ASU shall be based upon a review of the Central File, the inmate's assigned IHC, and an interview with each inmate and an evaluation of security concerns. If an inmate refuses to cooperate with their cell assignment, a CDC 115 RVR will be issued. Continued refusal will result in the inmate being placed on D2 Status as well as other sanctions in alignment with established disciplinary policy.

When evaluating inmate housing, the ASU Sergeant shall consider each inmate's background and make a decision based on the following:

- Enemies and victimization history
- Prison gang or disruptive group affiliation
- Criminal influence demonstrated over other inmates
- Vulnerability of the inmate due to medical and/or mental health conditions
- Prior housing due to safety concerns
- Reason(s) for segregation
- ASU yard placement
- ASU committee oversight monthly meeting that reviews total bed utilization and single cell inmates

ICC/General Population Classification

During ICC review for General Population (GP) inmates whose case was referred by UCC due to complex or incomplete case factors, the ICC will review the inmate's IHC for appropriateness and document said review of the inmate's CDC 128G. If there are any committee decisions changing the inmate's IHC, this information will be thoroughly documented on the CDC 128G and the Correctional Counselor will enter the new IHC into the DDPS either during or directly after the committee action.

When an inmate is approved for single/double celling, the ASU Sergeant will document the approval on the CDC 114D ASU Placement Notice and CDC 114A Inmate Segregation Record.

ENHANCED
OUTPATIENT PROGRAM
(EOP)

SNY inmates that arrive with Level III EOP endorsements will be housed in Building 6 on Orientation Status, Mental Health Crisis Bed (MHCB) or in ASU depending upon bed availability. Except in extreme circumstances, EOP inmates will be celled with other EOP inmates when double celling is indicated.

SNY inmates that arrive with Level IV EOP endorsements will be housed in Building 5 on Orientation Status, MHCB or in ASU depending on upon bed availability. Except in extreme circumstances, EOP inmates will be celled with other EOP inmates when double celling is indicated.

Determinations of housing status shall be made in consultation with the Interdisciplinary Treatment Team (IDTT) and should consider clinical factors for double celling and review custody issues (e.g. known enemies, gang affiliation, etc.). Single Cell placement shall be reviewed at least every 90 days.

SENSITIVE NEEDS

Facility A is a designated SNY Level IV yard that houses EOP, CCCMS, high notoriety cases and a gymnasium designated SNY Level III Medium Custody. Other inmates whose history indicates they would be compatible with SNY inmates are also housed in this facility.

Facility B is a designated SNY Level II and III yard that houses EOP, CCCMS and high notoriety cases. Other inmates whose history indicates they would be compatible with SNY inmates are also housed in this facility.

Facility C is a designated SNY Level III yard that houses CCCMS and high notoriety cases. Other inmates whose history indicates they would be compatible with SNY inmates are also housed in this facility.

CLASSIFICATION
REVIEWS

An inmate who is or has been predatory towards a cell partner, who has demonstrated a pattern of in cell sexual abuse, is or has been assaultive towards a cell partner or who demonstrates any significant in cell pattern of violence against a cell partner, will be reviewed for single cell status ("S" Suffix) by the UCC or ICC.

Determination of the "S" Suffix shall be documented as part of the initial UCC or ICC review and subsequently reviewed at annual classification committee review.

Each inmate arriving at MCSP will have their IHC reviewed during initial Classification Committee. The Correctional Counselor will review the information on the CDCR 1882 and all documents within the inmate's Central File. Discrepancies noted between this information, the assigned IHC, and statements made by the inmate should be clarified during an interview with the inmate.

The IHC will be reviewed at the initial Classification Committee hearing. Once the assigned IHC is confirmed by committee, the recorder will document the IHC on the CDC 128G, Classification Chrono. If the classification committee elects to change the offender's IHC, the basis for such change will be thoroughly documented in the CDC 128G and the inmate housed in accordance with his assigned IHC.

The inmate's IHC will be entered or updated immediately into the DDPS following or during classification committee by the assigned Correctional Counselor. The Correctional Counselor will access the Classification Update Menu and Integration Eligibility screen of the DDPS to perform the update.

If the assigned Correctional Counselor notes the inmate's weight appears to be significantly different than the weight recorded in the DDPS, the Correctional Counselor will forward a request to R&R, or to the Medical Department to have the inmate's weight taken and recorded. Upon receipt of the documentation, the Correctional Counselor will enter the inmate's new weight into the DDPS. If the new weight is significantly different (50 pounds) from the weight of his assigned cellmate, this information shall immediately be brought to the attention of the custody supervisor for review and action.

The custody supervisor shall be notified immediately by the Correctional Counselor whenever a change in the offender's IHC will likely require a cell/bed or housing assignment change. The cell/bed move must be accomplished as soon as possible. The custody supervisor will contact Central Control to facilitate a change in housing assignment and provide a copy of the CDC 128B or 128G authorizing the change in the inmate's IHC.

ANNUAL REVIEW

The Correctional Counselor will evaluate the inmate's case factors and consider the appropriateness of the offender's IHC at the Annual Review.

If for any reason, the inmate's IHC has not been previously assigned, it will be the Correctional Counselor's responsibility to evaluate and make a recommendation for an appropriate IHC to be considered by a classification committee.

The classification committee will review the inmate's assigned IHC. Once the assigned IHC is confirmed by committee, the recorder will document the IHC information on the call sheet. If UCC/ICC elects to change the inmate's IHC, the reasons for said change shall also be thoroughly documented in the CDC 128G, Classification Chrono.

Initial Housing Review

Prior to housing, the aforementioned information was obtained during a private screening process and the review of available documents pertaining to this inmate.

CDC#		NAME OF INMATE (Last, First, MI)				RECEIVING INSTITUTION																													
ETHNICITY	DATE OF BIRTH	AGE	WEIGHT lbs	HEIGHT ft in	PLACE OF BIRTH	DOES THE INMATE CLAIM TO BE FOREIGN NATIONAL? <input type="checkbox"/> YES <input type="checkbox"/> NO																													
RELEASE TYPE & DATE		COUNTY OF COMMITMENT		SENDING JAIL / INSTITUTION		CSR ENDORSEMENT																													
SENTENCE			ARRIVAL STATUS		PRIOR CDC NUMBER		PS/CLASS SCORE																												
COMMITMENT OFFENSE / PAROLE VIOLATION(S)						C-FILE AVAILABLE FOR THIS REVIEW <input type="checkbox"/> YES <input type="checkbox"/> NO																													
OUT TO COURT RETURN <input type="checkbox"/> YES <input type="checkbox"/> NO		If yes and I/M received a significant sentence increase complete MH referral and notify Psych Tech			ESCAPE HISTORY? <input type="checkbox"/> YES <input type="checkbox"/> NO		CUSTODY LEVEL																												
<p>Inform Inmate: - The Department has a integrated housing policy. All inmates will be housed based on housing availability. Housing assignments are not made based on your race but are based on information available at the time of housing, individual case factors and objective criteria. Inmates who refuse to comply with this policy will receive progressive discipline consistent with the specific act.</p>																																			
<p>INTEGRATED HOUSING:</p> <p>Ask Inmate: - While incarcerated (jail/prison), have you ever been in a race based incident(s): (Check applicable items. Explain and/or give details of checked items below)</p> <p><input type="checkbox"/> as a Victim <input type="checkbox"/> as an Assailant <input type="checkbox"/> part of a Race Riot <input type="checkbox"/> None</p> <p>EXPLANATION / DETAILS / INMATE COMMENTS</p> <p><input type="checkbox"/> Inmate Claims <input type="checkbox"/> Documented</p>					<p>RESTRICTED ETHNIC GROUP(S) (Check applicable code(s))</p> <table style="width:100%; border:none;"> <tr> <td><input type="checkbox"/> WHI</td> <td><input type="checkbox"/> BLA</td> <td><input type="checkbox"/> HIS</td> <td><input type="checkbox"/> AMI</td> </tr> <tr> <td><input type="checkbox"/> CAM</td> <td><input type="checkbox"/> CHI</td> <td><input type="checkbox"/> COL</td> <td><input type="checkbox"/> CUB</td> </tr> <tr> <td><input type="checkbox"/> FIL</td> <td><input type="checkbox"/> GMN</td> <td><input type="checkbox"/> GUA</td> <td><input type="checkbox"/> HAW</td> </tr> <tr> <td><input type="checkbox"/> IND</td> <td><input type="checkbox"/> JAM</td> <td><input type="checkbox"/> JPN</td> <td><input type="checkbox"/> KOR</td> </tr> <tr> <td><input type="checkbox"/> LAO</td> <td><input type="checkbox"/> MEX</td> <td><input type="checkbox"/> NIC</td> <td><input type="checkbox"/> OA</td> </tr> <tr> <td><input type="checkbox"/> OTH</td> <td><input type="checkbox"/> PI</td> <td><input type="checkbox"/> PR</td> <td><input type="checkbox"/> SAL</td> </tr> <tr> <td><input type="checkbox"/> SAM</td> <td><input type="checkbox"/> THA</td> <td><input type="checkbox"/> VIE</td> <td><input type="checkbox"/> NONE</td> </tr> </table> <p><i>Note: Restricting an ethnic group should be based on inmate interview and individual case factors.</i></p> <p>DDPS IHC CODE: _____ ENTERED BY: _____ <input type="checkbox"/> RR <input type="checkbox"/> RT</p>			<input type="checkbox"/> WHI	<input type="checkbox"/> BLA	<input type="checkbox"/> HIS	<input type="checkbox"/> AMI	<input type="checkbox"/> CAM	<input type="checkbox"/> CHI	<input type="checkbox"/> COL	<input type="checkbox"/> CUB	<input type="checkbox"/> FIL	<input type="checkbox"/> GMN	<input type="checkbox"/> GUA	<input type="checkbox"/> HAW	<input type="checkbox"/> IND	<input type="checkbox"/> JAM	<input type="checkbox"/> JPN	<input type="checkbox"/> KOR	<input type="checkbox"/> LAO	<input type="checkbox"/> MEX	<input type="checkbox"/> NIC	<input type="checkbox"/> OA	<input type="checkbox"/> OTH	<input type="checkbox"/> PI	<input type="checkbox"/> PR	<input type="checkbox"/> SAL	<input type="checkbox"/> SAM	<input type="checkbox"/> THA	<input type="checkbox"/> VIE	<input type="checkbox"/> NONE
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<p>LOCAL ENEMY / SAFETY CONCERNS (Check applicable items)</p> <p><input type="checkbox"/> Documented <input type="checkbox"/> Inmate Claims <input type="checkbox"/> None</p> <p>Summarize Inmate's Enemy/Safety claim and/or list applicable documents (type and date), CDC #, Name, and Housing of <u>known enemies</u> at this institution.</p>		<p>HISTORY OF AGGRESSION (Check applicable items)</p> <p><input type="checkbox"/> Towards Staff <input type="checkbox"/> Towards Inmates</p> <p><input type="checkbox"/> Use of Wpn <input type="checkbox"/> Unknown <input type="checkbox"/> None</p> <p>List inmate's act(s) of aggression, as well as supporting documentation (type and date).</p> <p><input type="checkbox"/> Inmate Claims <input type="checkbox"/> Documented</p>		<p>IN-CELL ASSAULT HISTORY (Check applicable items)</p> <p><input type="checkbox"/> As a Victim <input type="checkbox"/> As an Assailant</p> <p><input type="checkbox"/> Unknown <input type="checkbox"/> None</p> <p>Summarize inmate's claim and/or list all documents (type and date) reflecting in-cell assaults.</p> <p><input type="checkbox"/> Inmate Claims <input type="checkbox"/> Documented</p>																															

ROUTING/DISTRIBUTION
CONTROL
PROGRAM OFFICE
C-FILE

The inmate's IHC will be updated immediately following or during classification committee by the Correctional Counselor. The Correctional Counselor will access the Classification Update Menu and Integration Eligibility screen of the DDPS to make this change.

The custody supervisor shall be immediately notified of a change in the inmate's IHC by the Correctional Counselor if said change will likely result in an offender requiring a cell/bed move. The cell/bed move must be accomplished as soon as practical in accordance with established institutional procedure. The custody supervisor will contact Central Control to facilitate a change in housing assignment in accordance with the inmate's new IHC and provide documentation as delineated in the IHP.

PROGRAM REVIEW

A Program Review related to the inmate's IHC may be scheduled if new information is obtained that would likely change the inmate's assigned IHC.

Upon completion of the adjudication process for any rules violation report related to the inmate's failure to participate in the IHP, or any rules violation report for a violent offense determined to be racial or gang motivated, the inmate will be reviewed by the appropriate classification committee. The referral to committee will be accomplished via CDC 128B1, Notice of Classification Hearing processed by the Hearing Officer, Senior Hearing Officer, Correctional Counselor or supervisor of the facility where the incident occurred. During this committee action the inmate will be admonished and advised of his responsibility to cooperate with the IHP and that continued non-compliance on his part can result in further disciplinary action and more restrictive housing in keeping with departmental policy. All committee actions taken will be thoroughly documented in the inmate's CDC 128G, Classification Chrono.

ATTACHMENT

Attachment A – CDCR 1882 Initial Housing Review (revised 02/07)


M. MARTEL
Warden (A)

8/9/08
Date

Initial Housing Review

Prior to housing, the aforementioned information was obtained during a private screening process and the review of available documents pertaining to this inmate.

Initial Housing Review (continued)

CDC #	NAME OF INMATE (Last, First, MI)	
IN-PRISON SEXUAL ASSAULTS Inmate Interview: - While incarcerated (jail/prison), have you ever been involved in a sexual related assault, i.e. pressured, fondled, raped: (Check applicable items. Explain and/or give details of checked items below) <input type="checkbox"/> As a Victim <input type="checkbox"/> As an Assailant <input type="checkbox"/> None <input type="checkbox"/> Inmate Claims <input type="checkbox"/> Documented EXPLANATION / DETAILS / INMATE COMMENTS		
PRIOR SINGLE CELL STATUS IDENTIFIED BY (Check if applicable) <input type="checkbox"/> Documentation <input type="checkbox"/> Inmate Claims <input type="checkbox"/> Jail Personnel	HOUSING STATUS INFORMATION (Check applicable item) <input type="checkbox"/> Double Cell <input type="checkbox"/> Single Cell <input type="checkbox"/> Dorm	SINGLE CELL STATUS APPROVAL AUTHORITY (LIEUTENANT OR ABOVE) <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved SIGNATURE: _____ TITLE: _____ PRINTED NAME: _____
SUMMARIZE:	SINGLE CELL STATUS JUSTIFICATION	SIGNATURE: _____ TITLE: _____ PRINTED NAME: _____
PREVIOUS HOUSING STATUS (Check Only if applicable) <input type="checkbox"/> ASU / SHU / PHU / PSU <input type="checkbox"/> GP <input type="checkbox"/> SNY <input type="checkbox"/> BMU <input type="checkbox"/> DMH <input type="checkbox"/> RC Source: <input type="checkbox"/> OBIS <input type="checkbox"/> DDPS <input type="checkbox"/> DOCUMENTATION / C-FILE	AFFILIATION INFORMATION Affiliation <input type="checkbox"/> NORTHERN <input type="checkbox"/> SOUTHERN <input type="checkbox"/> BULLDOG <input type="checkbox"/> CRIP <input type="checkbox"/> BLOOD <input type="checkbox"/> WHITE <input type="checkbox"/> OTHER: <input type="checkbox"/> NON AFFILIATED AKA's:	
HEALTH INFORMATION / CONCERNS MENTAL HEALTH LEVEL OF CARE <input type="checkbox"/> GP/NONE <input type="checkbox"/> CCCMS <input type="checkbox"/> EOP <input type="checkbox"/> MHCB <input type="checkbox"/> DMH PRIOR SUICIDE ATTEMPTS: <input type="checkbox"/> NO <input type="checkbox"/> YES: _____ DDP CODE: _____ (CLARK) _____ (DATE) VICTIMIZATION CONCERNS: <input type="checkbox"/> YES <input type="checkbox"/> NO DPP CODE: _____ (ARMSTRONG) _____ (DATE) TB CODE: _____		HEALTH COMMENTS:
<input type="checkbox"/> LOWER/1 ST TIER <input type="checkbox"/> LOWER/BOTTOM BED <input type="checkbox"/> WHEELCHAIR ACCESSIBLE BED <input type="checkbox"/> ASTHMA <input type="checkbox"/> DIABETIC <input type="checkbox"/> SEIZURES <input type="checkbox"/> DIALYSIS <input type="checkbox"/> OTHER _____ <input type="checkbox"/> NONE NOTED		
ADDITIONAL COMMENTS / CONCERNS		
SCREENERS PRINTED NAME		SCREENING / ARRIVAL DATE
TITLE		SIGNATURE

ASSEMBLY BILL No. 382

Introduced by Assembly Member Ammiano February 23, 2009

An act to amend Section 2636 of the Penal Code, relating to the Department of Corrections and Rehabilitation.
Department of Corrections and Rehabilitation: inmates and wards: classification.

Existing law requires the Department of Corrections and Rehabilitation to classify inmates and wards in order to prevent inmate and ward sexual violence and to promote inmate and ward safety, as specified. Existing law also requires the department to consider certain specified characteristics of the inmate or ward *risk factors* when classifying the inmate. This bill would add the sexual orientation and gender identity of the inmate or ward, *as specified*, to the list of characteristics *risk factors* to be considered.

The people of the State of California do enact as follows:

SECTION 1. (a) *The Legislature finds and declares that inmates and wards of the Department of Corrections and Rehabilitation may be at a heightened risk of sexual violence and abuse based on certain risk factors, including being young, being lesbian, gay, bisexual, or transgender, not having served a prior term of commitment, or having a history of mental illness.*

(b) *It is the intent of the Legislature in the enacting this act to ensure that the Department of Corrections and Rehabilitation (1) recognizes that wards or inmates may be at increased risk based on these factors, and (2) provides vulnerable inmates or wards who are determined to be at risk with heightened protection in classification and housing decisions, without automatically subjecting them to highly restrictive or isolated settings or denying them access to programs and services.*

SEC. 2. Section 2636 of the Penal Code is amended to read:

For the purposes of this section, all references to classification of wards shall take effect upon the adoption of a classification system for wards developed by the Department of Corrections and Rehabilitation in compliance with *Farrell v. Allen*, Alameda County Superior Court Case No. RG 03079344.

The following practices shall be instituted to prevent sexual violence and promote inmate and ward safety in the Department of Corrections and Rehabilitation:

(a) The Department of Corrections and Rehabilitation inmate classification and housing assignment procedures shall take into account risk factors that can lead to inmates and wards becoming the target of sexual victimization or of being sexually aggressive toward others. Relevant considerations include:

(1) Age of the inmate or ward.
(2) *Sexual Self-reported safety concerns related to the sexual orientation and gender identity of the inmate or ward.*

(3) Whether the offender is a violent or nonviolent offender.

(4) Whether the inmate or ward has served a prior term of commitment.

(5) Whether the inmate or ward has a history of mental illness.

(b) The Department of Corrections and Rehabilitation shall ensure that staff members intervene when an inmate or ward appears to be the target of sexual harassment or intimidation.

(c) *The Department of Corrections and Rehabilitation shall not require any inmate or ward to disclose or report his or her sexual orientation or gender identity at any time, and a disclosure or report shall not be discredited solely because it was not provided at an earlier point in time.*

(d) *The Department of Corrections and Rehabilitation is prohibited from disciplining or otherwise punishing an inmate or ward if the inmate or ward fails to disclose or report his or her sexual orientation or gender identity during all or part of his or her term of commitment.*

(e) *Nothing in this section shall be construed to require or justify expansion or construction of Department of Corrections and Rehabilitation facilities.*