

A.C.A. AUDIT
Monday
April 4, 2016

There's an organization in the U.S. called the American Correctional Association, or the "A.C.A." As I understand it, their sole purpose in life is to travel throughout the United States conducting audits in prisons to determine whether or not their standards match that of the A.C.A. In theory, this sounds like an excellent idea, and why not? Without it, how else would you know whether or not you're keeping pace with the ever changing conditions in a correctional environment. Unfortunately, theory, as we all know, rarely coincides with reality, and this turned out to be no exception.

For starters, conditions in the California penal system are so horrendous that the courts have consistently called them "cruel and unusual," most recently in *Coleman v. Swarzenegger*, when the court was asked to take a look at the mental health delivery system, or the Plata case, where they were asked to examine the medical care that was being provided to the inmate population, or rather, not being provided. In fact, these conditions were deemed so horrendous that the courts actually ordered the California Department of Corrections and Rehabilitation (CDCR) to start releasing its overcrowded inmate population. Guys were literally dying, unnecessarily so, at an average of 1 per week, all because proper medical and mental health care wasn't being provided. Medical and mental health attempted to argue that it was because there were simply too many people locked up and too few medical personnel to go around, and while indeed true, this argument failed to take into account the fact that, in many cases, they simply didn't care.

Since starting my sentence, I've personally seen a number of friends and associates die because of a lack of proper medical or mental health treatment. Cho, a Korean who didn't speak a word of English, and a participant in the mental health program, hung himself because he wasn't getting adequate mental health care. Poloma died because, when (s)he went to medical, they refused to treat her, and on the way back to her cell, she fell to the ground and died because of a lack of care. There was also Nelson, an old man who fell onto the toilet and broke a rib. When he went to medical, they wouldn't even take an x-ray, sending him back to his cell where he died in his sleep later that night. These are just a few of the stories so common in here, representing only a tiny fraction of the atrocities which take place everyday, which is why some of us were thrilled to hear that we were being audited by the A.C.A. Finally, someone was going to step up to the plate to make the CDCR get its collective butt in shape. Maybe now I wouldn't have to see anyone else I know die unnecessarily.

Rumor had it that any prison failing an audit by the A.C.A. would see some significant personnel changes, starting with the firing of the warden. As a result, when the A.C.A. said "jump," the prison bent over backwards to comply. While I won't say that a lot of major changes weren't instituted, I refrain only because I don't know all of the changes which were made. I can only speak about the ones I personally viewed. I can, however, say that the changes that I've seen were things that seem to have caused more harm than good. For instance, prior to the audit, inmates could get brooms, mops, dustpans, scouring pads and various cleaning chemicals to clean out their cells at pretty much any time of the day. Since the audit, however, that's nothing but a distant memory. Everything's locked up tighter than a gnat's butt, with chemicals being accounted for, to the ounce, and passed out only to the porters responsible for cleaning up the common areas. Accordingly, disease has begun to spread rampant and unchecked throughout many of the prisons visited by the A.C.A., like the C.M.C., who now sees a major quarantine at least once a year because of a serious, and highly contagious, illness.

Did the A.C.A. focus on anything other than chemical and tool control? I honestly can't say. I can, however, say that I wrote them a letter, and was even called up for an interview, where I had no problems whatsoever divulging that major violations I seen in here on a daily basis. For instance, the plumbing in here isn't just broken, it's illegal. When an inmate in the next cell, or in any of the cells beneath yours, flush their toilet, waste from their toilet rushes into yours. Surely I don't need to explain now only how gross this is, but also how potentially dangerous this is, particularly because of the highly contagious nature of diseases like the Norovirus, which is spread anytime someone with the virus uses, and flushes, their toilet.

In addition to this, I pointed out how at least one inmate's medical information was posted on the wall for anyone passing by to see. When the A.C.A. left, I fully expected them to say something about this violation of his privacy, but here we are, a full 2 weeks later, and his information is still posted for the whole world to see. And for the record, this invasion of his privacy concerning his medical records isn't the exception, but is instead the rule. Any visits with the nurse or the doctor is done with the door wide open, with inmates and officers alike standing outside the door, able to hear and see everything. When a patients are asked to disrobe, guards are called in to observe, a practice that appears to be unique to this prison. Of course, these privacy violations, while severe, pale in comparison to others I could speak about. For instance, while at the C.M.C., portions of my mental health information was broadcast to the entire inmate population via the Closed Circuit Television (CCTV) viewing system. While they promptly addressed the matter when I informed them, a few years later, without even being asked, they turned over my entire mental health records to the Attorney General's Office in retaliation for my having filed a lawsuit against them. Privacy violations are not the exception in here. They're the **rule**.

One of the complaints voiced by me to the A.C.A. dealt with the prison's treatment of inmates' legal mail. It wasn't enough that they routinely opened and read out legal and confidential mail outside of our presence, they also intentionally delayed the delivery of incoming and outgoing legal and confidential mail. I personally knew of several letters I'd tried to send out, envelopes containing subpoenas in an active lawsuit which they held for so long that they were returned as having arrived too late to be served. In fact, Deputy Attorney General Mark A. Brown personally called me to complain about one such letter, which had been deposited into the outgoing mail on November 23rd, as personally verified by the signature and date provided by an officer on the back of the envelope, but not postmarked until the 3rd of December. Coincidentally, a few minutes before going into see the auditors from the A.C.A., I was called into the Programs Office to sign for a letter from an attorney, and wouldn't you know it had been opened and read outside of my presence. I showed the envelope to the auditors, along with the signature and date of the officer who'd opened and read it outside of my presence, but while they made notations, I can't say for sure that anything was actually done.

Besides the complete lack of proper medical and mental health care, one of my biggest complaints about this prison was the complete lack of proper ventilation in the cells. Of course, who cares about the cells, right? After all, the only people who use them are the inmates assigned to them. Had I complained about inadequate ventilation in the officers' offices or the classrooms, you can bet something would have been done, and promptly, but when I told them about temperatures routinely exceeding 100° in the cells in the summer, sometimes even surpassing 105°, no one seemed to bat an eye. When I told them about the dust and debris that was always spewing forth from the ductwork, no one came over to take a look, and when I explained how we frequently had to inhale mold and mildew pouring forth, not a thing was done, despite the obvious health hazards this poses, in particular to those with upper respiratory problems.

As an inmate, I'm not privy to everything that happens behind the scenes, so I can't, and won't come right out and say that the A.C.A. is in cahoots with the prison system, a conspiracy to make it appear, on paper, at least, that the prison is getting its act together. I can, however, say that, even after the courts ruled that the conditions were so horrendous in the prison as to constitute "cruel and unusual" punishment/conditions, the A.C.A. came in and passed this prison with a perfect 100% in custody operations and a 98.5% in medical operations. This, despite the flagrant violations I pointed out to them during their stay, only a few of which were actually mentioned here. I won't call them corrupt or even say they're all in bed together, but the facts would definitely seem to imply that they are. How else would you go about explaining it?

It's true that, at the end of the day, we're talking about a bunch of prisoners, men and women who were put in prison because of the violations they were accused of committing in a free society, or continuing to commit while behind bars. As such, our first instinct is to ignore the pleas for help from those within. However, I think it's important to take note of the fact that the vast majority of us will, at one point or another, be released back into society. When this happens, our behavior then will be determined, in large part, by our treatment while incarcerated. You can't put a man in a cage and treat him like an animal for years, even decades, at-a-time, and then expect him to magically conform to the rules of society immediately upon his release. Perhaps this explains the insanely high recidivism rate in America. We're treated even worse than animals, literally, and then expected to conform once let out of the cage. It simply doesn't happen that way, not because we don't want to conform, but because we're not taught any differently. While there are some exceptions, for the most part, we're truly a product of our environment, and for good reason.

If you doubt what I'm saying, then consider this: I remember a TV show, Oprah, if memory serves me correctly. It featured a story about a young girl who was locked up in the doghouse for her first 8 years, or so. Treated like a dog, she began acting like a dog, barking at her captors, running around on all fours, licking herself to clean herself, etc. To see her, you would have thought she was indeed a dog, despite being in human form, and having been held in such a manner at such an early age, she knew no better. She was indeed a product of her environment, but take that same young girl several years later when, after being exposed to a loving and nourishing environment, and you wouldn't have recognized her. She was a completely different person, walking on 2 legs, talking and interacting with people, being a part of life in general. Her environment, and therefore her demeanor, had changed. Perhaps most interesting to me though was the fact that, in both situations, this young girl was capable of expressing love, even to her captors who treated her so horribly. She wanted, needed, that love, to love and to be loved, so desperately, and not getting it is quite possibly what contributed most to her broken condition, yet despite how badly she appeared to have been broken, it was when she was shown love and compassion that she began her rehabilitation, transforming herself into a normal, functioning, productive member of society.

Knowing that your offenders, real or imagined, will soon be released back into your neighborhoods, why are you not insisting that they be shown the same human decency and compassion you complained they denied you? I realize that it's in our nature to insist upon vengeance for the harms done to us, but trust me when I tell you that, no matter how well you may be treated in prison, you're still in prison, and the mere fact that you're in prison is punishment, in and of itself. The loss of interaction with your loved ones, seeing your child take her first steps, say her first word, or worse, hearing that she's calling another man "Daddy." Seeing the whole world pass you by, and being completely powerless to stop it, to slow it down for even a moment. I look at a typical summer scene, the kids playing on the beach, the adults sitting around the barbeque, the sun's rays bouncing off the water, and I know that, no matter how well I'm treated while in here, it won't ever change the fact that I'm being punished. I can only hope that, despite the CDCR's best efforts to the contrary, I can use my time while in here to do something productive, to prepare myself for a future outside of here, and to become a better person, not because I'm guilty of a crime, but because it's the right thing to do. Just as important though, I hope and pray that the prison's refusal to provide us with the basics doesn't ensure that I don't live to see my end of sentence, just a few short years away. But with audits like this, who can say for sure?

As always, if you have any questions or comments you'd like to share, you can leave them here, or send them to me at the address listed below. If posted here, please be aware that it might take awhile for me to receive them (they have to be mailed to me as I don't have Internet access), but when I do, they'll all be responded to.

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