



**MASTER PLAN  
ANNUAL REPORT  
FOR CALENDAR YEAR  
2010**

**SUBMITTED JANUARY 2011**

**CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION**

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**MASTER PLAN  
ANNUAL REPORT FOR  
CALENDAR YEAR 2010**

**January 10, 2011 Submittal**

**MATTHEW CATE**

*Secretary*

**BRETT MORGAN**

*Chief of Staff*

**CHRIS MEYER**

*Senior Chief*

Facility Planning, Construction, and Management

**DEBORAH HYSEN**

*Chief Deputy Secretary*

Facility Planning, Construction, and Management

**MIKE BEABER**

*Director (A)*

Division of Planning, Acquisition and Design

**Master Plan  
Annual Report for  
Calendar Year 2010  
Prepared by:**

**CALIFORNIA DEPARTMENT OF CORRECTIONS  
AND REHABILITATION**

**FACILITY PLANNING, CONSTRUCTION AND  
MANAGEMENT**

**DIVISION OF PLANNING, ACQUISITION AND DESIGN**  
MIKE BEABER  
*DIRECTOR (A)*

**FACILITY PLANNING BRANCH**  
JIM DERBY  
*DEPUTY DIRECTOR*

**PLANNING STAFF**  
GONZALO CACERES, MANAGER  
DONNA LONG, ANALYST  
GARY PIERCE, ANALYST  
MARY DUPONT, ANALYST

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# **EXECUTIVE SUMMARY**

## EXECUTIVE SUMMARY

### PLANNING ASSUMPTIONS AND TIMING

By statute, this Master Plan Annual Report (MPAR) is due to the Legislature on January 10<sup>th</sup> every year. In order to allow for compilation and review prior to this date, the MPAR utilizes information, data, planning assumptions, and established drivers of need that are “in-hand” as of October 31, 2010. With limited exceptions, any new project approvals, court actions, new policy initiatives, voter approved propositions, or other activities which occur after October 31, 2010, are not addressed within this document. Such activities and their influence on the California Department of Corrections and Rehabilitation’s (CDCR) programs, facility needs, and implementation strategies will be addressed through subsequent planning documents or report updates on an as-needed basis.

### DESCRIPTION OF MASTER PLAN ANNUAL REPORT

As specifically required by Assembly Bill (AB) 900 (Ch. 7, Stats. of 2007) and Senate Bill (SB) 81 (Ch. 175, Stats. of 2007), CDCR’s MPAR and subsequent annual updates shall include:

- Proposed projects contained in the Department’s most current Five-Year Infrastructure Plan (fiscal year (FY) 2011/16) to carry out CDCR’s mission<sup>1</sup>;
- Current active projects during the reporting period (calendar year); and
- Projects completed within the reporting period.

The MPAR documents projects and activities undertaken by CDCR to manage its existing adult inmate and juvenile offender populations at the existing institutions/facilities within the budget allocated to the Department. It consists of narratives that detail CDCR’s needs based on the incarcerated population. Following is a list of narratives/sections included in the MPAR:

- Population and Capacity Reports
- Gap Chart
- Nontraditional Bed Deactivations
- Infrastructure
- AB 900 Site Map
- Infill Bed Program
- Reentry Program
- Adult Health Care Program
- Coleman
- California Out-of-State Correctional Facility Program
- Female Offender Program
- Division of Juvenile Justice

Based upon the needs detailed in the sections listed above, CDCR has received funding in the California budget to maintain or modify existing facilities and funding from AB 900 to construct new facilities allowing the Department to perform its primary functions, which are to ensure public safety by: 1) securely housing the offender population; 2) rehabilitating the inmate and ward population; and 3) ensuring effective parole supervision. The institution tabs contained in this MPAR provide detailed information on active, proposed, and completed projects at individual adult prisons and juvenile facilities. These include capital outlay, special repair, deferred maintenance, and energy efficiency projects that maintain, modify, or add infrastructure capacity, which support CDCR’s programs and operational goals.

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<sup>1</sup> The “proposed” projects reported in this annual MPAR are projects for which CDCR is requesting FY 2011/12 funding. Not included are out-year proposals which need further development in scope and/or costs and may not develop into future projects. Out-year proposals that are developed into Administration approved projects will be included in subsequent annual reports.

### CHANGES TO THE CALENDAR YEAR (CY) 2010 MPAR

#### Executive Summary

The Executive Summary in this year's MPAR does not attempt to provide a mini-summary of each narrative section contained in the report; rather it presents selected highlights from each section. The MPAR is typically used as a reference document rather than as a report to be read "cover to cover". The past practice of trying to provide a comprehensive summary of each section within the body of the Executive Summary created unnecessary redundancy. Due to the complexities of CDCR's mission, its incarcerated population, existing infrastructure, health care programs, etc. it is infeasible to summarize each section within in a few short paragraphs of the Executive Summary. Consequently, readers of this report are strongly encouraged to review the narrative sections in their entirety, along with all associated materials provided in the appendices, for specific areas of interest.

#### VFA Assessments

Since 2007 CDCR has contracted with VFA, Inc. to provide facility condition assessments, including identification of anticipated repairs and replacement costs needed to maintain or improve the life expectancy and operational integrity of the physical plant. To date, assessments have been completed at 28 of CDCR's adult prisons. Due to funding reductions during FY 2009/10, the VFA assessments for the remaining five adult prisons have been rescheduled for completion during CY 2011. Last year's MPAR presented individual VFA assessment summaries for the 28 previously completed prisons. CDCR funding reductions during FY 2009/10 prohibited CDCR from obtaining updated cost information from VFA for the 28 completed assessments. Consequently, the 28 VFA summaries presented in this CY 2010 MPAR are identical to those presented last year. Once a contract is in place, VFA will provide updates to the 28 assessment summaries completed previously and these updates will be included in the next iteration of this MPAR.

#### Legislation

This year's MPAR does not include hard copies or electronic copies of AB 900 or SB 81. These historical documents are readily available via the Internet. Appendix A of this MPAR includes electronic copies of three important pieces of Legislation enacted this year. The first is AB 552 (Ch. 22, Stats. of 2010), signed June 3, 2010. Amongst other things, this bill amended AB 900 and authorizes CDCR to construct facilities within the Infill Program specializing in medical or mental health treatment, and to provide programming space appropriate for these facilities. This bill also authorizes CDCR to design and construct new buildings at existing facilities for medical, dental, and mental health treatment, to renovate existing buildings at existing facilities for medical, dental, and mental health treatment as well as to design, construct, or renovate any ancillary improvements, as specified. AB 2724 (Ch. 474, Stats. of 2010) was signed September 29, 2010, and provides authority and funding support for State agencies generating up to five megawatts of solar energy power on State property. This bill will allow for the expansion of solar energy systems at existing prisons or the opportunity to implement larger new systems which will help meet State energy and air quality goals identified in AB 32 (Ch. 488, Stats. of 2006). The third bill is AB 2181 (Ch. 252, Stats. of 2010), signed on September 23, 2010. This bill increases the limit of specified minor capital outlay projects from \$400,000 to a higher limit of \$600,000 and requires the Department of Finance (DOF) to adjust the minor capital outlay budget limit every two years to reflect the percentage change in the California Construction Cost Index published by the Department of General Services (DGS). Also provided are electronic copies of two important pieces of legislation identified in last year's MPAR. SBX2 4 (Ch. 2, Stats. of 2009) authorized the Director of DGS or the Secretary of CDCR, as appropriate, to use the design-build procurement process in contracting and procuring a State office facility or prison facility, subject to specified terms and conditions. To

## EXECUTIVE SUMMARY

date, CDCR has received authority to use design-build procurement for four AB 900 projects as of October 22, 2010 (California Health Care Facility (CHCF), Central Coast Reentry Facility (CCRF), H. G. Stark Youth Correctional Facility, and the DeWitt Nelson Youth Correctional Facility (DWNYCF) Infill Project). The other piece of legislation, SBX3 14 (Ch. 16, Stats. of 2009), provided necessary technical amendments to AB 900, including but not limited to the number of beds to be developed and the use of Pooled Money loans and bond funds for various project costs

### **California Health Care Facility Master Plan**

In order to provide sufficient, safe, and clinically appropriate treatment and administrative space for staff to deliver health care in the 33 adult prisons, the California Prison Receivership (CPR) and CDCR have developed a conceptual master plan for implementing the Health Care Facility Improvement Program (HCFIP). The Conceptual Facility Health Care Master Plan, dated September 10, 2010, was created through intensive collaboration, programmatic, and preliminary design planning efforts in order to provide comprehensive medical, mental health, and dental services to inmates. The levels of health care in CDCR's prisons are categorized as Intermediate, Unclassified-Reception Center (RC), and Basic. The Conceptual Facility Health Care Master Plan identifies a two-phased statewide project to implement necessary health care improvements at the 33 adult institutions: 11 Intermediate institutions, 5 Unclassified-RC institutions, and 17 Basic institutions. The estimated cost for both phases is \$747.7 million, with funding from AB 900 and the project authority provided by AB 552. An electronic copy of the Conceptual Facility Health Care Master Plan is provided in Appendix A.

### **Summary of Ongoing Costs Identified in 30-Day Letters for Authorized Projects**

One requirement of AB 900 is for CDCR to provide information in its MPAR regarding the anticipated ongoing costs of operation for approved projects. This type of information is detailed in the 30-day letters submitted to the Legislature (more specifically, the Joint Legislative Budget Committee) used to request authorization to use AB 900 funds for specific projects. Due to the size and the volume of project information contained therein, the 30-day letters for previously authorized projects are provided in electronic format in Appendix A. For the reader's convenience, a high-level summary of the anticipated ongoing operational costs identified in the 30-day letters for each project has been created and these summaries are provided in the individual institution tabs of this MPAR.

### **COST SAVINGS – TRANSMITTING MPAR DOCUMENT ON COMPACT DISC (CD)**

CDCR's MPAR is an extremely large document and consists of over 900 pages (including the Appendices). Similar to last year's distribution process, the MPAR for CY 2010 is primarily being transmitted in electronic format (a PDF file saved on a CD) and the entire document will also be available on CDCR's Internet site. This reduces paper and supply use, cuts the time and cost associated with reproducing, assembling, and delivering hard copies of the MPAR, promotes conservation, and most importantly, allows for easier sharing/distribution of this important document.

### **MPAR FOR CY 2010 – NARRATIVE SECTIONS**

#### **Population Impacts**

The population of CDCR's adult and juvenile institutions is the fundamental driver for its operations, policies, goals, and objectives. The number of inmates and youthful offenders, the unique needs and challenges of these populations, and the ability for the Department to effectively respond to these factors directly determines how CDCR needs to be funded, organized, staffed, and managed to achieve its mission of public safety and rehabilitation.

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As of October 31, 2010, CDCR had an adult institution population of approximately 164,600 inmates (includes inmates in contracted beds), and the Division of Juvenile Justice (DJJ) had a population of approximately 1,319. The adult population charts provided in this section identify inmate housing by location, type, and security level as well as the level of overcrowding, which averages 179 percent of design capacity on a system-wide basis.

### Gap Chart

CDCR's security classification system is generally based on penal code violations and in-prison behavior. The population vs. housing capacity analysis, more commonly known as the "Gap Chart", identifies deficits (or potentially, any surpluses) between the number of inmates and the quantity of housing (beds) to meet the security levels of the inmates. The Gap Chart reflects predicted inmate population growth over a five-year period commencing with FY 2011/12 based on historical trending analysis for the subcategories of these populations. The Gap Chart categorizes the adult inmate population based on security levels rather than by their behavioral characteristics and/or criminogenic needs<sup>2</sup> or by their medical and mental health treatment needs/conditions. The Gap Chart is CDCR's business tool for quantifying adult inmate housing deficiencies **by security level**.

One of the goals contained in the Department's Strategic Plan, which will improve on the existing analysis, is better identification of the projected population and its mission based needs. Through various objectives and tasks, CDCR will:

- Identify physical space needs for CDCR programs by defining performance requirements
- Identify existing space standards for the facilities portfolio
- Validate space standards in accordance with national standards, industry best practices and /or CDCR operational requirements and program objectives
- Implement new space standards across all CDCR facilities
- Establish performance indicators and mechanisms for continuous post implementation evaluation

The Gap Chart is not utilized for the analysis of youthful offender housing needs. Unlike the adult inmate population, DJJ's youthful offender population has declined, the facilities are not overcrowded beyond their design capacity, and the housing units are not categorized by security levels. A summary of DJJ's youth housing unit needs, by **program designation**, is included in the DJJ section of this MPAR.

### Nontraditional Beds – Deactivations

Nontraditional beds are temporary beds placed in areas that were never designed or intended to be used for inmate housing. The areas where nontraditional beds have historically been placed include gymnasiums, dayrooms, hallways, and program space. These spaces were not designed for inmate housing and AB 900 directs them to be deactivated on a one-for-one basis with the construction of new permanent capacity beds. This section of the MPAR includes a table which identifies monthly deactivations of 2,375 nontraditional beds over the past year.

### Infrastructure

This section summarizes CDCR's existing infrastructure, which includes over 40 million square feet of State-owned facilities located on 27,000+ acres of land (42 square miles) statewide. Excluding California State Prison, San Quentin (SQ) and Folsom State Prison, which were built

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<sup>2</sup> Expert Panel of Adult Offender and Recidivism Reduction Programming, "A Roadmap for Effective Offender Programming in California", June 29, 2007. The Expert Panel Report highlighted seven criminogenic needs that drive criminal behavior in male offenders, further advising CDCR to measure these needs and provide treatment services to address them.

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before 1900, the other ten oldest prisons average 58 years in age. With the exception of CDCR's newest prison (Kern Valley State Prison) built in 2005, the newer prisons were built in the 1980s and 1990s and average 20+ years in age. Many of CDCR's prisons are not sufficient to meet the needs of today's aging and overcrowded inmate population, or are not being used in a manner consistent with their original design intent. Prisons, facilities, or even specific housing units are often subject to program and mission changes driven by the need to address CDCR's ever changing adult inmate population. It is absolutely essential that the CDCR maintain the State's investment and the usability of its 40+ million square foot asset portfolio, despite its age, overuse due to inmate overcrowding, and abuse due to damage and inmate sabotage. Unfortunately, due to the State budget crisis, CDCR's \$49 million Special Repair Program /Deferred Maintenance Program funding for FY 2009/10 was entirely removed from CDCR's budget. This means CDCR did not even make a \$49 million dent against the estimated \$680 million per year needed to maintain (not improve) the current and frequently poor condition of the 28 adult institutions having completed VFA facility condition assessments. Lack of maintenance and repair funding also meant that during most of CY 2010 every infrastructure failure (e.g. major roof leak, blown electrical panels, water main break, boiler/chiller failure) that had to be fixed to maintain basic operation of the prisons was addressed as an emergency repair and required emergency funding. If the cycle of deferring maintenance and repairs continues, CDCR runs the risk of much higher eventual repair costs and more importantly, the possibility of a catastrophic system failure that could literally stop a prison from operating.

### California Institution for Women (CIW) Failing Infrastructure



Heating System



Showers



Interior Ceiling



Failing Roof with Temporary Membrane

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Similar to the older adult prisons, the remaining operational DJJ facilities average 55 years in age. Although they are not overcrowded, they are similar to the adult prisons, suffering from age, obsolescence, under-funding of repairs and preventative maintenance, and general wear and tear. Additionally, DJJ's existing older facilities were not originally designed to address the programmatic and treatment needs, and the security requirements of today's more violent and older youthful offenders. CDCR has continued to make modifications to its older facilities to address these issues as best as it can, but has been limited by funding as well as the age and obsolete design of DJJ's aged physical plant.

### **AB 900 Site Map**

AB 900 provides funding for a variety of project types including infill, reentry, health care, and local jails. The location of proposed AB 900 projects is identified on the map of California in this section of the MPAR. The infill, reentry, and health care projects identified are consistent with CDCR's Revised Integrated Strategy Plan (RISP) dated August 25, 2010, a summary of which is included on the CD in Appendix A.

### **Infill Bed Plan Program**

This section presents CDCR's proposed construction of facilities using the authority provided by AB 900. Referred to as the Infill Bed Program, up to 16,000 additional beds (and related program space) were authorized in AB 900 to house adult male inmates at existing State-owned facilities. The infill bed program is part of CDCR's overall housing strategy, known as the RISP, which also includes reentry and health care projects. The RISP has been updated and presents a coordinated strategy developed by CDCR and the CPR focusing on California's most pressing needs. This strategy includes the construction of up to 9,486 infill beds, 277 health care beds and treatment space, up to 10,000 reentry beds, and facility health care improvement projects at all 33 existing prisons. The updated RISP also responds to California's Statewide Planning Priorities by promoting infill development and the reuse/repurpose of existing State-owned assets (four DJJ sites/facilities will be repurposed as adult correctional or correctional health care institutions).

### **Secure Community Reentry Program Facilities (SCRF)**

The concept of an SCRF reflects a growing trend for the development of smaller, urban-based community facilities that support stronger rehabilitation programs, provide enhanced life skills training, and establish vital links to families, employers, and faith-based organizations that can assist in the successful transition of offenders to a productive and crime-free life outside of prison. CDCR has developed a 500-bed facility prototype based upon the capacity limitation set by the Legislature.

This section (see page R-11) presents current at-a-glance status of county participation in the Reentry Program, recommended AB 900 jail bond funding for county participation, and counties having sites either proposed for acquisition or already acquired. As of October 2010, there were 21 counties with signed Agreements to Cooperate. CDCR has successfully completed siting agreements in various stages (from Option Agreement negotiations through planning and environmental) with 11 of the 21 counties. Some of the smaller counties with smaller parolee populations that do not justify a 500-bed facility have entered into agreements for shared facilities with neighboring counties for a jointly operated SCRF.

Cities/Counties with current siting agreements and their status are:

- Amador, Calaveras, San Joaquin counties with the Northern California Reentry Facility (joint use facility) – This project has been approved by the State Public Works Board (PWB) and has received financing by the Pooled Money Investment Board.

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- San Benito, San Luis Obispo, Santa Barbara counties with the CCRF (joint use) – Currently in the environmental California Environmental Quality Act process.
- Cities of Folsom (Sacramento County) and Fairfield (Solano County) – Resolutions of Community Support in place and planned for funding as part of AB 900 Phase II.
- San Diego County – Reentry facility at R. J. Donovan Correctional Facility – Resolution in place; seeking project approval to proceed in AB 900 Phase I.
- Kern County – In contract negotiations.
- San Bernardino County Option Agreement approved by the State PWB on August 4, 2010; seeking project approval to proceed in AB 900 Phase I.
- Madera County Option Agreement approved by the State PWB on September 20, 2010.

CDCR has and will continue to work with other interested counties to site additional reentry beds authorized under AB 900.

### **Adult Health Care Program**

This section provides vast information regarding health care services, existing capacity, projections of needs and proposed projects to be implemented in CDCR's adult institutions. It identifies the roles of the California Division of Health Care Services and the CPR, as well as describing the health care program modalities. It also includes health care information for existing prisons, summaries of various court cases relating to the provision of adequate health care for the incarcerated population, and the background on the federal court's establishment of the CPR. Summary level information from CDCR health care planning documents (ex. Abt and Navigant reports) are also contained in this section. An AB 900 funding proposal for dental improvement projects is included with the implementation plan for the HCFIP (the 96-page Conceptual Health Care Facility Master Plan) being provided on the CD in Appendix A.

### ***Coleman***

*Coleman* requires that CDCR bring mental health care services for inmates to constitutional standards. In addition to the reporting requirements contained in AB 900 and SB 81, supplemental budget language requires additional and specific reporting regarding *Coleman* projects. Though the *Coleman* projects are already reported within the comprehensive listing of all projects contained in "Projects and Summary Report" of the MPAR and *Coleman* projects are also shown by institution, the *Coleman* section is provided specifically to respond to the mandated reporting requirement. It provides a consolidated listing of all *Coleman* projects including majors, minors, special repair items, and other physical plant modifications.

### **California Out-of-State Correctional Facility (COCF) Program**

In October 2006, the Governor released an Emergency Proclamation regarding overcrowding in State prisons. *"Our prisons are now beyond maximum capacity, and we must act immediately and aggressively to resolve this issue,"* said Governor Schwarzenegger. *"I've ordered the Department of Corrections and Rehabilitation to begin contracting with facilities in other states to transfer inmates to available beds outside of California.* (A copy of the proclamation is included in Appendix A). The transfer of CDCR inmates to out-of-state facilities began in November 2006. AB 900 and supplemental language subsequently granted authority for CDCR to enter into contracts with out-of-state facilities to house CDCR inmates. This program is referred to as the COCF program and this section of the MPAR details its creation, purpose, and current status. Per existing statute, the COCF program sunsets July 1, 2011. However, the State's bed plan(s) submitted to the federal three judge panel proposed an extension and expansion of the COCF program by up to 7,500 inmates by FY 2014/15. Obtaining an

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extension to this limitation will be an essential step towards CDCR obtaining much needed capacity. In November 2010, CDCR announced that it had amended its agreement with the Corrections Corporation of America and contracted with GEO Group, Inc. to temporarily house additional inmates out-of-state. This amendment and new contract allows for nearly 2,600 additional out-of-state beds to house California offenders, bringing the total available COCF capacity to 10,468 beds by February 2011. COCF is currently reviewing additional sites with multiple vendors for a possible additional 5,000-bed expansion to the COCF program.

### **Female Offender Program**

In recent years, increases in the number of incarcerated women has called attention to the status of women in the criminal justice system and made evident the differences between male and female offenders. Findings and evidence from studies demonstrate that recidivism, unemployment, and substance abuse are decreased by gender-responsive programming in the community. Similar to last year's MPAR the Female Rehabilitative Community Correctional Center (FRCCC) Program and supporting program modalities are described in this section. Based on budget cuts, various inmate population reforms under consideration and the uncertain outcome of California's appeal of the three judge panel's capacity reduction order to the United States Supreme Court, the previously proposed expansion of the FRCCC program has been placed on hold. A reevaluation of female offender program and housing needs, including the need for FRCCC facilities, will be performed following the outcome of the Supreme Court's decision.

### **Juvenile Justice**

This section provides information regarding DJJ's existing and future anticipated population, program modalities, health care, and programs. Also presented is information regarding DJJ's existing facilities and legislative and policy changes over the past decade, culminating with SB 81, more specifically Sections 22, 24, and 25; and AB 191 (Ch. 257, Stats. of 2007) Section 3, that now restrict DJJ's population to the most serious and violent juvenile offenders in California. As a result of the changes identified above, DJJ's population as of October 31, 2010, totaled only 1,319 youthful offenders (male and female) statewide. This is almost a 24 percent reduction since January 2009 when DJJ had a population of 1,738 youthful offenders.

Based on existing and projected population decreases, coupled with the advanced age and original design deficiencies of DJJ's existing facilities, CDCR has continued right sizing the State's juvenile operations to reduce costs. During CY 2010 the Department has or will be consolidating DJJ's current and smaller juvenile population into the remaining DJJ facilities. Reuse proposals for four former DJJ facilities are identified in the Infill Bed Program section and also within the individual institution tabs of this MPAR.

On October 21, 2010, CDCR announced that it will close the Preston Youth Correctional Facility (PYCF) in Lone by no later than June 2011. PYCF is the oldest operating DJJ facility, opening in 1894 as the "Preston School of Industry". The 224 youth currently housed at PYCF will be incorporated into the State's remaining four DJJ facilities. The announced closure of PYCF took place during the final drafting of this CY 2010 MPAR. CDCR has begun the process of reviewing active and previously proposed projects at PYCF to determine if any of them are still required to maintain operations until the facility is closed. CDCR has also initiated a review of the property to determine its potential for reuse by CDCR or to address another State purpose. Absent new legislation, any future transfer of the property to another State agency or possible sale of the property as a "surplus" State asset, would fall under the requirements of Government Code Section 11011 et. seq. and other applicable statutes.

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In November 2004, DJJ (California Youth Authority at the time) agreed to comply with the Consent Decree issued by the Superior Court of California in *Farrell v. Allen* (now Cate). The Consent Decree required DJJ develop and implement detailed remedial plans to provide all youthful offenders housed by DJJ, adequate and effective care, treatment, and rehabilitative services. As a result, the following remedial plans were developed and are collectively referred to as the Farrell Remedial Plans:

- Safety and Welfare Remedial Plan
- Sexual Behavior Treatment Program Remedial Plan
- Education Remedial Plan
- Wards With Disabilities Program Remedial Plan
- Health Care Services Remedial Plan
- Mental Health Remedial Plan

Development and implementation of the Farrell Remedial Plans requires space, appropriately configured, for the effective realization of programming and treatment pursuant to the intentions of the remedial plans and Consent Decree. Accordingly, DJJ has developed a current year funding request and is in the process of developing future funding requests to address additional programming, rehabilitation, treatment and education space, office space for new programming and specialty staff, support and administrative space needs; and a reconfiguration of space layout necessary for the safe, secure, and effective discharge of programming functions and tasks.

The Juvenile Project Summary and more detailed project information are provided within the Juvenile Institutions tab sections for each individual facility.

### OVERVIEW OF ACTIVE, PROPOSED, AND COMPLETED PROJECTS

Following the narrative sections of this MPAR are various lists and definitions for CDCR's projects. The project information is presented by institution and by project type (ex. capital outlay, special repair, deferred maintenance, energy conservation, and special projects). The Project sections include background and technical reporting of the projects and their status. Following the Project Lists are the Institution tabs containing aerial photos, facility data, and detailed project summaries for each adult and juvenile institution.

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  - Legislation:
    - SBX2 4 (Public contract - design-build: public private partnerships)
    - SBX3 14 (Prison facilities: construction)
    - AB 552 (Correctional Facilities – health care projects at existing prisons)
    - AB 2181(State Contract Act – minor capital outlay)

## EXECUTIVE SUMMARY

- AB 2727 (Renewable energy resources)
- CDCR-Receiver Joint Memo Regarding Delegation of Authority for Health Care Construction
- 30-day Letters for Authorized AB 900 Infill Projects
- Conceptual Health Care Facility Master Plan
- Appendix B – List and Map of CDCR's Institutions
- Appendix C – Facility Square Footage List
- Appendix D – State Planning Priorities (CDCR's consistency with these priorities)
- Appendix E – Correctional Court Cases

### MAJOR EVENTS, DRIVERS, AND TRENDS FOR CY 2010

#### Legal Impacts

A special panel of three federal judges, Stephen Reinhardt of the Ninth Circuit Court of Appeals, Lawrence K. Karlton of the Eastern District of California, and Thelton E. Henderson of the Northern District of California, issued their most recent order January 12, 2010, in the prison conditions litigation known both as *Coleman v. Schwarzenegger* and *Plata v. Schwarzenegger*. *Coleman* and *Plata* are the lead plaintiffs in two class action prison lawsuits that have wound their way through courts since 1995 and 2002 respectively.

Appendix A contains electronic copies of the five court filings summarized below:

- On August 4, 2009, the three judge panel ordered the State to “provide the Court with a population reduction plan” within 45 days. The State subsequently filed a Notice of Appeal and Request for Stay in the United States Supreme Court. The stay was denied by the Supreme Court on September 11, 2009.
- On September 18, 2009, the State submitted its “population reduction plan,” but also stated that submission of this plan was not an admission that the Court’s order met the requirements of the Prison Litigation Reform Act, nor that it constituted a waiver of any issue the State previously raised before the Court.
- On October 21, 2009, the three judge panel rejected the State’s plan, indicating that it did not comply with the Court’s August 4, 2009, order. The State was ordered to submit a population reduction plan within 21 days, complying with the Court’s August 4, 2009, opinion and order and that, most importantly, it provide for a reduction of the prison population to 137.5 percent of design capacity within two years.
- On November 12, 2009, the State submitted a revised plan in accordance with the Court’s orders. The revised plan identifies measures estimated to reduce the prison population to the required 137.5 percent of design capacity by December 2011.
- On January 12, 2010, the Court accepted the State’s revised population reduction plan, subject to a number of stated conditions, however the Court stayed implementation pending the Supreme Court’s consideration of the State’s appeal of its August 4, 2009, ruling.

Oral argument for the State’s appeal to the Supreme Court is scheduled for November 30, 2010. Due to the timing and the unknown outcome of the appeal, CDCR has not yet analyzed how various reforms needed to achieve the court-ordered November 12, 2009, population cap would potentially impact the male and female inmate populations; including the impacts across each of the male inmate classification levels. When the necessary information and data is available, CDCR will prepare an updated Gap Chart analysis to determine how inmate population reductions would affect CDCR’s future facility needs. Necessary revisions to the RISP would be considered as well. For now, the Gap Chart provided within this MPAR utilizes the Offender Information Services Branch’s extended population projections for Fall

## EXECUTIVE SUMMARY

2010 dated September 16, 2010, and do not include all of the reforms or other inmate population reduction measures identified in the State's court-ordered November 12, 2009, Plan submitted to the three judge panel.

### **Fiscal Impacts**

While fiscal challenges are ever present in public service operations, California faced unprecedented budget challenges this past year, including a historic 100-day delay in enacting a FY 2010/11 budget. The details of the recently enacted budget and their potential impact on CDCR's operations are not available yet as of the drafting of this document. Over the past two years the State's revenue shortfalls have been so significant that they continue to be addressed through a combination of revenue generators and expenditure reduction strategies. As California State government's largest general funded agency, CDCR is experiencing a significant strain on its budget, impacting its ability to achieve its mission of public safety and rehabilitation.

CDCR's annual budget for FY 2008/09 was \$10 billion and was reduced in FY 2009/10 to \$8.2 billion. This represented an 18 percent reduction from the prior year's budget. The DOF's website identifies initial information on CDCR's FY 2010/11 budget, including \$8.98 billion in State funds, but the total funding shown (including State funds, federal funds, non-governmental cost funds and reimbursements) is \$12.49 billion which is less than the \$13.19 billion provided in FY 2009/10. It is not known what additional funding limitations will be imposed on the Department, including but not limited to any non-allocated budget cuts.

During the past 24 months, the Department has explored every avenue to save money including reducing headquarters staffing levels and other significant reductions. These cuts include \$250 million in rehabilitation programs for adult inmates, including the elimination of almost 1,000 positions. These reductions significantly impacted education, vocational education, substance abuse, and other programs for inmates and parolees. The \$250 million reduction represented over one-third of CDCR's adult programs' budget. In response, CDCR has implemented a plan to change the way rehabilitative programs are delivered in order to maximize inmate participation and program effectiveness despite the fiscal reductions.

In addition to cutting rehabilitation programs, CDCR reduced its overall headquarters budget by abolishing nearly 400 positions at a savings of approximately \$30 million annually. The Department has also incorporated new policies to reduce costs related to overtime, purchasing, office leases, and vehicle usage.

In October 2009, CDCR announced its new staffing model for DJJ to reduce its workforce by 14 percent – or 400 positions – saving \$30-\$40 million annually.

Additionally, CDCR State civil service employees participated in three unpaid furlough days per month for 15 of the past 16 months, as mandated by the Governor's Executive Order (EO) S-13-09 and EO S-12-10. The furloughs will end November 1, 2010, for many State employees, but the Administration has indicated that the furloughs will continue in place for employees in bargaining units that have yet to reach a tentative collective bargaining agreement.

Regarding the fiscal impacts on CDCR's capital outlay and special repair projects, due to the severity of the budget, CDCR is submitting only the most critical capital outlay projects for funding and primarily they fall into the Fire/Life/Safety and Security categories or are projects responsive to court directives. Additionally, \$47.6 million of CDCR's special repair allocation of \$49 million was eliminated from the 2009/10 budget and the lack of an enacted State budget

## EXECUTIVE SUMMARY

until October 2010 meant that CDCR had essentially zero project funding for this program for the 2010 CY. This means that for over 15 months CDCR has been unable to repair/replace broken or run-down systems. This has created major problems in CDCR operations as roofs fail, electrical systems shut down, and sewer systems malfunction.

The third-party, independent, VFA assessments and associated database created allow CDCR to run repair or replacement funding scenarios and to calculate the Total Funding Requirement (TFR) at each assessed prison. In CY 2009, CDCR identified that the TFR over a five year period necessary to maintain (but not improve) facilities according to the Facility Condition Index was \$3,417,213,000. This equates to approximately \$680 million per year to merely maintain the current and frequently very poor condition of the existing facilities. These assessments truly call out the disparity (\$49 million typical yearly allocation versus \$680 million need) between CDCR's infrastructure expenditure needs and the diminishing availability of funds during the State's recent economic downturn.

### **HIGHLIGHTS, PROJECTS, AND OTHER ACTIVITIES FOR CY 2010**

#### **64-Bed Intermediate Care Mental Health Facility at California Medical Facility (CMF)**

CDCR broke ground June 15, 2010, on its first AB 900 construction project, a 64-bed intermediate care mental health facility at CMF in Vacaville. The new, stand-alone facility will include housing, treatment, support, and administrative services that will help mitigate the State's unmet licensed mental health bed deficiencies for inmates as part of the *Coleman vs. Schwarzenegger* class action lawsuit. Construction is expected to be complete in September 2011 with full activation by the end of 2011. Funding for the \$33.7 million project was authorized with the passage of the historic AB 900 legislation. The project is expected to obtain a Silver certification under the Leadership in Energy and Environmental Design (LEED) for new construction rating system pursuant to Governor Schwarzenegger's EO #S-20-04.

#### **California Health Care Facility**

On August 2, 2010, CDCR and the CPR signed an agreement with Stockton area leaders to construct a 1,722-bed inmate medical facility, to be called CHCF. Groundbreaking took place on November 5, 2010, on the site of the former Karl Holton Youth Correctional Facility. The project is expected to be completed within three years at a cost of \$906 million and will include the following:

- Buildings totaling 1.2 million square feet
- A visitor and staff entry building
- Housing for 1,722 patient-inmates
- A central kitchen
- Patient-inmate housing clusters
- Staff training facilities
- A diagnostic and treatment center
- Parking areas
- A central energy plant
- Silver certified as a LEED building
- Warehouse and support facilities

Construction activities will support nearly 5,500 jobs in the regional economy, including up to 1,700 construction workers a day on site. Upon completion, the facility will create more than 2,400 civil service jobs and infuse an estimated \$220 million annually into the San Joaquin County economy.

**45-Bed Acute/Intermediate Care Facility (ICF) at CIW**

In June, CDCR broke ground on a 45-bed acute/intermediate-care mental health facility for female inmates at CIW in Corona. The \$33.7 million new mental health facility will provide approximately 43,440 square feet of housing and treatment space on the ground floor level. Approximately 10,091 square feet of administration space will be on the second level. The project was funded with AB 900 Lease Revenue Bonds and is scheduled for completion in December 2011.

**20-Bed Psychiatric Services Unit at CIW**

This \$7.5 million General Fund project is 80 percent complete and will convert a 3,500 square foot wing in the prison's Support Care Unit to a 20-bed Psychiatric Care Unit. The project includes a modular treatment building and small management yards. Both this and the above 45-bed ICF are *Coleman* projects and will improve CDCR's delivery of mental health services to female inmates at CIW.

**Authorization of AB 900 Infill Projects**

CY 2010 marked a major milestone for CDCR with authorization through the Legislature to proceed with the following infill projects identified in CDCR's RISP totaling approximately \$1.2 billion:

- DWNYCF (DJJ Conversion) 1,133 beds
- Estrella Correctional Facility (DJJ Conversion) 1,000 beds
- CHCF (described on page ES-12) 1,722 beds

As of the writing of this report, CDCR is continuing to submit 30-day letters (project authorization requests) to the Legislature for additional infill, medical/mental health, and reentry projects, consistent with the RISP. CDCR is also assisting counties in securing jail bond funding authorized through AB 900.

**CDCR Initiates Authorized Condemned Inmate Complex (CIC) Project at SQ**

In August 2010, CDCR began soliciting bids from contractors to build the authorized \$356 million CIC project at SQ. The project consists of three semi-autonomous maximum security housing units, a correctional treatment facility, and program and support buildings. The CIC will be separated from the rest of the facility by security fencing which includes a lethal electrified fence. The first bid, for demolition of existing buildings, installation of utilities, and construction of housing units and towers is due November 9, 2010.

The second bid, due in late summer 2011, includes support buildings including a correctional treatment center, along with security and communications systems. Work on the first phase of the project is scheduled to begin in January 2011. The overall project is scheduled for completion in summer 2013. CDCR estimates construction of the new complex will employ about 6,000 workers, while the complex itself will employ 570 to 648 individuals upon completion.

**State Opens California Institution for Men (CIM) West Facility Buildings Damaged in August 2009 Riot**

On October 6, 2010, CDCR reopened eight dormitories at CIM in Chino. Eight dormitory housing units were heavily damaged when inmates in RC-West rioted on the evening of August 8, 2009. There were no hostage situations, no escapes, and no fatalities during the riot, but extensive repairs were necessary to return the structures to full use. Immediately after the riot, CDCR began working to rebuild the critically needed inmate housing. Several of the units

## EXECUTIVE SUMMARY

were renovated and occupied within the next 10 months. The design, construction, and reactivation of the entire West facility were completed in only 13 months at a cost of \$5.2 million. The cost to rebuild the dormitories was reduced significantly by using inmate labor from the Inmate Ward Labor program. This program teaches inmates vocational skills that can be used to gain employment once they are released from prison. Inmates learn how to operate heavy equipment and are taught trades such as masonry, concrete mixing, drywall installation, wall texturing, carpentry, welding, and general construction techniques. The rebuilding effort also incorporated improved safety/security features into the renovated dormitories. After the repairs were completed, CDCR changed the mission of CIM-West from an RC to a Level II general population facility, and the inmate population was reduced from 1,298 (before the riot) to 960 inmates.

### **CDCR Secures American Recovery Reinvestment Act (ARRA) Funds for Energy Projects**

On February 17, 2009, the federal ARRA of 2009 was signed into law. The ARRA provides funding for a wide range of federal, state, and local programs, as well as tax relief for qualified businesses and individuals. ARRA funding awarded to the State is being overseen by the DGS on behalf of various departments and agencies. CDCR applied for and received two ARRA loans totaling \$5,621,399 at 2.5 percent for energy efficiency projects. Using this funding, CDCR is implementing projects at:

- Corcoran State Prison – Lighting retrofit and energy management system
- Salinas Valley State Prison – lighting retrofit and water heater replacement
- Correctional Treatment Facility – boiler replacement and new system controls
- California Correctional Institution – boiler replacement
- Substance Abuse Treatment Facility – energy management system and controls
- California Rehabilitation Center – boiler replacement.

Total project costs are \$9,395,045 with rebates totaling \$3,773,646 and the balance funded through the ARRA loans totaling \$5,621,399.

### **CDCR Launches Historic Parole Reforms to Increase Public Safety and Prisoner Rehabilitation**

To better protect public safety by lowering parole agent caseloads and providing closer supervision for at-risk parolees, CDCR launched historic parole reforms on August 1, phasing in 2009 legislation passed by the Legislature and signed by Governor Arnold Schwarzenegger, and implementing a new parole supervision model. The legislation, SB3X 18 (Ch. 28, Stats. of 2009), also authorized CDCR to place inmates who are scientifically evaluated as being low risk on unsupervised parole known as Non-Revocable Parole. This allows agents to concentrate their skills on the remaining parole population that is considered a higher risk. Together with adding more agents, CDCR can adopt the proven supervision model recommended by national experts to benefit public safety.

With an overall focus to concentrate parole supervision resources on those parolees proven to be a high risk to commit a crime, CDCR is significantly lowering parolee to agent case loads from 70 parolees per agent to 48 parolees per agent. In addition, the parole division increased its efforts to capture parolees who have absconded from supervision, placed more than 800 known gang members on active Global Position System monitoring, and launched operation Safe Playground – an effort to find and arrest sex offenders who have absconded from their parole supervision. The legislation also authorized sentence reduction credits of up to six weeks for eligible inmates who complete specified rehabilitation programs.

**NOTE:**

The capacity (number of beds and security levels) of the housing units in the adult institutions is compared against current population and population projections to analyze overcrowding levels and future facility needs. The security levels of the beds/housing units used in the planning analysis are based on physical composition, design and CDCR's standards (not their operational use or current mission). The security data was extracted from CDCR's inmate housing database and has been utilized in the Gap Charts, Operational Capacity Charts, Population vs. Capacity Charts and other facility needs analysis. The Gap Chart identifies deficits in specific security levels. In order to meet these deficits CDCR must operationally convert facilities to meet that deficit until such time as permanent capacity can be realized through construction.

The summary information for each CDCR institution is presented at the back of this report [refer to the individual institution tabs]. The summary information includes a high level summary of the number of beds and security levels at each location, but these statistics are based on operational use/staffing/current mission, which in most instances will differ from the housing security levels based solely on their design.

## **POPULATION / CAPACITY PROJECTIONS**

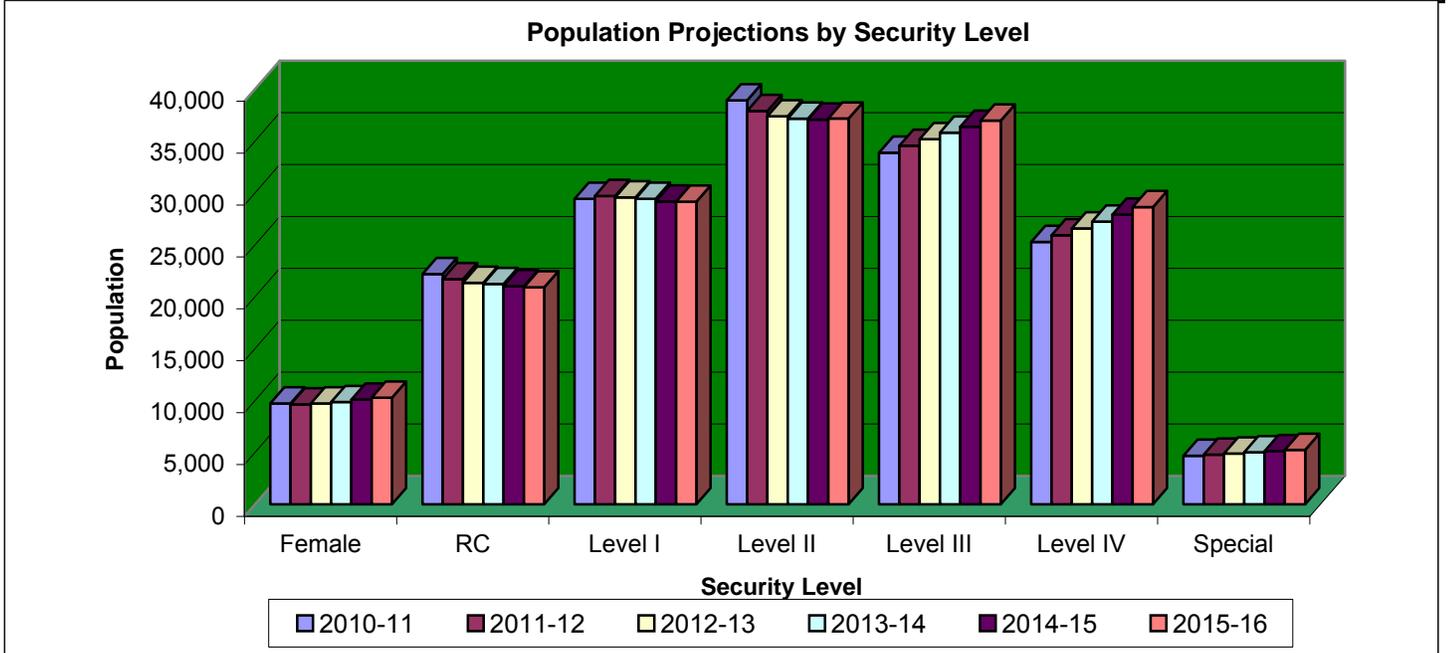
## ADULT POPULATION PROJECTIONS

CDCR's Offender Information Services Branch (OISB) produces population projections for the Spring and Fall of every fiscal year. These projections are used by the Department to predict staff needs for custody, programs, and administrative purposes.

Additionally, the population projections are used as a planning tool to determine the Department's current capacity needs and its future capacity needs by comparing actual capacity to its current and projected population by security level.

See table below for the Fall 2010 Population Projections:

| Population Projections |              |        |         |          |           |          |         |            |             |
|------------------------|--------------|--------|---------|----------|-----------|----------|---------|------------|-------------|
| Fiscal Year            | Total Female | Male   |         |          |           |          |         | Total Male | Grand Total |
|                        |              | RC     | Level I | Level II | Level III | Level IV | Special |            |             |
| 2010-11                | 9,712        | 22,182 | 29,433  | 38,913   | 33,875    | 25,270   | 4,670   | 154,343    | 164,055     |
| 2011-12                | 9,619        | 21,688 | 29,709  | 37,891   | 34,540    | 25,920   | 4,780   | 154,528    | 164,147     |
| 2012-13                | 9,713        | 21,329 | 29,563  | 37,376   | 35,170    | 26,575   | 4,890   | 154,903    | 164,616     |
| 2013-14                | 9,844        | 21,220 | 29,425  | 37,151   | 35,800    | 27,235   | 5,005   | 155,836    | 165,680     |
| 2014-15                | 10,088       | 21,006 | 29,163  | 37,057   | 36,375    | 27,915   | 5,120   | 156,636    | 166,724     |
| 2015-16                | 10,266       | 20,897 | 29,150  | 37,160   | 36,970    | 28,625   | 5,240   | 158,042    | 168,308     |



**Footnotes**

RC Security Level - the Reception Center is where inmates await classification

Special Security Level - includes Condemned, Protective Housing Unit, Psychiatric Services Unit, and Security Housing Unit inmates

## ADULT HOUSING OVERCROWDING CAPACITY BY SECURITY LEVEL

Below is a table that displays capacity as of Fall 2010 by Security Level for all Adult Institutions.

Overcrowding Capacity (OC) is derived by multiplying the institution's Design Capacity (DC) by the Department's Overcrowding Rates.

Nontraditional Beds are not included in Capacity. These numbers also do not include Out-of-State Capacity, or Department of Mental Health Capacity.

The figure of 157,414 reflects the maximum number of inmates that should ideally be under the custody of CDCR, given the capacity constraints. This capacity number will be compared against projected population in the following pages.

| Traditional Beds   |               |               |               |               |               |              |              |                |
|--------------------|---------------|---------------|---------------|---------------|---------------|--------------|--------------|----------------|
| InstID             | I             | II            | III           | IV            | RC            | Special      | Women        | Grand Total    |
| ASP                | 10            | 5,766         |               |               |               |              |              | 5,776          |
| CAL                | 408           |               |               | 3,910         |               |              |              | 4,318          |
| CCC                | 3,383         | 1,216         | 935           |               |               |              |              | 5,534          |
| CCI                | 1,228         | 1,322         | 0             | 1,108         | 950           | 531          |              | 5,139          |
| CCWF               |               |               |               | 17            | 687           |              | 3,217        | 3,921          |
| CEN                | 408           |               | 3,580         | 380           |               |              |              | 4,368          |
| CIM                | 2,738         |               |               |               | 2,672         |              |              | 5,410          |
| CIW                |               |               |               |               | 362           |              | 1,970        | 2,332          |
| CMC                | 408           | 6,042         |               |               |               |              |              | 6,450          |
| CMF                | 270           | 3,410         |               |               |               |              |              | 3,680          |
| Contracted-M       | 1,825         | 2,961         |               |               | 1,150         |              |              | 5,936          |
| Contracted-W       |               |               |               |               |               |              | 511          | 511            |
| COR                | 976           |               | 2,730         | 150           |               | 1,432        |              | 5,288          |
| CRC                | 70            | 4,779         |               |               |               |              |              | 4,849          |
| CTF                | 1,012         | 5,321         |               |               |               |              |              | 6,333          |
| CVSP               | 408           | 3,035         |               |               |               |              |              | 3,443          |
| DVI                | 334           | 93            | 376           |               | 2,250         |              |              | 3,053          |
| FSP                | 918           | 3,164         | 240           |               |               |              |              | 4,322          |
| HDSP               | 400           |               | 1,140         | 2,050         | 760           |              |              | 4,350          |
| ISP                | 400           |               | 3,785         |               |               |              |              | 4,185          |
| KVSP               | 400           |               | 0             | 4,100         |               |              |              | 4,500          |
| LAC                | 400           |               |               | 2,120         | 1,630         |              |              | 4,150          |
| MCSP               | 392           |               | 1,834         | 912           |               |              |              | 3,138          |
| NKSP               | 410           |               | 950           |               | 3,833         |              |              | 5,193          |
| PBSP               | 392           |               | 0             | 1,806         |               | 1,228        |              | 3,426          |
| PVSP               | 408           |               | 3,960         |               |               |              |              | 4,368          |
| RJD                | 392           |               | 1,735         | 950           | 950           |              |              | 4,027          |
| SAC                | 384           |               | 0             | 2,380         |               | 256          |              | 3,020          |
| SATF               |               | 3,624         | 1,085         | 1,926         |               |              |              | 6,635          |
| SCC                | 3,236         | 1,216         | 935           |               |               |              |              | 5,387          |
| SOL                |               | 2,820         | 2,250         |               |               |              |              | 5,070          |
| SQ                 | 215           | 1,768         |               | 637           | 2,610         |              |              | 5,230          |
| SVSP               | 400           |               | 950           | 3,050         |               |              |              | 4,400          |
| VSPW               |               |               |               |               | 763           | 62           | 3,072        | 3,897          |
| WSP                | 392           |               | 855           |               | 4,528         |              |              | 5,775          |
| <b>Grand Total</b> | <b>22,617</b> | <b>46,537</b> | <b>27,340</b> | <b>25,496</b> | <b>23,145</b> | <b>3,509</b> | <b>8,770</b> | <b>157,414</b> |

POP-2

## OVERCROWDING BY INSTITUTION (ADULT)

This analysis is based upon Design Capacity (DC) as of Fall 2010.

The table shows that CDCR exceeds the U.S. Department of Justice, Bureau of Prisons overcrowding standard of 130 percent of design. With a percentage overcrowded by institution average rate of 178 percent above design, CDCR currently has 18 institutions (more than half of the 33 adult institutions) that exceed 178 percent of design, this includes five institutions that exceed 200 percent of design.

| Institution        | Design Bed Capacity <sup>1</sup> | Population as of 10-31-2010 <sup>2</sup> | Overcrowding  | % Overcrowded by Institution <sup>3</sup> |
|--------------------|----------------------------------|------------------------------------------|---------------|-------------------------------------------|
| ASP                | 2,920                            | 6,145                                    | 3,225         | <b>210.45%</b>                            |
| CAL                | 2,308                            | 4,116                                    | 1,808         | 178.34%                                   |
| CCC                | 3,883                            | 5,445                                    | 1,562         | 140.23%                                   |
| CCI                | 2,783                            | 5,800                                    | 3,017         | <b>208.41%</b>                            |
| CCWF               | 2,004                            | 3,755                                    | 1,751         | <b>187.38%</b>                            |
| CEN                | 2,308                            | 3,975                                    | 1,667         | 172.23%                                   |
| CIM                | 2,976                            | 5,380                                    | 2,404         | <b>180.78%</b>                            |
| CIW                | 1,356                            | 2,290                                    | 934           | 168.88%                                   |
| CMC                | 3,838                            | 6,208                                    | 2,370         | 161.75%                                   |
| CMF                | 2,297                            | 2,573                                    | 276           | 112.02%                                   |
| COR                | 3,116                            | 5,063                                    | 1,947         | 162.48%                                   |
| CRC                | 2,491                            | 4,242                                    | 1,751         | 170.29%                                   |
| CTF                | 3,312                            | 6,419                                    | 3,107         | <b>193.81%</b>                            |
| CVSP               | 1,738                            | 3,183                                    | 1,445         | <b>183.14%</b>                            |
| DVI                | 1,681                            | 3,802                                    | 2,121         | <b>226.17%</b>                            |
| FSP                | 2,469                            | 3,522                                    | 1,053         | 142.65%                                   |
| HDSP               | 2,324                            | 4,253                                    | 1,929         | <b>183.00%</b>                            |
| ISP                | 2,200                            | 3,976                                    | 1,776         | <b>180.73%</b>                            |
| KVSP               | 2,448                            | 4,662                                    | 2,214         | <b>190.44%</b>                            |
| LAC                | 2,300                            | 4,474                                    | 2,174         | <b>194.52%</b>                            |
| MCSP               | 1,700                            | 3,668                                    | 1,968         | <b>215.76%</b>                            |
| NKSP               | 2,694                            | 5,317                                    | 2,623         | <b>197.36%</b>                            |
| PBSP               | 2,380                            | 3,220                                    | 840           | 135.29%                                   |
| PVSP               | 2,308                            | 4,593                                    | 2,285         | <b>199.00%</b>                            |
| RJD                | 2,200                            | 4,418                                    | 2,218         | <b>200.82%</b>                            |
| SAC                | 1,828                            | 2,955                                    | 1,127         | 161.65%                                   |
| SATF               | 3,424                            | 6,402                                    | 2,978         | <b>186.97%</b>                            |
| SCC                | 3,736                            | 5,416                                    | 1,680         | 144.97%                                   |
| SOL                | 2,610                            | 5,026                                    | 2,416         | <b>192.57%</b>                            |
| SQ                 | 3,082                            | 5,220                                    | 2,138         | 169.37%                                   |
| SVSP               | 2,452                            | 3,735                                    | 1,283         | 152.32%                                   |
| VSPW               | 1,980                            | 3,469                                    | 1,489         | 175.20%                                   |
| WSP                | 2,984                            | 5,838                                    | 2,854         | <b>195.64%</b>                            |
| <b>Grand Total</b> | <b>84,130</b>                    | <b>148,560</b>                           | <b>64,430</b> | <b>178%</b>                               |

<sup>1</sup> This information is obtained from the CDCR Capacity Database updated for Fall 2010.

<sup>2</sup> Population obtained from the Offender Information Services Branch.

<sup>3</sup> This figure calculated by Dividing the Population by Design Bed Capacity.

## ADULT POPULATION PROJECTIONS vs ADULT HOUSING OVERCROWDING CAPACITY

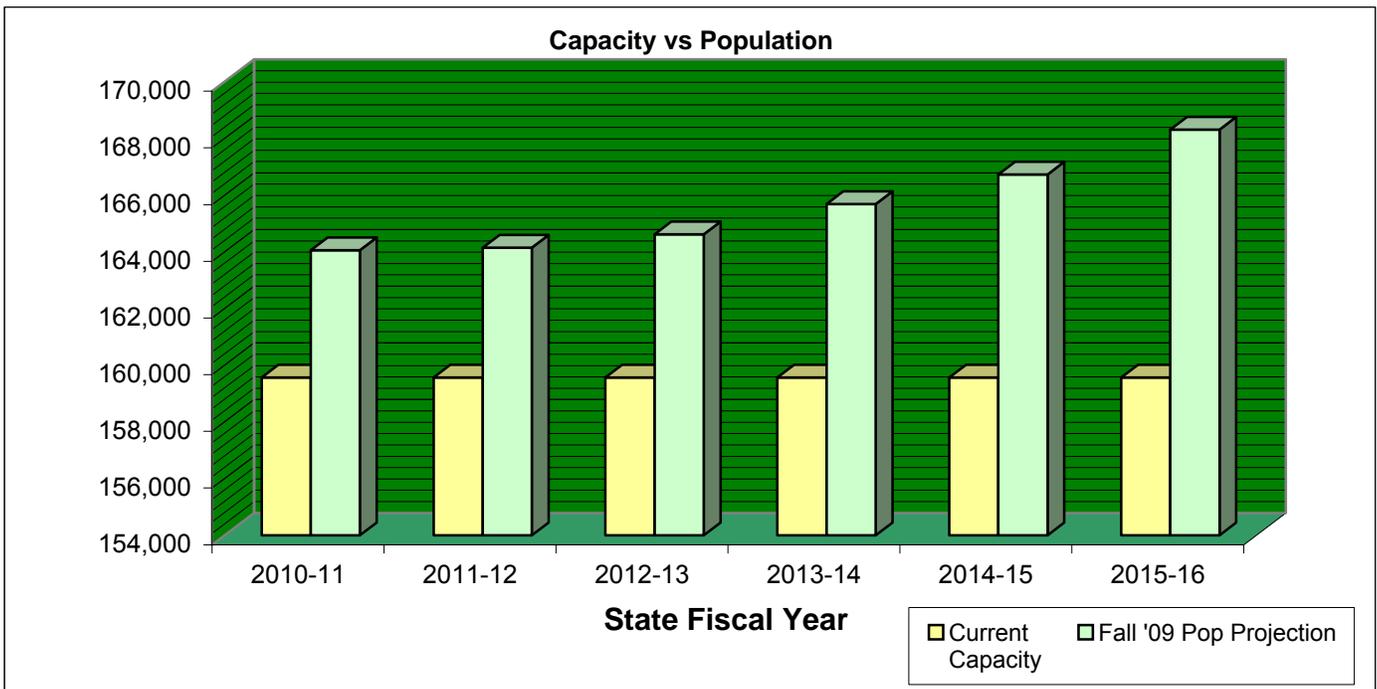
The table and graph below show the difference between CDCR's Fall 2010 inmate population projections compared to CDCR capacity (using Housing Overcrowding Capacity).

The table displays, by Fiscal Year, the:

- numerical difference in the "Difference" column
- percentage increase/-decrease year over year for population projection in the "Population Year Over" column
- percentage increase/-decrease year over year for population versus capacity in the "Capacity Year Over" column

The graph displays capacity versus population by Fiscal Year.

| Fiscal Year    | Fall '09 Pop Projection | Current Capacity | Difference   | Population Year Over | Capacity Year Over |
|----------------|-------------------------|------------------|--------------|----------------------|--------------------|
| <b>2010-11</b> | <b>164,055</b>          | <b>159,563</b>   | <b>4,492</b> | <b>-4.05%</b>        | <b>2.82%</b>       |
| <b>2011-12</b> | <b>164,147</b>          | <b>159,563</b>   | <b>4,584</b> | <b>0.06%</b>         | <b>2.87%</b>       |
| <b>2012-13</b> | <b>164,616</b>          | <b>159,563</b>   | <b>5,053</b> | <b>0.29%</b>         | <b>3.17%</b>       |
| <b>2013-14</b> | <b>165,680</b>          | <b>159,563</b>   | <b>6,117</b> | <b>0.65%</b>         | <b>3.83%</b>       |
| <b>2014-15</b> | <b>166,724</b>          | <b>159,563</b>   | <b>7,161</b> | <b>0.63%</b>         | <b>4.49%</b>       |
| <b>2015-16</b> | <b>168,308</b>          | <b>159,563</b>   | <b>8,745</b> | <b>0.95%</b>         | <b>5.48%</b>       |



**NOTE:** The difference, as shown in the Difference Column in the table above, is partially offset by the use of California Out-of-State Correctional Facilities (COCF). The COCF beds are not counted as capacity because they are a temporary measure to be used while the Department constructs the capacity authorized under AB 900.

## CHANGE IN ADULT POPULATION as a PERCENTAGE

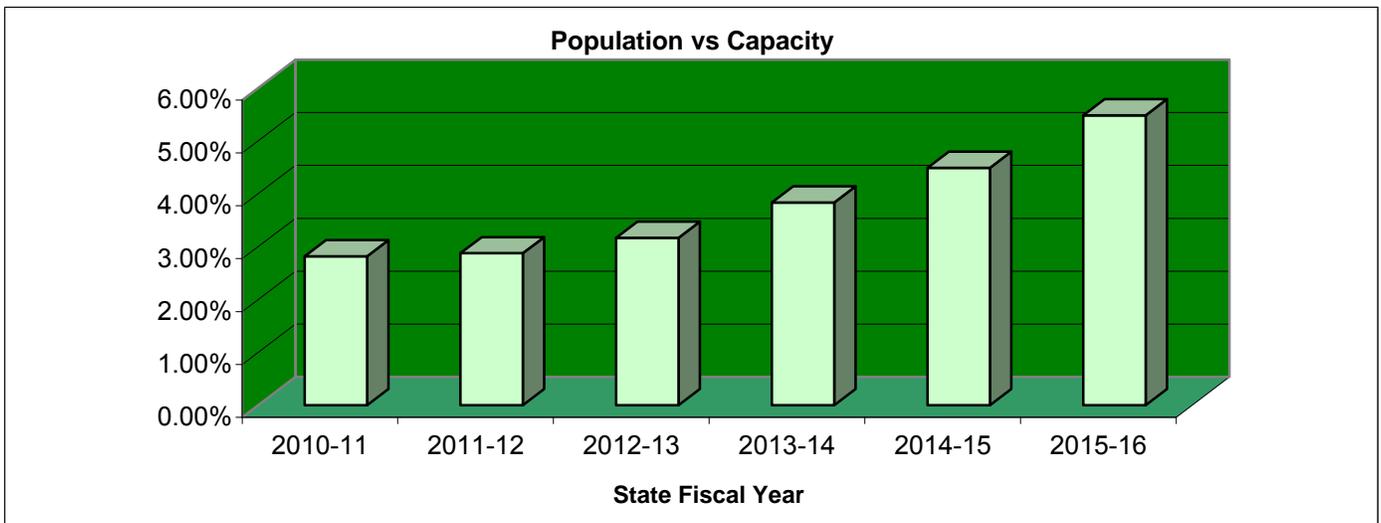
The table and graph below show the projected increase/-decrease in CDCR's Fall 2010 inmate population projections compared to CDCR capacity (using Housing Overcrowding Capacity).

The table displays, by Fiscal Year, the:

- percentage increase/-decrease year over year for population vs capacity in the "Capacity Year Over" column
- percentage increase/-decrease year over year for population projection in the "Population Year Over" column
- numerical difference in the "Difference" column

The graph displays the percentage increase of population over capacity by Fiscal Year.

| Fiscal Year | Capacity Year Over | Population Year Over | Fall '09 Pop Projection | Capacity | Difference |
|-------------|--------------------|----------------------|-------------------------|----------|------------|
| 2010-11     | 2.82%              | -4.05%               | 164,055                 | 159,563  | 4,492      |
| 2011-12     | 2.87%              | 0.06%                | 164,147                 | 159,563  | 4,584      |
| 2012-13     | 3.17%              | 0.29%                | 164,616                 | 159,563  | 5,053      |
| 2013-14     | 3.83%              | 0.65%                | 165,680                 | 159,563  | 6,117      |
| 2014-15     | 4.49%              | 0.63%                | 166,724                 | 159,563  | 7,161      |
| 2015-16     | 5.48%              | 0.95%                | 168,308                 | 159,563  | 8,745      |



**NOTE:**

The capacity (number of beds and security levels) of the housing units in the adult institutions is compared against current population and population projections to analyze overcrowding levels and future facility needs. The security levels of the beds/housing units used in the planning analysis are based on physical composition, design and CDCR's standards (not their operational use or current mission). The security data was extracted from CDCR's inmate housing database and has been utilized in the Gap Charts, Operational Capacity Charts, Population vs. Capacity Charts and other facility needs analysis. The Gap Chart identifies deficits in specific security levels. In order to meet these deficits CDCR must operationally convert facilities to meet that deficit until such time as permanent capacity can be realized through construction.

The summary information for each CDCR institution is presented at the back of this report [refer to the individual institution tabs]. The summary information includes a high level summary of the number of beds and security levels at each location, but these statistics are based on operational use/staffing/current mission, which in most instances will differ from the housing security levels based solely on their design.

## **GAP CHART**

## FALL 2010 GAP CHART - ADULT INMATE HOUSING ANALYSIS

| Security Level                      | 2010-2011      |                | 2011-2012      |                | 2012-2013      |                | 2013-2014      |                | 2014-2015      |                 | 2015-2016      |                 |
|-------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|-----------------|----------------|-----------------|
|                                     | Pop            | OC              | Pop            | OC              |
| <b>Female</b>                       |                |                |                |                |                |                |                |                |                |                 |                |                 |
| Permanent                           | 9,507          | 10,150         | 9,427          | 10,150         | 9,540          | 10,150         | 9,663          | 10,150         | 9,910          | 10,150          | 10,087         | 10,150          |
| Contracted <sup>1</sup>             |                | 511            |                | 511            |                | 511            |                | 511            |                | 511             |                | 511             |
| <b>Total Capacity</b>               |                | 10,661         |                | 10,661         |                | 10,661         |                | 10,661         |                | 10,661          |                | 10,661          |
| <b>Surplus/(Deficit)</b>            |                | 1,154          |                | 1,234          |                | 1,121          |                | 998            |                | 751             |                | 574             |
| <b>Reception Center</b>             |                |                |                |                |                |                |                |                |                |                 |                |                 |
| Permanent                           | 22,182         | 17,183         | 21,688         | 17,183         | 21,329         | 17,183         | 21,220         | 17,183         | 21,006         | 17,183          | 20,897         | 17,183          |
| Contracted <sup>1</sup>             |                | 1,150          |                | 1,150          |                | 1,150          |                | 1,150          |                | 1,150           |                | 1,150           |
| <b>Total Capacity</b>               |                | 18,333         |                | 18,333         |                | 18,333         |                | 18,333         |                | 18,333          |                | 18,333          |
| <b>Surplus/(Deficit)</b>            |                | (3,849)        |                | (3,355)        |                | (2,996)        |                | (2,887)        |                | (2,673)         |                | (2,564)         |
| <b>Level I</b>                      |                |                |                |                |                |                |                |                |                |                 |                |                 |
| Permanent                           | 29,433         | 20,792         | 29,709         | 20,792         | 29,563         | 20,792         | 29,425         | 20,792         | 29,163         | 20,792          | 29,150         | 20,792          |
| Contracted <sup>1</sup>             |                | 1,825          |                | 1,825          |                | 1,825          |                | 1,825          |                | 1,825           |                | 1,825           |
| <b>Total Capacity</b>               |                | 22,617         |                | 22,617         |                | 22,617         |                | 22,617         |                | 22,617          |                | 22,617          |
| <b>Surplus/(Deficit)</b>            |                | (6,816)        |                | (7,092)        |                | (6,946)        |                | (6,808)        |                | (6,546)         |                | (6,533)         |
| <b>Level II</b>                     |                |                |                |                |                |                |                |                |                |                 |                |                 |
| Permanent                           | 38,913         | 43,576         | 37,891         | 43,576         | 37,376         | 43,576         | 37,151         | 43,576         | 37,057         | 43,576          | 37,160         | 43,576          |
| Contracted <sup>1</sup>             |                | 2,961          |                | 2,961          |                | 2,961          |                | 2,961          |                | 2,961           |                | 2,961           |
| <b>Total Capacity</b>               |                | 46,537         |                | 46,537         |                | 46,537         |                | 46,537         |                | 46,537          |                | 46,537          |
| <b>Surplus/(Deficit)</b>            |                | 7,624          |                | 8,646          |                | 9,161          |                | 9,386          |                | 9,480           |                | 9,377           |
| <b>Level III</b>                    |                |                |                |                |                |                |                |                |                |                 |                |                 |
| Permanent                           | 33,875         | 31,710         | 34,540         | 31,710         | 35,170         | 31,710         | 35,800         | 31,710         | 36,375         | 31,710          | 36,970         | 31,710          |
| <b>Total Capacity</b>               |                | 31,710         |                | 31,710         |                | 31,710         |                | 31,710         |                | 31,710          |                | 31,710          |
| <b>Surplus/(Deficit)</b>            |                | (2,165)        |                | (2,830)        |                | (3,460)        |                | (4,090)        |                | (4,665)         |                | (5,260)         |
| <b>Level IV (180s Only)</b>         |                |                |                |                |                |                |                |                |                |                 |                |                 |
| Permanent                           | 13,669         | 13,452         | 14,163         | 13,452         | 14,643         | 13,452         | 15,118         | 13,452         | 15,599         | 13,452          | 16,090         | 13,452          |
| <b>Surplus/(Deficit)</b>            |                | (217)          |                | (711)          |                | (1,191)        |                | (1,666)        |                | (2,147)         |                | (2,638)         |
| <b>Level IV (270s and New ASUs)</b> |                |                |                |                |                |                |                |                |                |                 |                |                 |
| Permanent                           | 11,601         | 9,980          | 11,757         | 9,980          | 11,932         | 9,980          | 12,117         | 9,980          | 12,316         | 9,980           | 12,535         | 9,980           |
| <b>Surplus/(Deficit)</b>            |                | (1,621)        |                | (1,777)        |                | (1,952)        |                | (2,137)        |                | (2,336)         |                | (2,555)         |
| <b>Condemned</b>                    |                |                |                |                |                |                |                |                |                |                 |                |                 |
| Permanent                           | 637            | 637            | 637            | 637            | 637            | 637            | 637            | 637            | 637            | 637             | 637            | 637             |
| <b>Surplus/(Deficit)</b>            |                | 0              |                | 0              |                | 0              |                | 0              |                | 0               |                | 0               |
| <b>Special</b>                      |                |                |                |                |                |                |                |                |                |                 |                |                 |
| Permanent                           | 4,670          | 3,487          | 4,780          | 3,487          | 4,890          | 3,487          | 5,005          | 3,487          | 5,120          | 3,487           | 5,240          | 3,487           |
| <b>Surplus/(Deficit)</b>            |                | (1,183)        |                | (1,293)        |                | (1,403)        |                | (1,518)        |                | (1,633)         |                | (1,753)         |
| <b>Total Male</b>                   | <b>154,980</b> | <b>146,753</b> | <b>155,165</b> | <b>146,753</b> | <b>155,540</b> | <b>146,753</b> | <b>156,473</b> | <b>146,753</b> | <b>157,273</b> | <b>146,753</b>  | <b>158,679</b> | <b>146,753</b>  |
| <b>Male Surplus/(Deficit)</b>       |                | <b>(8,227)</b> |                | <b>(8,412)</b> |                | <b>(8,787)</b> |                | <b>(9,720)</b> |                | <b>(10,520)</b> |                | <b>(11,926)</b> |
| <b>TOTAL MALE &amp; FEMALE</b>      | <b>164,487</b> | <b>157,414</b> | <b>164,592</b> | <b>157,414</b> | <b>165,080</b> | <b>157,414</b> | <b>166,136</b> | <b>157,414</b> | <b>167,183</b> | <b>157,414</b>  | <b>168,766</b> | <b>157,414</b>  |
| <b>TOTAL SURPLUS/DEFICIT</b>        |                | <b>(7,073)</b> |                | <b>(7,178)</b> |                | <b>(7,666)</b> |                | <b>(8,722)</b> |                | <b>(9,769)</b>  |                | <b>(11,352)</b> |

The Fall 2010 Gap Chart does not include temporary beds in the capacity figures.

This version of the Gap Chart does not reflect the temporary use of COCF beds, nor does it reflect any proposed construction authorized by AB 900.

<sup>1</sup> Contracted Capacity represents Community Correctional Facilities, Leased Jail Beds, Prisoner/Mother Programs, and Family Foundation Programs

# **NONTRADITIONAL BEDS**

## NON-TRADITIONAL BEDS - DEACTIVATIONS

Nontraditional Beds are temporary beds placed in areas that were never intended to be used for housing. The areas where nontraditional beds have been placed include: Gymnasiums, dayrooms, hallways, and program space. These spaces should be used for education, counseling, recreation, and other rehabilitative programs.

As CDCR implements its Infill Bed Program, Re-Entry Program, and the Medical/Mental Health/Dental Beds Program, the nontraditional beds will be removed on a 1:1 ratio. Below is a nontraditional bed usage report that covers October 2009 - October 2010 (12 months ending with October 2010, the most current data available at the time this report is compiled).

| Inst Code          | Oct-09        | Nov-09        | Dec-09        | Jan-10        | Feb-10        | Mar-10        | Apr-10       | May-10       | Jun-10       | Jul-10        | Aug-10       | Sep-10       | Active       | Diff           |
|--------------------|---------------|---------------|---------------|---------------|---------------|---------------|--------------|--------------|--------------|---------------|--------------|--------------|--------------|----------------|
| ASP                | 738           | 932           | 932           | 1,418         | 808           | 808           | 808          | 808          | 958          | 958           | 808          | 658          | 508          | (230)          |
| CAL                | 0             | 0             | 0             | 0             | 0             | 0             | 0            | 0            | 0            | 0             | 0            | 0            | 0            | 0              |
| CCC                | 0             | 0             | 0             | 0             | 0             | 0             | 0            | 0            | 0            | 0             | 0            | 0            | 0            | 0              |
| CCI                | 1,007         | 1,007         | 1,007         | 1,007         | 1,007         | 1,007         | 1,007        | 832          | 832          | 832           | 952          | 952          | 952          | (55)           |
| CCWF               | 80            | 80            | 0             | 0             | 0             | 0             | 0            | 0            | 0            | 0             | 0            | 0            | 0            | (80)           |
| CEN                | 360           | 360           | 360           | 360           | 360           | 240           | 240          | 240          | 240          | 240           | 120          | 0            | 0            | (360)          |
| CIM                | 1,009         | 1,009         | 1,009         | 1,009         | 1,009         | 1,009         | 781          | 781          | 781          | 781           | 857          | 895          | 895          | (114)          |
| CIW                | 396           | 396           | 396           | 396           | 396           | 396           | 252          | 204          | 204          | 204           | 108          | 36           | 36           | (360)          |
| CMC                | 0             | 0             | 0             | 0             | 0             | 0             | 0            | 0            | 0            | 0             | 0            | 0            | 0            | 0              |
| CMF                | 0             | 0             | 0             | 0             | 0             | 0             | 0            | 0            | 0            | 0             | 0            | 0            | 0            | 0              |
| COR                | 151           | 272           | 272           | 272           | 272           | 272           | 242          | 242          | 242          | 242           | 242          | 242          | 242          | 91             |
| CRC                | 0             | 0             | 0             | 0             | 0             | 0             | 0            | 0            | 0            | 0             | 0            | 0            | 0            | 0              |
| CTF                | 370           | 370           | 490           | 490           | 490           | 490           | 370          | 370          | 370          | 370           | 370          | 370          | 370          | 0              |
| CVSP               | 250           | 250           | 250           | 250           | 250           | 250           | 250          | 250          | 394          | 394           | 394          | 154          | 0            | (250)          |
| DVI                | 828           | 828           | 828           | 828           | 828           | 828           | 828          | 828          | 828          | 828           | 828          | 828          | 828          | 0              |
| FSP                | 0             | 0             | 0             | 0             | 0             | 0             | 0            | 0            | 0            | 0             | 0            | 0            | 0            | 0              |
| HDSP               | 240           | 240           | 240           | 240           | 240           | 240           | 240          | 240          | 240          | 240           | 120          | 120          | 120          | (120)          |
| ISP                | 120           | 120           | 120           | 120           | 0             | 0             | 0            | 0            | 0            | 0             | 0            | 0            | 0            | (120)          |
| KVSP               | 440           | 440           | 440           | 440           | 440           | 440           | 440          | 440          | 440          | 440           | 440          | 440          | 440          | 0              |
| LAC                | 600           | 600           | 600           | 600           | 600           | 540           | 540          | 540          | 540          | 600           | 600          | 600          | 600          | 0              |
| MCSP               | 776           | 776           | 776           | 776           | 776           | 776           | 696          | 696          | 696          | 696           | 696          | 696          | 588          | (188)          |
| NKSP               | 284           | 284           | 284           | 284           | 284           | 284           | 284          | 284          | 284          | 284           | 284          | 284          | 284          | 0              |
| PBSP               | 65            | 160           | 160           | 160           | 160           | 160           | 160          | 160          | 160          | 160           | 160          | 160          | 160          | 95             |
| PVSP               | 654           | 654           | 654           | 654           | 654           | 534           | 504          | 504          | 504          | 504           | 504          | 504          | 504          | (150)          |
| RJD                | 744           | 744           | 744           | 744           | 684           | 684           | 592          | 592          | 744          | 744           | 636          | 636          | 636          | (108)          |
| SAC                | 140           | 280           | 280           | 280           | 280           | 140           | 140          | 140          | 140          | 140           | 140          | 140          | 140          | 0              |
| SATF               | 569           | 569           | 569           | 504           | 504           | 504           | 504          | 504          | 624          | 624           | 504          | 504          | 240          | (329)          |
| SCC                | 150           | 296           | 296           | 296           | 296           | 296           | 296          | 150          | 150          | 150           | 150          | 150          | 150          | 0              |
| SOL                | 97            | 97            | 97            | 97            | 97            | 97            | 97           | 97           | 97           | 97            | 97           | 0            | 0            | (97)           |
| SQ                 | 287           | 287           | 0             | 0             | 0             | 0             | 0            | 0            | 0            | 287           | 287          | 287          | 287          | 0              |
| SVSP               | 0             | 0             | 0             | 0             | 0             | 0             | 0            | 0            | 0            | 0             | 0            | 0            | 0            | 0              |
| VSPW               | 0             | 0             | 0             | 0             | 0             | 0             | 0            | 0            | 0            | 0             | 0            | 0            | 0            | 0              |
| WSP                | 296           | 296           | 296           | 296           | 296           | 296           | 296          | 296          | 296          | 296           | 296          | 296          | 296          | 0              |
| <b>Grand Total</b> | <b>10,651</b> | <b>11,347</b> | <b>11,100</b> | <b>11,521</b> | <b>10,731</b> | <b>10,291</b> | <b>9,567</b> | <b>9,198</b> | <b>9,764</b> | <b>10,111</b> | <b>9,593</b> | <b>8,952</b> | <b>8,276</b> | <b>(2,375)</b> |

# INFRASTRUCTURE

## INFRASTRUCTURE

California's Department of Corrections and Rehabilitation's (CDCR) infrastructure currently includes over 41 million square feet (SF) of building space on over 27,000 acres of land (42 square miles) statewide valued at over \$21 billion at current replacement costs. In addition, CDCR leases 141 buildings/facilities totaling approximately 2.3 million SF of floor area and 260 acres of land. As of October 31, 2010, CDCR housed approximately 164,600 adult inmates and was supervising approximately 133,400 adult parolees<sup>1</sup>.

CDCR is one of the largest departments in State government and is currently operating and/or contracting:

- 38 youth and adult institutions (30 adult male, 3 adult female, and 5 juvenile are currently in operation). All five recently closed Division of Juvenile Justice (DJJ) facilities (Karl Holton Youth Correctional Facility, DeWitt Nelson Youth Correctional Facility, El Paso de Robles Youth Correctional Facility, Fred C. Nelles Youth Correctional Facility (FCNYCF), and Heman G. Stark Youth Correctional Facility (HGSYCF)) are still owned by the State and are under CDCR stewardship. As of late October 2010, CDCR announced the closure of the Preston Youth Correctional Facility (PYCF) in lone. The closure is currently proposed to occur in June, 2011. The FCNYCF property is being actively marketed for sale and the other four sites are designated for reuse and will include infill beds and medical care facilities constructed via Assembly Bill (AB) 900 (Ch. 7, Stats. of 2007) funding. The reuse includes medical projects spearheaded by CDCR and the Federal Receiver under the *Plata* (medical) lawsuit or by CDCR in response to *Plata*, and *Coleman* (mental health).
- In addition to the State-owned and operated facilities, there are nine contracted Community Correctional Facilities (CCF) including five male inmate public CCFs operated by a city or county, one private CCF for female inmates, and three private medium CCFs. As of August 31, 2010, 4,576 inmates were housed in the contracted CCFs. Several of these facilities house Level I or Level I/II offenders and because of the expected impact population reforms will have on the need for these facilities, CDCR will analyze, on an ongoing basis, its need for these lower security level beds, and/or its ability to repurpose them for housing higher-level offenders. Since the 2009-2014 Five-Year Infrastructure Plan, seven of the original CCFs are no longer used by CDCR.
- California Out-of-State Correctional Facilities (COCF) – CDCR currently contracts facilities in Arizona, Mississippi, and Oklahoma to temporarily house inmates out-of-state to ease the current level of overcrowding. As of August 31, 2010, 9,484 COCF inmates were housed out-of-state. Due to the success of these facilities in meeting the housing demand for CDCR, especially for higher level offenders, CDCR is currently reviewing opportunities to expand these beds in the same or other out-of-state facilities.
- CDCR currently has 44 firefighting and conservation camps (39 adult male, 3 adult female) and 2 juvenile (1 male, 1 female) housing approximately 4,242 adult inmates and 70 juvenile offenders. The adult camps fall under three institutions for administration purposes. The three female camps in Los Angeles and San Diego Counties are administered by the California Institution for Women (CIW). The adult male camps are administered by the California Correctional Center for the northern area camps and Sierra Conservation Center for the central and southern area. The two DJJ camps in Amador and Ventura counties, which includes one female camp, are administered by DJJ facilities staff in Sacramento.
- 3 Adult Prisoner/Mother Facilities
- 3 Family Foundation Facilities

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<sup>1</sup> The inmate population and parolee population as of October 31, 2010, are obtained from CDCR's Offender Information Services Branch monthly reports.

## INFRASTRUCTURE

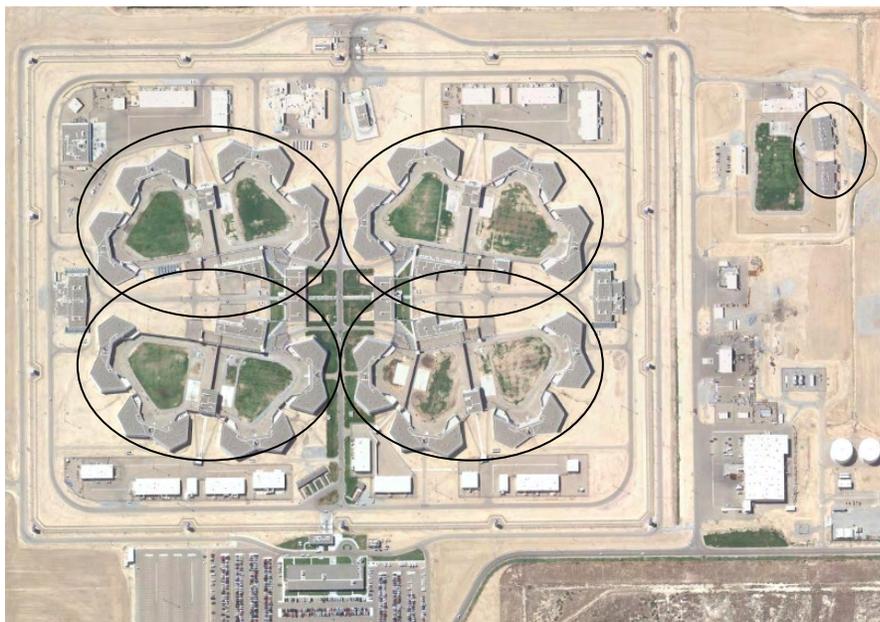
- 2 Victim Restitution Centers (1 adult male, 1 adult female). The two restitution centers, however, have been suspended indefinitely due to the current budget crisis.
- 14 Parolee Services Centers (formerly Contracted Adult Community Correctional Reentry Centers)
- Leased beds at two county jails including Rio Cosumnes Correctional Facility (Sacramento County) and Santa Rita County Jail (Alameda County).
- 202 parole units and sub-units (193 adult, 9 youth) located in 86 adult parole offices and 9 youth parole offices. As of August 31, 2010, the adult parole units supervised a population of 133,436 parolees and the DJJ parole units supervised 1,557 juvenile offenders.
- Regional Parole Outpatient Clinics – The Parole Outpatient Clinics are not stand alone clinics. The mental health administrative staff at the four regional headquarters offices oversees approximately 240 mental health clinicians statewide, providing clinical services for 23,000 mentally ill parolees at the outlying parole offices.
- 2 Correctional Training Centers – Includes the Adult Academy at Galt and the DJJ Academy at Stockton.

A list and map of CDCR's adult and juvenile correctional facilities can be found in Appendix B. The list includes: physical address of each facility, year the facility opened, security levels of inmates per facility, and operational capacity per facility. A list of CDCR's total acreage per adult institution and square footage of buildings located on each adult institution and a summary total that includes all DJJ facilities can be found in Appendix C.

### Adult Facilities

CDCR underwent tremendous expansion of its adult facility portfolio over the last three decades and currently operates 33 adult institutions ranging from minimum to maximum security, and 42 fire conservation camps. CDCR's two oldest adult institutions, California State Prison, San Quentin (SQ) and Folsom State Prison were built in 1852 and 1880 respectively, with ten additional adult facilities added between 1933 and 1965.

Beginning in 1984, CDCR added 23 new adult facilities. A prototypical institution consists of four semi-autonomous facilities, each containing approximately 500 beds at design capacity, plus a 200-bed minimum-security support services facility. A typical adult institution consists of approximately one million SF of building space and occupies approximately 750 acres of land.



Kern Valley State Prison: 4 500-Bed Semi-Autonomous Facilities and 200-Bed Minimum Support Facility.

### **Youth Facilities**

CDCR currently operates five youth facilities and two camps. The youthful offender population as of October 31, 2010, was 1,319 (down 320 wards since the 2009 Report), and 1,832 youth parolees. Five DJJ facilities have been closed but all remain under CDCR's control and jurisdiction. As of October 2010, CDCR announced the proposed closure of the Preston Youth Correctional Facility. The closure is expected to occur in June of 2011. One of the closed facilities, FCNYCF, is currently being offered for sale as surplus property to the public. The remaining closed DJJ facilities are being repurposed to adult male facilities.

### **Structures and Systems**

A large portion of CDCR's adult and youth facilities are aged and deteriorated to the extent they could pose safety hazards to staff, inmates, and youthful offenders. Many of the buildings and systems do not meet current building codes, including the Americans with Disabilities Act (ADA) or State and Federal fire/life/safety requirements.

Premature degradation is not limited to the older CDCR facilities. Mission changes, population growth leading to substantial overcrowding, lack of preventative maintenance, reduction and/or loss of maintenance staff positions, excessive and accelerated wear and tear caused by overcrowding, rapidly changing technology, and abuse by inmates and youthful offenders has resulted in the accelerated aging and failing conditions of many of CDCR's facilities.

Older correctional facilities were constructed during the period when building materials containing lead or asbestos were utilized. The health risks of building materials such as lead and asbestos are well documented. The use of asbestos materials was commonplace during the construction of many of CDCR's facilities. High lead was commonly found in paint in the early part of the 1900s and up to the late 1970s and lower concentrations still exist in some paints today.

Multiple regulations have been developed regarding these materials as a function of safe operations and maintenance, construction practices, and removal (abatement) as facilities age and are renovated or replaced. Ongoing efforts must be made to contain, remove and/or replace lead or asbestos-containing materials to eliminate the associated health risk to inmates and youthful offenders, staff, and visitors.

It was anticipated that there would be ongoing risks and costs as asbestos/lead-containing building materials continue to deteriorate and require replacement in the future. As a result, CDCR proposed the development of a hazardous materials management program which would create the ability to provide ongoing management of the causes of environmental contamination created by operations and maintenance, construction activities, and degradation of mechanical systems and building materials resulting from facility aging. This proposal was approved and the 2008/09 State Budget authorized several personnel years to develop a headquarters-based program addressing hazardous materials, environmental health, and environmental remediation issues statewide. Identification of environmental hazards and development of appropriate and timely remediation actions will improve organizational effectiveness, reduce CDCR's risk profile, and provide a safer environment for staff, inmates, and youthful offenders alike. However, budget and position cuts have resulted in a delay in creating and activating this unit.

As correctional facilities must provide the confined inmate population with many of the services available in a small city, the infrastructure includes a variety of essential buildings and systems including: housing units; kitchen and dining facilities; medical, dental, mental health and substance abuse treatment space; pharmacies; laboratories; classrooms; chapels; libraries;

recreation areas; vocational and industry space; firehouse; laundry; warehouse; waste water treatment plant operations; and administrative office and records space. As the institutions continue to overcrowd beyond their design capacity, there is a need to expand this ancillary support and administration space to accommodate that increased population.

Correctional facilities have complex and extensive energy, utility, and telecommunications systems, as well as an electronic security infrastructure. Due to their size and often remote location, many correctional facilities operate their own water and wastewater treatment systems. Some facilities have co-generation plants that produce part of their electrical power.

All operations must occur in a secure environment requiring that correctional facilities have various features and systems to provide both internal and perimeter security. Failure to retrofit these systems with newer technology prevents CDCR from operating its systems more efficiently in terms of service levels, costs, and environmental impacts.

### **SPECIAL REPAIR PROGRAM (SRP) AND DEFERRED MAINTENANCE PROGRAM (DMP)**

Projects that, irrespective of cost, continue the usability of a facility at its designed level of services are termed Special Repairs. The nature of these repair projects is considered extraordinary, either in amount or occurrence, and extends the life of the facility or infrastructure. Examples of Special Repair projects include replacing old equipment items such as boilers, chillers, cooling towers, support piping, heating/ventilation/air conditioning (HVAC) package units, restroom and shower repairs, renovation, and ADA modifications. Special repairs are budgeted in the Department's State operations appropriation.

Deferred maintenance has a similar focus as Special Repair, but focuses on different systems, such as: roofs, roads, electrical, HVAC, fire alarm (suppression), and lethal electrified fence (LEF). This category was developed by CDCR and funded by the Department of Finance as means to channel funding to these critical facility components.

Special Repair and Deferred Maintenance projects are a logical extension of routine maintenance practices intended to keep structures, grounds, equipment, and facilities within acceptable standards of structural condition, appearance, and utility. A listing of SRP and DMP projects as of August 31, 2010, can be found in the individual institution tabs of this Master Plan Annual Report.

### **Special Repair and Deferred Maintenance are “Required” by Governmental Code**

*Health and Safety Code Section 57050 (a) The failure to properly repair and maintain commercial and industrial facilities or structures can pose a threat to public health or safety or to the environment that can be prevented through expeditious and coordinated agency action. (b) There is an urgent need to implement repair or maintenance projects, as defined in subdivision (g) of Section 57051 as quickly and effectively as possible to avoid potential threats to the public health or safety or to the environment.*

*Government Code Section 830 (a) “Dangerous Condition” means a condition of property that creates a substantial risk of injury when such property or adjacent property is used with due care in a manner in which it is reasonably foreseeable that it will be used. (b) “Protect against” includes repairing, remedying or correcting a dangerous condition, providing safeguards against a dangerous condition, or warning of a dangerous condition.*

### **Current Special Repair and Deferred Maintenance Funding Levels**

Although internal departmental analysis and third party assessment clearly communicates the need for Special Repair and Deferred Maintenance funding aligned with actual needs, the existing departmental line item commitment is \$39 million.

### **SRP Funding Needs Profile**

1. Current Requested Allotment = \$39 Million (6% of current defined and scoped project costs)
2. Total Current Scoped Project Costs = \$634 Million (Project Backlog + \$ 50 million / fiscal year (FY))
3. Total Number of Scoped Projects = 638

### **Independent Third Party Facility Assessments (VFA) – Validates Repair Needs**

To validate and assess the overall SRP and DMP needs across the facility portfolio, CDCR secured independent professional facility condition assessment services. Funding for these services is provided through the Special Repair Program allotment. The reporting data assigns a Facility Condition Index (FCI). This index is then used to project SRP and DMP needs and costs. The Department can then offset the projected need by CDCR's predetermined SRP and DMP budget allotment.

Originally anticipated to take three years to complete, to date, only 28 of 33 adult facilities have been assessed. Funding availability issues in 2008-09 and absence of an SRP allotment in 2009-10 have delayed completion of the adult facilities and commencement of work on the juvenile justice facilities and fire camps.

The outcome of the assessment, based on inspection and analysis of collected data, is a recommended estimate of repair or replacement investment required to restore and or to maintain systems design capacities and functions, based on their observed state of repair and projected remaining useful life.

Current VFA estimates indicate a Special Repair and Deferred Maintenance funding commitment of approximately \$680 million per year is required to maintain CDCR facilities at their current operating condition, and would require a greater level of funding to improve the current condition. The assessment recommendations further emphasize that a financial commitment of less-than this amount over successive years will witness a rapid facility decline to the point where outright facility replacement may be the only viable option.

### **Mechanisms for Special Repair and Deferred Maintenance Identification**

The Facility Management Division (FMD) relies on the following mechanisms as the primary means to identify SRP project needs and target timeframes

1. Design Useful Life Expectancy: Initial design useful life expectancy calculations performed during project design phases generate primary system replacement project scope and target timeframes.
2. Independent Post Construction Facility Condition Assessment (via VFA, Inc.): Post construction facility condition assessments independently confirm design useful life assumptions and identify cases of premature obsolescence requiring accelerated project action.

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3. Maintenance Activities: Planned regular maintenance activities records direct system condition and observation may require changes in useful life expectancy assumptions that accelerate system replacement time-frames.

Corrective maintenance history identifies systems that are failing prematurely or have exceeded useful life and now require Special Repair project intervention to mitigate risk to services delivery.

4. Capital Outlay Project Development: Capital projects trigger code or regulatory compliance upgrade requirements and or have critical infrastructure dependencies that reveal deficiencies in system capacity, reliability or useful life.
5. Regulatory Compliance: Changes in State or Federal regulations drive local facility compliance assessment and reveal system deficiencies.
6. Court Mandates: Litigation driven projects requiring action on the part of CDCR to meet judgment rulings, or action deemed essential to avoid potential litigation.
7. Environmental and Health and Safety Mitigation: Coordination between FMD, local plant operations management teams, and capital outlay project development identify mitigation priorities.
8. Emergency Response / Urgent Risk Mitigation: FMD's Regional Maintenance Mangers interact with local plant operations and maintenance management teams to respond to catastrophic system failures and or to conditions that represent unacceptable risk to on-going safe operations at a prison facility.

### **Project Delivery Process / Strategy**

1. Categorize needs as follows:
  - a. Special Repair
  - b. Deferred Maintenance (comprised of projects in the following subcategories)
    - i. High Voltage Electrical Systems
    - ii. HVAC
    - iii. Roofs
    - iv. Roads
    - v. Fire Alarm / Fire Suppression Systems
  - c. LEF
  - d. Design Fees
  - e. Special Contracts (Facility Condition Assessment Services, Sanitary Sewer Management Plan)
  - f. *Armstrong* (ADA) projects (funded through separate Office of Court Compliance (OCC) sponsored Budget Change Proposal (BCP) in 2008-09)
2. Confirm / Establish Funding Distribution Targets  
Based on a baseline allotment of \$39 million established in the Facility Maintenance Baseline and Repair Budget BCP (FY 2007-08), funding distribution targets are as follows:
  - a. Special Repair 33%
  - b. Deferred Maintenance 58% - distributed as follows:
    - i. 17% High Voltage Electrical Systems
    - ii. 17% HVAC
    - iii. 18% Roofs

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- iv. 4% Roads
  - v. 3% Fire Alarm / Fire Suppression Systems
  - c. LEF 9%
  - d. Design Fees – No fixed % - Fees based on estimated construction costs for projects requiring design
  - e. Special Contracts – No fixed % - Real cost based on defined scope
  - f. *Armstrong* (ADA) compliance projects are funded through a dedicated baseline of \$1.9 million established in OCC BCP FY 2008-09
3. Assess System Priority, Risk Level, Impact Areas and Impact Levels
- a. System Prioritization:
    - 1. By System Scope:
      - i. Site-Wide Infrastructure
      - ii. Building-Wide Systems
      - iii. Local Site/Building
    - 2. By System Type:
      - i. Electrical
      - ii. Domestic Water
      - iii. Sanitary Sewer
      - iv. Etc...
    - 3. By System Criticality - Numeric Scale (1, 2, 3)
  - b. Risk Levels:
    - Level 1 Actual loss of some or all system function or capacity that would... “...a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential services.” (*Department Operations Manual Section 22040.13 Emergency Contracts, Section 21010.6 Deficiency Requests*)
    - Level 2 Actual or imminent loss of some or all system function or capacity that would compromise the safe and effective operation of an institution and or would jeopardize the legal, regulatory or environmental compliance status of that institution or a portion thereof.
    - Level 3 Potential loss of some or all system function or capacity that if not addressed in a timely fashion will compromise the safe, effective, operation of an institution and or would jeopardize the legal, regulatory or environmental compliance status of that institution or a portion thereof.
  - c. Impact Areas:
    - 1. Custody Operations / Security
    - 2. Inmate Health and Safety
    - 3. Staff/Public Health and Safety
    - 4. Legal/Courts Oversight
    - 5. Financial Resources
    - 6. Environmental Compliance
    - 7. Regulatory Compliance
    - 8. Governmental Policy/Legislature/Executive Office
    - 9. Departmental Reputation / Negative Media Exposure

d. Impact Levels:

1. High
2. Medium
3. Low
4. None

4. Allocation Schedule Development

- a. Identify and bring forward outstanding funding requirements from previous FY
- b. Finalize highest priority, greatest risk /impact projects
  - i. New projects in current year
  - ii. Existing projects identified from previous FY(s)
- c. Align identified projects with available budget in current FY
- d. Identify projects/project groups for funding redirection to unanticipated emergency repairs
- e. Identify preliminary funding priorities for subsequent FY(s)
- f. Structure individual allocations as required

5. Aligning the Necessary Fiscal Tools

Projects in the current portfolio as well as those anticipated by facility condition assessment and/or those driven by program need increasingly reflect volume, scope, complexity, duration and cost far exceeding traditional project characteristics.

Currently FMD is not equipped with all the appropriate fiscal tools and authorities to execute the scope of its responsibility effectively and to insure the greatest value for the State with the least risk.

There are three main drivers of need. These include:

1. Prudent Budget and Risk Management Factors
2. Increased Project Complexity and Criticality
3. The Ability to Address Unforeseen Project Requirements

Possible Solutions:

CDCR hopes to work with control agencies to investigate future opportunities to create more sustainable funding sources for infrastructure projects, which would be more resilient to short term state economic shortfalls (i.e. the prior loss of 100% of CDCR's annual baseline SPR/DM funding). A more sustainable funding concept could potentially be expanded to encompass the construction, alteration, repair and improvement of buildings including, but not limited to, services, new construction, major construction and equipment, minor construction, maintenance, improvements, and equipment, and other buildings and improvement projects. In the interim, CDCR will continue to improve the analysis and stratification of its projected infrastructure needs based on the VFA assessments and institution identified project needs to more effectively utilize whatever funding that is available.

**Facility Condition Assessment (VFA) - Facility Summary Update**

The Facility Condition Summary that follows was provided by VFA as part of a contract for Facility Condition Assessment services in 2008/09, administrated by FMD.

Though intended for annual update by VFA, absence of funding in FY 2009/10 for those services prevented completion of Facility Summary document revisions. However, the original 2008/09 Facility Summary is included for each institution for reference.

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Additionally, lack of available funding for Facility Condition Assessment services also prevented assessment of 5 outstanding adult institutions, 5 operating juvenile justice facilities, 5 juvenile justice facilities in shut down mode, 1 adult institution in shut down mode and 44 fire camps.

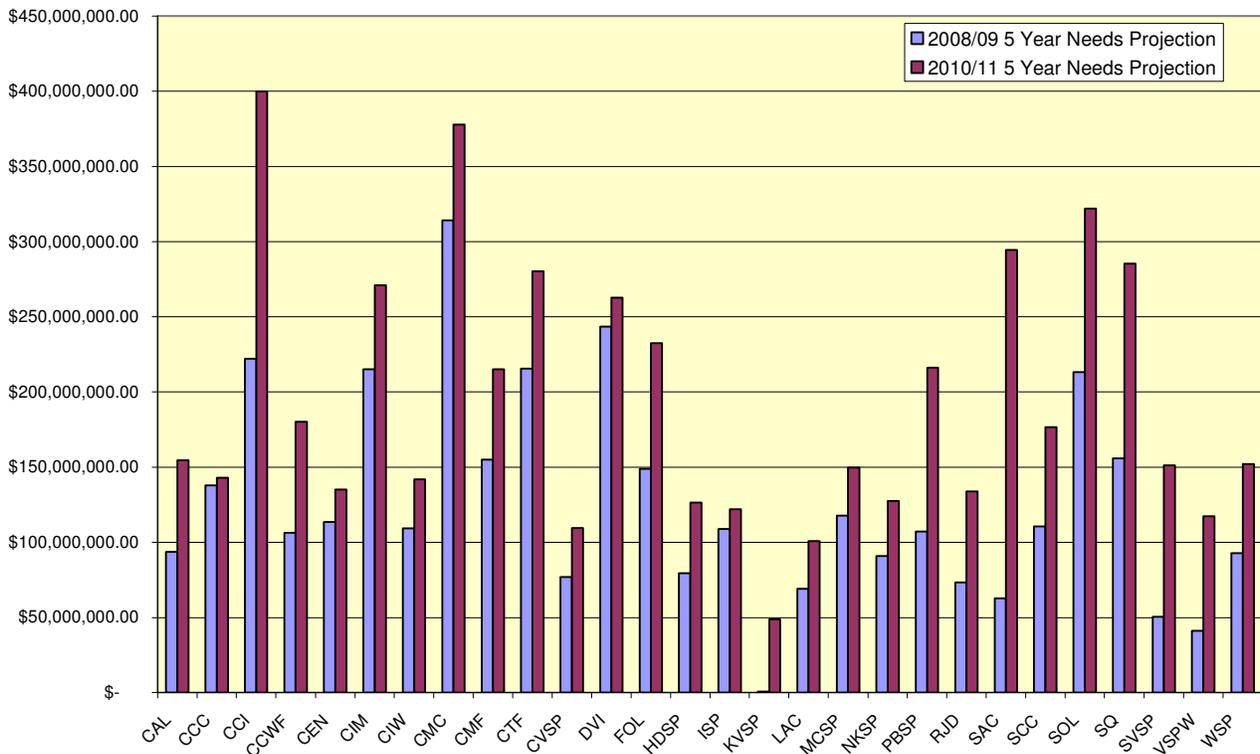
However, while FMD could not update the Facility Summary documents themselves, Table 1 below compares the total five year funding needs identified in the original 2008/09 Facility Summaries with current five year funding needs projections based on originally assessed assets.

The change in five year funding needs since FY 2008/09's original assessment demonstrates the effect of the following variables:

- Increase in the Asset Replacement Value
- General affect of the facility's condition as expressed by the FCI

The amount of increase in the projected five year funding needs is not a constant. Variations exist between institutions based on the quantities and types of systems anticipated to arrive at the end of useful life and requiring maintenance or replacement within the projected five year period.

**Table 1: Comparison of 5 Year Funding Needs Projections by**



### Summary of Infrastructure Projects

Infrastructure is defined as “the stock of basic facilities and capital equipment necessary for the functioning of a large organization or public entity (i.e. city or state). Transportation, communication, sewage, water, and electricity systems are all considered to be part of infrastructure.”<sup>2</sup>

<sup>2</sup> Definitions from WordNet and Investopedia; online dictionaries.

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The Project Reports contained in this Master Plan Annual Report for Calendar Year 2010 include projects planned, underway, or recently completed that address the infrastructure needs of CDCR. Infrastructure projects are designated by the letter “I” in the CDCR Category Code of the reports in Sections III, IV, and V.

The table below indicates totals for both adult and juvenile facilities. These projects include but are not limited to the repair, replacement, and upgrade of items such as roofs, heating and air conditioning systems, lighting, water and wastewater systems, fire safety systems, roadways, plumbing, kitchen, and security systems.

| Projects Presented in 2010 Master Plan Annual Report |                        |                      |                         |                    |
|------------------------------------------------------|------------------------|----------------------|-------------------------|--------------------|
| Institution Type                                     | Proposed Project Phase | Active Project Phase | Completed Project Phase | Total Project Cost |
| Adult                                                | \$380,187,346          | \$328,710,699        | \$139,051,822           | \$847,949,867      |
| Juvenile                                             | \$21,003,803           | \$1,435,000          | \$384,900               | \$22,823,703       |
| Totals                                               | \$401,191,149          | \$330,145,699        | \$139,436,722           | \$870,773,570      |

Although the projected cost for these infrastructure projects is significant, this table only includes infrastructure requests for FY 2010/11. These costs do not include requests for expansion of facilities funded by AB 900.

CDCR has been historically funded in the annual Budget Act for less than 30 Capital Outlay Budget Change Proposal (COBCP) projects per fiscal year. With 33 adult institutions and 5 operational juvenile institutions, the 30 or less COBCPs funded per fiscal year represent less than one approved project per institution (adult and juvenile combined). This means that the institutions only submit their most urgent requests and the true cost for infrastructure needs may be greatly understated.

For FY 2007/08, CDCR received funding for 23 COBCPs; this means on average, every other institution had a COBCP approved. For FY 2008/09, CDCR was approved for 17 COBCPs, on average, less than half of the institutions had a COBCP approved. For FY 2009/10, CDCR was approved for 15 COBCPs, on average slightly more than one-third of the institutions had a COBCP approved. For FY 2010/11, CDCR was approved for 10 COBCPs (General Fund, Bond Fund, and Reappropriations), on average less than one-third of the institutions had a COBCP approved. Without funding for these requests, and limited funding for SRP/DMP, the Department is expecting more and more systems and assets to be run to failure. Without a substantial change in funding, the Total Funding Requirement produced by the VFA assessments will serve little more than a summary of the gap between ideal physical plant expenditure needs and the limited funding available, and the tool will not be used to forecast critical infrastructure needs.



DVI Kitchen Area: Duct tape used to keep the facility operating.

Even prior to the completion of the VFA assessments, CDCR had been requesting augmentations to the maintenance and repair budget. The VFA assessments have independently verified the amount needed by CDCR to maintain its existing facilities. Unfortunately, with the current economic climate, CDCR is receiving less and less funding to perform the necessary task of maintaining, servicing, and repairing its facilities.

### **ENERGY MANAGEMENT, CONSERVATION, AND SUSTAINABILITY**

The Energy Management and Sustainability Section (EMS) functions as a natural resources information clearinghouse for CDCR. Reducing energy and water usage and associated costs without diminishing security and safety is a top priority. EMS is responsible for the development and implementation of energy efficiency projects, renewable energy projects, energy and water conservation surveys, documenting greenhouse gas emissions, coordination of Leadership in Energy and Environmental Design (LEED) certified projects and integration of the new CAL Green building code. EMS performs a wide variety of project management, consultative, analytical, and research-oriented tasks in resource conservation and development. EMS leverages its existing resources using strategic partnerships with California's investor-owned utilities to assess and implement energy efficiency projects.

Additionally, the EMS in coordination with staff at each facility, developed a Demand Response Action Plan (DRAP) for each facility. The DRAP identifies areas/programs in the facility and the respective actions expected for each stage of a power alert. This plan is in response to the Governor's Executive Order (EO) S-12-04 and the Green Building Action Plan.

Since 1988, CDCR has implemented a variety of energy efficiency projects which have resulted in substantial energy savings. CDCR's pursuit of innovative, effective, and efficient energy strategies has paid off with CDCR continuing to enjoy lower per-unit energy costs and lower consumption, surpassing State energy requirements. Due to the energy efficiency projects which significantly reduced green house gases, CDCR is not only the largest, but also the first State agency to be added to and recognized by the Climate Registry.

The most recent phase of energy efficiency improvement projects were implemented as a direct result of executive and legislative mandates which require CDCR to reduce its output of greenhouse gasses, reduce its reliance on the electric grid, increase energy conservation, and build to LEED standards. In addition, CDCR is required to benchmark its energy usage and conduct retro-commissioning procedures to support the goals established in executive orders and legislation. Nevertheless, these recent projects are merely the beginning of a comprehensive efficiency program that includes not only energy improvements, but incorporates a holistic approach that takes into account our use and disposition of all natural resources.

### **Reduce Energy Usage by 20 Percent (Energy Efficiency)**

Energy conservation projects have been designated as first in the loading order of steps to take to meet the energy reduction goals. CDCR's success implementing cost-effective energy efficiency projects is based on availability of funding sources. Energy Revenue Bonds and Senate Bill Extraordinary Session 1 5 (Ch. 7, Stats. of 2001) made funds available for a number of energy efficiency projects that included retrofitting existing institutions with energy efficient lighting; installation of energy management control systems; replacement of old, inefficient motors with energy efficient variable drive motors; construction of new and refurbishment of old co-generation plants; natural gas installation and conversions; boiler retrofits; heating loop repairs; and the implementation of renewable energy technologies. The Energy Revenue Bond legislation was repealed several years ago and CDCR experienced a funding vacuum until recently when access to the GS \$SMART and the ENERGY \$SMART loan programs were

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authorized. The California Energy Commission (CEC) has also authorized low interest loans for energy efficiency projects, including a significant lighting project at California Rehabilitation Center (CRC). Under the GS \$SMART and CEC loan programs, CDCR has recently completed 16 energy efficiency projects. CDCR was awarded two federal government loans under the American Recovery and Reinvestment Act (ARRA). The first, DGS Loan # 102 was in the amount of \$4,108,998. The second, DGS Loan # 124 was in the amount of \$1,512,401.

The funds received for energy efficiency projects are aggregated into the Energy Efficiency State Property Revolving Fund. This fund is maintained by the Department of General Services (DGS). Because of the lack of sufficient funding for these types of projects, CDCR currently seeks funding for projects that have a payback/break-even period that is five years or less.

Current active and proposed energy efficient projects are listed in Table 2 below.

**Table 2: CDCR Energy Efficiency Projects  
2007 – 2009**

| Facility                       | Project Description                                                    | Total Cost          | Incentive Amount   | Annual Savings (\$) | Simple Payback |
|--------------------------------|------------------------------------------------------------------------|---------------------|--------------------|---------------------|----------------|
| VSPW                           | Lighting improvements, kitchen equipment upgrade, laundry improvements | \$1,239,992         | \$367,515          | \$174,955           | 5.0 Yrs        |
| CCWF                           | Wastewater treatment plant (WWTP) aerator improvements                 | \$388,381           | \$169,921          | \$74,801            | 2.9 Yrs        |
| PVSP                           | WWTP aerator improvements, motor controls various lighting retrofits   | \$1,111,892         | \$398,478          | \$174,334           | 4.1 Yrs        |
| WSP                            | HVAC control, housing unit fan variable frequency drives (VFD)         | \$1,167,097         | \$450,262          | \$178,716           | 4.0 Yrs        |
| COR                            | Energy Management Control System                                       | \$1,327,000         | \$800,000          | \$369,943           | 1.4 Yrs        |
| MCSP                           | Housing unit fan VFDs                                                  | \$1,180,463         | \$384,360          | \$234,487           | 3.4 Yrs        |
| LAC                            | Refrigeration controls, various lighting retrofits HVAC controls       | \$1,114,338         | \$367,043          | \$185,918           | 4.0 Yrs        |
| ISP                            | Housing unit fan VFDs                                                  | \$1,279,790         | \$347,464          | \$236,158           | 3.9 Yrs        |
| CCI                            | Lighting Improvements                                                  | \$770,897           | \$279,499          | \$122,281           | 4.0 Yrs        |
| RJD                            | Laundry upgrades, various lighting retrofits                           | \$1,128,774         | \$330,176          | \$166,267           | 4.8 Yrs        |
| CTF                            | Motor upgrades, lift station VFD, various lighting retrofits           | \$1,063,900         | \$358,086          | \$158,766           | 4.4 Yrs        |
| CIW                            | Lighting retrofit, HVAC controls                                       | \$373,919           | \$96,370           | \$99,885            | 2.8 Yrs        |
| <b>Major Lighting Projects</b> |                                                                        |                     |                    |                     |                |
| COR                            | Facility-wide interior lighting retrofit                               | \$958,074           | \$372,037          | \$163,035           | 3.6 Yrs        |
| MCSP                           | Facility-wide interior lighting retrofit                               | \$1,052,058         | \$277,279          | \$121,310           | 6.4 Yrs        |
| NKSP                           | Facility-wide interior lighting retrofit                               | \$1,006,790         | \$343,214          | \$150,156           | 4.4 Yrs        |
| LAC                            | Facility-wide interior lighting retrofit                               | \$1,042,000         | \$412,500          | \$234,363           | 2.7 Yrs        |
|                                |                                                                        |                     |                    |                     |                |
| <b>TOTAL</b>                   |                                                                        | <b>\$16,205,365</b> | <b>\$5,754,204</b> | <b>\$2,845,375</b>  | <b>3.7 Yrs</b> |

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Currently in construction are five additional energy efficiency projects which are funded under the Energy Efficiency State Property Revolving Fund. This fund is maintained by the Department of General Services (DGS) and aggregates federal, state, and private funding for energy efficiency projects. Projects are shown in Table 3 below.

**Table 3: CDCR Energy Efficiency Projects  
2010 – 2012 (Phase 1)**

| Facility     | Project Description                                           | Total Cost         | Incentive Amount   | Annual Savings (\$) | Simple Payback |
|--------------|---------------------------------------------------------------|--------------------|--------------------|---------------------|----------------|
| CCI          | Boiler Retrofit                                               | \$1,234,950        | \$448,550          | \$317,476           | 2.5 Yrs        |
| COR          | Energy Management Control System (Phase 2), Lighting Retrofit | \$3,082,157        | \$1,175,818        | \$473,318           | 4.0 Yrs        |
| CRC          | Lighting Retrofit                                             | \$1,111,892        | \$398,478          | \$151,222           | 4.7 Yrs        |
| CTF          | Boiler Retrofit, Motors, Lighting                             | \$917,743          | \$262,751          | \$151,222           | 4.3 Yrs        |
| SVSP         | Motors, Lighting Retrofit                                     | \$1,066,650        | \$305,383          | \$210,239           | 3.6 Yrs        |
| <b>TOTAL</b> |                                                               | <b>\$7,413,392</b> | <b>\$2,590,980</b> | <b>\$1,303,477</b>  | <b>3.7 Yrs</b> |

Historically, CDCR's energy conservation potential has been greater than its ability to fund projects. Table 4 below lists energy efficiency projects which are yet to be funded. Currently, CDCR only seeks to fund projects that have a payback/break-even period of five years or less due to a lack of funding.

**Table 4: CDCR Energy Efficiency Projects – Unfunded**

| Institution | Type of Project                        |
|-------------|----------------------------------------|
| NKSP        | Motors, EMS                            |
| LAC         | EMS                                    |
| CCWF        | EMS                                    |
| PVSP        | HVAC, EMS                              |
| VSPW        | EMS                                    |
| CCI         | Lighting, EMS                          |
| SOL         | Lighting, Motors, EMS upgrade, Boilers |
| PYCF        | Boilers, EMS                           |
| WSP         | Lighting, EMS                          |
| CIW         | EMS                                    |
| NCYCC       | Lighting, HVAC, EMS                    |
| SATF        | Lighting, Motors, EMS                  |
| EPDRYCF     | Boilers, Lighting, EMS                 |
| HGSYCF      | Lighting, Motors, EMS                  |
| VYCF        | Lighting, Motors, EMS                  |
| RJD         | EMS                                    |
| CRC         | Boilers, EMS                           |
| CMC         | Boilers, EMS, Lighting                 |
| CTF         | Lighting, Motors, EMS                  |
| SQ          | Boilers, Motors, EMS, Lighting         |

**Reduce Reliance on the Electric Grid (Renewable Energy)**

Legislative support and utility subsidies allows CDCR to explore the necessary technologies capable of making renewable energy a reality. Renewable power provides a cleaner energy source and reduces the burden that CDCR institutions impose on the power grid. CDCR is involved in ongoing studies to ensure feasibility for each adult institution and is looking into technological advancements in wind, water, and solar energy sources.

CDCR is host for two of the State's largest solar electric installations. The photovoltaic (PV) systems at Chuckawalla Valley State Prison (CVSP) and Ironwood State Prison (ISP) are rated at a little over one megawatt (MW) each. As this program matures, additional sites will be added. Table 5 below lists institutions and renewable technologies that are currently under consideration, with six sites scheduled with utility providers to site one MW solar farms at each location by 2013:



Photovoltaic Solar Panels at Chuckawalla Valley State Prison

**Table 5: CDCR Renewable Energy Projects – Planned**

| Location | PV Projects                 |
|----------|-----------------------------|
| NKSP*    | Renewable Energy – Solar PV |
| SVSP     | Renewable Energy – Solar PV |
| VSPW     | Renewable Energy – Solar PV |
| WSP      | Renewable Energy – Solar PV |
| CCI*     | Renewable Energy – Solar PV |
| CVSP     | Renewable Energy – Solar PV |

\* Contract signed

AB 2724 (Ch. 474, Stats. of 2010) was signed September 29, 2010, and provides authority and funding support for State agencies generating up to five megawatts of solar energy power on State property. This bill will allow for the expansion of solar energy systems at existing prisons or the opportunity to implement larger new systems which will help meet State energy and air quality goals identified in AB 32 (Ch. 488, Stats. of 2006).

**Data Collection (Natural Resources Benchmark)**

One of the first assignments undertaken by EMS when it was formed in 1988 was to gather usable energy related information, analyze the data, and disseminate the information. Database monitoring activities now required by statute and Governor's EO S-20-04 include greenhouse gas emission inventory, benchmarking, and water consumption.

CDCR has been proactive in the area of energy reporting and has extensive cost and consumption files. This gives CDCR a distinctive advantage when it comes to expanding the data points to meet all reporting requirements. EMS is nearing completion of procurement for a database replacement to a new more robust system to capture data through electronic data transfer from major utility companies, providing efficiencies in staff time and accuracy of information. The database will capture electric, gas, propane, heating fuel, natural gas, and

once the processes are established, sanitary sewer and water, and allow the EMS staff to query various reports to provide current and historical information to assist with project development and to also analyze utility usage trends and issues.

### **Reduce Water Consumption by 20 Percent (Water Conservation)**

In June 2008, Governor Schwarzenegger issued EO S-6-08 in response to California's third year of severe drought and the State's looming water crisis. The EO instructed the Department of Water Resources to develop and implement aggressive water conservation strategies.

On August 1, 2008, CDCR's Agency Secretary Matthew Cate issued a memorandum expressing the Department's responsibility, as one of the State's largest agencies, to take a proactive role in water use reduction policies and procedures. The memo sets an initial goal of 20 percent usage reduction, required measurement and reporting of water consumption, distribution and documentation of water conservation best practices questionnaires and onsite water surveys.

### **Water Conservation Best Practices**

A Water Conservation Best Practices questionnaire was distributed to all adult and juvenile institutions to gain an understanding of what water conservation efforts institutions we were already attempting. It included questions on general best practice techniques, water management planning and information, and educational programs. The questionnaire also included items regarding the management of distribution systems, landscaping and irrigation, fixtures such as toilets and showerheads, major mechanical systems including boiler and steam distribution, cooling towers and standard equipment such as, steam kettles, sculleries and spray valves as well as laboratory and medical equipment. The responses were collected and analyzed to help CDCR determine where to focus their attention when beginning the water conservation site surveys.

### **Achieving the 20 Percent Reduction**

In a press release dated April 22, 2010, Agency Secretary Matthew Cate is quoted as saying "As California's largest state agency and a major water user, our prisons have taken steps to reduce water usage across the board." "Through the efforts of our wardens and staff across the state, we have achieved the Governor's goal for our agency of reducing consumption by 20 percent, and are continuing to search for new and innovative means to lessen the impact of the drought," said Cate. "In addition, we have prepared a comprehensive drought response plan in anticipation of future dry periods."

The installation of flush restricting valves (FRV) was the primary contributing factor in meeting the initial goal. Older institutions have a multitude of problems; one of which is inmates compromising the wastewater and sewer by overtaxing the system. In 2006 CDCR's water conservation program began with a pilot project to install FRVs on toilets in selected prisons. To help curb inmate abuse, FRVs limit the amount of flushes per hour. There can be up to four cells on one FRV and they are set up on a random time delay of 1 to 30 seconds meaning that all of them will not be able to flush at the same time. The valves eliminate excessive flushing by reducing the number of times the retrofitted toilet can be flushed. For example, the valves allow an inmate to flush two times in a period of five minutes; a third attempt locks the systems out for an extended period of time. The installation of these valves has been one of CDCR's most significant items in its water conservation efforts.

### **Water Conservation Site Surveys**

In December 2008 CDCR survey teams began visiting each institution to conduct an in depth audit of the institution's water usage techniques as well as plumbing and distribution systems. All intensive water-using areas of the institution including housing units, boiler rooms, culinary areas, mechanical rooms, and Prison Industries Authority program areas were observed for wasteful practices and issues with plumbing and distribution systems including leaks and malfunctioning or missing equipment.

Observations of water management practices often present possible low- and no-cost water savings opportunities such as specifying shower times/schedules, better culinary cleanup procedures, and modified landscape irrigation techniques. At the conclusion of each survey, the survey team meets with institution staff to discuss findings and address any questions or concerns the institution may have. The data collected from these visits has been used to develop a draft report that includes findings and recommendations for additional water savings. This information is intended to be used in determining project priorities and will be release late 2010.

### **Measurement and Reporting**

CDCR began collecting water and wastewater usage data from all 33 adult institutions and six juvenile institutions in August 2008. This information has been used in the development of a water usage database which allows CDCR to monitor each institution's water consumption as the Department takes steps toward increasing water conservation practices.

CDCR has achieved a 26 percent annual reduction in its water usage, saving 3 billion gallons of water. In 2008, under the direction of EO S-06-08 declaring that California is in a state of drought, CDCR set a goal of reducing water consumption by 20 percent statewide. To comply with the Governor's EO, CDCR enacted the following measures:

- Institutions with FRVs result in a 27 percent average annual water savings versus 17 percent for institutions without FRVs.
- Institutions are now reporting monthly water consumption to CDCR Headquarters.
- Adult prisons and youth facilities have enacted low- or no-cost water conservation methods.
- Headquarters has distributed a "Best Management Practices Water Management & Conservation" document to all institutions that covers:
  - eliminating nonessential water use;
  - modifying practices for water efficient landscaping;
  - leak detection and repair – building systems and equipment;
  - water-efficient irrigation; and
  - laundries and vehicle washing.
- Onsite Water Consumption Surveys have been initiated at prisons.
- CDCR has identified other opportunities for additional water savings through operational modifications and best practices in inmate housing, kitchens, grounds, and laundries.

Refer to the Statewide Water Conservation Devices Construction Schedule Chart on the following two pages for a list of institutions that have had or are in the process of having the devices installed, construction start/completion, and budget.

## INFRASTRUCTURE

**Statewide Water Conservation Devices Construction Schedule as of October 31, 2010**

| Facility                          | Budget      | Construction Start | Construction Completion | # of Devices  | Devices Installed | % of completion | Comments   |
|-----------------------------------|-------------|--------------------|-------------------------|---------------|-------------------|-----------------|------------|
| CMF                               | \$902,000   | 04/21/08           | 12/30/08                | 1,439         | 1,439             | 100%            | Completed. |
| DVI                               | \$937,000   | 04/14/08           | 02/17/09                | 1,530         | 1,530             | 100%            | Completed. |
| FSP                               | \$895,000   | 09/19/08           | 05/08/09                | 1,482         | 1,482             | 100%            | Completed. |
| PBSP                              | \$1,396,000 | 04/23/08           | 04/28/09                | 2,180         | 2,180             | 100%            | Completed. |
| SCC                               | \$309,000   | 07/07/08           | 12/12/08                | 500           | 500               | 100%            | Completed. |
| SAC                               | \$1,006,000 | 05/16/08           | 04/09/09                | 1,636         | 1,636             | 100%            | Completed. |
| SQ                                | \$512,000   | 04/13/09           | 08/21/09                | 800           | 800               | 100%            | Completed. |
| <b>Total Region I (AB 900)</b>    |             |                    |                         | <b>9,567</b>  | <b>9,567</b>      |                 |            |
| CTF                               | \$1,624,000 | 04/21/08           | 06/29/09                | 2,616         | 2,616             | 100%            | Completed. |
| NKSP                              | \$1,031,100 | 03/17/08           | 07/09/08                | 1,692         | 1,692             | 100%            | Completed. |
| KVSP                              | \$1,371,000 | 03/10/08           | 08/01/08                | 2,248         | 2,248             | 100%            | Completed. |
| SATF                              | \$992,000   | 02/25/08           | 07/09/08                | 1,612         | 1,612             | 100%            | Completed. |
| WSP                               | \$1,036,000 | 04/01/08           | 01/21/09                | 1,700         | 1,700             | 100%            | Completed. |
| <b>Total Region II (AB 900)</b>   |             |                    |                         | <b>9,868</b>  | <b>9,868</b>      |                 |            |
| CAL                               | \$1,319,000 | 03/18/08           | 02/27/09                | 2,100         | 2,100             | 100%            | Completed. |
| LAC                               | \$1,304,000 | 02/04/08           | 08/25/08                | 2,100         | 2,100             | 100%            | Completed. |
| RJD                               | \$1,238,000 | 03/18/08           | 10/10/08                | 2,000         | 2,000             | 100%            | Completed. |
| <b>Total Region III (AB 900)</b>  |             |                    |                         | <b>6,200</b>  | <b>6,200</b>      |                 |            |
| <b>Total All Regions (AB 900)</b> |             |                    |                         | <b>25,635</b> | <b>25,635</b>     |                 |            |

## INFRASTRUCTURE

### Statewide Water Conservation Devices Construction Schedule as of October 31, 2010

| Facility                          | Budget      | Construction Start | Construction Completion | # of Devices  | Devices Installed | % of completion | Comments                         |
|-----------------------------------|-------------|--------------------|-------------------------|---------------|-------------------|-----------------|----------------------------------|
| <b>FY 2006/07 Funded Projects</b> |             |                    |                         |               |                   |                 |                                  |
| SVSP                              | \$1,182,000 | 08/06/07           | 07/31/08                | 2,124         | 2,124             | 100%            | Completed.                       |
| CCI                               | \$889,000   | 11/20/07           | 01/30/09                | 1,488         | 1,500             | 100%            | Completed.                       |
| CMC                               | \$1,513,000 | 12/17/07           | 06/21/10                | 2,425         | 1,200             | 78%             | Project to be completed 03/2011. |
| ISP                               | \$1,211,000 | 09/17/07           | 08/15/08                | 2,000         | 2,000             | 100%            | Completed.                       |
| <b>Total FY 2006/07 Funded</b>    |             |                    |                         | <b>8,037</b>  | <b>6,824</b>      |                 |                                  |
| <b>Completed Projects</b>         |             |                    |                         |               |                   |                 |                                  |
| HDSP - Phase II                   | \$334,000   | 01/02/07           | 03/30/07                | 600           | 600               | 100%            | Completed.                       |
| HDSP Phase I                      | \$277,000   | 03/06/06           | 05/05/06                | 500           | 500               | 100%            | Completed.                       |
| CCC - Lassen Units                | \$307,000   | 02/20/07           | 04/27/07                | 500           | 500               | 100%            | Completed.                       |
| SOL                               | \$749,000   | 05/23/07           | 11/19/07                | 1,200         | 1,200             | 100%            | Completed.                       |
| MCSP                              | \$936,000   | 07/09/07           | 11/29/07                | 1,500         | 1,500             | 100%            | Completed.                       |
| COR - Z 180S                      | \$364,000   | 07/24/06           | 10/19/06                | 2,040         | 2,040             | 100%            | Completed.                       |
| COR                               | \$462,000   | 06/01/07           | 11/09/07                | 740           | 740               | 100%            | Completed.                       |
| COR                               | \$874,000   | 06/01/07           | 12/21/07                | 1,400         | 1,400             | 100%            | Completed.                       |
| PVSP                              | \$1,218,000 | 07/23/07           | 02/15/08                | 2,100         | 2,100             | 100%            | Completed.                       |
| CEN                               | \$1,300,000 | 03/05/07           | 10/05/07                | 2,080         | 2,080             | 100%            | Completed.                       |
| <b>Total FY 2006/07 Completed</b> |             |                    |                         | <b>12,660</b> | <b>12,660</b>     |                 |                                  |

# **ASSEMBLY BILL 900 SITE MAP**



## Key - Map of AB 900 Projects

### REENTRY

- ★ Northern California Reentry Facility (San Joaquin County)
- ★ Madera (Madera County)
- ★ Central Coast Reentry Facility (San Luis Obispo County)
- ★ Lerdo Highway (Kern County)
- ★ RJ Donovan Correction Facility (San Diego County)
- ★ Apple Valley (San Bernardino County)
- ★ Folsom (Sacramento County)
- ★ Fairfield (Solano County)

### JAILS

- ① San Bernardino – Adelanto
- ② San Joaquin – French Camp
- ③ Kern – Bakersfield
- ④ Santa Barbara – Santa Maria
- ⑤ San Diego – Santee
- ⑥ San Luis Obispo – San Luis Obispo
- ⑦ Madera – Madera
- ⑧ Calaveras – San Andreas
- ⑨ Amador – Jackson
- ⑩ San Benito – Hollister
- ⑪ Solano – Fairfield

### HEALTHCARE PROJECTS

#### Phase 1

- ▲ SQ-Building #22 (San Quentin)
- ▲ CMC-MHCB (San Luis Obispo) San Luis Obispo County
- ▲ LAC-EOP (Lancaster) Los Angeles County
- ▲ CMF-ICF (Vacaville) Solano County
- ▲ CMF-EOP (Vacaville) Solano County
- ▲ SVSP-EOP (Soledad) Monterey County
- ▲ SAC-PSU (Represa) Sacramento County
- ▲ Stark-CTC (Chino) San Bernardino County
- ▲ CIW-ICF (Chino) San Bernardino County
- ▲ COR-EOP/ASU (Corcoran) Kings County
- ▲ CCWF-EOP (Madera) Madera County

#### Phase 2

- ▲ Wasco (Licensed Beds) (Wasco) Kern County

### INFILL PROJECTS

#### Phase 1

- ⑫ California Health Care Facility (Stockton) San Joaquin County
- ⑬ KVSP (Delano) Kern County
- ⑭ Stark Conversion (DJJ)(RC/III) (Chino) San Bernardino County
- ⑮ Estrella Conversion (DJJ) (Paso Robles) San Luis Obispo County
- ⑯ Dewitt Conversion (DJJ North) (Stockton) San Joaquin County

#### Phase 2

- ⑰ Wasco (Wasco) Kern County

\*In addition to the above projects, \$747.7 million from AB 900 is proposed for the Health Care Facility Improvement Program.

# **INFILL BED PROGRAM**

### ADULT HOUSING CAPACITY

The California Department of Corrections and Rehabilitation's (CDCR) housing capacity is based upon a system-wide bed count utilizing occupancy standards, classification levels, institutional missions, special housing designations, and the program needs specific to each correctional facility.

Historically CDCR operated and planned capacity based on the Department's standards/policy of one inmate per cell, also referred to as Design Capacity (DC). Over the last 30 years, with the advent of determinate sentencing and the "punishment over rehabilitation" social climate, the mission of CDCR relative to treatment and rehabilitation was largely stripped away.

CDCR has continuously reviewed its current population, reform initiatives, and capacity expansion to develop a plan that best meets its operational needs. The solution section of this narrative includes CDCR's Revised Integrated Strategy Plan (RISP) to reduce overcrowding within the adult institutions. This plan will have a significant effect on reducing the overcrowding in California's prisons and providing needed healthcare treatment and support space.

There is a great deal of background in establishing housing capacity in Departmental master plan documents dating back to the late 1970's.

In the fiscal year (FY) 1978/79 Facilities Master Plan, the Department was operating at 96 percent of DC. The Department requested authority and funding to plan and construct additional facilities to house the projected increasing inmate population.

The FY 1982/83 Facilities Master Plan reported that the Department was operating cells and barracks at 140 percent of DC. The Department continued to request authority and funds to plan and construct additional facilities to house the increasing inmate population and bring the level of overcrowding back down to Departmental standards/policy.

The FY 1992/93 Facilities Master Plan reported that even with the addition of more than 40,000 beds, the Department was operating at 185 percent of DC, far in excess of Departmental and industry standards. The Department continued requesting authority and funds to plan and construct additional facilities to house the increasing inmate population.

The FY 1994/95 Facilities Master Plan declared that the Department was so far overcrowded that the Department would no longer report capacity based on DC, which represents one inmate per cell. The Department developed the concept of "a manageable level of overcrowding", referred to as the Operational Capacity (OC).

CDCR's inmate population has continued to grow; the population in the 33 adult facilities as of October 31, 2010, was approximately 148,600. The total CDCR inmate population as of that date was 164,600, including inmates placed in California Out-of-State Correctional Facilities (COCF) and contracted facility inmates.

As of October 31, 2010, the statewide average OC ratio within CDCR's 33 owned adult facilities was 178 percent. As discussed earlier, the Department has developed its RISP to achieve an appropriate overall operational capacity for the institutions and also fund health care space. See the table [Refer to the Population and Capacity Reports Section of this Master Plan] for current overcrowding rates per institution:

## INFILL BED PROGRAM

A total of 18 adult facilities exceed the OC ratio for CDCR's 33 adult institutions, this includes five institutions that exceed 200 percent of DC. To mitigate inmate overcrowding, CDCR continues to use approximately 9,600 nontraditional beds spread throughout the 33 owned adult facilities as of August 2010. Additionally, within the general population (GP), the number of inmates that cannot be double-celled because of gang affiliation, a propensity toward violence, or medical and/or mental illness, has been growing rapidly, as evidenced by the growing Administrative Segregation Units (ASU) population. Such factors limit CDCR's ability to achieve existing OC based on high incidents of double-celling in some prisons or individual housing units.

Complicating population pressures, there have been a number of mission changes at several CDCR institutions including the conversion of Level III housing to Level IV housing, and the change of mission of Level IV and Level III housing to provide additional mental health program beds.

Conversions of Level IV GP housing cells to Security Housing Units (SHU), ASUs, and mental health programs compound the Level IV bed shortage. For example, the Level IV GP occupancy standard is 190 percent (90 percent double-celled). For the SHU, the current occupancy standard is 105 percent at Pelican Bay State Prison (PBSP) and 140 percent at California Correctional Institution (CCI), COR, and Valley State Prison for Women (VSPW). The conversion of a Level IV GP facility to a SHU results in a loss of 50 beds per 100 cells. For ASUs, the current occupancy standard is 150 percent, which results in a loss of 40 beds per 100 cells in a Level IV to ASU conversion. The current occupancy standard is 150 percent for mental health facilities.

The result of converting existing Level IV cells for special needs has created a domino effect throughout CDCR's entire adult correctional system. Level IV inmates are displaced into less secure Level III housing, which often displaces Level III inmates into dormitories and gymnasiums, this housing is referred to as "nontraditional" or "bad" beds. Maximum security inmates and the mentally ill inmates cannot be housed in less secure dormitories, gymnasiums, or other similar nontraditional housing.

The displacement of the Level III inmates into dormitories and gymnasiums pose significant danger to both inmates and staff. Some Level III inmates are violent, predatory, or have gang affiliations. Being forced to place these inmates into overcrowded, close quarters creates a significant and dangerous custody and security dilemma for CDCR, placing inmates, staff, and the public at risk.

In addition to the need for Level IV beds, CDCR must construct or renovate cells and provide support/treatment facilities for the rapidly increasing mental health population. The increasing requirements of the Mental Health Services Delivery Systems limit the double-celling of this population. Providing additional mental health beds and complying with court mandates has had a significant adverse impact on the supply of GP beds.

The severe level of overcrowding has led to the use of nontraditional beds located in areas never intended for housing inmates. The projected number of nontraditional beds in use for October 2010 is approximately 8,300. With expansion through Assembly Bill (AB) 900 (Ch. 7, Stats. of 2007), and the implementation of various reforms, CDCR intends to eliminate these beds as soon as practicable.

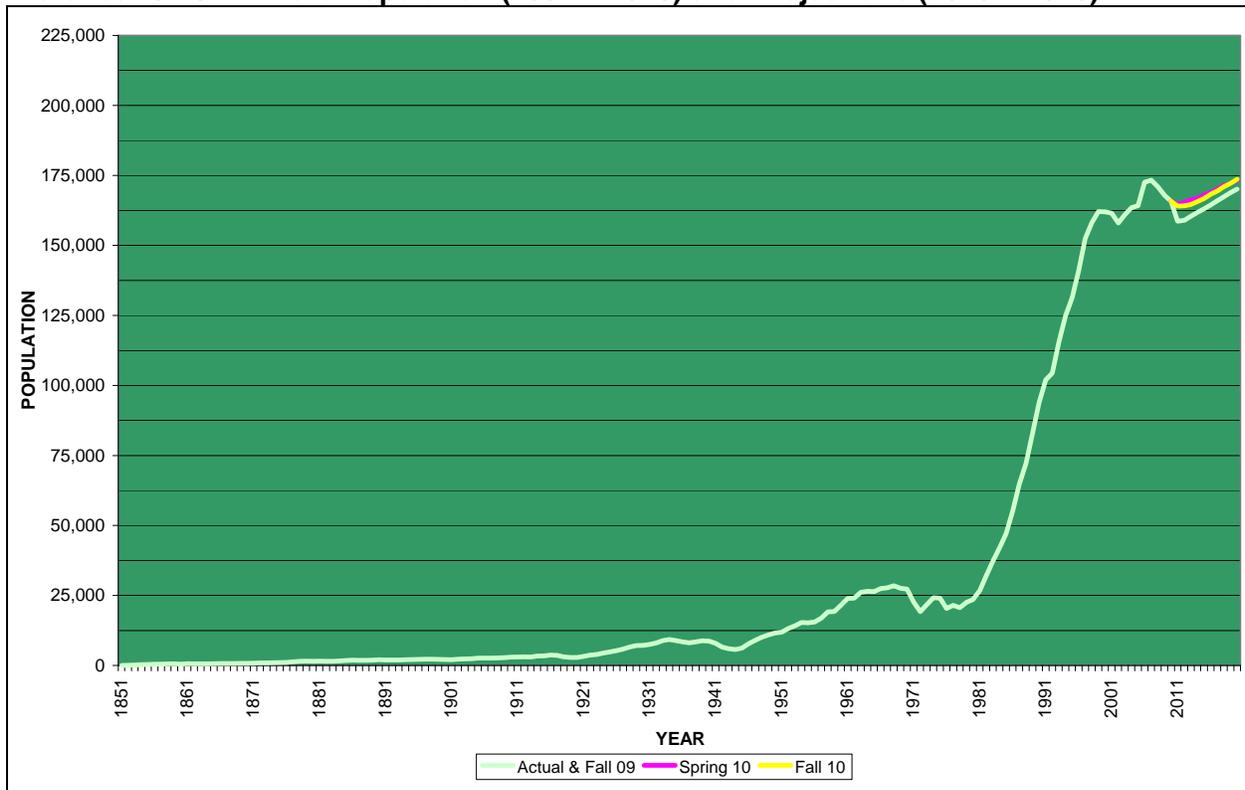
## INFILL BED PROGRAM

### PROJECTED ADULT POPULATION

The Fall 2010 population projections, prepared and released by CDCR's OISB, predict an increase in CDCR's adult male and female population absent any parole and/or sentencing reforms. As of June 30, 2010, CDCR's total male and female population was approximately 165,800. As of June 30, 2016, the OISB projections predict a total male and female population of 168,300. This represents a projected increase of approximately 2,500 for both male and female inmates.

OISB uses a projection methodology that is regularly reviewed by independent auditors and captures as many as ten years of historical population data. See the graph on the following page for actual CDCR inmate population growth from 1851 to 2010 and projections from 2010 to 2020.

### Historical CDCR Inmate Population (1851 – 2010) and Projections (2010 – 2020)



Actual and Fall 2009 line represents historical data and the OISB Fall 2009 Population Projections. The Spring 2010 and Fall 2010 lines represent OISB Population Projections for Calendar Year 2010.

### DRIVERS OF NEED – ADULT

The main driver of need for adult housing is the gap between an expanding inmate population and the insufficient capacity provided by CDCR's existing facilities. The number of inmates assigned to the Department is compared against existing infrastructure capacity to quantify a surplus/deficit by security level. CDCR's Gap Chart analysis has consistently shown very significant deficiencies in most security levels due to the rising inmate population without corresponding increases in infrastructure/capacity with the greatest shortage in both Reception and high-security beds.

The lack of inmate housing has caused the Department to operate facilities formerly at 96 percent of DC in 1978/79 (see reference on page IN-1), and steadily increasing to 178 percent of DC within the 33 adult institutions as of October 31, 2010.

On August 4, 2009, a Federal Three-Judge Panel determined that CDCR's population should not exceed 137.5 percent of DC and ordered CDCR to present a plan for achieving that reduction within two years. CDCR submitted a RISP on September 18, 2009 using various reforms to reduce the number of inmates, and the funds and authority provided by AB 900 and Senate Bill (SB) 81 (Ch. 175, Stats. of 2007) to increase housing capacity. Based on the recommendations included in the RISP, CDCR intends to meet and exceed the 137.5 percent determined by the Three-Judge Panel more naturally and in a safer manner. On October 21, 2009, the Federal Three-Judge Panel rejected CDCR's RISP. The Plan was rejected as it does not reach an overall overcrowding rate for CDCR of 137.5 percent within two years. Therefore, CDCR submitted to the court on November 12, 2009, a new plan that reduces the adult male and female population to 137.5 percent within two years.

### **REVISED INTEGRATED STRATEGY PLAN**

#### **Assembly Bill 900 (Ch. 7, Stats. of 2007): The Public Safety and Offender Rehabilitation Services Act of 2007**

On April 26, 2007, the California Legislature passed Assembly Bill (AB) 900 – The Public Safety and Offender Rehabilitation Services Act of 2007. The Governor signed this legislation on May 3, 2007. AB 900 provides funding for State prisons and the authority that will allow the California Department of Corrections and Rehabilitation (CDCR) to address capacity needs, improve and/or increase infrastructure, program, and support space associated with the increased capacity. AB 900 will allow CDCR to add up to 40,000 adult male prison beds by providing \$2.4 billion for up to 16,000 infill beds and \$300 million for infrastructure; \$2.6 billion for up to 16,000 reentry program beds; and \$1.143 billion for 8,000 medical, dental, and mental health beds.

Additionally, \$1.2 billion will be made available for counties to build local jail facilities in communities throughout California. Participating counties will need to partially match State funds by providing at least 25 percent of the total project cost. This new construction is intended to add approximately 9,000 new jail beds to help relieve overcrowding experienced at the local level.

#### **Senate Bill 81 (Ch. 175, Stats. of 2007)**

Senate Bill (SB) 81 was signed by the Governor on August 24, 2007. The bill is a follow-up to AB 900 and added additional requirements for CDCR's Bed Construction Program.

#### **Senate Bill X3 14 (Ch. 16, Stats. of 2009)**

The Governor declared a fiscal emergency on December 19, 2008, calling the California Legislature to Special Session. This bill is from the third Special Session and provides necessary clean up language to enable CDCR to construct inmate housing using funds authorized by AB 900. The bill was signed by the Governor on February 20, 2009 (a copy of SB X3 14 is included in Appendix 6).

#### **Assembly Bill 552 (Ch. 22, Stats. of 2010)**

This bill provides specific authority for CDCR to construct Infill facilities focused on medical or mental health missions utilizing AB 900 funds. The bill was signed by the Governor on June 3, 2010. See Appendix 8.

## INFILL BED PROGRAM

### INTEGRATED STRATEGY TO ADDRESS CDCR'S ADULT HOUSING NEEDS

In light of the State's current economic challenges, funding beyond that provided by AB 900 is not available to address the significant overcrowding and health care bed needs. As a result, CDCR and the California Prison Receivership (CPR) have been working collaboratively toward the creation of a new integrated strategy plan, dated August 25, 2010 (refer to Appendix 7), based largely upon availability of existing AB 900 appropriation. Pursuant to the requirements in AB 900, SB 81, and SBX3 14, every new bed constructed will eliminate a nontraditional bed and new facilities will provide appropriate treatment and program space.

| PROGRAM TYPE                       | OPERATIONAL CAPACITY |
|------------------------------------|----------------------|
| Infill Beds (Including a CHCF)     | 9,520                |
| Reentry Beds                       | 10,000               |
| Health Care Beds                   | 337                  |
| <b>Total Proposed Construction</b> | <b>19,857</b>        |

### INFILL BED PROGRAM

#### Phase I - Infill Bed Plan

Phase I construction authorizes a total of up to 12,000 beds to be constructed within or adjacent to existing CDCR institutions (Infill). Up to 6,000 beds are authorized for medical, mental health treatment, dental, or housing of inmates (Medical/Mental Health). As many as 6,000 beds are authorized for secure community reentry facilities (SCRF). The number of beds to be constructed is wholly dependent on the available AB900 appropriation.

Based on the Department's desire to be in compliance with constitutionally acceptable levels of health care, CDCR is working with the CPR to design and construct one Consolidated Health Care Facility (CHCF) at the closed Karl Holton Youth Correctional Facility in Stockton. This facility is planned for 1,722 beds.

In order to ease overcrowding, and to meet acceptable levels of health care, CDCR must begin construction of Phase I as soon as possible. More detailed information on the projects is shown in the table below. Facility type, security level, and project cost estimates are identified, but projected occupancy dates are identified as TBD until individual projects are authorized pursuant to all requirements contained in AB 900.

#### Phase I - Proposed

| Institution Code                                                                                                                                                      | Facility Type | Security Level(s) | Proposed Beds @ Operational Capacity (OC) | Project Cost Estimate  | FY Projected Occupancy |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------|-------------------------------------------|------------------------|------------------------|
| CHCF                                                                                                                                                                  | HC            | All               | 1,722                                     | \$906.0 million        | 2013/14                |
| KVSP                                                                                                                                                                  | S-A           | IV (270)          | 930                                       | \$281.0 million        | 2014/15                |
| HGSYCF                                                                                                                                                                | S-A           | RC/III            | 2,839                                     | \$453.0 million        | 2013/14                |
| DeWitt Conversion                                                                                                                                                     | S-A           | II                | 1,133                                     | \$188.0 million        | 2013/14                |
| ECF                                                                                                                                                                   | S-A           | II                | 1,000                                     | \$111.0 million        | 2012/13                |
| <b>Phase I Priority 1 Totals</b>                                                                                                                                      |               |                   | <b>7,624</b>                              | <b>\$1.939 billion</b> |                        |
| Legend for Facility Type: HC = Health Care; S-A = Semi-Autonomous<br>Legend for Security Level: M/MH = IV (270) = Level IV 270 Design Facility; RC = Reception Center |               |                   |                                           |                        |                        |

Actual Project Costs may differ from those reflected in the RISP as they are finalized and approved.

## INFILL BED PROGRAM

### Phase II Construction

Phase II construction is authorized for up to 16,000 beds. Of these beds, up to 4,000 are authorized within existing CDCR institutions (Infill). As many as 2,000 of these authorized beds will be for medical, mental health treatment, dental, or housing of inmates (Medical/Mental Health). The remaining authorization is for approximately 10,000 SCRF program beds in facilities anticipated to be located in communities throughout the State. Again, the number of beds to be constructed is dependent on the available AB900 appropriation, construction costs, and facility design.

Based on the significant deficit identified in the Gap Chart (refer to the Housing narrative, page H-7) for Level IV 180 Design housing, CDCR is proposing a Level IV 180 Design infill project at Wasco State Prison (WSP) as part of the Phase II construction. It is also anticipated that CDCR will construct and operate approximately 4,500 SCRF beds in Phase II. See table on following page for Phase II Infill Projects:

### Phase II – Proposed

| Institution Code                                                                                                      | Facility Type | Security Level | Proposed Infill Beds @ (HOC) | Project Cost Estimate  | FY Projected Occupancy |
|-----------------------------------------------------------------------------------------------------------------------|---------------|----------------|------------------------------|------------------------|------------------------|
| WSP                                                                                                                   | S-A           | IV (180)       | 1,896                        | \$600.0 million        | 2014/15                |
| <b>Phase II Priority Totals</b>                                                                                       |               |                | <b>1,896</b>                 | <b>\$600.0 million</b> |                        |
| Legend for Facility Type: S-A = Semi-Autonomous<br>Legend for Security Level: IV (180) = Level IV 180 Design Facility |               |                |                              |                        |                        |

Actual Project Costs may differ from those reflected in the RISP as they are finalized and approved.

### Phase I and II Totals

|                                     |              |                        |  |
|-------------------------------------|--------------|------------------------|--|
| <b>Phase I and II Infill Totals</b> | <b>9,520</b> | <b>\$2.539 billion</b> |  |
|-------------------------------------|--------------|------------------------|--|

Actual Project Costs may differ from those reflected in the RISP as they are finalized and approved.

The costs presented in the above tables represent estimates at a point in time. These estimates will be updated as they are finalized and approved by the appropriate control agencies.

### Ongoing Drivers and Future Planning Efforts

There are ongoing unresolved drivers that may change CDCR's future inmate population and corresponding infrastructure needs. Additional sentencing and parole reforms currently under consideration, the movement of illegal alien inmates from California prisons to Federal prisons, and a mandated population cap could significantly change both the magnitude and the composition of the inmate population. One likely change is that CDCR would retain a greater percentage of Level III and IV inmates who require high security celled housing. As the various drivers play out CDCR will reevaluate and update its facility and infrastructure plans to provide the best possible solutions for the State of California. Through excellent analysis and planning, CDCR can adjust its strategy as needed to address the future inmate population, regardless of changing conditions. Until that time, CDCR must continue to plan and implement strategies based on existing conditions, laws, policies, standards, and near term population predictions.

# REENTRY PROGRAM

### Overview

In May 2007, Governor Arnold Schwarzenegger signed Assembly Bill (AB) 900 (Ch. 7, Stats. of 2007), the Public Safety and Offender Rehabilitation Services Act of 2007. This statute fundamentally improves the State's correctional system and creates initiatives for prison reform and rehabilitation. It introduces the Secure Community Reentry Facility (SCRF) concept, a model in which smaller facilities and stronger rehabilitation programs prepare offenders for life outside prison.

AB 900 granted \$2.6 billion for lease revenue bonds to site and build up to 16,000 SCRF beds. The projects, including land acquisition, design, and construction will be submitted to the Public Works Board (PWB) for approval. Each separate project requires the California Department of Corrections and Rehabilitation (CDCR) to submit a funding request package based on estimated scope and costs, both capital and support, for consideration and approval by the Joint Legislative Budget Committee and the PWB.

Current cost estimates for reentry indicate that up to 10,000 beds can be constructed or renovated within the initial appropriation. CDCR is committed to building the appropriate beds with all the necessary program and support space to achieve the objectives of AB 900 and the mission and purpose of CDCR. To the extent that cost savings can be identified during the course of its planning efforts, or to the extent that population changes drive a reduction in total facility needs, CDCR is working with the Administration, the Legislature, and other stakeholders to right-size its facility portfolio. Based on the conceptual 500-bed SCRF, CDCR anticipates constructing and operating 3,000 beds in Phase I and 7,000 beds in Phase II.

The SCRF concept will be located in or near urban areas, returning offenders to their county of last legal residence. Inherent in this concept is the mandate that the counties, cities, and CDCR work together to develop programs which will assist parolees to succeed in the communities to which they are returning, thereby reducing recidivism and enhancing public safety.

One of the unique characteristics of these facilities is they will be sited in communities that invite the facility's presence and as such, will provide unique opportunities to inmates returning to their specific county. In some cases counties, particularly smaller counties, may choose to develop joint multi-county facilities or regional facilities to serve two or more counties. Conversely, a large county may opt for more than one facility to serve more than one geographic area within the county. In any event, CDCR will develop agreements that describe the respective roles of all of the above parties in achieving the mission of assisting parolees in their successful transition back to the communities which they are returning to, thereby reducing recidivism and enhancing public safety.

CDCR has also committed, as part of its 2010-2015 Strategic Plan, to have in place partnership agreements with all 58 counties to support reentry services for inmates returning to their county of last legal residence. These reentry partnership agreements will facilitate sharing of information between the State and county to enhance services and will identify opportunities to assist each government entity and the parolee in reintegrating into the county. Counties with a secure reentry facility will have a heightened degree of collaboration with the State, with actual services commencing prior to release for both the county and the State. The SCRF provides a unique environment to facilitate this partnership months in advance of a release and should significantly improve the county's handling of the inmate post-release, with the goal of reducing chances of inmate's recidivism.

### **Mission Statement**

The mission of CDCR's Reentry Program is to enhance public safety by providing offenders effective program services in order to prepare them for permanent reentry into the community.

### **Summary of Program**

The Reentry Program is the cornerstone for CDCR to reduce overcrowding and recidivism with a two-fold approach consisting of constructing: 1) new beds, program, and support space needed to prepare inmates for their assimilation back into society, and 2) enhanced inmate programs and support to prepare inmates for introduction back into society with reduced risk of returning to prison. In an August 2004 report in the Corrections Compendium, a reentry-type program in New Jersey realized a reduction in the recidivism rate of approximately 10.75 percent when compared to parolees who did not go through the program. There is a more recent May 2007 report of the Community Education Centers which gives results of a 17 percent reduction in recidivism for female inmates.

As the proposed Reentry facilities are specific to male inmates, the recidivism numbers contained in this report apply only to male inmates. In the latest available three-year tracking of the 58,507 male inmates paroled California in 2005, 25,106 or 41.2 percent were returned to prison within the first year; 8,420 or 14.4 percent the second year; and another 2,798 or 4.8 percent the third year, for a three-year rate of 60.4 percent or 35,324 male parolees returned to prison from the 2005 report group. This is an increase of 2,926 parolees over the 2004 study group.

In calendar year 2009, there were 77,769 male parolees returned to California prisons. Of those, 17,044 (21.9 percent) were parolees returned to custody with new terms (new felonies) and 60,725 (78.1 percent) parole violators were returned to custody without new terms. Based on the latest 2009 per capita inmate cost of \$52,363, the first year cost to the State for return-to-custody with new term parolees is approximately \$892 million. The return-to-custody without new term costs is an additional \$1.058 billion. Extrapolated, the combined annual cost of parolees returned to prison in 2009 is approximately \$1.95 billion. Note that parole violators who are return to custody without a new term spend approximately four months in an institution before they are reparaoled.

Although it is unrealistic to expect a zero percent recidivism rate through any program, any reduction in the recidivism rate will reduce the level of overcrowding and costs accordingly. Based on 8,000 beds system-wide, a 90 percent utilization rate, and just a 15 percent success rate, CDCR could realize an initial annual cost avoidance of up to \$56.6 million based on current inmate costs, and the potential for even greater cost avoidance in the future as the recidivism cycle is broken for an increasing number of inmates. The cost avoidance to society in general is unknown but will be substantial as the rehabilitated inmates are no longer committing crimes, are no longer a burden in the courts and criminal justice system, and in all likelihood are employed, taxpaying citizens. CDCR fully intends to go forward in its efforts to reduce inmate overcrowding and implement the Reentry Program and facilities.

Each SCRF will provide a maximum of 500 beds with a design intended to maximize both security of the facility for the surrounding community as well as provide intensive programming and life skills training aimed at rehabilitating inmates in their last year of incarceration. Inmates identified as having a high to medium risk to reoffend will be selected to be housed in these facilities.

## REENTRY PROGRAM

While the intention is for the Reentry facilities to be designed and operated by CDCR, it is also anticipated each county and/or community-based program providers may assist in providing some level of service within the facilities. For instance, this may include substance abuse treatment that upon parole will continue to be provided to the parolee. The Expert Panel on Adult Offender Recidivism Reduction Programming highlighted the importance of this transition and continuity of services and support in its June 2007 report to the Legislature by stating “when offenders participate in treatment in the community after treatment in prison, the results are likely to be two to three times greater than if the person participated only in prison-based programs”.<sup>1</sup>

CDCR will work with each county to establish the necessary services within the facility and how they relate to services provided for parolees within the community. The respective State and county roles and responsibilities will be documented in partnership agreements.

### Siting and Design of New Reentry Facilities

Most counties express support for the mission and objectives of reentry. However, like other commendable uses such as affordable housing, the actual siting of such uses in a specified location has been met with resistance in many cases. The success to date has been largely due to two factors: the incentive of receiving jail funds and the siting of the SCRF adjacent to an existing detention facility.

The Correctional Standards Authority provided tentative conditional awards to 11 counties listed in the following chart with the caveat that all 11 counties sign a reentry facility Siting Agreement.

| Medium/Large County     |                      |
|-------------------------|----------------------|
| County                  | Recommended Award    |
| San Bernardino          | \$100,000,000        |
| San Joaquin             | \$80,000,000         |
| Kern                    | \$100,000,000        |
| Santa Barbara           | \$56,295,000         |
| San Diego               | \$100,000,000        |
| <b>San Louis Obispo</b> | <b>\$25,125,630</b>  |
| <b>Solano</b>           | <b>\$61,545,000</b>  |
| <b>SUBTOTAL</b>         | <b>\$522,965,630</b> |
| Small County            |                      |
| Amador                  | \$22,712,000         |
| San Benito              | \$15,053,000         |
| Madera                  | \$30,000,000         |
| Calaveras               | \$10,000,000         |
| <b>SUBTOTAL</b>         | <b>\$94,152,591</b>  |
| <b>GRAND TOTAL</b>      | <b>\$617,118,221</b> |

As SCRF siting efforts transition into counties that are not seeking jail funds, one or both of these factors may be missing, thereby diminishing any incentives to help secure local support. New incentives or modified conditions for support may need to be considered in order to successfully site additional facilities.

An SCRF will be designed in cooperation with the local county and/or city officials, private industry, and contracted service providers, as appropriate. Because each community has differing needs for their reentry facilities, the programs will be developed to specifically address the needs of offenders returning to those communities.

<sup>1</sup> Excerpt of the Expert Panel Report, page 38.

Some smaller counties may choose to join together to develop regional reentry facilities and it is anticipated that multiple cities within a county may also consider the benefits of a regional facility. See Attachment A (pages R-9 and R-10) for the ranking of counties by population.

The first SCRF is sited at the former Northern California Women's Facility (NCWF) near Stockton. To be renamed the Northern California Reentry Facility (NCRF); the site will be revamped to accommodate male inmates. NCRF will be a cooperative facility to accommodate inmates returning to San Joaquin, Amador, and Calaveras counties. As this is the conversion of an existing facility, the architectural design of NCRF differs from the prototypical architectural designs for SCRFs presented in this section.

Attachment C (pages R-12 to R-14) provides a list of all counties, pertinent calendar year 2009 parole statistics and movement into and out of institutions and the parole system by county of commitment and parole, and the status of county participation in this program. Attachment C also shows that Los Angeles, Orange, San Bernardino, San Diego, and Riverside counties generated 56.9 percent of male parolees in 2009. Of these, only San Diego and San Bernardino counties (16.0 percent of parolees) have signed Agreements to Cooperate in the SCRF program, leaving three of the largest counties without any agreements. Chief among these is Los Angeles County which currently accounts for 28.4 percent of all parolees.

California's SCRFs will provide:

- A maximum of 500 beds with celled and dormitory housing;
- Appropriate space to deliver evidence-based programs and services;
- Administrative support and office space for various critical intervention needs;
- Compliance with court-mandated standards for medical, dental, and mental health treatment; and
- Facility design and operation consistent with the concepts of evidence-based design.

As participating counties move forward by providing facilities and programs to help inmates transition back into their own communities, the participating counties will still not be able to pick up the large number of inmates committed from larger counties not currently participating in the Reentry program. The program is designed to locate inmates in or near their home county or county of commitment. Without reentry facilities in Los Angeles, Orange, Alameda, and Riverside counties for example, 47.8 percent (42,798) of the State's 2009 male parolees will not have access to an SCRF program to help them successfully transition back into society as productive citizens. Based on the historical trends provided in the 2005 three-year parolee study, it can be anticipated that approximately 60.4 percent half of these inmates will return to prison on a parole violation or new crime within three years of release from prison. See Attachment A (pages R-9 and R-10) for State population and percent of population by county and percent of inmate population by county.

Attachment B (page R-11) presents current at-a-glance status of county participation in the Reentry Program, recommended AB 900 funding for county participation, and counties with sites either proposed for acquisition or already acquired. There are currently 21 counties with signed agreements to cooperate. Of the 21 counties with Agreements to Cooperate, to date CDCR has successfully completed siting agreements with 11 counties and is in various stages from Option Agreement negotiations through planning and environmental. Some of the smaller

counties whose populations cannot support a reentry facility have entered into agreements with neighboring counties to participate in a jointly operated facility.

Cities/Counties with current siting agreements and status are:

- Amador, Calaveras, San Joaquin counties with the NCRF (joint use facility)
- San Benito, San Luis Obispo, Santa Barbara counties with the Central Coast Reentry Facility (joint use) – Currently in the environmental California Environmental Quality Act process
- Cities of Folsom (Sacramento County) and Fairfield (Solano County) – Resolutions of Community Support in place (Planned for AB 900, Phase II funds)
- San Diego County – Reentry facility at R. J. Donovan Correctional Facility – Resolution in place
- Kern County – In contract negotiations
- San Bernardino County Option Agreement approved by the State PWB on August 4, 2010
- Madera County Option Agreement approved by the State PWB on September 20, 2010

### **Target Population**

The target population for each of the SCRFs will be adult male offenders within their last 12 months of a scheduled release date who have varying needs determined through individual risk and needs assessments, interviews, and a review of the inmates' Central or "C"-file. Assessments of the adult offenders' rehabilitation needs, transition planning needs, and risk to re-offend will be identified through the use of comprehensive assessment tools.

The assessment tools will provide information on each offender's criminogenic factors. These factors include, but are not limited to, anti-social attitudes; anti-social associates; temperament and personality; education/vocation/financial aptitude; familial/marital relationships; and substance abuse issues. These criminogenic needs/dynamic risk factors have been validated by research as highly correlated with criminal behavior in male offenders.<sup>2</sup>

The SCRF will target offenders who are determined moderate to high risk to re-offend. Research demonstrates that by providing offenders with evidence-based programming, focused on their criminogenic needs, near their local community, they are more likely to be successful on parole and their return to prison significantly reduced.<sup>3</sup>

### **Parole Violator Inclusion and Exclusion Criteria**

The SCRF may also house parole violators completing their parole violation terms of up to 12 months. Criteria for the inclusion and exclusion of inmates and parole violators in the SCRF are currently being developed and are based on a number of factors such as security, the needs of the counties and local communities receiving an SCRF, and the needs of CDCR.

### **Reentry Facility Principles and Practices**

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<sup>2</sup>Considering Secure Reentry Centers in California, Jeffrey Lin, Ph.D. and Susan Turner, Ph.D. February 2007. <http://ucicorrections.seweb.uci.edu/pdf/ConsideringSecureReentryCentersinCalifornia.pdf>

<sup>3</sup> Expert Panel on Adult Offender Recidivism Reduction Programming. Report to the California State Legislature: A Roadmap for Effective Offender Programming in California. June 2007. <http://www.cdcr.ca.gov/News/ExpertPanel.html>

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CDCR has adopted the guidance and recommendations of the Expert Panel relative to the design and operation of successful rehabilitative programs. The principles and practices are derived from sound policies that other states, including Arizona, Ohio, Oregon, New York, Pennsylvania, and Washington, have used to reduce recidivism rates among their adult offender populations. The principles and practices of evidence-based correctional programming are:

- 1) Target inmates with a high risk to re-offend;
- 2) Assess offenders' needs;
- 3) Develop behavior management plans;
- 4) Design responsivity into programming;
- 5) Deliver treatment programs using cognitive-based strategies;
- 6) Motivate and shape offender behaviors;
- 7) Engender community support in offender reentry and reintegration; and
- 8) Identify outcomes and measure progress.

In addition, the Expert Panel has similarly identified core offender programming areas to address criminogenic needs:

- 1) Criminal Thinking, Behaviors, Skills, and Associations;
- 2) Aggression, Hostility, Anger and Violence;
- 3) Academic, Vocational and Financial;
- 4) Family, Marital and Relationships;
- 5) Substance Abuse; and
- 6) Sex Offending.

Some or all of the programs listed may be incorporated into each SCRF depending upon the needs of the population to be served.

### **Staffing the SCRF**

Rehabilitative programming for offenders will be provided using a combination of State staff and contracted service providers. The facilities will provide professional expertise in specialties such as academic and vocational education, substance abuse, recreation, character-based education, parenting, and other essential program areas.

In addition, each SCRF will be staffed with State employees and augmented, as necessary, with other contracted services under the terms of various court orders to meet the health, mental health, and dental needs of each offender. A staffing plan will be developed and submitted for each SCRF when funding and project approval requests are submitted to the Department of Finance and the Legislature, as required by statute.

### **Size and Location of the SCRF**

The size of each SCRF will vary according to the population of inmates/parolees in the county/city or community the facility serves. Generally, the SCRF will house between 200 and 500 inmates. The maximum capacity for any SCRF will be 500 beds. See Attachment D (Introduction and Overview) on pages R-15-to R17.

Ideally, the SCRF will be built in or near urban areas where the inmate will subsequently parole. This will provide the inmates' families, contracted treatment providers, prospective employers, volunteers, faith-based organizations, and social service agencies easier access to the facilities. It is anticipated that the selected sites will be near public transportation to assist in establishing and maintaining these vital connections.

### State Guidelines

Once the counties submit executed Siting Agreements to CDCR, CDCR staff commence the next phase of due diligence to evaluate the viability of the site selection. CDCR also assigns State planning teams to tailor the SCRF to the needs of the local community/county. Thus, the following needs assessments will be conducted prior to program planning:

- Size of the community to be served.
- Size of the facility the county wants to host.
- Demographics of the community.
- Future demographics, i.e., growing community/inmate parole population.
- Number of parolees returning to the community on a monthly and annual basis.
- Number of parolees returning to county jails/CDCR institutions on a monthly and annual basis.
- Reasons for parole revocations.
- Parolee reintegration issues, i.e., gangs, housing, employment, drugs.
- Availability of contracted vendors/employers/social service agencies.
- Appropriate staffing of the SCRF (availability of peace officers).
- Alternate job classifications to staff the facilities and provide effective controls, programming, and collaboration with community volunteers and service providers.
- Availability of health care services staff or contracted services.
- Location of parole offices/CDCR institutions in relation to the SCRF.
- Reason the counties are interested in having a reentry facility.
- Community support.
- Natural resources such as water, electricity, etc., and related infrastructure concerns.
- Environmental impact studies.

### Prototype Facilities

A prototype design has been developed by CDCR to establish a model to illustrate square footage and parcel requirements. The prototype design is approximately 220,000 square feet and will house as many as 500 inmates. The prototypical design will allow for different exterior architectural appearances and will require an approximate footprint of 15 acres. A proposed site overview (Massing Study), floor plan, and elevations for the prototype are provided in Attachment E (pages R-17 thru R-23).

The fundamental features of the prototype include:

- Each facility is designed to fit into the site context, or architectural fabric, of the community where it resides and should **not** project the image of a prison.
- Building materials, forms, and architectural fenestration are to be considered for enhancement or architectural unity with the surrounding buildings.
- The interior plan configuration is based on a “therapeutic milieu (environment)” where programs and services are organized horizontally with natural light and connectivity to the outdoors.
- The security perimeter will be the building perimeter, negating the need for fencing or razor wire that could compromise the image of the facility. Outdoor courtyards for prisoners will have overhead security mesh.
- Dining is decentralized at each housing unit, reinforcing the 64-bed therapeutic community.
- Family visiting areas are provided to facilitate positive familial interaction.

## REENTRY PROGRAM

- Adjacencies are prioritized for maximum security and rehabilitative outcomes.
- Appropriate administrative support space is provided for the community service providers.
- Educational and vocational spaces reflect employment trends in the communities of residence, and spaces may be allocated for both on-the-job training and job-readiness courses.

### **Project Management**

CDCR will utilize a project management approach in tracking progress on each SCRF. A project management plan will be developed for each project and project managers will be assigned. Scope, schedule, staffing needs, (projected) costs, deliverables, major milestones, approach, and successful completion criteria will be identified for each objective.

Progress in siting and constructing the SCRFs will be updated in subsequent iterations of CDCR's Five-Year Infrastructure Plan and the Master Plan Annual Report.

2008 State Population By County and Percent of Total  
Includes a Side-by-Side of State Population vs. Percent of Inmate Admissions

| Alphabetical Listing |                   |                                 |                                   |
|----------------------|-------------------|---------------------------------|-----------------------------------|
| County               | County Population | Percent of Statewide Population | Percent of Male Inmate Admissions |
| Alameda              | 1,543,000         | 4.06%                           | 2.40%                             |
| Alpine               | 1,222             | 0.00%                           | 0.00%                             |
| Amador               | 37,943            | 0.10%                           | 0.10%                             |
| Butte                | 220,407           | 0.58%                           | 0.80%                             |
| Calaveras            | 46,127            | 0.12%                           | 0.10%                             |
| Colusa               | 21,910            | 0.06%                           | 0.00%                             |
| Contra Costa         | 1,051,674         | 2.77%                           | 0.80%                             |
| Del Norte            | 29,419            | 0.08%                           | 0.10%                             |
| El Dorado            | 179,722           | 0.47%                           | 0.30%                             |
| Fresno               | 931,098           | 2.45%                           | 3.40%                             |
| Glenn                | 29,195            | 0.08%                           | 0.10%                             |
| Humboldt             | 132,821           | 0.35%                           | 0.40%                             |
| Imperial             | 176,158           | 0.46%                           | 0.30%                             |
| Inyo                 | 18,152            | 0.05%                           | 0.10%                             |
| Kern                 | 817,517           | 2.15%                           | 3.20%                             |
| Kings                | 154,434           | 0.41%                           | 0.80%                             |
| Lake                 | 64,059            | 0.17%                           | 0.20%                             |
| Lassen               | 35,757            | 0.09%                           | 0.10%                             |
| Madera               | 150,887           | 0.40%                           | 0.50%                             |
| Los Angeles          | 10,363,850        | 27.26%                          | 32.50%                            |
| Marin                | 257,406           | 0.68%                           | 0.20%                             |
| Mariposa             | 18,406            | 0.05%                           | 0.00%                             |
| Mendocino            | 90,163            | 0.24%                           | 0.20%                             |
| Merced               | 255,250           | 0.67%                           | 0.70%                             |
| Modoc                | 9,702             | 0.03%                           | 0.00%                             |
| Mono                 | 13,759            | 0.04%                           | 0.00%                             |
| Monterey             | 428,549           | 1.13%                           | 0.90%                             |
| Napa                 | 136,704           | 0.36%                           | 0.20%                             |
| Nevada               | 99,186            | 0.26%                           | 0.10%                             |
| Orange               | 3,121,251         | 8.21%                           | 6.90%                             |
| Placer               | 333,401           | 0.88%                           | 0.60%                             |
| Plumas               | 20,917            | 0.06%                           | 0.00%                             |
| Riverside            | 2,088,322         | 5.49%                           | 6.70%                             |
| Sacramento           | 1,424,415         | 3.75%                           | 3.60%                             |
| San Benito           | 57,784            | 0.15%                           | 0.10%                             |
| San Bernardino       | 2,055,766         | 5.41%                           | 9.30%                             |
| San Diego            | 3,146,274         | 8.28%                           | 6.50%                             |
| San Francisco        | 824,525           | 2.17%                           | 1.00%                             |
| San Joaquin          | 680,183           | 1.79%                           | 1.80%                             |
| San Luis Obispo      | 267,154           | 0.70%                           | 0.50%                             |
| San Mateo            | 734,453           | 1.93%                           | 1.00%                             |

| Listing by County Population (Greatest to Least) |                   |                                 |                                   |
|--------------------------------------------------|-------------------|---------------------------------|-----------------------------------|
| County                                           | County Population | Percent of Statewide Population | Percent of Male Inmate Admissions |
| Los Angeles                                      | 10,363,850        | 27.26%                          | 32.50%                            |
| San Diego                                        | 3,146,274         | 8.28%                           | 6.50%                             |
| Orange                                           | 3,121,251         | 8.21%                           | 6.90%                             |
| Riverside                                        | 2,088,322         | 5.49%                           | 6.70%                             |
| San Bernardino                                   | 2,055,766         | 5.41%                           | 9.30%                             |
| Santa Clara                                      | 1,820,176         | 4.79%                           | 3.60%                             |
| Alameda                                          | 1,543,000         | 4.06%                           | 2.40%                             |
| Sacramento                                       | 1,424,415         | 3.75%                           | 3.60%                             |
| Contra Costa                                     | 1,051,674         | 2.77%                           | 0.80%                             |
| Fresno                                           | 931,098           | 2.45%                           | 3.40%                             |
| Ventura                                          | 831,587           | 2.19%                           | 1.30%                             |
| San Francisco                                    | 824,525           | 2.17%                           | 1.00%                             |
| Kern                                             | 817,517           | 2.15%                           | 3.20%                             |
| San Mateo                                        | 734,453           | 1.93%                           | 1.00%                             |
| San Joaquin                                      | 680,183           | 1.79%                           | 1.80%                             |
| Stanislaus                                       | 525,903           | 1.38%                           | 1.60%                             |
| Sonoma                                           | 484,470           | 1.27%                           | 0.70%                             |
| Tulare                                           | 435,254           | 1.15%                           | 1.40%                             |
| Monterey                                         | 428,549           | 1.13%                           | 0.90%                             |
| Santa Barbara                                    | 425,710           | 1.12%                           | 1.00%                             |
| Solano                                           | 423,970           | 1.12%                           | 0.90%                             |
| Placer                                           | 333,401           | 0.88%                           | 0.60%                             |
| San Luis Obispo                                  | 267,154           | 0.70%                           | 0.50%                             |
| Santa Cruz                                       | 265,183           | 0.70%                           | 0.20%                             |
| Marin                                            | 257,406           | 0.68%                           | 0.20%                             |
| Merced                                           | 255,250           | 0.67%                           | 0.70%                             |
| Butte                                            | 220,407           | 0.58%                           | 0.80%                             |
| Yolo                                             | 199,066           | 0.52%                           | 0.80%                             |
| Shasta                                           | 181,380           | 0.48%                           | 0.80%                             |
| El Dorado                                        | 179,722           | 0.47%                           | 0.30%                             |
| Imperial                                         | 176,158           | 0.46%                           | 0.30%                             |
| Kings                                            | 154,434           | 0.41%                           | 0.80%                             |
| Madera                                           | 150,887           | 0.40%                           | 0.50%                             |
| Napa                                             | 136,704           | 0.36%                           | 0.20%                             |
| Humboldt                                         | 132,821           | 0.35%                           | 0.40%                             |
| Nevada                                           | 99,186            | 0.26%                           | 0.10%                             |
| Sutter                                           | 95,878            | 0.25%                           | 0.50%                             |
| Mendocino                                        | 90,163            | 0.24%                           | 0.20%                             |
| Yuba                                             | 71,929            | 0.19%                           | 0.30%                             |
| Lake                                             | 64,059            | 0.17%                           | 0.20%                             |
| Tehama                                           | 62,419            | 0.16%                           | 0.20%                             |

2008 State Population By County and Percent of Total  
Includes a Side-by-Side of State Population vs. Percent of Inmate Admissions

| Alphabetical Listing |                   |                                 |                                   |
|----------------------|-------------------|---------------------------------|-----------------------------------|
| County               | County Population | Percent of Statewide Population | Percent of Male Inmate Admissions |
| Santa Barbara        | 425,710           | 1.12%                           | 1.00%                             |
| Santa Clara          | 1,820,176         | 4.79%                           | 3.60%                             |
| Santa Cruz           | 265,183           | 0.70%                           | 0.20%                             |
| Shasta               | 181,380           | 0.48%                           | 0.80%                             |
| Sierra               | 3,400             | 0.01%                           | 0.00%                             |
| Siskiyou             | 45,695            | 0.12%                           | 0.10%                             |
| Solano               | 423,970           | 1.12%                           | 0.90%                             |
| Sonoma               | 484,470           | 1.27%                           | 0.70%                             |
| Stanislaus           | 525,903           | 1.38%                           | 1.60%                             |
| Sutter               | 95,878            | 0.25%                           | 0.50%                             |
| Tehama               | 62,419            | 0.16%                           | 0.20%                             |
| Trinity              | 13,966            | 0.04%                           | 0.00%                             |
| Tuolumne             | 56,799            | 0.15%                           | 0.10%                             |
| Tulare               | 435,254           | 1.15%                           | 1.40%                             |
| Ventura              | 831,587           | 2.19%                           | 1.30%                             |
| Yolo                 | 199,066           | 0.52%                           | 0.80%                             |
| Yuba                 | 71,929            | 0.19%                           | 0.30%                             |
| <b>TOTAL</b>         | <b>38,011,707</b> | <b>100.00%</b>                  | <b>100%</b>                       |

| Listing by County Population (Greatest to Least) |                   |                                 |                                   |
|--------------------------------------------------|-------------------|---------------------------------|-----------------------------------|
| County                                           | County Population | Percent of Statewide Population | Percent of Male Inmate Admissions |
| San Benito                                       | 57,784            | 0.15%                           | 0.10%                             |
| Tuolumne                                         | 56,799            | 0.15%                           | 0.10%                             |
| Calaveras                                        | 46,127            | 0.12%                           | 0.10%                             |
| Siskiyou                                         | 45,695            | 0.12%                           | 0.10%                             |
| Amador                                           | 37,943            | 0.10%                           | 0.10%                             |
| Lassen                                           | 35,757            | 0.09%                           | 0.10%                             |
| Del Norte                                        | 29,419            | 0.08%                           | 0.10%                             |
| Glenn                                            | 29,195            | 0.08%                           | 0.10%                             |
| Colusa                                           | 21,910            | 0.06%                           | 0.00%                             |
| Plumas                                           | 20,917            | 0.06%                           | 0.00%                             |
| Mariposa                                         | 18,406            | 0.05%                           | 0.00%                             |
| Inyo                                             | 18,152            | 0.05%                           | 0.10%                             |
| Trinity                                          | 13,966            | 0.04%                           | 0.00%                             |
| Mono                                             | 13,759            | 0.04%                           | 0.00%                             |
| Modoc                                            | 9,702             | 0.03%                           | 0.00%                             |
| Sierra                                           | 3,400             | 0.01%                           | 0.00%                             |
| Alpine                                           | 1,222             | 0.00%                           | 0.00%                             |
| <b>TOTAL</b>                                     | <b>38,011,707</b> | <b>100%</b>                     | <b>100%</b>                       |

Source: California State Association of Counties, 2009

## AB 900 Local Jail Funding and Reentry Participation

**Table Legend (see rank column)**

a-Signed agreements but have not yet completed site selection, approval, and acquisition.

b-Proposed three-county joint facility on the site of the former NCWF near Stockton.

c-Went to the State PWB in January 2009 for site selection approval.

d-Proposed three-county joint facility (Central Coast Secure Community Reentry Facility), also the proposed site of Estrella Correctional Facility, both on the site of the former El Paseo de Robles Youth Correctional Facility.

e-Proposed two-county joint facility for Madera and Fresno counties with a facility to be located in Madera County. Although Fresno County has a signed Agreement to Cooperate, it is not among the ranked counties to receive AB 900 jail funds yet it is going forward with plans for a joint facility with Madera County.

f-Counties opting out of participating in the Reentry Program. Los Angeles County for example, which produces over 30 percent of inmates entering the prison system and over 30 percent of parolees, opted out of participating in the Reentry Program. Of the five largest counties accounting for over 61 percent of the male felons and parolees (Los Angeles, San Diego, Orange, Riverside, and San Bernardino), only San Bernardino and San Diego are moving forward with the Reentry Program and AB 900 jail funding.

| Proposed Counties To Receive AB 900 Jail Funding With Signed Community Reentry Facility Site Agreements |                                      |                         |                  |                   |                                     |
|---------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------|------------------|-------------------|-------------------------------------|
| Rank                                                                                                    | County                               | Signed Siting Agreement | Amount Requested | Recommended Award | Sites Proposed for Site Acquisition |
| <b>Medium/Large County Set-Aside</b>                                                                    |                                      |                         |                  |                   |                                     |
| 1 - c                                                                                                   | San Bernardino                       | *                       | \$100,000,000    | \$100,000,000     | 1                                   |
| 2 - b                                                                                                   | San Joaquin                          | *                       | \$80,000,000     | \$80,000,000      | State Owned - NCRF                  |
| 3 - c                                                                                                   | Kern                                 | *                       | \$100,000,000    | \$100,000,000     | 1                                   |
| 4 - f                                                                                                   | Orange                               |                         | \$100,000,000    | \$0               |                                     |
| 5 - d                                                                                                   | Santa Barbara                        | *                       | \$56,295,000     | \$56,295,000      | State Owned - CCRF                  |
| 6 - a                                                                                                   | San Diego                            | *                       | \$100,000,000    | \$100,000,000     | RJD Proposed                        |
| 7 - f                                                                                                   | Monterey                             |                         | \$80,000,000     | \$0               |                                     |
| 8 - f                                                                                                   | Los Angeles                          |                         | \$100,000,000    | \$0               |                                     |
| 9 - d                                                                                                   | San Louis Obispo                     | *                       | \$25,125,630     | \$25,125,630      | State Owned - CCRF                  |
| 10 - f                                                                                                  | San Mateo                            |                         | \$100,000,000    | \$0               |                                     |
| 11 - f                                                                                                  | Butte                                |                         | \$30,000,000     | \$0               |                                     |
| 12 - f                                                                                                  | Placer                               |                         | \$9,389,606      | \$0               |                                     |
| 13 - b                                                                                                  | Stanislaus                           |                         | \$39,790,500     | \$0               |                                     |
| 14 - f                                                                                                  | Merced                               |                         | \$27,846,040     | \$0               |                                     |
| 15 - a                                                                                                  | Solano                               | *                       | \$61,545,000     | \$61,545,000      |                                     |
|                                                                                                         | <b>Set-Aside – Jail Construction</b> |                         | \$650,000,000    |                   |                                     |
|                                                                                                         | <b>Participating Counties</b>        |                         | \$1,009,991,776  | \$522,965,630     |                                     |
|                                                                                                         | <b>Remaining Available</b>           |                         | *\$127,034,370   |                   |                                     |
| <b>Small County Set-Aside</b>                                                                           |                                      |                         |                  |                   |                                     |
| 1 - f                                                                                                   | Yolo                                 |                         | \$30,000,000     |                   |                                     |
| 2 - f                                                                                                   | Kings                                |                         | \$30,000,000     | \$0               |                                     |
| 3 - c                                                                                                   | Madera                               | *                       | \$30,000,000     | \$30,000,000      | 1                                   |
| 4 - b                                                                                                   | Calaveras                            | *                       | \$26,387,591     | \$26,387,591      | State Owned - NCRF                  |
| 5 - f                                                                                                   | Tuolumne                             |                         | \$30,000,000     | \$0               |                                     |
| 6 - f                                                                                                   | Shasta                               |                         | \$24,999,187     | \$0               |                                     |
| 7 - b                                                                                                   | Amador                               | *                       | \$22,712,000     | \$22,712,000      | State Owned - NCRF                  |
| 8 - f                                                                                                   | El Dorado                            |                         | \$20,000,000     | \$0               |                                     |
| 9 - d                                                                                                   | San Benito                           | *                       | \$15,053,000     | \$15,053,000      | State Owned - CCRF                  |
| 10 - f                                                                                                  | Sutter                               |                         | \$5,990,288      | \$0               |                                     |
|                                                                                                         | <b>Set-Aside – Jail Construction</b> |                         | \$100,000,000    |                   |                                     |
|                                                                                                         | <b>Participating Counties</b>        |                         | \$235,142,066    | \$94,152,591      |                                     |
|                                                                                                         | <b>Remaining Available</b>           |                         | \$5,847,409      |                   |                                     |

**Note:** This table is used to display the award of jail bond funds authorized in AB 900. It does not reflect all local jurisdictions supporting or participating in the Reentry Program.

■ Southern California 
 ■ San Francisco Bay Area 
 ■ Remainder of State  
 Updated 10/27/09

| Male Felon Admissions, Population, and Paroles by County for Calendar Years 2009 |                                        |                                    |                                            |                                      |                               |                          |                                 |                              | City/County Reentry Participation                   |                                        |
|----------------------------------------------------------------------------------|----------------------------------------|------------------------------------|--------------------------------------------|--------------------------------------|-------------------------------|--------------------------|---------------------------------|------------------------------|-----------------------------------------------------|----------------------------------------|
| 2009 Male Inmate Population vs. 2009 Admissions                                  |                                        |                                    | 2009 Male Parole Population                |                                      |                               |                          | 2009 Male Returned to Custody   |                              | Cities/Counties Participating in Reentry Program    |                                        |
| County of Commitment                                                             | CDCR Total Inmate Population by County | Percent of Total Inmate Population | 2009 Male Total Felon Admissions by County | Percent of Male Admissions by County | Male Parolees Total by County | Percent of Total Paroles | Return to Custody With New Term | Percent of Return to Custody | Cities/Counties with Signed Agreements to Cooperate | Cities/Counties With Siting Agreements |
| Alameda                                                                          | 4,244                                  | 2.7                                | 1,124                                      | 2.0                                  | 2,881                         | 3.0                      | 286                             | 1.7                          |                                                     |                                        |
| Alpine                                                                           | 3                                      | 0.0                                | 1                                          | 0.0                                  | 1                             | 0                        | 0                               | 0                            |                                                     |                                        |
| Amador                                                                           | 198                                    | 0.1                                | 58                                         | 0.1                                  | 122                           | 0.1                      | 9                               | 0.1                          | X                                                   | X                                      |
| Butte                                                                            | 1,245                                  | 0.8                                | 388                                        | 0.7                                  | 806                           | 0.8                      | 97                              | 0.6                          | X                                                   |                                        |
| Calaveras                                                                        | 104                                    | 0.1                                | 45                                         | 0.1                                  | 108                           | 0.1                      | 8                               | 0                            | X                                                   | X                                      |
| Colusa                                                                           | 80                                     | 0.0                                | 28                                         | 0.1                                  | 45                            | 0                        | 1                               | 0                            |                                                     |                                        |
| Contra Costa                                                                     | 1,848                                  | 1.2                                | 496                                        | 0.9                                  | 1,006                         | 1.0                      | 113                             | 0.7                          |                                                     |                                        |
| Del Norte                                                                        | 148                                    | 0.1                                | 33                                         | 0.1                                  | 75                            | 0.1                      | 5                               | 0                            |                                                     |                                        |
| El Dorado                                                                        | 408                                    | 0.3                                | 142                                        | 0.3                                  | 314                           | 0.3                      | 29                              | 0.2                          | X                                                   |                                        |
| Fresno                                                                           | 4,861                                  | 3.1                                | 1,965                                      | 3.5                                  | 3,670                         | 3.8                      | 534                             | 3.1                          | X                                                   |                                        |
| Glenn                                                                            | 115                                    | 0.1                                | 32                                         | 0.1                                  | 95                            | 0.1                      | 11                              | 0.1                          |                                                     |                                        |
| Humboldt                                                                         | 549                                    | 0.3                                | 216                                        | 0.4                                  | 440                           | 0.5                      | 83                              | 0.5                          |                                                     |                                        |
| Imperial                                                                         | 385                                    | 0.2                                | 177                                        | 0.3                                  | 295                           | 0.3                      | 77                              | 0.5                          |                                                     |                                        |
| Inyo                                                                             | 84                                     | 0.1                                | 38                                         | 0.1                                  | 65                            | 0.1                      | 7                               | 0                            |                                                     |                                        |
| Kern                                                                             | 4,647                                  | 2.9                                | 1,982                                      | 3.5                                  | 3,596                         | 3.7                      | 681                             | 4.0                          | X                                                   | X                                      |
| Kings                                                                            | 1,417                                  | 0.9                                | 549                                        | 1.0                                  | 760                           | 0.8                      | 122                             | 0.7                          | X                                                   |                                        |
| Lake                                                                             | 413                                    | 0.3                                | 126                                        | 0.2                                  | 330                           | 0.3                      | 17                              | 0.1                          |                                                     |                                        |
| Lassen                                                                           | 143                                    | 0.1                                | 46                                         | 0.1                                  | 98                            | 0.1                      | 7                               | 0                            |                                                     |                                        |
| Los Angeles                                                                      | 52,430                                 | 33.2                               | 18,419                                     | 32.6                                 | 28,4                          | 29.4                     | 5,912                           | 34.7                         | X                                                   |                                        |
| Madera                                                                           | 666                                    | 0.4                                | 257                                        | 0.5                                  | 500                           | 0.5                      | 52                              | 0.3                          | X                                                   | X                                      |
| Marin                                                                            | 412                                    | 0.3                                | 106                                        | 0.2                                  | 173                           | 0.2                      | 18                              | 0.1                          |                                                     |                                        |

| 2009 Male Inmate Population vs. 2009 Admissions |                                       |                              | 2009 Male Parole Population                |                                      |                               |                          | 2009 Male Returned to Custody   |                              | Cities/Counties Participating in Reentry Program    |                                        |
|-------------------------------------------------|---------------------------------------|------------------------------|--------------------------------------------|--------------------------------------|-------------------------------|--------------------------|---------------------------------|------------------------------|-----------------------------------------------------|----------------------------------------|
| County of Commitment                            | CDCR Male Inmate Population by County | Percent of Inmate Population | 2009 Total Male Felon Admissions by County | Percent of Male Admissions by County | Male Parolees Total by County | Percent of Total Paroles | Return to Custody With New Term | Percent of Return to Custody | Cities/Counties with Signed Agreements to Cooperate | Cities/Counties With Siting Agreements |
| Mariposa                                        | 80                                    | 0.0                          | 28                                         | 0                                    | 48                            | 0                        | 4                               | 0                            |                                                     |                                        |
| Mendocino                                       | 355                                   | 0.2                          | 128                                        | 0.2                                  | 206                           | 0.2                      | 33                              | 0.2                          |                                                     |                                        |
| Merced                                          | 1,144                                 | 0.7                          | 397                                        | 0.7                                  | 802                           | 0.8                      | 99                              | 0.6                          |                                                     |                                        |
| Modoc                                           | 28                                    | 0.0                          | 8                                          | 0.0                                  | 25                            | 0                        | 1                               | 0                            |                                                     |                                        |
| Mono                                            | 35                                    | 0.0                          | 18                                         | 0.0                                  | 17                            | 0                        | 3                               | 0                            |                                                     |                                        |
| Monterey                                        | 1,682                                 | 1.1                          | 563                                        | 1.0                                  | 1,049                         | 1.1                      | 144                             | 0.8                          | X                                                   |                                        |
| Napa                                            | 383                                   | 0.2                          | 147                                        | 0.3                                  | 229                           | 0.2                      | 34                              | 0.2                          |                                                     |                                        |
| Nevada                                          | 131                                   | 0.1                          | 46                                         | 0.1                                  | 89                            | 0.1                      | 11                              | .1                           |                                                     |                                        |
| Orange                                          | 8,697                                 | 5.5                          | 3,745                                      | 6.6                                  | 6,037                         | 6.3                      | 1,124                           | 6.6                          | X                                                   |                                        |
| Placer                                          | 935                                   | 0.6                          | 306                                        | 0.5                                  | 614                           | 0.6                      | 87                              | 0.5                          |                                                     |                                        |
| Plumas                                          | 68                                    | 0.0                          | 35                                         | 0.1                                  | 43                            | 0                        | 4                               | 0                            |                                                     |                                        |
| Riverside                                       | 10,185                                | 6.4                          | 3,334                                      | 5.9                                  | 5,479                         | 5.7                      | 1,154                           | 6.8                          |                                                     |                                        |
| Sacramento                                      | 7,274                                 | 4.6                          | 2,153                                      | 3.8                                  | 3,694                         | 3.8                      | 635                             | 3.7                          |                                                     |                                        |
| City of Folsom (Sacramento Co.)                 | NA                                    | Na                           | NA                                         | NA                                   | NA                            | NA                       | NA                              | NA                           |                                                     | Resolution in place                    |
| San Benito                                      | 136                                   | 0.1                          | 64                                         | 0.1                                  | 97                            | 0.1                      | 14                              | 0.1                          | X                                                   | X                                      |
| San Bernardino                                  | 11,630                                | 7.4                          | 5,364                                      | 9.5                                  | 7,681                         | 8.0                      | 1,827                           | 10.7                         | X                                                   | X                                      |
| San Diego                                       | 11,731                                | 7.4                          | 3,677                                      | 6.5                                  | 6,197                         | 6.4                      | 1,105                           | 6.5                          | X                                                   | X                                      |
| San Francisco                                   | 1,501                                 | 0.9                          | 580                                        | 1.0                                  | 1,285                         | 1.3                      | 191                             | 1.1                          |                                                     |                                        |
| San Joaquin                                     | 3,452                                 | 2.3                          | 1,150                                      | 2.0                                  | 2,071                         | 2.1                      | 297                             | 1.7                          | X                                                   | X                                      |
| San Luis Obispo                                 | 745                                   | 0.4                          | 279                                        | 0.5                                  | 472                           | 0.5                      | 93                              | 0.5                          | X                                                   | X                                      |
| San Mateo                                       | 1,541                                 | 1.0                          | 592                                        | 1.0                                  | 1,187                         | 1.2                      | 156                             | .9                           | X                                                   |                                        |
| Santa Barbara                                   | 1,568                                 | 1.0                          | 669                                        | 1.2                                  | 1,065                         | 1.1                      | 176                             | 1.0                          | X                                                   | X                                      |
| Santa Clara                                     | 5,465                                 | 3.5                          | 1,910                                      | 3.4                                  | 3,974                         | 4.1                      | 475                             | 2.8                          |                                                     |                                        |
| Santa Cruz                                      | 519                                   | 0.3                          | 154                                        | 0.3                                  | 287                           | 0.3                      | 26                              | 0.2                          |                                                     |                                        |
| Shasta                                          | 1,361                                 | 0.9                          | 428                                        | 0.8                                  | 819                           | 0.8                      | 98                              | 0.6                          |                                                     |                                        |

| 2009 Male Inmate Population vs. 2009 Admissions |                                       |                              | 2009 Male Parole Population                |                                      |                               |                          | 2009 Male Returned to Custody   |                              | Cities/Counties Participating in Reentry Program    |                                        |
|-------------------------------------------------|---------------------------------------|------------------------------|--------------------------------------------|--------------------------------------|-------------------------------|--------------------------|---------------------------------|------------------------------|-----------------------------------------------------|----------------------------------------|
| County of Commitment                            | CDCR Male Inmate Population by County | Percent of Inmate Population | 2009 Total Male Felon Admissions by County | Percent of Male Admissions by County | Male Parolees Total by County | Percent of Total Paroles | Return to Custody With New Term | Percent of Return to Custody | Cities/Counties with Signed Agreements to Cooperate | Cities/Counties With Siting Agreements |
| Sierra                                          | 10                                    | 0.0                          | 1                                          | 0.0                                  | 4                             | 0                        |                                 | 0                            |                                                     |                                        |
| Siskiyou                                        | 229                                   | 0.1                          | 45                                         | 0.1                                  | 114                           | 0.1                      | 8                               | 0                            |                                                     |                                        |
| Solano                                          | 1,498                                 | 1.0                          | 534                                        | .9                                   | 1,187                         | 1.2                      | 164                             | 1.0                          | X                                                   | X                                      |
| City of Fairfield (Solano County)               |                                       |                              |                                            |                                      |                               |                          |                                 |                              |                                                     | Resolution of Community Support        |
| Sonoma                                          | 1,169                                 | 0.7                          | 420                                        | 0.7                                  | 710                           | 0.7                      | 77                              | 0.5                          |                                                     |                                        |
| Stanislaus                                      | 2,309                                 | 1.5                          | 927                                        | 1.6                                  | 1,381                         | 1.4                      | 306                             | 1.8                          |                                                     |                                        |
| Sutter                                          | 441                                   | 0.3                          | 225                                        | 0.4                                  | 418                           | 0.4                      | 48                              | 0.3                          |                                                     |                                        |
| Tehama                                          | 394                                   | 0.2                          | 122                                        | 0.2                                  | 264                           | 0.3                      | 26                              | 0.2                          |                                                     |                                        |
| Trinity                                         | 57                                    | 0.0                          | 21                                         | 0.0                                  | 48                            | 0                        | 5                               | 0                            |                                                     |                                        |
| Tulare                                          | 2,742                                 | 1.7                          | 815                                        | 1.4                                  | 1,383                         | 1.4                      | 215                             | 1.3                          |                                                     |                                        |
| Tuolumne                                        | 242                                   | 0.2                          | 66                                         | 0.1                                  | 137                           | 0.1                      | 11                              | 0.1                          | X                                                   |                                        |
| Ventura                                         | 2,137                                 | 1.4                          | 721                                        | 1.3                                  | 1,296                         | 1.3                      | 193                             | 1.1                          |                                                     |                                        |
| Yolo                                            | 1,064                                 | 0.7                          | 460                                        | 0.8                                  | 704                           | 0.7                      | 89                              | 0.5                          | X                                                   |                                        |
| Yuba                                            | 485                                   | 0.3                          | 156                                        | 0.3                                  | 357                           | 0.4                      | 48                              | 0.3                          |                                                     |                                        |
| Other                                           | 284                                   | 0.2                          |                                            |                                      | 1,329                         | 1.4                      |                                 |                              |                                                     |                                        |
| <b>TOTAL</b>                                    | <b>158,100</b>                        | <b>100</b>                   | <b>56,516</b>                              | <b>100</b>                           | <b>96,580</b>                 | <b>100</b>               | <b>17,050</b>                   | <b>100</b>                   | <b>21</b>                                           | <b>11</b>                              |

Note that the above table represents counties of commitment, not the county of last legal residence which is part of the criteria used for the placement of eligible inmates in a reentry facility. CDCR does not currently report on counties of last legal.

Links are: [http://www.cdcr.ca.gov/Reports\\_Research/Offender\\_Information\\_Services\\_Branch/Annual/ACHAR1/ACHAR1d2006.pdf](http://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Annual/ACHAR1/ACHAR1d2006.pdf) <http://intranet/PED/Offender-Information/Reports/Annual/Census/CENSUSd0706.pdf>

### Reentry Facility Design Overview

The Prototype Facility Design Concepts contained in this document reflect the Conceptual Program Plan for SCRF and are to be used as a guide as final program and design is developed for individual reentry facilities within specific counties and on specific sites.

It is the intent of this document to provide “A Kit of Parts” which shows a variety of design options depending upon the following:

- Facility Size (500 beds)
- Mix of Housing Types
  - Single Cell
  - Quads
- Site Size Configuration
  - Low-Rise (12-15 acres)
  - Mid-Rise (4-12 acres)

### Facility Size

Early in the development of the Reentry Program conceptual programs were developed for 500-bed, 200-bed, and 100-bed models. In further development of the program and cost analysis it was determined that the smaller designs would be uneconomical to construct, operate, and support. Economies of scale could not be realized with the smaller designs. As such, the Secretary has given approval only for the 500-bed design and program as follows;

| ELEMENTS       | 500-Bed |
|----------------|---------|
| Intake Housing | 20      |
| Single Cell    | 32      |
| Quads          | 448     |

In addition to the housing capacity changes and reductions, the program and service areas would change somewhat proportionately.

### Square Footage (SF) Chart

| ELEMENTS          | 500-Bed   |
|-------------------|-----------|
| Resident Service  | 20,000 SF |
| Resident Programs | 46,000 SF |
| Administration    | 23,000 SF |
| Facility Support  | 32,000 SF |

It is also understood that depending upon individual communities' requirements and capabilities, individual elements could be eliminated or reduced (i.e., food service, laundry, maintenance, or warehouse).

### Housing Mix

The 500-bed Program Prototype assumes 1 celled housing unit at 52 beds and 7 quad housing units at 64 beds each, with 4 shared housing support units.

### Site Configuration/Building Density

The last major variable determining facility design is the size and configuration of the site. Therefore, one conceptual low-rise facility design and three conceptual mid rise facility diagrams

are provided showing from 4 to 15 acres with the 425-car parking requirements. In the mid-rise schemes on the reduced acreage, additional parking is provided underground.

### **Common Threads**

Each facility concept diagram and 3-D model is based on the following concepts:

1. Each SCRF is designed to fit into the site context of the community where it resides and should not project the image of a prison.
2. Building materials, forms, and fenestration are to be selected to enhance or blend into the surrounding context projecting a secure but not “prisonlike” image.
3. The facility plan configuration should reflect the “Therapeutic Mall Environment” of programs and services organized horizontally or vertically with natural light and connectivity to outdoors.
4. The security perimeter will be the building perimeter negating the need for fencing or razor wire that could compromise the image of the facility in the community. Outdoor courtyards for prisoners will have overhead security mesh and a minimum of 20’ non-climb walls.
5. Dining is decentralized at each housing unit reinforcing the smaller 64-bed therapeutic community.
6. The public lobby is observed by “Central Control” and provides access to the following:
  - Visitation/pedestrian sallyport through security check
  - Administration/staff support areas
7. Public vehicular access is provided to a 425-car parking lot for staff and public from a primary public access road.
8. Separate service and/or prisoner vehicle Sallyport access is provided from the major vehicle access road.
9. A functional grouping of intake/intake housing and medical is maintained.
10. Administration/staff support are outside security on the second level.
11. Warehouse, maintenance, food service, and laundry are co-located.

### **Renderings Index**

Larger Site Low-Rise Concept

- Conceptual Facility Elevations
- Interior Perspectives
- First Floor Plan
- Mezzanine Floor Plan
- Second Floor Plan
- Axonometric Facility Plan

Smaller Site Urban Medium-Rise Concept

- Schemes A, B, C, and D (see Attachment E, pages R-17 thru R-23)

# Conceptual Reentry Facility Elevations



Scheme A



Scheme B



Scheme C



Scheme D





STATE OF CALIFORNIA  
DEPARTMENT OF CORRECTIONS AND REHABILITATION  
*Secure Community Reentry Facilities*

Interior Perspectives





STATE OF CALIFORNIA  
DEPARTMENT OF CORRECTIONS AND REHABILITATION  
*Secure Community Reentry Facilities*

First Floor Plan

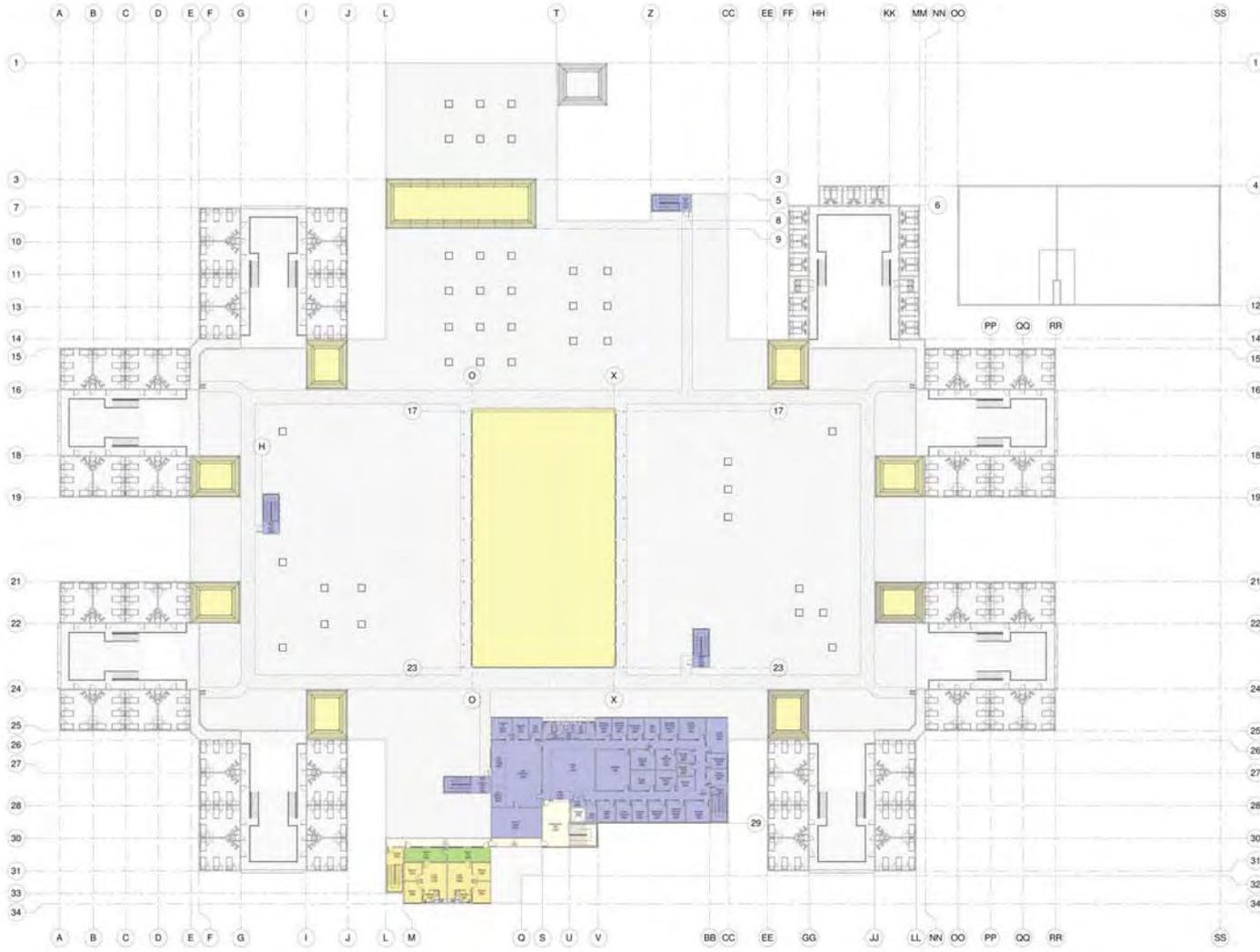




STATE OF CALIFORNIA  
DEPARTMENT OF CORRECTIONS AND REHABILITATION  
*Secure Community Reentry Facilities*

Mezzanine Floor Plan



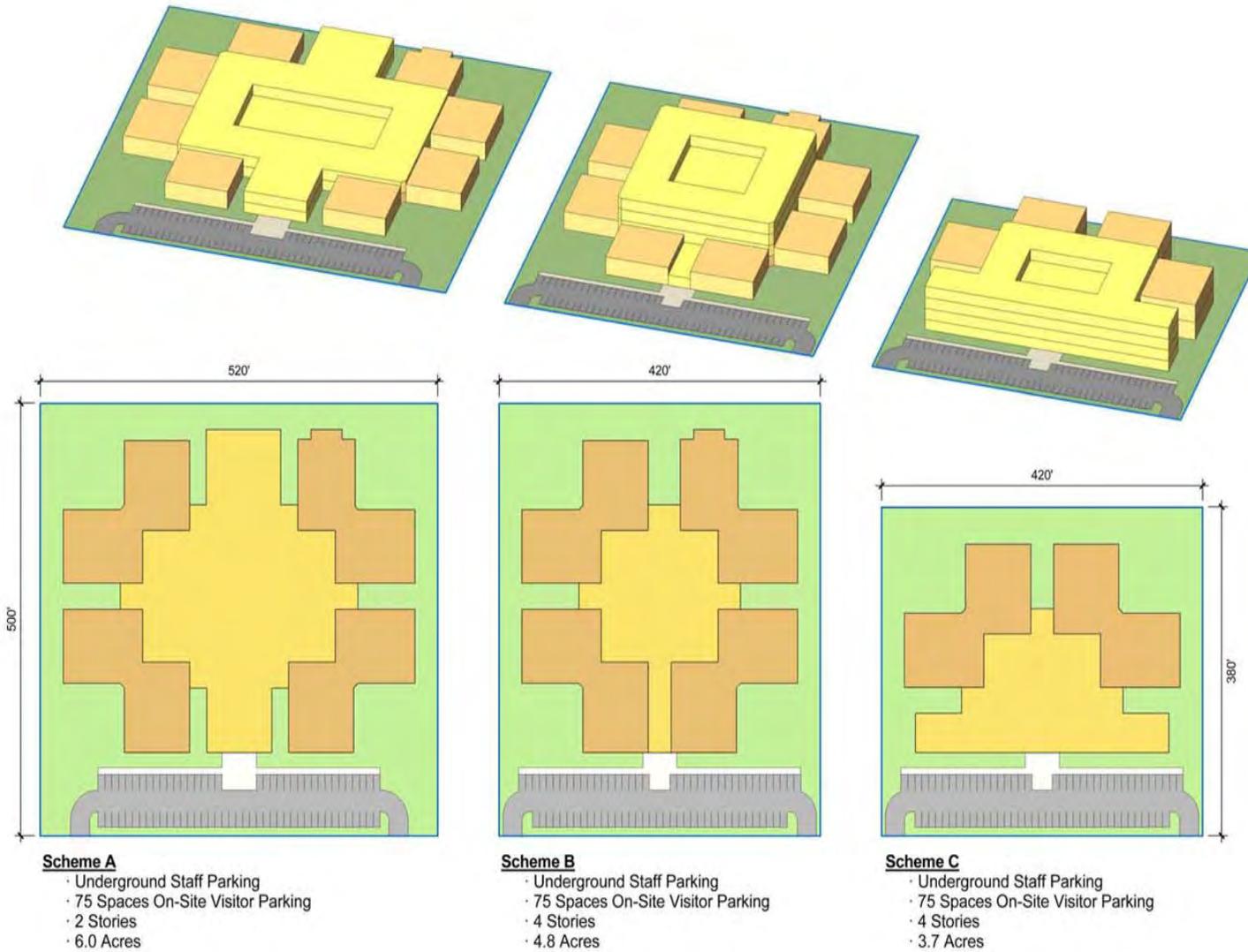


STATE OF CALIFORNIA  
DEPARTMENT OF CORRECTIONS AND REHABILITATION  
*Secure Community Reentry Facilities*

Second Floor Plan







STATE OF CALIFORNIA  
 DEPARTMENT OF CORRECTIONS AND REHABILITATION  
*Secure Community Reentry Facilities*

Mid-Rise Schemes



# **ADULT HEALTH CARE PROGRAM**

The California Department of Corrections and Rehabilitation (CDCR) is responsible for providing the incarcerated population within California's correctional system access to health care services that CDCR considers necessary to protect life, prevent significant illness or disability, or alleviate severe pain. Health care includes the prevention, treatment, and management of illness and the preservation of mental health and oral health through the services offered by CDCR's medical, nursing, and allied health professions. The Division of Correctional Health Care Services (DCHCS) along with the California Prison Health Care Receivership (CPR) develops, implements, and monitors California's comprehensive correctional health care services program. The Division of Juvenile Justice (DJJ) administers the health care program for youthful offenders. Health care staff provide inmates/youthful offenders access to necessary health care services in keeping with generally accepted community practices.

Inmate pre-incarceration lifestyles, particularly intravenous drug use, violence, poverty, poor nutrition, and sporadic access to health care are significant determinants of whether or not they will need health care once incarcerated. According to a latest available 2004 United States Department of Justice report<sup>1</sup>, inmates at state and federal correctional agencies who reported having current medical problems (44% on average) reported experiencing homelessness in the year prior to arrest (51%), using a needle to inject drugs (60%), and reported receiving government assistance (61%). In addition to basic medical needs, the incarcerated population has a higher rate of conditions such as hepatitis, tuberculosis, Human Immunodeficiency Virus (HIV), and numerous other chronic health conditions. Compounding the impact on the prison health care system is the fact that these health issues often manifest themselves at an earlier age than experienced by the population in the community at large and are often more severe due to the condition of their minds and bodies from years of abuse and neglect.

The burden of poor health and disease in prisoners, particularly new arrivals, and the quality of their care are significant public health issues. Untreated disease is a risk not only to the prisoner, but to their families, other inmates, staff, and the outside community. Just this year the value of a viable and proactive health care system within CDCR's system was once again demonstrated when CDCR was able to quarantine institutions and isolate and treat hundreds of inmates at various institutions for the H1N1 or Swine Flu virus to prevent the further spread of the virus to other inmates, staff, and the community.

The health care and preventive services provided to inmates reduce the burden of illness in society, lower the probability of disease transmission, and enhances the economic potential of prisoners as they become productive members of society upon release. Generally these services are provided by CDCR staff within the secure perimeter of institutions or by escorting the inmate to the service within the communities. As with the general public, the majority of inmates/youthful offenders' health treatment needs are provided as outpatient services where the inmate/ward sees a practitioner/clinician, participates in a treatment regime/program, receives therapy and, if appropriate, returns to their designated housing unit. Treatment needs requiring a level of health care that CDCR is unable to offer are made available through outside contracted services.

### **Existing Facilities**

The majority of the medical, mental health, and dental facilities utilized for the provision of health care services within CDCR were not designed for the levels of overcrowding at an institutions-wide 178 percent as of October 31, 2010. Additions to health care facilities in prisons built prior to 1984 were not designed to accommodate the additional inmate populations that those

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<sup>1</sup> Correctional Health Care, 2004 Edition, U.S. Department of Justice, National Institute of Corrections

facilities now serve and clinical space is less than half of what is necessary for daily operations. Prisons built after 1984 were constructed to accommodate certain overcrowding levels of a short-term nature but were also not designed with sufficient treatment space to adequately serve the long-term overcrowding CDCR continues to experience.

Demands for space to provide treatment and support the health care delivery system continue to increase as the inmate population increases and ages and the scope of needed health care services increase. Drivers for increased space and staffing include changing statutes and community standards, revised policies and guidelines, and federal court requirements regarding quality and increased access to health care. New programs are being implemented requiring additional space for increased staff, treatment and programming, storage, and health records. These changes are placing demands on infrastructure capacity far beyond current capability.

Space within the facilities throughout the State is continually being converted from its design intent to provide temporary treatment and staff space to meet the increasing demand. Health care treatment is sometimes even provided in hallways, corridors, and other spaces not conducive for health care operations. Patient interviews and treatment are often restricted to existing size and type of construction that may impact the treatment environment and could jeopardize CDCR's ability to maintain State licensure of impacted facilities and potentially violates the inmate-patient's right to privacy.

All institutions have dental clinics within the Central Health Services buildings and/or located within the yard/satellite clinics. The clinics include treatment and some support space but are sometimes inefficient in size and spatial relation to support functions, i.e. clean and soiled utility room, equipment storage, proper sterilization, and lab space. Examination and treatment rooms often are undersized and have two chairs in a room which restricts movement by a dentist and assistant around the chair and patient during treatment. In addition, much of the existing equipment at the institutions is older or obsolete and suffers from the effects of deferred maintenance and abuse as the result of overcrowding.

### **The Courts**

CDCR is involved in a number of federal court cases regarding the provision of appropriate and/or adequate levels of health care available to inmates/youthful offenders. They have focused on all three modalities; medical, mental health, and dental services. The three core clinical health programs are subject to continuous intervention and monitoring by the federal courts for constitutional compliance under the various lawsuits listed on the following pages. CDCR has addressed some of the most significant compliance issues as identified in these court cases using temporary housing situations, converted treatment space, and providing increased community and registry services. CDCR has also provided additional licensed space, expanded mental health housing capacity, and some treatment space. Some of these responses, however, have not provided long-term solutions acceptable to the courts monitoring CDCR's programs. CDCR completed some permanent bed projects in 2009 and prior in order to meet the requirements of the *Coleman* court, but a lot remains to be done. The CPR and CDCR are working in a coordinated effort to provide the facilities needed to bring CDCR into court compliance in providing constitutionally adequate inmate health care and CDCR continues in its plans to build projects for the *Coleman* court. The following is a synopsis of the individual cases. For expanded information please see the Court Cases section in Appendix E.

**Farrell v. Cate:** DJJ officials signed a Consent Decree agreeing to remedy serious ongoing problems and conditions in the DJJ facilities. The decree requires DJJ to provide youthful offenders with adequate and effective care, treatment, and rehabilitative services, including

reducing violence and the use of force, improving medical and mental health care, reducing the use of lock-ups, and providing better education programs. The Consent Decree was followed by a stipulated agreement regarding DJJ remedial efforts in which DJJ agreed on a schedule to reform the juvenile justice system, the goal of which is to create a system that is rehabilitative and provides a therapeutic environment for youthful offenders. CDCR filed with the court the following six plans:

- Medical Care Interim Plan by February 4, 2005;
- Education Remedial Plan by March 1, 2005;
- Mental Health Care Interim Plan by April 8, 2005;
- Disabilities Remedial Plan by May 1, 2005;
- Safety and Welfare Plan by November 30, 2005; and
- Sexual Behavior Treatment Program Remedial Plan by November 30, 2005.

Collectively these are known as the Farrell Remedial Plans. On October 25, 2008, the court directed CDCR to work with the Prison Law Office to establish new due dates for all the action items in the six remedial plans. These new due dates were filed with the court on December 5, 2008.

***Budd v. Cambra:*** In May 2002 the San Francisco Superior Court ruled that CDCR violated the law by failing to license health care facilities that provide inpatient treatment to the almost 160,000 prisoners throughout the State. The court granted the plaintiffs' motion for summary judgment and issued a permanent injunction ordering CDCR to comply with the law. Much of this was resolved by bringing a number of facilities to Correctional Treatment Center (CTC) licensing standards and identifying the need for licensed space in facility planning.

***Plata v. Schwarzenegger:*** In the largest ever prison class action lawsuit, prisoners alleged that California officials inflicted cruel and unusual punishment by being deliberately indifferent to serious medical needs of inmates. A settlement agreement filed in 2002 requires CDCR to completely overhaul its medical care policies and procedures and to pump significant resources into the prisons to ensure timely access to adequate care. The settlement allows the State to phase in the new policies and procedures over several years and gave an independent medical panel the responsibility to audit the State's progress.

In an Order to Show Cause issued in May 2005, the federal district court judge who oversees the *Plata* case described medical treatment in the prisons as "shocking", and reports from court-appointed experts revealed medical malpractice and neglect. The court found that the system was "broken beyond repair" causing an "unconscionable degree of suffering and death". Subsequently, in October 2005, the judge issued Findings of Fact and Conclusions of Law ordering California's prison medical care system be placed under the control of a court-appointed Receiver. The CPR is charged with executive management and operation of California's prison medical health care delivery system and to raise the level of care up to constitutional standards.

The CPR was established to be responsible for planning the restructuring and development of a constitutionally adequate medical health care delivery system for CDCR. In order to fulfill the *Plata* court's mandates, the CPR has argued that new health care facilities must be available statewide and that significant funding be made available to improve existing facilities. The CPR had originally identified the need to construct new facilities to provide approximately 5,000 medical beds.

CPR requested the Legislature fund 10,000 new beds, which would include the 5,000 medical beds previously mentioned. This request has since been modified and all the new healthcare beds (medical and mental health) are being developed in a joint CDCR/CPR effort using Assembly Bill (AB) 900 (Ch. 7, Stats. of 2007) funds as further delineated in the Revised Integrated Strategy Plan (RISP). The CPR has acknowledged CDCR's responsibility to build health care facilities given the limitations to construct under the Prison Reform Litigation Act and both parties will be working in collaboration as CDCR designs and constructs these health care facilities.

CPR and CDCR also jointly developed a plan for the renovation or construction of new clinical and/or administrative facilities, known as the Health Care Facility Improvement Plan (HCFIP) at each of CDCR's 33 adult prisons. The primary objective of the HCFIP is to plan, design, and build clinical and administrative space within the prisons to provide a sufficient, safe, and clinically appropriate environment for staff to deliver health care. Facility plans are being developed for each institution's individual and unique needs. The gaps between the identified need for the various levels of treatment and the available spaces to treat that need are a fundamental component of the HCFIP. The HCFIP is also delineated further in the RISP.

While the court order provides the CPR with authority over the general medical care of inmates, including primary and acute medical care and treatment, the CPR does not have authority over mental health or dental care for adults or any aspect of health care for youthful offenders, as each are under separate legal action. As a result, the CPR and CDCR are each responsible for their health care modalities under the various court cases and are working together in a coordinated effort to bring about required changes to CDCR's health care system and facilities.

***Perez v. Cate:*** An Amended Stipulation and Order filed in this federal class action lawsuit on August 21, 2006, requires CDCR provide adequate dental care for its inmate population. Pursuant to this federal court order, CDCR must implement new procedures and policies to ensure inmates receive competent and timely dental treatment. Compliance is monitored by the prisoners' attorneys and their consultants as well as independent court-appointed experts.

CDCR created a dental task force to assess the institution's facility space needs, prepare a statewide master plan; and develop an implementation schedule to ensure dental space needs are met on a statewide basis. The task force completed onsite evaluations; facility needs assessments, and ultimately a statewide facility master plan. Current implementation plans are being considered. The master plan illustrated the need for additional dental clinical and administrative space at each institution and the construction of a dental clinic in designated Administrative Segregation Units (ASU) and Security Housing Units (SHU) at the institutions. This was based on the stipulated agreement that adopted an inmate to dentist ratio of 515:1 for general population and 1,590:1 for treatment assessments in reception centers (RC). In addition, the task force completed assessments of facility inadequacies and recommended site specific solutions in order to accommodate staffing and provide adequate space to support clinical operations that meet established standards and practices. A trailer bill was passed and signed along with the 2010 Budget, authorizing the use of the AB 900 General Fund for Dental improvements, but does not appropriate any funding. On November 9, 2010, a 30-day letter for Phase I of the dental improvements was released by the Department of Finance to the Joint Legislative Budget Committee. Phase I totals \$4,347,000 for design and construction at eight institutions. CDCR is hoping to obtain funding authorization by the Public Works Board (PWB) on December 13<sup>th</sup>. Total estimated cost for design and construction of all three phases is \$14.5 million (see Table 4 on page AHC-17).

**Madrid v. Gomez:** Conditions at California's "super-maximum" Pelican Bay State Prison (PBSP) have been subject to injunctions aimed at eliminating excessive force, improving health care, and removing prisoners with mental illness from the SHU. In 1995 a Special Master was appointed to monitor PBSP's progress to ensure compliance with court orders and specifying reforms. As of May 23, 2008, the *Madrid* court ceased all monitoring of the medical mental health delivery system at PBSP. Medical and mental health monitoring and allegations of violations of federal court orders at PBSP are being addressed pursuant to the procedures established in the *Coleman* and *Plata* class actions.

**Coleman v. Schwarzenegger:** The court found that the mental health system operated by CDCR did not meet constitutional minimums and that prison officials were deliberately indifferent to the needs of mentally ill inmates. The court ordered the appointment of a Special Master and experts to oversee the establishment of corrective policies and procedures. All 33 institutions are being monitored by the Special Master to evaluate CDCR's compliance with the court order.

CDCR, the Department of Mental Health (DMH), and the *Coleman* Special Master continue to work in partnership to develop and implement a plan to provide adequate and appropriate housing and treatment services for its population of seriously mentally disordered inmates. In October 2007, the *Coleman* court approved CDCR's August 2007 Supplemental Mental Health Bed Plan (MHBP) and, on May 26, 2009, CDCR submitted an updated MHBP to the *Coleman* court to address both short-term and in some cases temporary, immediate beds.

The *Coleman* projects that are in planning, have been commenced, or have been completed, and are noted in this report. The institutions have also converted existing program and housing, including ASU space, to accommodate mandated mental health treatment and staffing needs pursuant to the court order. The percentage of inmates with serious mental disorders has increased significantly both in real numbers and in percentage of inmate population due primarily to CDCR's increasing ability to identify inmates suffering from mental disorders. Other *Coleman* projects include information technology. On March 9, 2007, the *Coleman* court ordered CDCR to develop a mechanism for compiling accurate data on referrals and transfers to more intensive levels of CDCR's mental health treatment, including referrals and transfers to Mental Health Crisis Beds (MHCB) units, Mental Health Outpatient Housing Units (OHU), Psychiatric Services Units (PSU), Enhanced Outpatient Program (EOP) administrative segregation hub units and EOP from RCs.

**Armstrong v. Schwarzenegger:** After finding that CDCR was violating the Americans With Disabilities (ADA) and the Rehabilitation Act, the court issued an injunction to improve access to institution programs for inmates with physical and developmental disabilities at all of California's institutions and parole facilities.

The effects of ADA compliance statewide have been an added expense for individual institutions and CDCR. CDCR has \$11.8 million earmarked for compliance projects currently identified. As regulations tighten with new requirements, and deferred projects become a priority, the current budget amount may have to increase accordingly. Currently CDCR is making ADA modifications at several adult and juvenile facilities and is also planning the addition of wheelchair accessible beds at four institutions and expanding its sign language interpreters at CDCR prisons. In fiscal year (FY) 2008/09 an additional \$3.7 million was received for specified projects and \$1.9 million was received for ongoing funding for future projects. ADA modifications will be ongoing due to the continual need to address mission changes, changes in inmate populations, and other construction-related modification projects.

For instance, as part of CDCR's planned infill and reentry facility construction, it will be adding ADA-compliant facilities and beds, relieving some of the pressure for this space at existing institutions. These modifications for new infill facilities will be between two to four percent of new construction.

### **Medical Care and the Role of the Federal Receiver**

On January 23, 2008, J. Clark Kelso assumed the duties of the Federal Receiver, a post that his predecessor, Robert Sillen, held since April 17, 2006. The February 14th court order appointing Mr. Kelso stipulated, in part, that his duties include providing leadership and executive management of the California prison medical health care delivery system. The goal of the CPR is to restructure day-to-day operations and develop, implement, and validate a sustainable system that provides constitutionally adequate medical care to all class members as soon as practicable. To this end, the Receiver has the duty to control, oversee, supervise, and direct all administrative, personnel, financial, accounting, contractual, legal, and other operational functions of CDCR's medical delivery system. In addition, the Receiver has the power vested by law in the Secretary of CDCR as it relates to the administration, control, management, operation, and financing of the California prison medical health care system.

The CPR's control of CDCR's medical care program has essentially removed all but minor support roles for the DCHCS over the medical care of CDCR's inmate population. To the extent that DCHCS (CDCR) can assist the California Prison Health Care Services (CPHCS), i.e. Receiver and its staff, and provided that resources are made available, DCHCS is committed to collaboration and the benefits it could yield for the CDCR inmate population.

Because of the overlapping needs of these populations, such collaboration is essential. It is anticipated that until such time that CDCR's medical care delivery reverts to CDCR; DCHCS will continue to have a limited role in the delivery of medical care to CDCR inmates.

In order to fulfill the *Plata* court's mandates, the Receiver argued that new correctional health care facilities must be available statewide, and that significant funding be made available to improve existing facilities. The CPHCS originally identified the need to construct new health care facilities that in total will provide approximately 5,000 medical and 5,000 mental health patient beds. The CPHCS proposed to add both mental health beds/services to one or more facilities, as well as dental treatment space. It was proposing to design-build these projects and sought concurrence from the *Coleman* and *Perez* courts that it could act in this manner if such projects were authorized pursuant to a Construction Coordination Order signed in February 2008 by the three judges of the *Coleman*, *Plata*, and *Perez* lawsuits.

### **Construction Coordination Agreement**

Due to overlapping issues in the court cases relating to health care, such as the joint need for additional facilities and improved clinical staffing, a Construction Coordination Agreement was reached between the Receiver and the court representatives for *Coleman*, *Perez*, and *Armstrong* in which the respective courts will collaborate, particularly on construction projects funded through AB 900, and in seeking other funding.

On February 26, 2008, Judge Lawrence K. Karlton, the federal judge for the *Coleman* lawsuit, signed the order approving the construction coordination agreement and giving the Receiver lead over the projects for the California State Prison, San Quentin (SQ) Medical Center, the statewide addition of temporary and permanent clinical, office, supply, and record space at CDCR institutions, and medical and mental health beds authorized in AB 900. The judges in *Coleman*, *Plata*, *Perez*, and *Armstrong* cases approved the order.

On September 21, 2009, J. Clark Kelso and Secretary Mathew Cate signed a Delegation of Authority and approved a Senior Chief within CDCR to lead the construction efforts for all health care related construction. As a result, at the June 2010 meeting of the State PWB, approval was given to move forward with three major health care projects. These include the 1,722-bed California Health Care Facility in Stockton (CHCF) on the site of the closed Karl Holton Youth Correctional Facility (KHYCF); a 1,133-bed Level II adult facility on the grounds of the closed DeWitt Nelsen Youth Correctional Facility (DWNFCF), also Stockton; and a 1,000-bed Level II adult facility on the grounds of the closed El Paso de Paso Robles Youth Correctional Facility (EPRYCF) at Paso Robles. On August 2, 2010, CDCR, CPHCS, and the City of Stockton signed an agreement to go forward with the construction of the CHCF.

Plans are being developed for the repurpose the closed Heman G. Stark Youth Correctional Facility (HGSYCF) in Chino to a 2,899-bed, combination RC/Level III adult facility. The medical services that will be provided for the facility will comply with the Department's health care requirements and subject to review and input by the CPHCS. Medical care will be consistent with community standards and in compliance with all court-ordered mandates.

The proposed health care space will support outpatient health care for 2,899 adult male inmates including 1,884 RC inmates, 380 permanent work crew inmates, 575 EOP inmates, and support the allied health services needs of the 60-bed CTC. The space provided will ensure access to treatment by CPHCS nurses and physicians as well as contracted specialty services providers and dietetic services.

The proposed space includes conversion of the existing Juvenile Justice Correctional Treatment Center space to an 11-bed OHU. A Central Health Services building will provide space for primary care, specialty clinic, radiology, laboratory, pharmacy services, a triage and treatment area, imaging services, and dental services on site. In addition to the inmate-patient treatment areas, the structure will include space for health records, telemedicine, clinical, and support staff offices. The structure will also support RC processing and diagnostic screening.

### **Existing Facilities, Services, and Programs**

CDCR offers a multitude of health care treatment facilities, programs, and services to the inmate-patient population. Currently, CDCR operates the following health care facilities:

- Three General Acute Care Hospitals at California Men's Colony (CMC), California Medical Facility (CMF), and Corcoran State Prison (COR). In addition to the provision of basic medical services, two hospitals (CMF and COR) provide short-term (approximately 10 days) acute psychiatric services and one (CMF) provides 186 long-term (up to 60 days) acute psychiatric services beds and 50 mental health crisis beds, including a recently completed 50-bed unit.
- Skilled Nursing Facility at Central California Women's Facility (CCWF) is licensed for 39 beds including 12 dedicated MHCB.
- Seventeen institutions are licensed as CTCs, as follows:
  - Eight CTCs provide both medical and mental health services
  - Three CTCs previously medical only (COR, CMF, North Kern State Prison (NKSP))
  - Six CTCs provide mental health services only (CMF-MHCB, California State Prison, Los Angeles County (LAC), Mule Creek State Prison (MCSP), Richard J. Donovan State Prison (RJD), Californian State Prison, Sacramento (SAC), California State Prison, Solano County (SOL)

## ADULT HEALTH CARE

- Eighteen unlicensed OHUs wherein inmates are provided transitional services (medical and mental health) pending availability of more appropriate licensed beds elsewhere.
- Two Intermediate Care Facilities (ICF)/institutions provide 24-hour inpatient acute level of care (CMF - 186 beds (at court direction, 20 beds are currently being used as crisis beds), Salinas Valley State Prison (SVSP) - 244 beds for a total of 410 ICF active beds).
- One licensed hospice service is located at CMF and provides palliative care to terminally ill inmate-patients.
- The central health care facility at SQ located on the former site of Building 22. This facility provides medical, dental and mental health treatment to inmates and was activated in January 2010.

Treatment needs requiring a level of health care that CDCR is unable to provide are made available through outside contracted services. Inpatient health care treatment services are also available to inmate-patients and are provided in appropriately licensed facilities whether inside an institution or in the community when necessary. Ancillary services such as radiology, laboratory, pharmacy, and various specialty clinic services such as podiatry and optometry services are also available inside the secure perimeter of some institutions. Specialized treatment programs have been established at various institutions for patients with chronic conditions such as hypertension, diabetes mellitus, major psychiatric disorders, hepatitis, and HIV. Again, when a specific health care need is necessary and not available at an institution, access to the necessary services is made available through outside contracted services.

As discussed earlier, existing facilities have suffered from inadequate resources to maintain them at their optimum operating levels. In addition, investments in new facilities have not kept pace with a growing inmate population, so much so that available treatment and programming space averages less than half of what is necessary for daily operations, particularly if these services are not scheduled over more than one shift to better leverage the existing physical inventory of facilities. Given the current levels of overcrowding, competing demands for space to provide vital services will continue until there is some relief through new construction, renovations, population changes, and/or increased shifts to stagger the services over a longer day.

In May 2007, the Legislature passed AB 900, also known as the Public Safety and Offender Rehabilitation Services Act of 2007, which provides up to \$1.143 billion to address needed medical, dental, and mental health treatment or housing. Soon after its passage, the Legislature directed \$146 million of this allocation to pay for improvements to SQ's existing medical facilities. Additionally, the Legislature has indicated that CDCR shall use the remaining allocated funds to pay for mental health and other health care projects.

### **The Adult Health Care System**

The adult health care delivery system is composed of several levels of care and is organized into three core clinical treatment modalities: mental health, dental services, and medical care. Health care staff provide inmates access to necessary health care services in keeping with the generally accepted community practices.

Dental services determined by a dentist to be medically necessary are made available to the entire inmate population. Dental services are designed to promote, stabilize, and maintain the oral health of all inmates incarcerated with CDCR. These services include the delivery of basic dental treatments (e.g. exams, fillings, extractions, dentures, and cleanings) but may also consist of specialty dental services. Patient dental services are scheduled, although emergency

dental services are available 24 hours a day and provided as needed. As required by California Code of Regulations Title 15, inmates under 50 years of age shall be examined at least once every two years and all inmates 50 years of age or older shall have a dental examination annually.

Medical care is accessible 24 hours a day, 7 days a week. Medically necessary health care services that are reasonable and necessary to protect life, prevent and treat significant illness and disability, and to ease significant pain are available to the inmate population. Registered nurses are onsite at institutions to respond to urgent, emergency, and routine outpatient needs. Upon arrival at an institution, inmates receive a comprehensive health screening for medical, dental, public health, and mental health conditions.

### **Capacity and Population**

#### **Medical**

The CPHCS has taken steps to identify the population requiring medical care and plans to construct facilities to meet their medical treatment objectives. The CPHCS plans to organize and create capacity around a population defined as requiring three levels of service intensity. From lowest to highest level of care, these are: 1) specialized general population (equivalent to sheltered housing or congregate living); 2) low acuity (i.e., assisted living); and 3) high acuity (i.e., skilled nursing required).

The Abt study completed for the CPR in 2007 identified the projected number of inmates that could be anticipated in the above three levels of sub-acute care. Their projection was that between 4,100 and 4,700 inmates would require these levels of care in the year 2013. A current Abt study update is in progress.

#### **Mental Health**

Mental illness is generally more prevalent in a prison population than in the general population at large and inmates require more primary, secondary, and tertiary care.

As a result of the *Coleman* class action lawsuit, CDCR has implemented the Mental Health Services Delivery System (MHSDS) to provide inmates with necessary mental health treatment. It is designed to provide an appropriate level of treatment and to promote individual functioning within the clinically least restrictive environment consistent with the safety and security needs of both the inmate and the institution. The MHSDS is a system-wide concept using standardized evaluation and treatment strategies and universal screening and currently provides services to approximately 37,346 mentally ill inmates in a system with a capacity for 32,024, or 117 percent of capacity.<sup>2</sup> This represents roughly 23 percent of the total inmate population.

CDCR's existing facilities require additions and/or improvements to meet the current legislative, legal (*Plata, Coleman, and Perez*), and regulatory requirements, as well as the upcoming need (within five years) for additional mental health treatment and office space and inmate-patient housing. Increasing the mental health service capacity to this degree will require the addition to and replacement and/or renovation of existing facilities that cannot meet the needs of mental health patients and programs.

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<sup>2</sup> Data Source(s):

A. CDCR Inmate Population: Office of Offender Information Systems.  
B. Mental Health Bed Plan, April 11, 2008.

In order to address this situation, CDCR has (or will):

- Developed a plan to meet the remaining short-term, intermediate, and long-term bed needs and additional treatment space to address medical and mental health needs. This plan is intended to satisfy the projected population growth through 2013. CDCR submitted the plan to the *Coleman* court in November 2009 which was approved by the court in January 2010. A comprehensive list with more detailed information and tables on proposed projects are on pages AHC-14 to 17; Addendum A, pages 18 and 19; Addendum B, pages AHC-20 to 22; and Addendum C, page AHC-23.
- CDCR will continue to work expeditiously to complete all authorized and funded projects to remedy mental health deficiencies, especially those under court-ordered deadlines.
- The demand for female appropriate PSU beds and ancillary space is forecast to increase, necessitating the need to plan for future expansion of this program. To address this need, in-part, CDCR is currently converting the East Wing of the Support Care Unit at California Institution for Women (CIW) to a 20-bed PSU with a completion date of December 2010.
- CDCR is requesting authorization of additional positions in order to provide required services within the mental health programs receiving additional office and treatment space.
- In order to comply with the *Coleman* court order of March 9, 2007, a fully networked reliable statewide computerized scheduling and tracking system has been implemented in 22 institutions. The remaining institutions are going live in October 2010.

Implementation of these initiatives is paramount to providing constitutionally adequate mental health care that is timely and cost-effective; and to existing federal court oversight of the mental health program.

The MHSDS facilities are designed to enhance CDCR's mental health care delivery by providing multiple levels of care and increased accessibility to services in a number of locations throughout the State. This layering of services accommodates most inmate/youthful offender mental health needs, thereby reducing the use and associated increased costs of community services. Although many of the adult/youth programs are similar, they have distinct differences and are discussed separately. Outpatient mental health care is provided in an array of treatment levels and modalities.

The MHSDS provides a continuum of outpatient and inpatient care through short-term inpatient crisis care programs within CDCR institutions, and via a contractual relationship with DMH for acute and intermediate levels of care. The acute and intermediate levels are available for inmate-patients whose conditions cannot be successfully treated in the outpatient setting or with short-term MHCB placements. CDCR's adult mental health system is organized into the following levels of care:

**Correctional Clinical Case Management System (CCCMS):** Inmate-Patients requiring this level of care receive medication management and counseling for mental health outpatients capable of living in the general population. These inmate-patients are provided individual therapy at least once every 90 days, medication management by a

psychiatrist at least once every 90 days, and group therapy as indicated by the inmate-patients' treatment plan.

**EOP:** Inmate-Patients requiring this level of care receive planned, supportive, and therapeutic care in designated and segregated housing units. The seriously mentally disordered inmate-patients served in these programs experience adjustment difficulties in the general population but do not require 24-hour inpatient care.

**MHCB:** Inmate-Patients, who are in short-term mental health crisis, require an acute level of care or immediate stabilization, and/or constant observation for suicide prevention are placed in a MHCB. These services are provided in a licensed environment and are considered short-term, generally not to exceed ten days. The goal of the MHCB program is to provide services for conditions which require an inpatient setting to ameliorate mental health symptoms in the least restrictive environment.

In addition to the basic levels of care above, CDCR also provides mental health services to inmate-patients in the PSU. These inmates are serving a SHU term and also require an EOP level of care. Inmates who require short-term mental health crisis/acute care, immediate stabilization and/or constant observation for suicide prevention are temporarily placed in a MHCB. MHCB services are provided in a licensed environment and are considered short-term, generally not to exceed ten days.

**PSU:** Inmate-Patients who have been diagnosed as having a serious mental health disorder and are serving a SHU term are transferred to a PSU to serve their term. The purpose of the PSU is to assure the effective delivery of EOP health services to inmate-patients in this maximum-security setting.

**ASU:** Continuation of mental health care is crucial for inmate-patients with identified mental health treatment needs through regular case management activities and medication monitoring to enable the inmate to maintain adequate levels of functioning and to avoid decompensation. The goal of the mental health services program within an ASU is to provide necessary mental health services for the population of seriously mentally disordered inmates who, for custodial reasons, require segregation from the general population.

**RC:** The RC Mental Health Treatment Program is designed to ensure that inmates in need of mental health treatment are identified and provided necessary services at the earliest possible time. CDCR staff utilize standardized screening and evaluations at the entry point (RCs) into the institutional system to identify inmates with serious mental disorders. Inmates being processed within an RC who are in need of mental health treatment services are provided these services until such time as they are assigned to facilities where the appropriate level of mental health treatment services are available. Early and easy access to care has been shown to have both therapeutic as well as fiscal benefits in managing mental illness at its lowest level of acuity.

### **DMH-operated Mental Health Services**

Referrals to acute (i.e., beyond crisis intervention) and intermediate care inpatient programs (provided through contracts with DMH) are available for inmate-patients whose conditions cannot be successfully treated in the outpatient setting or with short-term MHCB placements. Acute and intermediate care programs are currently offered in both male and female DMH-operated facilities.

**Intermediate Care:** CDCR currently maintains a contract with DMH for inmate-patients with a long-term need for intensive mental health treatment, generally not to exceed nine months. These beds are in licensed facilities which provide 24-hour medical and specialized care. Inmate-Patients who have a serious mental disorder with marked impairment in most areas of functioning (daily living, communication, social interaction) and/or pose a danger to themselves or others due to mental illness receive individual and group therapy as well as medication management by a psychiatrist.

**Acute Care:** CDCR contracts with DMH to provide 24-hour inpatient acute level of care in licensed facilities. Inmate-Patients who require mental health treatment to prevent danger to themselves or others, or who have mental conditions which cause grave disability (an inability to use food, clothing, or shelter in appropriate ways) receive individual and group therapy; as well as medication management. The average length of stay for inmate-patients at this level of care is generally from 30 to 45 days.

### **Capacity**

CDCR has designated specific beds for health care treatment services and to provide basic outpatient health care services and medical care. Given years of budget constraints, however, it has been impossible for CDCR to keep pace with the increase of inmates in need of all facets of health care services. Currently, CDCR has 5,785 in-house health care beds distributed across the 33 institutions. Inmates with chronic disease or functional impairment requiring long-term care are currently housed in general population or in short-term care facilities.

The health care system needs approximately 5,000 beds to meet current and projected demand. The overcrowding and the need to provide timely inmate health care treatment has reinforced the fact that existing conditions must be improved and expanded in both infrastructure improvements and staffing in order to provide constitutionally adequate health care.

## ADULT HEALTH CARE

Based on recent analysis, following is the FY 2012/13 data reflecting the projected capacity needs for the mental health population (see Table 1 below).

**Table 1**  
**Projected Mental Health Bed Need for FY 2012/13\***

**Male**

| Level of Care           | Current Program Staffed Capacity | New (Planned) Capacity | Returned Capacity | Net Capacity | MH Beds Need to 2013* |
|-------------------------|----------------------------------|------------------------|-------------------|--------------|-----------------------|
| CCCMS                   | 23,471                           |                        |                   |              | 30,076                |
| EOP                     | 3,229                            | 1,622                  | 0                 | 4,763        | 4,763                 |
| ASU                     | 566                              | 292                    | -45               | 721          | 675                   |
| PSU                     | 384                              | 152                    | 0                 | 536          | 546                   |
| MHCB                    | 351                              | 246                    | -90               | 470          | 470                   |
| ACUTE                   | 166                              | 38                     | 0                 | 193          | 193                   |
| ICF                     | 390                              | 0                      | 0                 | 385          | 301                   |
| ICF-H                   | 284                              | 496                    | -178              | 624          | 624                   |
| <b>Sub-total - Male</b> | <b>28,841</b>                    |                        |                   |              | <b>37,648</b>         |

**Female**

| Level of Care             | Current Program Staffed Capacity | New Capacity | Returned Capacity | Net Capacity | MH Beds Need to 2013* |
|---------------------------|----------------------------------|--------------|-------------------|--------------|-----------------------|
| CCCMS                     | 2,247                            |              |                   |              | <b>3,491</b>          |
| EOP                       | 129                              | 70           | 0                 | 199          | 199                   |
| ASU                       | 19                               | 0            | 0                 | 19           | 16                    |
| PSU                       | 10                               | 20           | -10               | 20           | 12                    |
| MHCB                      | 22                               | 0            | 0                 | 22           | 19                    |
| ACUTE/ICF                 | 30                               | 45           | -30               | 45           | 27                    |
| <b>Sub-total - Female</b> | <b>2,457</b>                     |              |                   |              | <b>3,764</b>          |

**Program Total** **31,298** **41,412**

**\*Data Source: Based on the Spring 2009 Navigant Population Projections.**

In August 2007 CDCR submitted an updated long-term MHBP to the *Coleman* court. This was the most recent plan approved by the court but did not address the immediate here-and-now need. Many of the projects that were proposed in the plan and approved by the court are in progress but not yet completed.

On May 26, 2009, CDCR submitted an updated MHBP to the *Coleman* court to address both short-term and in some cases temporary, immediate bed needs, and an additional long-term proposal needed to fill the additional bed needs from the August 2007 court submittal. CDCR provided three plans including a male inmate short-term and intermediate-term mental health bed proposal, a male long-term proposal, and a women's mental health bed proposal, all to meet revised projected 2013 capacity requirements using the Spring 2009 population projections. The court ordered CDCR to proceed with the short-term bed plan provided on page AHC-20.

The long-term plan was not approved by the court and in September 2009 the court ordered CDCR to file a detailed long-term plan, including activation schedules. The long-term bed plan was filed with the court in November 2009 and subsequently approved in January 2010. CDCR is actively engaged in design or construction for all of the *Coleman* projects, including those identified in its long-term plan. See Long-Term Mental Health Projects (below), Addendum B (pages AHC-20 to 22), and Addendum C (page AHC-23) for additional project-specific information related to the medical and mental health projects.

### **Conceptual Health Care Facility Master Plan**

In order to provide sufficient, safe, and clinically appropriate treatment and administrative space for staff to deliver health care in the 33 adult prisons, the CPR and CDCR, under the HCFIP, have developed the Conceptual Facility Health Care Master Plan. Dated September 10, 2010, the Conceptual Facility Health Care Master Plan was created through intensive collaboration, programmatic, and preliminary design planning efforts in order to provide comprehensive medical, mental health, and dental services to the State's prison inmate population. The levels of health care are categorized in the Conceptual Facility Health Care Master Plan as Intermediate, Unclassified-RC, or Basic. The plan identifies a two-phased statewide project to implement necessary health care improvements at 11 Intermediate institutions, 5 Unclassified-RC institutions, and 17 Basic institutions. The new medical classification system implemented January 4, 2010, and CDCR's new health care space standards also identify "Center Institutions" that provide services to inmate-patients with significant medical needs. The estimated cost for both phases is \$747.7 million, with funding from AB 900 using the authority provided by AB 552 (Ch. 22, Stats. of 2010). Appendix A of this report includes an electronic copy of the 96-page Conceptual Facility Health Care Master Plan. The Bed Plan provisions from the Plan are contained on pages AHC 20 to 23 of this section.

### **Health Care Housing and Treatment Space (Including Mental Health, Dental, Medical)**

Health care projects are in the planning, design and construction phases, using either General Fund or Revenue Bond funds to complete. AB 900 has appropriated \$997 million in Revenue Bond funds in two phases for treatment and housing for up to 8,000 inmates, in addition to the \$146 million to construct a new health care building at SQ, which was activated in January 2010.

The Department has completed a comprehensive plan for statewide dental health care. The plan is divided into three phases and is currently estimated to cost approximately \$14.5 million. Funding for the dental plan will come from the General Fund monies associated with the passage of AB 900. CDCR is seeking authorization from the PWB on December 13, 2010, to fund projects at eight institutions for Phase I of the dental plan for approximately \$4.3 million.

CDCR continues to pursue the activation of short-term and long-term mental health bed plans in accordance with court-ordered schedules where appropriate and include the following projects:

#### **Short- and Intermediate-Term Mental Health Projects:**

- Substance Abuse Treatment Facility (SATF) – Convert a dorm housing unit to a Co-Occurring Disorder program for 88 EOP/general population inmate-patients.
- RJD – Activation of 150 EOP Sensitive Needs Yard (SNY) Level IV.
- SVSP – Convert Housing Units C-5/C-6 to ICF level of care and renovate treatment space.
- CMF – Convert 36 (P-2) CTC beds to General Acute.

**Long-Term Mental Health Projects:**

- CMC – Construct 50 MHCB
- SAC – Convert existing Facility B warehouse for treatment and office space for 192 EOP
- CMF – Construct treatment and office space for 658 EOP
- LAC – Construct treatment and office space for an increased 150 EOP population
- SVSP – Construct treatment and office space for 300 EOP/general population
- CMF – Construct 64 bed ICF
- SAC – Construct treatment and office space for expanded 152 PSU program
- COR – Construct treatment and office space for 99 EOP-ASU
- CIW – Construct treatment and office space for 20 PSU, includes cells
- CIW – 45-bed Acute/Intermediate Care Facility
- CHCF – Construct a 1,722 bed facility (432-ICF/43-Acute/137-MHCB/100-PWC/1010 - Medical)
- DWNYCF – Convert DWNYCF to provide 375 EOP general population beds, 50 EOP ASU beds, 528 special general population beds, and 180 general population permanent work crew beds, related office, treatment, and administrative space.
- HGSYCF – Convert HGSYCF to an RC for 1,884 inmates; construct new EOP housing for 350 general population and 50 EOP ASU inmates, and related office, treatment, and administrative space; in addition to constructing a CTC for 30 MHCB and 30 medical beds.
- Estrella Correctional Facility (ECF) – Convert a 630-design capacity (1,000-bed) Level II adult male facility
- CCWF – Construct program support space to support 124 EOP female inmates
- SQ Condemned Inmate Complex – Construct a 24 bed CTC (includes 24 MHCBs)

**Completed Health Care Projects in 2010**

- SATF – Activation of 88-176 EOP SNY beds.
- CMF – Convert 32 (P-1) general population beds to Acute Care.
- CMF – Convert former D-Dorm to a 72 bed OHU
- COR – Converted a 270 housing unit from general population Level IV to a Level IV ASU
- SQ – Added 17 MHCB that was licensed in January
- LAC – Increased staffing to support additional ASU EOP beds

Table 3 (on the following page) indicates Section 6.00 requests and status for Mental Health that are Submitted/Pending Approval.

Projects for which CDCR is seeking capital outlay financing will be shown on the Project Priority lists in the Projects and Summary Report section of this Plan. The remaining amount of the AB 900 appropriation will be used to fund the HCFIP.

This program will fund improvements primarily for medical space, but will also include mental health and some dental space improvements at CDCR facilities and will be master planned to ensure the highest and best use of these funds in meeting the health care space deficiencies at the 33 prisons. As these projects are identified, they will be included in future iterations of the Five-Year Infrastructure Plan as CDCR and the Receiver embark on the projects funded through AB 900, there still remain other project needs as reflected in the current Five-Year Infrastructure Plan and all solutions will be coordinated and complementary to each other to ensure no projects are duplicated or unnecessary. See the Priority Sort section of this Plan for a listing of current projects in various stages of funding and proposed projects seeking funding in support of the health care program and infrastructure improvement projects needed to

## ADULT HEALTH CARE

support the health care program. CDCR is requesting AB 900 General Fund authority for various dental improvement projects at 26 of the 33 adult institutions. CDCR is seeking authority to fund Phase I of the dental plan on December 13, 2010. Phase I of the CDCR dental plan includes eight institutions and costs approximately \$4.3 million (see Table 4 on the following page).

Long-term needs will be addressed (in part) through the construction of the new CHCF to be located on the site of the closed KHYCF (Stockton), and the conversion of three additional juvenile justice facilities i.e. EPRYCF (Paso Robles) which is being repurposed to ECF, a Level II adult male facility to house up to 1,000 inmates; HGSYCF (Chino) to be repurposed to possibly a RC at this writing; and DWNYCF (Stockton) to be repurposed to a Level II adult male facility that will house inmate-patients requiring outpatient services (see Table 2 below).

The implementation of these initiatives is paramount to providing constitutionally adequate health care that is timely, cost-effective, and vital to existing federal court oversight of CDCR's correctional health care program.

**Table 2**  
**PROPOSED NEW FACILITIES SERVING HEALTH CARE NEEDS**

| SITE                 | SGP        | MED-H      | MED-L      | EOP          | EOP-ASU    | MHCB       | MH-Acute  | ICF-H      | Misc.*       | TOTAL BEDS   |
|----------------------|------------|------------|------------|--------------|------------|------------|-----------|------------|--------------|--------------|
| CHCF (Stockton)      | 0          | 337        | 673        |              |            | 137        | 43        | 432        | 100          | 1,722        |
| DJJ – Central (ECF)  | 207        | 0          | 0          | 150          | 40         | -          | -         | -          | 603          | 1,000        |
| DJJ – South (HGSYCF) |            |            |            | 525          | 50         | 30         |           |            | 2,264        | 2,839        |
| DJJ – North (DWNYCF) | 528        | 0          | 0          | 375          | 50         | 0          | 0         | 0          | 180          | 1,133        |
| <b>TOTAL</b>         | <b>735</b> | <b>337</b> | <b>673</b> | <b>1,050</b> | <b>140</b> | <b>137</b> | <b>43</b> | <b>432</b> | <b>3,147</b> | <b>6,694</b> |

**Table 3**  
**Mental Health Section 6.00's Submitted Pending Approval**

| Institution | Project Title                                                        | Description                                                                                                  | Cost        | Status                                                  |
|-------------|----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-------------|---------------------------------------------------------|
| SVSP        | Proposal to construct a concrete parking area for the Medical & DMH. | To construct a concrete parking area for the electrical carts for the medical and DMH. DMH will fund project | \$10,429.00 | <b>At FPCM pending approval</b>                         |
| VSPW        | Convert Storage rooms to Mental Health Interview rooms               | Convert 3 existing storage rooms #146 to Mental Health Interview rooms in housing units 301,308 and 310      | \$44,532.00 | <b>At FPCM pending response from State Fire Marshal</b> |

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**Table 4  
AB 900 Funding Proposal  
Dental Improvement Projects**

| Institution/Project                                                  | Estimated Start | Estimated Completion |
|----------------------------------------------------------------------|-----------------|----------------------|
| <b><u>Phase I</u></b>                                                |                 |                      |
| CIW (Lab and Sterilization Space)                                    | 7/2011          | 6/2012               |
| CMF (Sterilization Space)                                            | 7/2011          | 6/2012               |
| CRC (Sterilization, Treatment and Equipment Space)                   | 7/2011          | 6/2012               |
| CTF (Sterilization and Treatment Space)                              | 7/2011          | 6/2012               |
| LAC (Sterilization and Equipment Space)                              | 7/2011          | 6/2012               |
| MCSP (Sterilization, Lab, Treatment, and Equipment Space)            | 7/2011          | 6/2012               |
| FSP (Sterilization, Lab and Treatment Space)                         | 7/2011          | 6/2012               |
| SOL (Sterilization, Lab, Treatment, and Equipment Space)             | 7/2011          | 6/2012               |
| <b><u>Phase II</u></b>                                               |                 |                      |
| CAL (Sterilization and Equipment Space)                              | 7/2012          | 6/2013               |
| CCC (Sterilization, Lab and Treatment Space)                         | 7/2012          | 6/2013               |
| CCI (Sterilization, Lab and Treatment Space)                         | 7/2012          | 6/2013               |
| CEN (Sterilization, compressor and vacuum Space)                     | 7/2012          | 6/2013               |
| CVSP (Sterilization, Treatment and Equipment Space)                  | 7/2012          | 6/2013               |
| ISP (Sterilization and Equipment Space)                              | 7/2012          | 6/2013               |
| SCC (Sterilization Space)                                            | 7/2012          | 6/2013               |
| <b><u>Phase III</u></b>                                              |                 |                      |
| CIM (Sterilization, Lab, and Treatment Space, and Panorex Room.)     | 7/2013          | 6/2014               |
| DVI (Sterilization and Equipment Space)                              | 7/2013          | 6/2014               |
| NKSP (Sterilization and Equipment Space)                             | 7/2013          | 6/2014               |
| SQ (Sterilization & Treatment Space)                                 | 7/2013          | 6/2014               |
| VSPW (Sterilization, Treatment and Equipment Space and Panorex Room) | 7/2013          | 6/2014               |
| ASP (Sterilization, Treatment and Equipment Space)                   | 7/2013          | 6/2014               |
| CCWF (Storage and Equipment Space)                                   | 7/2013          | 6/2014               |
| COR (Sterilization, Treatment, and Storage and Equipment Space)      | 7/2013          | 6/2014               |
| PBSP (Sterilization & Treatment Space)                               | 7/2013          | 6/2014               |
| PVSP (Sterilization & Treatment Space)                               | 7/2013          | 6/2014               |
| RJD (Sterilization, Treatment and Equipment Space and Panorex Room)  | 7/2013          | 6/2014               |

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| Level of Care:       | Current Program Capacity: | +        | New/Reallocated Capacity: | =        | Net Capacity: | Unmet Need per Spring 2009 Mental Health Gap Table | over/ (under) Unmet Gap Need |
|----------------------|---------------------------|----------|---------------------------|----------|---------------|----------------------------------------------------|------------------------------|
| EOP                  | 3,317                     |          | 238                       |          | 3,555         | 717                                                | (479)                        |
| ASU                  | 566                       |          | 0                         |          | 566           | 148                                                | (148)                        |
| PSU                  | 384                       |          | 0                         |          | 384           | 95                                                 | (95)                         |
| MHCB                 | 351                       |          | 0                         |          | 351           | 26                                                 | (26)                         |
| Acute                | 166                       | +        | 32                        | =        | 198           | 63                                                 | (31)                         |
| ICF                  | 390                       |          | 0                         |          | 390           | (113)                                              | 113                          |
| ICF- High Custody    | 284                       |          | 80                        |          | 364           | 64                                                 | (16)                         |
| <b>Grand Totals:</b> | <b>5,458</b>              | <b>+</b> | <b>350</b>                | <b>=</b> | <b>5,808</b>  | <b>1,000</b>                                       | <b>(682)</b>                 |

### Men's Mental Health Program Capacity Requirements

#### Short Term and Intermediate Proposals

To provide relief for 2009 bed gap

| Legend |                          |
|--------|--------------------------|
|        | Current Program Capacity |
|        | New/Reallocated Capacity |
|        | Net Capacity             |

| Table A: Capacity as of June 2010<br>As provided by Health Care Population Oversight Program |               |     |     |      |       |     |       |     | Table B: short term capacity still under development. |                                       |               |     |     |      |       |     |       | Table C: Net capacity for short term relief.          |       |                                       |               |     |     |      |       |      |       |     |       |     |    |     |     |     |     |     |
|----------------------------------------------------------------------------------------------|---------------|-----|-----|------|-------|-----|-------|-----|-------------------------------------------------------|---------------------------------------|---------------|-----|-----|------|-------|-----|-------|-------------------------------------------------------|-------|---------------------------------------|---------------|-----|-----|------|-------|------|-------|-----|-------|-----|----|-----|-----|-----|-----|-----|
| Institution                                                                                  | Level of Care |     |     |      |       |     |       |     | Total                                                 | Institution                           | Level of Care |     |     |      |       |     |       |                                                       | Total | Institution                           | Level of Care |     |     |      |       |      |       |     | Total |     |    |     |     |     |     |     |
|                                                                                              | EOP           | ASU | PSU | MHCB | Acute | ICF | ICF-H |     |                                                       |                                       | EOP           | ASU | PSU | MHCB | Acute | ICF | ICF-H |                                                       |       |                                       | EOP           | ASU | PSU | MHCB | Acute | ICF  | ICF-H |     |       |     |    |     |     |     |     |     |
| SAC <sup>1</sup>                                                                             | 384           | 74  | 256 | 44   |       |     |       |     | 758                                                   | SAC                                   |               |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 758   | SAC  | 384   | 74  | 256   | 44  | 0  | 0   | 0   | 0   | 0   | 758 |
| RJD <sup>2</sup>                                                                             | 330           | 63  |     | 14   |       |     |       |     | 407                                                   | RJD                                   | 150           |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 150   | RJD  | 480   | 63  | 0     | 14  | 0  | 0   | 0   | 0   | 557 |     |
| CMC                                                                                          | 580           | 54  |     | 36   |       |     |       |     | 670                                                   | CMC                                   |               |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 0     | CMC  | 580   | 54  | 0     | 36  | 0  | 0   | 0   | 0   | 670 |     |
| CIM                                                                                          |               |     |     | 34   |       |     |       |     | 34                                                    | CIM                                   |               |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 0     | CIM  | 0     | 0   | 0     | 34  | 0  | 0   | 0   | 0   | 34  |     |
| LAC <sup>3</sup>                                                                             | 300           | 74  |     | 12   |       |     |       |     | 386                                                   | LAC                                   |               |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 0     | LAC  | 300   | 74  | 0     | 12  | 0  | 0   | 0   | 0   | 386 |     |
| SVSP <sup>4</sup>                                                                            | 192           | 72  |     | 10   |       |     | 254   |     | 528                                                   | SVSP                                  |               |     |     |      |       | 116 |       |                                                       |       |                                       |               |     |     | 116  | SVSP  | 192  | 72    | 0   | 10    | 0   | 0  | 370 | 644 |     |     |     |
| CMF <sup>5</sup>                                                                             | 533           | 58  |     | 70   | 166   | 84  | 30    |     | 941                                                   | CMF                                   |               |     |     | 32   |       | -36 |       |                                                       |       |                                       |               |     |     | -4   | CMF   | 533  | 58    | 0   | 70    | 198 | 84 | -6  |     | 937 |     |     |
| PBSP                                                                                         | 66            |     | 128 | 10   |       |     |       |     | 204                                                   | PBSP                                  |               |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 0     | PBSP | 66    | 0   | 128   | 10  | 0  | 0   | 0   | 0   | 204 |     |
| COR <sup>6</sup>                                                                             | 150           | 99  |     | 23   |       |     |       |     | 272                                                   | COR                                   |               |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 0     | COR  | 150   | 99  | 0     | 23  | 0  | 0   | 0   | 0   | 272 |     |
| MCSP                                                                                         | 510           | 36  |     | 8    |       |     |       |     | 554                                                   | MCSP                                  |               |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 0     | MCSP | 510   | 36  | 0     | 8   | 0  | 0   | 0   | 0   | 554 |     |
| SQ <sup>7</sup>                                                                              |               | 36  |     | 17   |       |     |       |     | 53                                                    | SQ                                    |               |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 0     | SQ   | 0     | 36  | 0     | 17  | 0  | 0   | 0   | 0   | 53  |     |
| HDSP                                                                                         |               |     |     | 10   |       |     |       |     | 10                                                    | HDSP                                  |               |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 0     | HDSP | 0     | 0   | 0     | 10  | 0  | 0   | 0   | 0   | 10  |     |
| ISP                                                                                          |               |     |     |      |       |     |       |     | 0                                                     | ISP                                   |               |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 0     | ISP  | 0     | 0   | 0     | 0   | 0  | 0   | 0   | 0   | 0   |     |
| KVSP                                                                                         | 96            |     |     | 12   |       |     |       |     | 108                                                   | KVSP                                  |               |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 0     | KVSP | 96    | 0   | 0     | 12  | 0  | 0   | 0   | 0   | 108 |     |
| NKSP                                                                                         |               |     |     | 10   |       |     |       |     | 10                                                    | NKSP                                  |               |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 0     | NKSP | 0     | 0   | 0     | 10  | 0  | 0   | 0   | 0   | 10  |     |
| PVSP                                                                                         |               |     |     | 6    |       |     |       |     | 6                                                     | PVSP                                  |               |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 0     | PVSP | 0     | 0   | 0     | 6   | 0  | 0   | 0   | 0   | 6   |     |
| SATF <sup>8</sup>                                                                            | 176           |     |     | 20   |       |     |       |     | 196                                                   | SATF                                  | 88            |     |     |      |       |     |       |                                                       |       |                                       |               |     |     | 88   | SATF  | 264  | 0     | 0   | 20    | 0   | 0  | 0   | 0   | 284 |     |     |
| WSP                                                                                          |               |     |     | 6    |       |     |       |     | 6                                                     | WSP                                   |               |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 0     | WSP  | 0     | 0   | 0     | 6   | 0  | 0   | 0   | 0   | 6   |     |
| SOL                                                                                          |               |     |     | 9    |       |     |       |     | 9                                                     | SOL                                   |               |     |     |      |       |     |       |                                                       |       |                                       |               |     |     |      | 0     | SOL  | 0     | 0   | 0     | 9   | 0  | 0   | 0   | 0   | 9   |     |
| <b>Sub Total:</b>                                                                            | 3,317         | 566 | 384 | 351  | 166   | 84  | 284   | 284 | 5,152                                                 | <b>Sub Total:</b>                     | 238           | 0   | 0   | 0    | 32    | 0   | 80    | 80                                                    | 350   | <b>Sub-Total:</b>                     | 3,555         | 566 | 384 | 351  | 198   | 84   | 364   | 364 | 5,502 |     |    |     |     |     |     |     |
| <b>**Department of Mental Health Hospital Capacity:</b>                                      |               |     |     |      |       |     |       |     | <b>Department of Mental Health Hospital Capacity:</b> |                                       |               |     |     |      |       |     |       | <b>Department of Mental Health Hospital Capacity:</b> |       |                                       |               |     |     |      |       |      |       |     |       |     |    |     |     |     |     |     |
| ASH                                                                                          |               |     |     |      |       |     | 256   |     | 256                                                   | ASH                                   |               |     |     |      |       |     |       |                                                       |       | 0                                     | ASH           |     |     |      |       |      |       | 0   | 256   |     |    |     |     |     | 256 |     |
| CSH                                                                                          |               |     |     |      |       |     | 50    |     | 50                                                    | CSH                                   |               |     |     |      |       |     |       |                                                       |       | 0                                     | CSH           |     |     |      |       |      |       | 50  | 50    |     |    |     |     |     |     | 50  |
| <b>Total:</b>                                                                                | 0             | 0   | 0   | 0    | 0     | 306 | 0     | 306 | 306                                                   | <b>Total:</b>                         | 0             | 0   | 0   | 0    | 0     | 0   | 0     | 0                                                     | 0     | <b>Total:</b>                         | 0             | 0   | 0   | 0    | 0     | 306  | 0     | 306 |       |     |    |     |     |     |     |     |
| Grand Total:<br>(DMH Hospital + CDCR)                                                        | 3,317         | 566 | 384 | 351  | 166   | 390 | 284   | 284 | 5,458                                                 | Grand Total:<br>(DMH Hospital + CDCR) | 238           | 0   | 0   | 0    | 32    | 0   | 80    | 80                                                    | 350   | Grand Total:<br>(DMH Hospital + CDCR) | 3,555         | 566 | 384 | 351  | 198   | 390  | 364   | 364 | 5,808 |     |    |     |     |     |     |     |

## ADULT HEALTH CARE

### Footnotes

Most short-term proposals will be decommissioned as new capacity is created. Exceptions to this are:

- COR 45 bed EOP-ASU,
- SQ 17 MHCB,
- and any programs that are created and prove to be appropriate and effective for the population served.

### **FOOTNOTES:**

1. CMF: The ICF total bed count in this chart also includes all Day Treatment Program beds (44).
2. SAC: 20 additional short-term MHCB will be designated from Mental Health (MH) -OHU beds.
3. LAC: 20 additional EOP-ASU beds will be designated.
4. SVSP: A) 27 additional EOP-ASU beds will be designated; B) 130 additional ICF-H beds are created from: Converting two C-Yard housing units to 116 beds; conducting a double-celling pilot at TCI to create additional capacity of 10; and adding 2 beds in each of D-5 and D-6.
5. CMF: A) 32 additional Acute beds will be created in P-1; B) 36 beds in P-2 will convert from ICF-H to Acute.
6. COR: 45 additional EOP-ASU beds will be created from existing housing unit. Currently a 27-bed EOP-ASU addition is in the planning stage; 18 additional EOP-ASU beds will allow this housing unit to be designated as an EOP-ASU. With the addition of permanent office and treatment space, this will become part of the long-term bed plan.
7. SQ: 17 MHCB in Building 22 was activated in January 2010. These beds will be licensed and will become part of the long-term bed plan.
8. SATF: A) 150 EOP-SNY beds to be designated from existing housing unit; B) 88 EOP-Dual Diagnosis program will be created in the Substance Abuse Program housing.
9. SOL: 150 EOP beds will be designated in an existing housing unit.

ADULT HEALTH CARE

California Department of Corrections and Rehabilitation  
 Division of Correctional Health Care Services  
 Mental Health Program

Men's Mental Health Program Capacity Requirements  
 Long Term Bed Plan  
 Spring 2009 Projections through 2013

UPDATED – April 2010

| Level of Care:            | Current Program Capacity | + | New Capacity | - | Returned Capacity | = | Net Capacity | Mental Health Bed Need Study - Spring 2009 Population Projections, April 2009 (Navigant Consulting) Need to 2013: | over/ (under) need |
|---------------------------|--------------------------|---|--------------|---|-------------------|---|--------------|-------------------------------------------------------------------------------------------------------------------|--------------------|
| EOP                       | 3,141                    |   | 1,639        |   | 0                 |   | 4,780        | 4,763                                                                                                             | 17                 |
| ASU                       | 474                      |   | 212          |   | 0                 |   | 686          | 675                                                                                                               | 11                 |
| PSU                       | 384                      |   | 152          |   | 0                 |   | 536          | 546                                                                                                               | (10)               |
| MHCB                      | 314                      |   | 246          |   | -90               |   | 470          | 470                                                                                                               | 0                  |
| Acute - Total             | 155                      |   | 63           |   | -25               |   | 193          | 193                                                                                                               | 0                  |
| ICF (Low Custody) - Total | 365                      |   | 25           |   | 0                 |   | 390          | 301                                                                                                               | 89                 |
| ICF - High Custody        | 306                      |   | 496          |   | -178              |   | 624          | 624                                                                                                               | 0                  |
| <b>Total:</b>             | <b>5,139</b>             |   | <b>2,833</b> |   | <b>-293</b>       |   | <b>7,679</b> | <b>7,572</b>                                                                                                      | <b>107</b>         |

| Table #A: Capacity as of May, 2009. Data sources for number of beds: Health Care Population Oversight Program. |              |            |            |            |            |            |            |              |    | Table #B: New capacity under development, proposed, converted or returned to original use. |              |            |            |            |           |           |            |              |           | Table #C: Capacity to be returned to alternate use when need is eliminated by adding capacity. |               |          |          |            |            |          |             |             |          | Table #D: Net capacity.                               |              |               |            |            |            |            |            |              |            |          |            |     |  |
|----------------------------------------------------------------------------------------------------------------|--------------|------------|------------|------------|------------|------------|------------|--------------|----|--------------------------------------------------------------------------------------------|--------------|------------|------------|------------|-----------|-----------|------------|--------------|-----------|------------------------------------------------------------------------------------------------|---------------|----------|----------|------------|------------|----------|-------------|-------------|----------|-------------------------------------------------------|--------------|---------------|------------|------------|------------|------------|------------|--------------|------------|----------|------------|-----|--|
| Level of Care                                                                                                  |              |            |            |            |            |            |            |              |    | Level of Care                                                                              |              |            |            |            |           |           |            |              |           | Level of Care                                                                                  |               |          |          |            |            |          |             |             |          | Level of Care                                         |              |               |            |            |            |            |            |              |            |          |            |     |  |
| Institution                                                                                                    | EOP          | ASU        | PSU        | MHCB       | Acute      | ICF        | ICF-H      | Total        |    | Institution                                                                                | EOP          | ASU        | PSU        | MHCB       | Acute     | ICF       | ICF-H      | Total        |           | Institution                                                                                    | EOP           | ASU      | PSU      | MHCB       | Acute      | ICF      | ICF-H       | Total       |          | Institution                                           | EOP          | ASU           | PSU        | MHCB       | Acute      | ICF        | ICF-H      | Total        |            |          |            |     |  |
| SAC                                                                                                            | 384          | 74         | 256        | 24         |            |            |            | 738          |    | SAC                                                                                        |              |            |            |            |           |           | 152        | 152          |           | SAC                                                                                            | 384           | 74       | 408      | 24         | 0          | 0        | 0           | 890         |          | SAC                                                   | 384          | 74            | 408        | 24         | 0          | 0          | 0          | 890          |            |          |            |     |  |
| RJD                                                                                                            | 330          | 63         |            | 14         |            |            |            | 407          |    | RJD                                                                                        |              |            |            |            |           |           |            | 0            |           | RJD                                                                                            | 330           | 63       | 0        | 14         | 0          | 0        | 0           | 407         |          | RJD                                                   | 330          | 63            | 0          | 14         | 0          | 0          | 0          | 407          |            |          |            |     |  |
| CMC <sup>1</sup>                                                                                               | 580          | 54         |            | 36         |            |            |            | 670          |    | CMC                                                                                        |              |            |            |            | 50        |           |            | 50           |           | CMC                                                                                            | 580           | 54       | 0        | 50         | 0          | 0        | 0           | 684         |          | CMC                                                   | 580          | 54            | 0          | 50         | 0          | 0          | 0          | 684          |            |          |            |     |  |
| CIM <sup>2</sup>                                                                                               |              |            |            | 34         |            |            |            | 34           |    | CIM                                                                                        |              |            |            |            |           |           |            | 0            |           | CIM                                                                                            | 0             | 0        | 0        | 0          | 0          | 0        | 0           | 0           |          | CIM                                                   | 0            | 0             | 0          | 0          | 0          | 0          | 0          | 0            |            |          |            |     |  |
| LAC                                                                                                            | 300          | 54         |            | 12         |            |            |            | 366          |    | LAC <sup>5</sup>                                                                           | 150          |            |            |            |           |           |            | 150          |           | LAC                                                                                            | 450           | 54       | 0        | 12         | 0          | 0        | 0           | 516         |          | LAC                                                   | 450          | 54            | 0          | 12         | 0          | 0          | 0          | 516          |            |          |            |     |  |
| SVSP <sup>3</sup>                                                                                              | 192          | 45         |            | 10         |            |            | 240        | 487          |    | SVSP <sup>5</sup>                                                                          | 108          | 27         |            |            |           |           |            | 135          |           | SVSP                                                                                           | 300           | 72       | 0        | 10         | 0          | 0        | 0           | 128         | 510      | SVSP                                                  | 300          | 72            | 0          | 10         | 0          | 0          | 0          | 128          | 510        |          |            |     |  |
| CMF <sup>4</sup>                                                                                               | 533          | 58         |            | 70         | 130        | 84         | 66         | 941          |    | CMF <sup>7</sup>                                                                           | 67           |            |            |            | 20        |           | 64         | 151          |           | CMF                                                                                            | 600           | 58       | 0        | 50         | 150        | 84       | 64          | 1,006       |          | CMF                                                   | 600          | 58            | 0          | 50         | 150        | 84         | 64         | 1,006        |            |          |            |     |  |
| PBSP                                                                                                           | 66           |            | 128        | 10         |            |            |            | 204          |    | PBSP                                                                                       |              |            |            |            |           |           |            | 0            |           | PBSP                                                                                           | 66            | 0        | 128      | 10         | 0          | 0        | 0           | 204         |          | PBSP                                                  | 66           | 0             | 128        | 10         | 0          | 0          | 0          | 204          |            |          |            |     |  |
| COR                                                                                                            | 150          | 54         |            | 23         |            |            |            | 227          |    | COR <sup>8</sup>                                                                           |              | 45         |            |            |           |           |            | 45           |           | COR                                                                                            | 150           | 99       | 0        | 23         | 0          | 0        | 0           | 272         |          | COR                                                   | 150          | 99            | 0          | 23         | 0          | 0          | 0          | 272          |            |          |            |     |  |
| MCSP                                                                                                           | 510          | 36         |            | 8          |            |            |            | 554          |    | MCSP                                                                                       |              |            |            |            |           |           |            | 0            |           | MCSP                                                                                           | 510           | 36       | 0        | 8          | 0          | 0        | 0           | 554         |          | MCSP                                                  | 510          | 36            | 0          | 8          | 0          | 0          | 0          | 554          |            |          |            |     |  |
| SQ                                                                                                             |              | 36         |            |            |            |            |            | 36           |    | SQ <sup>9</sup>                                                                            |              |            |            |            | 29        |           |            | 29           |           | SQ                                                                                             | 0             | 36       | 0        | 29         | 0          | 0        | 0           | 65          |          | SQ                                                    | 0            | 36            | 0          | 29         | 0          | 0          | 0          | 65           |            |          |            |     |  |
| HDSP                                                                                                           |              |            |            | 10         |            |            |            | 10           |    | HDSP                                                                                       |              |            |            |            |           |           |            | 0            |           | HDSP                                                                                           | 0             | 0        | 0        | 10         | 0          | 0        | 0           | 10          |          | HDSP                                                  | 0            | 0             | 0          | 10         | 0          | 0          | 0          | 10           |            |          |            |     |  |
| ISP                                                                                                            |              |            |            |            |            |            |            | 0            |    | ISP                                                                                        |              |            |            |            |           |           |            | 0            |           | ISP                                                                                            | 0             | 0        | 0        | 0          | 0          | 0        | 0           | 0           |          | ISP                                                   | 0            | 0             | 0          | 0          | 0          | 0          | 0          | 0            |            |          |            |     |  |
| KVSP                                                                                                           | 96           |            |            | 12         |            |            |            | 108          |    | KVSP                                                                                       |              |            |            |            |           |           |            | 0            |           | KVSP                                                                                           | 96            | 0        | 0        | 12         | 0          | 0        | 0           | 108         |          | KVSP                                                  | 96           | 0             | 0          | 12         | 0          | 0          | 0          | 108          |            |          |            |     |  |
| NKSP                                                                                                           |              |            |            | 10         |            |            |            | 10           |    | NKSP                                                                                       |              |            |            |            |           |           |            | 0            |           | NKSP                                                                                           | 0             | 0        | 0        | 10         | 0          | 0        | 0           | 10          |          | NKSP                                                  | 0            | 0             | 0          | 10         | 0          | 0          | 0          | 10           |            |          |            |     |  |
| PVSP                                                                                                           |              |            |            | 6          |            |            |            | 6            |    | PVSP                                                                                       |              |            |            |            |           |           |            | 0            |           | PVSP                                                                                           | 0             | 0        | 0        | 6          | 0          | 0        | 0           | 6           |          | PVSP                                                  | 0            | 0             | 0          | 6          | 0          | 0          | 0          | 6            |            |          |            |     |  |
| SATF                                                                                                           |              |            |            | 20         |            |            |            | 20           |    | SATF <sup>10</sup>                                                                         | 264          |            |            |            |           |           |            | 264          |           | SATF                                                                                           | 0             | 264      | 0        | 20         | 0          | 0        | 0           | 284         |          | SATF                                                  | 0            | 264           | 0          | 20         | 0          | 0          | 0          | 284          |            |          |            |     |  |
| SOL                                                                                                            |              |            |            | 9          |            |            |            | 9            |    | SOL                                                                                        |              |            |            |            |           |           |            | 0            |           | SOL                                                                                            | 0             | 0        | 0        | 9          | 0          | 0        | 0           | 9           |          | SOL                                                   | 0            | 0             | 0          | 9          | 0          | 0          | 0          | 9            |            |          |            |     |  |
| WSP                                                                                                            |              |            |            | 6          |            |            |            | 6            |    | WSP                                                                                        |              |            |            |            |           |           |            | 0            |           | WSP                                                                                            | 0             | 0        | 0        | 6          | 0          | 0        | 0           | 6           |          | WSP                                                   | 0            | 0             | 0          | 6          | 0          | 0          | 0          | 6            |            |          |            |     |  |
| Stark                                                                                                          |              |            |            | 525        | 50         |            |            | 30           |    | 605                                                                                        | Stark        | 525        | 50         |            |           | 30        |            |              | 605       |                                                                                                | Stark         | 525      | 50       |            | 30         |          |             |             | 605      |                                                       | Stark        | 525           | 50         |            | 30         |            |            |              | 605        |          |            |     |  |
| Paso                                                                                                           |              |            |            | 150        | 40         |            |            |              |    | 190                                                                                        | Paso         | 150        | 40         |            |           |           |            |              | 190       |                                                                                                | Paso          | 150      | 40       |            |            |          |             |             | 190      |                                                       | Paso         | 150           | 40         |            |            |            |            |              | 190        |          |            |     |  |
| Dewitt                                                                                                         |              |            |            | 375        | 50         |            |            |              |    | 425                                                                                        | Dewitt       | 375        | 50         |            |           |           |            |              | 425       |                                                                                                | Dewitt        | 375      | 50       | 0          | 0          | 0        | 0           | 0           | 425      |                                                       | Dewitt       | 375           | 50         | 0          | 0          | 0          | 0          | 0            | 425        |          |            |     |  |
| CCC-N                                                                                                          |              |            |            |            |            |            |            | 137          | 43 | 432                                                                                        | 612          | CCC-N      |            |            |           |           |            |              |           | 137                                                                                            | 43            | 432      | 612      | CCC-N      | 0          | 0        | 0           | 137         | 43       | 0                                                     | 432          | 612           |            | CCC-N      | 0          | 0          | 0          | 137          | 43         | 0        | 432        | 612 |  |
| <b>Sub Total:</b>                                                                                              | <b>3,141</b> | <b>474</b> | <b>384</b> | <b>314</b> | <b>150</b> | <b>84</b>  | <b>306</b> | <b>4,833</b> |    | <b>Sub Total:</b>                                                                          | <b>1,639</b> | <b>212</b> | <b>152</b> | <b>246</b> | <b>63</b> | <b>0</b>  | <b>496</b> | <b>2,808</b> |           | <b>Sub Total:</b>                                                                              | <b>0</b>      | <b>0</b> | <b>0</b> | <b>-90</b> | <b>0</b>   | <b>0</b> | <b>-178</b> | <b>-268</b> |          | <b>Sub Total:</b>                                     | <b>4,780</b> | <b>686</b>    | <b>536</b> | <b>470</b> | <b>193</b> | <b>84</b>  | <b>624</b> | <b>7,373</b> |            |          |            |     |  |
| <b>*Department of Mental Health Hospital Capacity:</b>                                                         |              |            |            |            |            |            |            |              |    | <b>Department of Mental Health Hospital Capacity:</b>                                      |              |            |            |            |           |           |            |              |           | <b>Department of Mental Health Hospital Capacity:</b>                                          |               |          |          |            |            |          |             |             |          | <b>Department of Mental Health Hospital Capacity:</b> |              |               |            |            |            |            |            |              |            |          |            |     |  |
| ASH                                                                                                            |              |            |            | 25         | 231        |            |            | 256          |    | ASH                                                                                        |              |            |            |            |           |           | 25         | 25           |           | ASH                                                                                            |               |          |          |            |            |          |             | -25         |          | ASH                                                   |              |               |            |            |            |            |            | 256          |            |          |            |     |  |
| CSH                                                                                                            |              |            |            |            | 50         |            |            | 50           |    | CSH                                                                                        |              |            |            |            |           |           |            | 0            |           | CSH                                                                                            |               |          |          |            |            |          |             | 0           |          | CSH                                                   |              |               |            |            |            |            |            | 50           |            |          |            |     |  |
| <b>Total:</b>                                                                                                  | <b>0</b>     | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>25</b>  | <b>281</b> | <b>0</b>   | <b>306</b>   |    | <b>Total:</b>                                                                              | <b>0</b>     | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>0</b>  | <b>0</b>  | <b>25</b>  | <b>0</b>     | <b>25</b> |                                                                                                | <b>Total:</b> | <b>0</b> | <b>0</b> | <b>0</b>   | <b>0</b>   | <b>0</b> | <b>0</b>    | <b>-25</b>  | <b>0</b> | <b>-25</b>                                            |              | <b>Total:</b> | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>0</b>     | <b>306</b> | <b>0</b> | <b>306</b> |     |  |
| <b>Grand Total: (DMH Hospital + CDCR)</b>                                                                      | <b>3,141</b> | <b>474</b> | <b>384</b> | <b>314</b> | <b>155</b> | <b>365</b> | <b>306</b> | <b>5,139</b> |    | <b>Grand Total: (DMH Hospital + CDCR)</b>                                                  | <b>1,639</b> | <b>212</b> | <b>152</b> | <b>246</b> | <b>63</b> | <b>25</b> | <b>496</b> | <b>2,833</b> |           | <b>Grand Total: (DMH Hospital + CDCR)</b>                                                      | <b>0</b>      | <b>0</b> | <b>0</b> | <b>-90</b> | <b>-25</b> | <b>0</b> | <b>-178</b> | <b>-283</b> |          | <b>Grand Total: (DMH Hospital + CDCR)</b>             | <b>4,780</b> | <b>686</b>    | <b>536</b> | <b>470</b> | <b>193</b> | <b>390</b> | <b>624</b> | <b>7,679</b> |            |          |            |     |  |

| Legend     |                                         |
|------------|-----------------------------------------|
| Red        | Current program capacity                |
| Orange     | New capacity                            |
| Green      | Returned capacity                       |
| Blue       | Net capacity                            |
| Purple     | Long term plan                          |
| Light Blue | Long term plan/Court ordered            |
| Yellow     | Proposed change to current court order. |

## ADULT HEALTH CARE

### ASSUMPTIONS:

In Table A of the above Long-Term Bed Plan, the base bed number point is May 2009 and does not include the activated or scheduled short-term proposals. In Table B, the only short-term proposals included are those intended to become permanent. Those short-term are Atascadero State Hospital (ASH) 25 bed ICF from Acute, COR 45 bed EOP-ASU, SQ 17 MHCB, and SVSP 27 EOP-ASU.

Mental health bed needs are projections to 2013 using Spring 2009 population projections. One new facility is proposed to be built in collaboration with the *Plata* Receiver. This facility will provide mental health care in housing appropriate to patient custody level.

-- All *Coleman* Court ordered projects are completed.

-- As represented in Table C of the Long-Term Bed Plan, all "temporary" projects are decommissioned. Court identified temporary projects include the ICF-high custody beds in D-5 and D-6 at SVSP (112 beds), the MHCB at CMC (36 bed), the MHCB at California Institution for Men (CIM) (34 beds), and the ICF-high custody beds at CMF (66 beds). Also, the interim 20 MHCB at CMF APP revert back to Acute beds and, in keeping with the short-term proposals, the interim 25 Acute beds at ASH remain ICF beds. Table C does not include the decommissioning of short-term and interim proposals since they are not part of the base bed number in Table A.

-- No currently operating programs will be decommissioned unless;

- 1) The space is being converted to another required level of mental health care; and
- 2) There is adequate alternative capacity to accommodate future need in that level of care.

-- CDCR inmates will remain in DMH hospital beds, unless and until those services are no longer required.

### FOOTNOTES (Men's Program):

1. CMC: The 36 MHCBs are interim and will be decommissioned when there is no wait list.
2. CIM: The 34 MHCBs are interim and will be decommissioned when there is no wait list.
3. SVSP: The baseline for the long-term plan includes the following: ICF high custody beds comprised of 128 permanent ICF beds plus 112 temporary beds (in D-5 and D-6 housing units). The 112 beds in D-5 and D-6 will remain in place with new treatment space until there is no wait list; these are considered temporary by the *Coleman* court.
4. CMF: The base line for the long-term plan includes the following: ICF-low custody beds comprised of 44 ICF beds in the A-2 housing unit plus 40 ICF beds in the A-3 housing unit; ICF-high custody beds are comprised of 36 in the P-2 housing unit and 30 in the P-3 housing unit; these are considered temporary by the court. Not included in the base bed numbers are short-term projects, which include 36 ICF high custody beds in the P-2 housing unit that have been converted to Acute.
5. LAC: Builds, per court order, treatment and office space for a housing unit conversion to 150 EOP beds.

**ADULT HEALTH CARE**

6. SVSP: The 27 additional EOP-ASU beds are created in existing housing as a short-term project and will remain permanent as part of the long-term bed plan. In the long-term bed plan, the existing EOP-general population program will be moved to A-Yard, expanded by 108 beds and have treatment and office space sized and built for that program (300 total EOP beds). The expanded EOP-ASU will then claim vacated existing EOP treatment and office space.
7. CMF: Additional treatment and office space is in planning and design for the CMF EOP (including expanded capacity) and EOP-ASU populations. The interim 20 MHCB at CMF APP revert back to Acute beds.
8. COR: The 45 additional EOP-ASU beds are created in existing housing as a short-term project and will remain permanent as part of the long-term bed plan. Permanent treatment and office space will be built to support these services.
9. SQ: The 29 MHCBs are as follows: 17 MHCBs in Building 22 (Receiver's project) and 12 MHCBs within the CTC at the Condemned Inmate Complex project.

**ADULT HEALTH CARE**

**Table #A:** Capacity as of May, 2009  
Data sources for number of beds: Health Care Population Oversight Program, Licensing Unit, and Office of Facilities Management.

| Level of Care                                           |            |           |           |           |           |            |
|---------------------------------------------------------|------------|-----------|-----------|-----------|-----------|------------|
| Institution                                             | EOP        | ASU       | PSU       | MHCB      | Acute/ICF | Total      |
| CCWF                                                    | 54         |           |           | 12        |           | 66         |
| CIW                                                     | 75         | 10        | 10        | 10        |           | 105        |
| VSPW                                                    |            | 9         |           |           |           | 9          |
| <b>Total:</b>                                           | <b>129</b> | <b>19</b> | <b>10</b> | <b>22</b> | <b>0</b>  | <b>180</b> |
| <b>**Department of Mental Health Hospital Capacity:</b> |            |           |           |           |           |            |
| PSH                                                     |            |           |           |           | 30        | 30         |
| <b>Total:</b>                                           | <b>0</b>   | <b>0</b>  | <b>0</b>  | <b>0</b>  | <b>30</b> | <b>30</b>  |
| Grand Total: (DMH Hospital + CDCR)                      | 129        | 19        | 10        | 22        | 30        | 210        |

**Table #B:** New capacity under development, proposed or converted.

| Level of Care                                         |           |          |           |          |           |            |
|-------------------------------------------------------|-----------|----------|-----------|----------|-----------|------------|
| Institution                                           | EOP       | ASU      | PSU       | MHCB     | Acute/ICF | Total      |
| CCWF <sup>1</sup>                                     | 70        |          |           |          |           | 70         |
| CIW                                                   |           |          | 20        |          | 45        | 65         |
| VSPW                                                  |           |          |           |          |           | 0          |
| <b>Total:</b>                                         | <b>70</b> | <b>0</b> | <b>20</b> | <b>0</b> | <b>45</b> | <b>135</b> |
| <b>Department of Mental Health Hospital Capacity:</b> |           |          |           |          |           |            |
| PSH                                                   |           |          |           |          |           |            |
| <b>Total:</b>                                         | <b>0</b>  | <b>0</b> | <b>0</b>  | <b>0</b> | <b>0</b>  | <b>0</b>   |
| Grand Total: (DMH Hospital + CDCR)                    | 70        | 0        | 20        | 0        | 45        | 135        |

**Table #C:** Capacity to be returned to alternate use when need is eliminated by adding capacity.

| Level of Care                                         |          |          |            |          |            |            |
|-------------------------------------------------------|----------|----------|------------|----------|------------|------------|
| Institution                                           | EOP      | ASU      | PSU        | MHCB     | Acute/ICF  | Total      |
| CCWF                                                  |          |          |            |          |            | 0          |
| CIW                                                   |          |          | -10        |          |            | -10        |
| VSPW                                                  |          |          |            |          |            | 0          |
| <b>Total:</b>                                         | <b>0</b> | <b>0</b> | <b>-10</b> | <b>0</b> | <b>0</b>   | <b>-10</b> |
| <b>Department of Mental Health Hospital Capacity:</b> |          |          |            |          |            |            |
| PSH                                                   |          |          |            |          | -30        | -30        |
| <b>Total:</b>                                         | <b>0</b> | <b>0</b> | <b>0</b>   | <b>0</b> | <b>-30</b> | <b>-30</b> |
| Grand Total: (DMH Hospital + CDCR)                    | 0        | 0        | -10        | 0        | -30        | -40        |

**Table #D:** Net capacity.

| Level of Care                                         |            |           |           |           |           |            |
|-------------------------------------------------------|------------|-----------|-----------|-----------|-----------|------------|
| Institution                                           | EOP        | ASU       | PSU       | MHCB      | Acute/ICF | Total      |
| CCWF                                                  | 124        | 0         | 0         | 12        | 0         | 136        |
| CIW                                                   | 75         | 10        | 20        | 10        | 45        | 160        |
| VSPW                                                  | 0          | 9         | 0         | 0         | 0         | 9          |
| <b>Total:</b>                                         | <b>199</b> | <b>19</b> | <b>20</b> | <b>22</b> | <b>45</b> | <b>305</b> |
| <b>Department of Mental Health Hospital Capacity:</b> |            |           |           |           |           |            |
| PSH                                                   |            |           |           |           | 0         | 0          |
| <b>Total:</b>                                         | <b>0</b>   | <b>0</b>  | <b>0</b>  | <b>0</b>  | <b>0</b>  | <b>0</b>   |
| Grand Total: (DMH Hospital + CDCR)                    | 199        | 19        | 20        | 22        | 45        | 305        |

**Legend**

- Current program capacity
- New capacity
- Returned capacity
- Net capacity
- Long term plan
- Long term plan/Court ordered

**ASSUMPTIONS:**

- Mental health bed need projections to 2013 using Spring 2009 population projections.
- All proposed projects to meet mental health population projections will have adequate treatment and office space, either temporary or permanent.
- No currently operating programs will be decommissioned unless;
  - 1) The space is being converted to another required level of mental health care; and
  - 2) There is adequate alternative space to accommodate need.

**FOOTNOTES (Women's Program):**

1. CCWF: 70 EOP beds will be designated within existing housing, treatment, and office space and will be constructed to accommodate all EOP beds at the site.

**COLEMAN**

*Coleman* requires that the California Department of Corrections and Rehabilitation (CDCR) bring mental health care services for inmates to constitutional standards. A Special Master was appointed to ensure that CDCR comes into compliance with the court orders for new mental health housing, program, and treatment space.

In addition to the reporting requirements contained in Assembly Bill 900 (Ch. 7, Stats. of 2007) and Senate Bill 81 (Ch. 175, Stats. of 2007), supplemental budget language requires additional and specific reporting regarding *Coleman* projects. Item 16 of the Legislative Analyst's Office's Supplemental Report of the 2007 Budget Act is restated below:

*"Coleman Capital Outlay Included in the Department's Master Plan. The California Department of Corrections and Rehabilitation (CDCR) shall develop a report that tracks all of the capital outlay projects planned and being pursued to comply with the Coleman class action lawsuit related to mental health, including minor capital outlay projects. The report shall be part of the department's Master Plan. A separate addendum to this report shall include a listing of other special repair items and other physical plant modifications that do not qualify as capital outlay projects completed and planned to comply with the Coleman lawsuit. This report shall be submitted to the chair of the Joint Legislative Budget Committee (JLBC) and the chairs of the fiscal committees of both houses of the Legislature by January 10, 2008, and each year thereafter."*

Though the *Coleman* projects are already reported within the larger listing of all projects contained in "Projects and Summary Report" of the Master Plan and *Coleman* projects are also shown by each institution contained in the plan, this section of the Master Plan is provided specifically to respond to Item 16. It provides a consolidated listing of all *Coleman* projects including majors, minors, special repair items, and other physical plant modifications.

CDCR, Department of Mental Health, and the *Coleman* Special Master continue to work in partnership to develop and implement a plan to provide adequate and appropriate housing and treatment services for its population of seriously mentally disordered inmates. To date, several *Coleman* projects have commenced or have been completed and are noted in the Health Care narrative.

## COLEMAN PROJECTS

| INST. | PROJECT TYPE | CDCR CATEGORY CODE | SUB CATEGORY CODE | PROJECT NAME                                                    | PROJECT STATUS | PHASE | COST         | FUNDING SOURCE | PHASE | COST         | FUNDING SOURCE |
|-------|--------------|--------------------|-------------------|-----------------------------------------------------------------|----------------|-------|--------------|----------------|-------|--------------|----------------|
| CCWF  | MA           | MH                 | HC                | 70 Bed EOP Treatment & Office Space-Coleman                     | AC             | S     | \$100,000    | AB900LR        |       |              |                |
| CIW   | MA           | MH                 | HC                | 45 Acute/Intermediate Care Facility                             | AC             | WC    | \$61,577,000 | AB900LR        | P     | \$2,172,000  | GF             |
| CIW   | MA           | MH                 | HC                | 20 Bed Psychiatric Services Unit                                | AC             | C     | \$6,433,000  | GF             | PW    | \$1,170,000  | GF             |
| CMC   | MA           | MH                 | HC                | 50 Bed MH Crisis Bed-Coleman Project-Stand Alone Project        | AC             | W     | \$4,056,000  | AB900LR        | C     | \$55,792,000 | AB900LR        |
| CMC   | MI           | MH                 | HC                | East Facility Mental Health Conversion Room A-157               | AC             | PWC   | \$404,000    | GF             |       |              |                |
| CMF   | MA           | MH                 | HC                | 64 Bed ICF Mental Health Facility-Coleman Project               | AC             | C     | \$48,911,000 | AB900GF        | PW    | \$7,202,000  | AB900GF        |
| CMF   | MA           | MH                 | HC                | Enhanced Outpatient Program, Treatment & Office Space           | AC             | P     | \$3,341,000  | AB900LR        | WC    | \$42,429,000 | AB900LR        |
| CMF   | MA           | MH                 | HC                | Acute Care Modifications in Units P-1 & P-2                     | AC             | C     | \$785,000    | GF             |       |              |                |
| CMF   | SRP          | MH                 | HC                | 124 Cell Renovations (Q1, Q2, Q3, S1 & S2 Areas)                | AC             | C     | \$1,075,000  | GF             |       |              |                |
| CMF   | MA           | MH                 | HC                | D Dorm Conversion to OHU                                        | CO             | PWC   | \$580,000    | GF             |       |              |                |
| COR   | MA           | MH                 | HC                | Ad Seg/EOP Treatment & Office Space-Coleman                     | AC             | P     | \$1,086,000  | AB900LR        | WC    | \$16,584,000 | AB900LR        |
| DVI   | MA           | MH                 | P                 | Reception Center Enhanced Outpatient Program Treatment Space    | AC             | P     | \$608,000    | GO Bond        |       |              |                |
| LAC   | MA           | MH                 | HC                | Enhanced Outpatient Patient Treatment & Office Space            | AC             | P     | \$939,000    | AB900LR        | WC    | \$11,018,000 | AB900LR        |
| PBSP  | MI           | MH                 | HC                | B1-B-2 Kitchen/Dining Room Conversion to Mental Health Delivery | AC             | PWC   | \$565,000    | GF             |       |              |                |
| PVSP  | MI           | MH                 | HC                | Remodel Mental Health Group Therapy Room #188 Facility A        | AC             | PWC   | \$252,000    | GF             |       |              |                |
| PVSP  | MI           | MH                 | HC                | Remodel Mental Health Group Therapy Room Facility B             | AC             | PWC   | \$252,000    | GF             |       |              |                |
| PVSP  | MI           | MH                 | HC                | Remodel Mental Health Group Therapy Room Facility C             | AC             | PWC   | \$252,000    | GF             |       |              |                |
| PVSP  | MI           | MH                 | HC                | Remodel Mental Health Group Therapy Room Facility D             | AC             | PWC   | \$252,000    | GF             |       |              |                |
| SAC   | MA           | MH                 | HC                | 192 Enhanced Outpatient, Treatment & Office Space-Coleman       | AC             | W     | \$876,000    | GF             | C     | \$12,445,000 | GF             |
| SAC   | MA           | MH                 | HC                | PSU Treatment & Office Space for 152                            | AC             | P     | \$1,153,000  | AB900LR        | WC    | \$16,992,000 | AB900LR        |
| SAC   | SRP          | MH                 | HC                | Convert B-1 HU to MH Crisis Beds - Coleman                      | CO             | PWC   | \$131,000    | GF             |       |              |                |
| SVSP  | MA           | MH                 | HC                | EOP GP A Quad Treatment & Office Space for up to 300 GP Inmates | AC             | P     | \$1,605,000  | AB900LR        | WC    | \$25,521,000 | AB900LR        |
| SVSP  | SRP          | I                  | U                 | TC-1 Gasket Repairs - Phase I (Coleman)                         | AC             | PWC   | \$102,000    | GF             |       |              |                |
| SVSP  | MI           | MH                 | HC                | Conversion of C-5 & C-6 Dining to Inpatient MH Program          | AC             | PWC   | \$385,000    | GF             |       |              |                |
| SVSP  | SRP          | I                  | U                 | TC-1 Gasket Repairs - Phase II (Coleman)                        | PR             | PWC   | \$128,000    | GF             |       |              |                |
| SVSP  | SRP          | MH                 | HC                | Cell Modifications C5 & C6 for Coleman                          | CO             | PWC   | \$870,000    | GF             |       |              |                |

## COLEMAN PROJECTS

| INST.         | PROJECT TYPE | CDCR CATEGORY CODE | SUB CATEGORY CODE | PROJECT NAME                                   | PROJECT STATUS | PHASE | COST                 | FUNDING SOURCE | PHASE | COST                 | FUNDING SOURCE |
|---------------|--------------|--------------------|-------------------|------------------------------------------------|----------------|-------|----------------------|----------------|-------|----------------------|----------------|
| SVSP          | MA           | MH                 | HC                | 64 Bed ICF Mental Health Facility              | CO             | PWC   | \$29,499,000         | LR             |       |                      |                |
| SVSP          | SRP          | MH                 | HC                | D5 & D-6 Conversion to (6) ICF Treatment Rooms | CO             | PWC   | \$563,000            | GF             |       |                      |                |
| SVSP          | MI           | MH                 | HC                | C5 & C6 Conversion to ICF Treatment Space      | CO             | PWC   | \$306,000            | GF             |       |                      |                |
| <b>TOTALS</b> |              |                    |                   |                                                |                |       | <b>\$167,086,000</b> |                |       | <b>\$191,325,000</b> |                |

## COLEMAN PROJECTS

| INST. | PROJECT TYPE | CDCR CATEGORY CODE | SUB CATEGORY CODE | PROJECT NAME | PROJECT STATUS | PHASE | COST | FUNDING SOURCE | PHASE | COST | FUNDING SOURCE |
|-------|--------------|--------------------|-------------------|--------------|----------------|-------|------|----------------|-------|------|----------------|
|-------|--------------|--------------------|-------------------|--------------|----------------|-------|------|----------------|-------|------|----------------|

| LIST KEY                                                |                                                |                       |
|---------------------------------------------------------|------------------------------------------------|-----------------------|
| CDCR CATEGORY CODE                                      | PHASE CODE                                     | Sub-Category Code     |
| Infill (IN)                                             | Acquisition (A) Study (S)                      | Fire/Life/Safety (F)  |
| Medical (M)                                             | Preliminary Plans (P)                          | Housing (H)           |
| Mental Health (MH)                                      | Working Drawings (W)                           | Health Care (HC)      |
| Dental (D)                                              | Construction ( C)                              | Programs (P)          |
| Re-Entry (RE)                                           | Design Build (DB)                              | Security (S)          |
| Farrell (FA)                                            | All Phases (PWC)                               | Support Services (SS) |
| Infrastructure (I)                                      | <b>PROJECT TYPE</b>                            | Utilities (U)         |
| Other (O)                                               | Major (MA)                                     |                       |
|                                                         | Minor (MI)                                     |                       |
|                                                         | Special Repair Project (SRP)                   |                       |
|                                                         | Special Project (SP)                           |                       |
|                                                         |                                                |                       |
| PROJECT STATUS                                          | FUNDING SOURCE                                 |                       |
| Active (AC) Portion or all Funded                       | General Fund (GF)                              |                       |
| Proposed (PR) Proposed for 11/12                        | Bonds (B)                                      |                       |
| Completed (CO) Funded & Completed in Calendar Year 2010 | Special Funds (SF)                             |                       |
|                                                         | AB900 General Fund (AB900GF)                   |                       |
|                                                         | AB900 Lease Revenue (AB900LR)                  |                       |
|                                                         | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |

# **CALIFORNIA OUT-OF-STATE FACILITIES**

# CALIFORNIA OUT-OF-STATE CORRECTIONAL FACILITIES

**Overview**

In October 2006, the Governor released an Emergency Proclamation regarding overcrowding in State prisons. *"Our prisons are now beyond maximum capacity, and we must act immediately and aggressively to resolve this issue,"* said Governor Schwarzenegger. *"I've ordered the Department of Corrections and Rehabilitation to begin contracting with facilities in other states to transfer inmates to available beds outside of California."* (A copy of the proclamation is included in Appendix A). The transfer of California Department of Corrections and Rehabilitation (CDCR) inmates to out-of-state facilities began in November 2006.

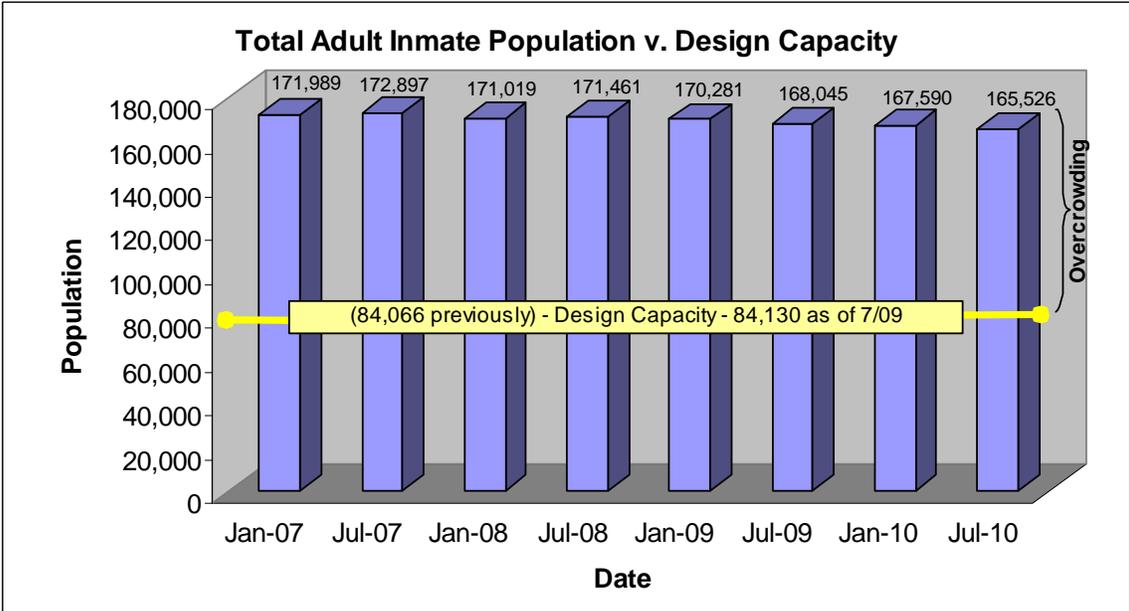
In May 2007, Governor Schwarzenegger signed Assembly Bill (AB) 900 (Ch. 7, Stats. of 2007), The Public Safety and Offender Rehabilitation Act of 2007, which clarified the authority of CDCR to temporarily transfer inmates to private facilities in other states.



California State Prison, Los Angeles – Nontraditional Beds

As CDCR develops plans for the approved construction per AB 900 and Senate Bill (SB) 81 (Ch. 175, Stats. of 2007), California's inmate population has declined but continues to have overcrowded prisons (see chart below). The total designed capacity for California's institutions was 84,130 as of July 2009. To address the overcrowding issue and limit the use of nontraditional beds within its correctional facilities, CDCR has entered into contracts with the Correctional Corporation of America (CCA) to house up to 8,132 CDCR inmates in out-of-state facilities. This program is referred to as the California Out-of-State Correctional Facility (COCF) program. CDCR amended its agreement with CCA November 2, 2009, which allows an additional 2,336 out-of-state beds, for a total of 10,468 beds, by February 2011 (refer to Table 1 below)

**Table 1**



### Authority

In furtherance of the Governor's Emergency Proclamation, the passage of AB 900, which amended Penal Code (PC) Section 11191, established the legal authority for the COCF program. It allows the transfer of CDCR inmates to any institution within or outside of the State of California if a contract has been created for the confinement of CDCR inmates. Transferring inmates began on a voluntary basis and now continues with both voluntary and involuntary transfers.

No inmate with serious medical or mental health conditions, as determined by the *Plata* Receiver (judicially assigned to administer CDCR's medical operations) and/or an inmate in the mental health delivery system at the Enhanced Outpatient Program (EOP) level of care or higher as determined by the Special Master (judicially assigned to oversee CDCR's mental health operations), may be committed or transferred to an institution outside of the State unless the inmate has executed a written consent to the transfer and has been evaluated on a case by case basis by medical staff.

Due to a statewide shortage of Disability Placement Wheelchair (DPW) Level III designated beds, all COCF eligible DPW Level III inmates are continually screened and eligible inmates could be transferred to the COCF program; however, while the La Palma Correctional Center, located in Arizona, is designated for the housing of DPW inmates, no DPW inmate has, to date, met the criteria for placement out of state.

Initially, in order to be eligible to transfer to an out-of-state facility, CDCR screens inmates with active Immigration and Customs Enforcement (ICE) holds, potential ICE holds, United States or naturalized citizens who have not had a visit with an immediate family member within the last year, and United States or naturalized citizens who have had a visit with an immediate family member. COCF is currently processing all Level III inmates for possible placement based upon other criteria such as classification based on custody level, classification score, escapes, gang member, high profile, or medical.

The Interstate Corrections Compact, (PC Section 11189) Article VI, Federal Aid, (a copy of this can be found on the CD in Appendix A) states in part that "Any state party to this compact may accept federal aid for use in connection with any institution or program..." California is currently receiving federal funds from the State Criminal Alien Assistance Program (SCAAP) for housing illegal aliens in prison. California historically has received the largest annual awards, having received over \$1.7 billion since SCAAP's inception. Any state or locality that incurred costs for incarcerating "undocumented criminal aliens" is eligible to apply for SCAAP funding. Specifically, the program provides federal assistance to states and local agencies to do the following: 1) offset the costs incurred for the imprisonment of undocumented criminals who are convicted of at least one felony offense or two misdemeanors and are incarcerated for at least four consecutive days; 2) better identify undocumented individuals; and 3) expedite the process of transferring undocumented criminals from state and local



Inmates Being Transported to an Out-of-State Facility

## CALIFORNIA OUT-OF-STATE CORRECTIONAL FACILITIES

correctional facilities to federal custody in preparation for deportation. The State houses 17,073<sup>1</sup> illegal immigrants with an ICE hold in its prisons and jails as of October 31, 2010, with 2,168 of those housed in out-of-state facilities. The proposed federal fiscal year 2011 Budget plan sets aside \$330 million for the incarceration program, down from \$400 million last year.<sup>2</sup>

### Contracts / Locations

The current and executed out-of-state contracts are with CCA based in Nashville, Tennessee. CCA houses approximately 75,000 offenders and detainees in 65 facilities with a total bed capacity of more than 80,000. CCA currently partners with all three federal corrections agencies (the Federal Bureau of Prisons, the U.S. Marshals Service, and ICE), nearly half of all states, and more than a dozen local municipalities.

One way CCA attracts customers is by developing and operating prisons for less money than government agencies. The company says it can build facilities for \$55,000 to \$65,000 a bed, compared with \$80,000 to \$250,000 for government-owned facilities. CCA is able to build a prison in one to three years compared with three to seven years for a state or federal agency.<sup>3</sup>

The sites contracted to house CDCR inmates, the number of contracted beds, and the number of California inmates is shown in Table 2 below.

**Table 2**

| Contracted Facility                       | Location    | Base Capacity | Budgeted Capacity | # of CA Inmates |
|-------------------------------------------|-------------|---------------|-------------------|-----------------|
| Florence Correctional Center              | Arizona     | 880           | 880               | 853             |
| La Palma Correctional Center              | Arizona     | 3,060         | 3,060             | 2,978           |
| North Fork Correctional Facility          | Oklahoma    | 2,400         | 2,400             | 2,390           |
| Red Rock Correctional Center              | Arizona     | 1,536         | 1,080             | 1,078           |
| Tallahatchie County Correctional Facility | Mississippi | 2,592         | 2,592             | 2,574           |
| Total as of October 14, 2010              |             | 10,468        | 10,012            | 9,873           |

Note – 8,132 transfers were planned for the COCF program originally. On November 2, 2009, the CCA contract was amended to allow for a total of 10,468 by February 2011.

### Population

Currently COCF could house the following inmates in out-of-state facilities:

- **Florence Correctional Center** located in Florence, Arizona, is a male, medium-security facility with 880 beds (activated December 22, 2006).
- **La Palma Correctional Center** located in Eloy, Arizona, is a male only facility with 3,060 total beds. This facility is solely contracted with CDCR (activated July 12, 2008).
- **North Fork Correctional Facility** located in Sayre, Oklahoma, is a male, medium-security facility with 2,400 beds (activated February 7, 2008).
- **Red Rock Correctional Center** located in Eloy, Arizona, is the newest contracted facility for males only. There are 1,536 beds (activated March 14, 2008).
- **Tallahatchie County Correctional Facility** located in Tutwiler, Mississippi, is a male, maximum-security facility with 2,592 total beds (activated August 6, 2007).

<sup>1</sup> Obtained from CDCR's Offender Information Services Data Analysis Unit.

<sup>2</sup> <http://articles.latimes.com/2010/feb/05/local/la-me-immig-jails5-2010feb05>

<sup>3</sup> <http://www.businessweek.com/news/2010-05-11/corrections-corp-shows-crime-pays-with-private-jails-update2-.html>

## CALIFORNIA OUT-OF-STATE CORRECTIONAL FACILITIES

COCF is currently reviewing additional sites with multiple vendors for a possible additional 5,000-bed expansion to the COCF program.

The proposed 2010/11 per capita costs are \$44,563<sup>4</sup> per year to house one inmate in a California institution. An average cost breakdown to send an inmate to an out-of-state facility is as follows:

- \$1,482 per inmate air transport;
- \$200 per inmate bus transport (Arizona facilities);
- \$30 to transport inmate property one way;
- \$160 per mental health screening;
- \$64 per inmate-attorney consult; and
- \$61 – \$72.38 daily per diem rate per inmate (\$22,265 - \$26,418.70 per year)

The fixed costs when transported by bus are \$454 per inmate. The fixed costs when transported by air are \$1,736 per inmate. Therefore, the total annual cost per inmate could be within the range of \$22,719 - \$28,514.70

With California's budget crisis, COCF can potentially create savings for CDCR and California. At almost \$29,000 per COCF inmate versus \$45,000 per regular inmate, the potential savings would be \$168 million (\$16,000 difference x 10,500 COCF inmates = \$168 million). On the down side, the job sustainment/creation inures only to the benefits of states other than California.

### Duration

As amended by AB 900, PC Section 11191 shall remain in effect until July 1, 2011, or until the removal of all "temporary beds" as defined in Government Code Section 15819.40 (a) (1) (C) (3). A more definitive schedule for the termination of COCF bed use will be developed after the schedules for new infill and medical bed projects are finalized.

Since the Department began the out-of-state transfers, it has reduced the number of nontraditional housing – such as gymnasiums, dayrooms, and other areas of the institution not intended for housing – from a high of 19,618 in August 2007 to the current total of 10,111<sup>5</sup> (refer to Table 3 on the following page).

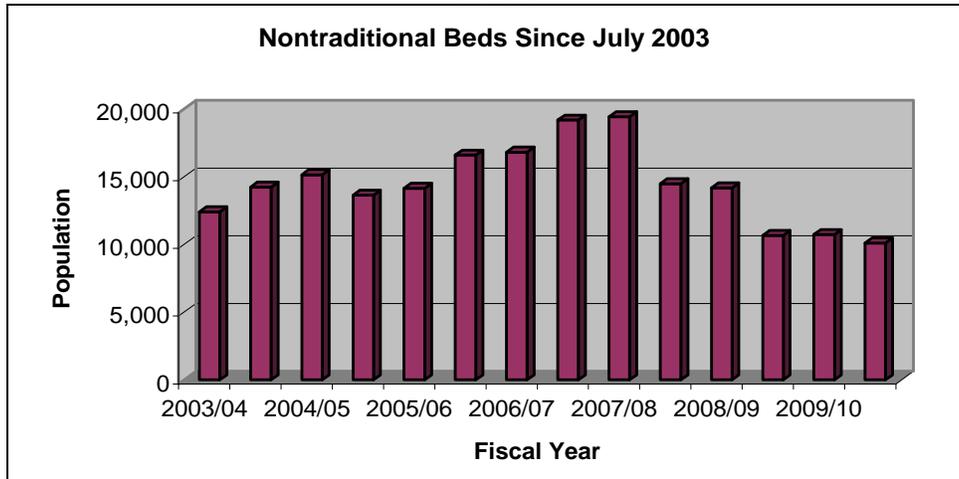


California Institution for Men – Nontraditional Beds

<sup>4</sup> [http://www.ebudget.ca.gov/pdf/GovernorsBudget/5210/5225\\_fig1f.pdf](http://www.ebudget.ca.gov/pdf/GovernorsBudget/5210/5225_fig1f.pdf)

<sup>5</sup> Obtained from CDCR's Program Support Unit, July 2010.

Table 3



**Three Judge Panel**

CDCR filed a comprehensive Population Management Plan on September 18, 2009, with the federal Three Judge Panel to reform the prison population over several years. This plan proposes to bring CDCR’s operational capacity to 137.5 percent of the total Design Capacity (DC) of the State’s 33 institutions by December 2011.

Specific to COCF, Exhibit A of the filing states that through administrative changes:

“Defendants will expand the California Out-of-State Correctional Facility (COCF) program, which has as its primary purpose removing non-traditional beds and relieving crowding by transferring CDCR inmates to contracting out-of-state facilities. The COCF program has been in place since October 2006 and CDCR currently maintains approximately 8,000 inmates in out-of-state facilities. CDCR intends to expand the program to allow transfer of additional inmates out-of-state. CDCR maintains a robust quality assurance system over the program to ensure all inmates transferred out-of-state are able to obtain all appropriate services. State Defendants estimate this program will net an additional approximate 1,250 reduction in CDCR’s average daily population (ADP) in or about Fiscal Year 2009-2010, a 2,200 total reduction in CDCR’s ADP in or about Fiscal Year 2010-2011, and a 2,500 total reduction in CDCR’s ADP once fully implemented in or about Fiscal Year 2011-2012.”

The filing further states:

“In addition to the 2,500 bed expansion set forth above, State Defendants will work with the Legislature to remove the existing clause that calls for the termination of the COCF program in 2011. With this legislative change, State Defendants estimate they will be able to expand the COCF program by an additional 5,000 inmates reducing its ADP by that amount.”

A summary of the latest Three Judge Panel’s ruling is presented below (refer to Appendix A for all actions):

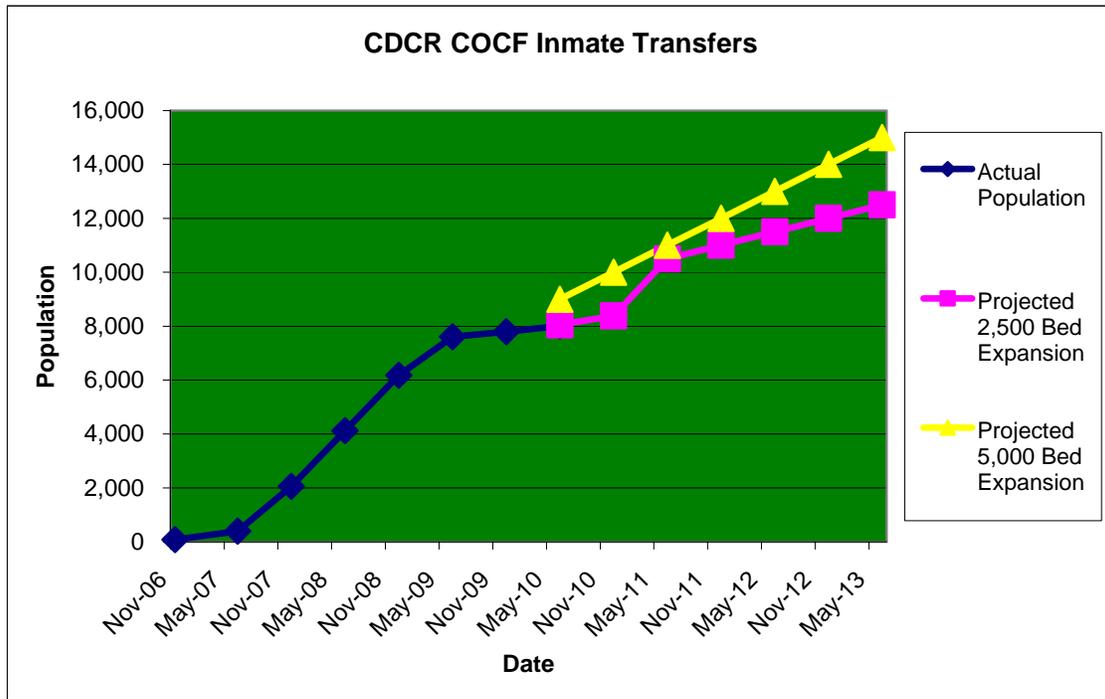
## CALIFORNIA OUT-OF-STATE CORRECTIONAL FACILITIES

On January 12, 2010, the Court accepted the State's revised population reduction plan, subject to a number of stated conditions, however the Court stayed implementation pending the United States Supreme Court's consideration of the State's appeal of its August 4, 2009, ruling. This will not be heard by the Supreme Court until November 30, 2010.

### Inmate Transfers – Actual and Projected

Table 4 below identifies the number of inmates housed in COCF facilities and provides future projections based on the Population Management Plan filed with the Court.

**Table 4**



Ultimately, CDCR will allow contracts to expire as the need for out-of-state beds decreases with the addition of CDCR's permanent bed construction (as authorized by AB 900 and SB 81) and with reductions to the inmate population achieved through various sentencing, parole and other reforms. A more definitive schedule for the termination of COCF bed use will be developed after the schedules for new infill, reentry, and medical bed projects are finalized.

### Federal Receiver

No inmate with serious medical or mental health conditions, as determined by the *Plata* Receiver and/or an inmate in the mental health delivery system at the EOP level of care or higher as determined by the Special Master, may be committed or transferred to an institution outside of the State unless the inmate has executed a written consent to the transfer. There is ongoing discussion with the *Coleman* Special Master regarding the housing of inmates at the Correctional Clinical Case Management System level of care. A decision is still pending.

### Additional Inmate Resources

In an attempt to develop a larger pool of potential COCF-eligible inmates, a test program was initiated to determine if beginning the eligibility screening at the reception centers (RC) could be

## CALIFORNIA OUT-OF-STATE CORRECTIONAL FACILITIES

a viable method of identifying COCF-eligible inmates at an earlier stage of incarceration. The Deuel Vocational Institution RC and North Kern State Prison RC were identified as the two facilities for the test program. It was anticipated the identification and processing of inmates arriving at the RCs would enable COCF to maintain an adequate supply of inmates to maintain the population levels necessary at the contracted facilities out-of-state. The test period began June 1, 2009, and concluded August 31, 2009. Preliminary results indicated the RCs could be a viable source of COCF-eligible inmates. Since the test period, processing from all CDCR RC's have been able to produce approximately 250 inmates a month to the COCF program. Beginning January 20, 2010, CDCR is processing COCF inmates at all RCs.

# **FEMALE OFFENDER REFORM PROGRAMS**

## FEMALE OFFENDER REFORM PROGRAMS

### Overview

In recent years, the increase in the number of women under criminal justice supervision has called attention to the status of women in prison and made evident the differences between male and female offenders.

In the 1980s and 1990s, the California Department of Corrections and Rehabilitation (CDCR) focused on the overwhelming job of designing, building, and staffing a rapid expansion of the prison system. Throughout this period policymakers and program administrators made few distinctions based on whether inmates were male or female. Gender was not a factor in staffing institutions or parole units or in the development of programs for offenders.

In 2004, the Little Hoover Commission's report, *Breaking the Barriers for Women on Parole*<sup>1</sup>, suggested fundamental reforms were needed in California's correctional system to interrupt the generational toll created by the incarceration of women. The report identified the lack of a gender-responsive strategy focused on rehabilitating women and preparing them for successful parole. In July 2005, the Female Offender Programs and Services Unit (FOPS) was established in CDCR to manage and provide oversight and leadership to all adult female programs including prisons, conservation camps, and community programs. Gender-responsive, culturally-sensitive, and trauma-informed approaches to program and policy development have been implemented by FOPS that are anticipated to improve recidivism outcomes for incarcerated and paroled female offenders under CDCR supervision. The mission of FOPS is to provide an environment where female offenders are treated with dignity and respect and receive gender-responsive supervision, treatment, and services. This will increase opportunities for successful reintegration into their communities, reducing the number of females incarcerated while protecting the safety of the people in the State of California.

In 2007, Governor Arnold Schwarzenegger signed Assembly Bill (AB) 76 (Ch. 706, Stats. of 2007), which required the Department to undertake various tasks related to female offenders, including contracting with nationally recognized gender-response experts in prison operational practices, staffing, classification, substance abuse, trauma-informed treatment services, mental health services, transitional services, and community corrections. AB 76 was added to Title 2 of Part 3 of Penal Code (PC) Section 3430.

In 2008, FOPS prepared a *Master Plan for Female Offenders: A Blueprint for Gender-Responsive Rehabilitation*<sup>2</sup> and a Task Force established a "Gender Responsive Strategies Commission" to address the significant growth of the female offender population, assist in the development of programs to lower recidivism, and address the differences in male and female incarceration, management, and rehabilitation.

Findings and evidence from the result of studies conducted by the University of California, Los Angeles, national experts, correctional practitioners, and recognized researchers in the field of female incarceration demonstrate that recidivism, unemployment, and substance abuse are decreased by gender-responsive programming in the community.

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<sup>1</sup> <http://www.lhc.ca.gov/studies/177/report177.pdf>

<sup>2</sup> <http://intranet/Pro/cphcs/mentalhealth/ColemanCompliance/Documents/Submittals/2008%20CDCR%20Female%20Offender%20Master%20Plan%20Final.pdf>

## FEMALE OFFENDER REFORM PROGRAMS

Children who visit regularly demonstrate better emotional adjustment, IQ scores, and behavior<sup>3</sup>. Research has found that abiding family bonds are the strongest predictor of successful reentry, and that the costs of such efforts are repaid tenfold in savings created by decreased rates of recidivism and foster care placement. One study found that a child's delinquency increases when visits are denied<sup>4</sup>. CDCR and the Center for Restorative Justice Works worked together on May 7, 2010, to sponsor the Get on the Bus program, enabling hundreds of children to visit their incarcerated mothers<sup>5</sup>. Twenty-nine buses and one airplane filled with more than 500 children and their caregivers traveled from major cities across California to one of three female institutions. Approximately 200,000 children in California have an incarcerated parent and live with relatives or in foster care. Approximately 75 percent of female inmates are mothers. For many of these children, this is the only time during the year that they will see their mother. The program is funded by donations from churches, schools, family foundations, grants, and other organizations.



"Get on the Bus" Program

### Female Institutions

As of October 31, 2010, CDCR housed 9,514 female inmates at its prisons and community facilities. CDCR's female offender in-prison population is currently housed at the following three institutions:



CIW

**California Institution for Women (CIW)** accommodates all custody levels of female offenders, opened in 1952, and covers 120 acres in Riverside County. The primary mission of CIW is to provide a safe and secure environment for Level I and III female offenders. This mission is further defined by the responsibility to provide quality health care and institution programs specifically geared to meet the special needs of female offenders. Specialized programs include academic and vocational programs, substance abuse programming, pre-forestry and camp training, and a wide variety of inmate self-help groups and community betterment projects.

CIW also functions as a reception/processing center for incoming female inmates. In addition to its large general population, CIW houses inmates with special needs such as pregnancy, psychiatric care, methadone, and medical problems such as human immunodeficiency virus infection. CIW serves as a hub institution for the selection and physical

<sup>3</sup> Sarah Gauch in Terry A. Kupers, M.D., Brief Literature Review Regarding Prison Visiting, October 2003

<sup>4</sup> Nell Bernstein, Children of Incarcerated Parents: A Bill of Rights; San Francisco Partnership for Incarcerated Parents, October 2003

<sup>5</sup> An annual event, Get On The Bus offers free transportation for the children and their caregivers to the prison, provides travel bags for the children, comfort bags for the caregivers, a photo of each child with his or her parent, and meals for the day (breakfast, snacks on the bus, a special lunch at the prison with their parent and dinner on the way home), all at no cost to the children's family. On the bus trip home, following a four hour visit, each child receives a teddy bear with a letter from their parent and post-event counseling.

## FEMALE OFFENDER REFORM PROGRAMS

fitness training of female firefighters selected for conservation camp placement. CIW is also the hub institution for the Family Foundation Program and the Community Prisoner Mother Program. The institution also serves as a higher security facility for female inmates in administrative segregation. CIW has a design capacity of 1,356 but houses 2,290 as of October 31, 2010 (overcrowded at 169% of capacity).

**Central California Women's Facility (CCWF)** is the largest female correctional facility in the United States, opened in October 1990, and covers 640 acres in Madera County. The primary mission of CCWF is to process, rehabilitate, and incarcerate California's female offenders in a secure, safe, disciplined, and ethical institutional setting. CCWF is committed to providing for a safer California through correctional excellence and has been doing so for the last 20 years.



CCWF

CCWF provides inmate academic education, work and vocational training, counseling, and specialized programs for the purpose of successful reintegration into society. It provides community service which encourages public awareness and participation. The facility's specialized mental health and medical services are commensurate with community standards, providing a licensed medical environment while encouraging personal responsibility. The institution also provides staff resources and training which ensures the highest standards of "Correctional Professionalism." CCWF has a design capacity of 2,004 but houses 3,755 as of October 31, 2010 (overcrowded at 187% of capacity).

**Valley State Prison for Women (VSPW)** opened in April 1995, has grown to be one of the largest women's prisons in the world, and covers approximately 640 acres in Madera County. The mission of VSPW is multi-fold. VSPW functions as a reception center and as a general population institution providing education and vocational opportunities for inmates.



VSPW

For inmates requiring a higher level of management care, VSPW has an Administrative Segregation Unit (ASU) and the only female Security Housing Unit (SHU). VSPW is also designed as the hub facility for female inmates with mobility impairments, and the ASU and SHU serves as a hub for housing inmates in the Mental Health Services Delivery System at the Enhanced Outpatient Program level of care. VSPW also houses pregnant inmates. The institution focuses on providing the general population with work programming that includes the Prison Industry Authority. It provides academic and vocational opportunities to emphasize self-improvement and to raise their education level. These opportunities empower the inmates to heighten their productivity as citizens of the institution, pave the way for successful reentry into society, and reduce recidivism. Additionally, a strong

emphasis is placed on substance abuse programming, provided in a therapeutic living community, for those inmates with a substance abuse history. VSPW has a design capacity of 1,980 but houses 3,469 as of October 31, 2010 (overcrowded at 175% of capacity).

### Programs and Services for Female Offenders

There are several local community-based facilities located throughout the State of California and programs include:

## FEMALE OFFENDER REFORM PROGRAMS

**Female Camps** that provide firefighter training, located in Malibu (Los Angeles County), Rainbow (Fallbrook in San Diego County), and Puerta La Cruz (San Diego County).

**Community-based Correctional Facility (CCF)** that provides trauma-informed substance abuse treatment services (TI-SAT), basic living skills, vocational skills, and work placement that increase opportunities for successful reintegration into the community while reducing the numbers of females incarcerated in California. In September 2008, CDCR launched its first-of-its-kind substance abuse treatment program for female offenders at the Leo Chesney Community Correctional Facility in Live Oak. In July 2010, CDCR contracted with private prison operator, GEO Group, Inc., to reopen the former McFarland Community Correctional Facility in Kern County as a privately run women's 200-bed prison.



Leo Chesney Community Correctional Facility

TI-SAT is unique for CDCR in that it takes a multi-dimensional approach that acknowledges women's pathways into the criminal justice system and targets the causes of substance abuse. TI-SAT targets social and cultural factors including abuse, violence, family services and family reunification, co-occurring disorders, and addresses the trauma that may lead women to abuse drugs and alcohol. Gender-responsive means housing, supervision, treatment programs, services, staff who develop and deliver the programs, and every aspect related to the incarceration of women reflects an understanding of the realities and issues of women's lives. This program is part of CDCR's long-term strategic plan for female offenders which began in January 2005.

In January 2010<sup>6</sup> the TI-SAT program was launched at three new facilities. The program at CCWF will serve 175 women offenders and is fully implemented. A TI-SAT program opened at VSPW on January 19 and will serve 175 female inmates. The program began at CIW on January 21 and will serve 175 women offenders including participants in the civil addicts program and convicted felons. Due to budget reductions on adult rehabilitation programs, CDCR is using a 90-day treatment program rather than the six-month program at the Leo Chesney CCF.

**Family Foundations Programs (FFP)**, established in 1990 via PC Section 1174, is also known as the Pregnant and Parenting Women's Alternative Sentencing Program Act. Women are sentenced to the FFP directly from the court. The FFP is a highly structured, alternative 12-month sentencing program for non-violent, substance abusing women who are pregnant or parenting a child. Instead of serving their sentence in a state prison, mothers are placed in this correctional residential facility where they live with and care for their children. The first FFP opened in Santa Fe Springs in 1999, the second facility was activated in San Diego in 2000, and the third opened in Fresno in 2008. Residents reside with one or two children under the age of six while they complete their treatment program. Women who have completed the program have an 11 percent chance of



Santa Fe Springs Family Foundations Program

<sup>6</sup> [http://www.cdcr.ca.gov/News/2010\\_Press\\_Releases/Jan\\_27\\_TI-SAT.html](http://www.cdcr.ca.gov/News/2010_Press_Releases/Jan_27_TI-SAT.html)

## FEMALE OFFENDER REFORM PROGRAMS

returning to prison within a year versus a 30 percent recidivism rate for women who serve their sentence in prison, according to CDCR's Office of Research.

**Community Prisoner Mother Programs (CPMP)**, implemented in 1980 via PC Section 3410, provides the opportunity for inmate mothers to bond with their children and to strengthen the family unit. Women are endorsed for the CPMP and enter the program from one of the three female institutions. Women are eligible with six years or less remaining on their sentence and whose children are under the age of six. The CPMP programs provide services for substance issues, emotional functioning, self-esteem, parenting skills, and employment skills.

**Female Rehabilitative Community Correctional Center (FRCCC)** provides services to non-serious, non-violent female inmates as authorized under PC Section 6250 et seq. The facility is designed to house women in groups of 75 women. The FRCCC was activated on April 27, 2009, in Bakersfield and houses 75 Level I and II offenders. Services include a gender-based, trauma-informed program. The limited group size provides a controlled environment and the configuration is conducive to intensive rehabilitative programming and services. Services include educational and vocational programs; substance abuse treatment and education; group and individual counseling; family counseling and reunification programs; sober living skills and the 12-step program; wellness and trauma treatment programs; recreational and religious programs; medical, mental health, and dental treatment; and links for community services. The FRCCC is staffed around the clock by CDCR custody staff and by State and contract employees to provide rehabilitative programs and oversee facility and program operations.



FRCCC in Bakersfield

**Female Residential Multi-Service Center (FRMSC)**, a 25-bed facility activated in Sacramento in April 2008, provides residential options to those who may find themselves in harmful situations at the time of parole and to transition women successfully back into communities. The FRMSC is a gender-responsive program, developed by national experts for CDCR, and provides a therapeutic environment comprised of intense programming and CDCR parole supervision. FRMSC beds provide 150 days of mandatory aftercare for female offenders as a continuum of wraparound services and gives the parolee the opportunity to increase her success in the community, to live a crime- and drug-free lifestyle, improve her employment status and family relationships.

**Female Offender Treatment and Employment Program (FOTEP)** was initiated in 1999 per Senate Bill (SB) 491 (Ch. 500, Stats. of 1998), requiring CDCR to provide intensive training and counseling services for female parolees. Each FOTEP program includes the following core elements: residential drug treatment and comprehensive case management; vocational services; and parenting/family services. This residential program provides substance abuse treatment for female offenders who are able to reside with their children. All program services include substance abuse treatment, family reunification services, parenting training, vocational training, and employment services. An evaluation of the most recent FOTEP participants and outcomes validated the following findings: longer period of time spent in treatment significantly reduces the return to custody rate; 58 percent of the FOTEP participants who had been in treatment for over 180 days were much less likely to be incarcerated than the non-treatment comparison group (based on a 36-month follow-up period); participants are more likely to

## FEMALE OFFENDER REFORM PROGRAMS

participate in a variety of vocational and job-seeking activities; participants are more likely to receive needed social, treatment, and health services; participants are more likely to participate in 12-step/self-help groups.

**Substance Abuse Services Coordination Agency (SASCA)** provides the opportunity to continue treatment services after discharge from prison. This process offers a seamless transition from prison into a community-based program. CDCR contracts with four regional SASCAs, one for each of the four parole regions, to purchase, deliver, and administer community care services to substance abuse program (SAP) graduates. SASCA functions include transportation directly from the prison to the community-based program, case management of each participant, and subcontracting with and funding a network of over 150 treatment modalities including licensed residential providers, outpatient services, and sober living environment (SLE).

**Parolee Services Network (PSN)** provides community-based alcohol and drug abuse treatment for eligible parolees (felons and civil addicts) who may or may not have participated in a SAP, but who have substance abuse problems. PSN is a partnership between CDCR and the Department of Alcohol and Drug Programs. PSN programs provide community alcohol and drug treatment and recovery services to parolees in 17 counties statewide. These programs provide up to 180 days of treatment and recovery services and are designed to support parolee reintegration into society by encouraging a clean and sober lifestyle.

**In-Custody Drug Treatment Program** is a 150-day program and provides two separate and distinct treatment programming options. Program I is comprised of 60 days county jail time followed by 30 days of residential community based aftercare treatment followed by an additional 60 days in residential, outpatient and/or SLE or a combination of these modalities. Program II is comprised of 90 days of residential community based aftercare treatment followed by an additional 60 days in residential, outpatient and/or SLE or a combination of these modalities. Outpatient treatment programming may include self-help programs such as Alcoholics Anonymous, Narcotics Anonymous, and other aftercare services.

**Treatment Incentive Program:** eligible in-custody SAP participants may complete 150 days of residential, community-based substance abuse treatment as a voluntary condition of their parole. Eligible inmates include non-serious, non-violent, non-sex offenders who meet other criteria and who complete an in-prison SAP. Parolees who successfully complete the prescribed 150 days of residential continuing care treatment are discharged from parole.

**“Dress for Success”**<sup>7</sup>. The right wardrobe can make all the difference in helping change the lives of others. That’s the motivation behind CDCR’s second annual “Dress for Success” event that offers female parolees donated business attire to help them find the right job and stay employed. This event gives female ex-offenders the tools they need to succeed. Women participating have been working to improve their lives in programs ranging from substance abuse treatment to recovering from trauma. Local business, churches, and other organizations make donations of new or gently used suits. The Division of Parole Operations oversees approximately 12,500 female parolees living in California.



“Dress for Success”

<sup>7</sup> <http://cdcrtoday.blogspot.com/2010/06/division-of-parole-operations-sponsors.html>

## FEMALE OFFENDER REFORM PROGRAMS

There have been steep cuts in California's funding for drug treatment programs for inmates and parolees. The number of substance abuse programs in California prisons dropped from 44 at 21 correctional facilities to 13 programs at 13 facilities while the number of treatment slots dropped from 12,200 to 2,400.

### Female Offender Data

As of October 31, 2010, there are 9,514<sup>8</sup> female prison offenders. The following summarizes the profile of female offenders in California as of calendar year 2009<sup>9</sup>.

**Female Offender Data for Calendar Year 2009**

| Offense                | Number       | Percent |
|------------------------|--------------|---------|
| Crimes Against Persons | 1,016        | 14.3    |
| Property Crimes        | 3,462        | 48.6    |
| Drug Crimes            | 2,188        | 30.7    |
| Other Crimes           | 451          | 6.3     |
| <b>Total</b>           | <b>7,117</b> |         |
|                        |              |         |
| Age Group (Years)      | Number       | Percent |
| 18-19                  | 104          | 1.5     |
| 20-24                  | 961          | 13.5    |
| 25-29                  | 1,309        | 18.4    |
| 30-34                  | 1,282        | 18.0    |
| 35-39                  | 1,007        | 14.1    |
| 40-44                  | 1,021        | 14.3    |
| 45-49                  | 837          | 11.8    |
| 50-54                  | 404          | 5.7     |
| 55-59                  | 137          | 1.9     |
| 60-64                  | 38           | 0.5     |
| 65-69                  | 13           | 0.2     |
| 70 years and over      | 4            | 0.0     |
|                        |              |         |
| Racial/Ethnic Group    | Number       | Percent |
| Other                  | 331          | 4.7     |
| Black                  | 1,790        | 25.2    |
| Hispanic               | 2,335        | 32.8    |
| White                  | 2,661        | 37.4    |
|                        |              |         |
| Area of Commitment     | Number       | Percent |
| Southern California    | 4,863        | 68.3    |
| San Francisco Bay Area | 636          | 8.9     |
| Remainder of State     | 1,618        | 22.7    |

In light of potential parole and sentencing reforms that could greatly reduce the female inmate population, the need for female inmate housing will be reevaluated after the reforms and qualifying inmate criteria is established to determine the female inmate bed needs.

<sup>8</sup> Obtained from CDCR's Offender Information Services Branch (OISB).

<sup>9</sup> Characteristics of Felon New Admissions and Parole Violators Returned with a New Term, OISB, Estimates and Statistical Analysis Section, Data Analysis Unit, April 2010

**DIVISION OF JUVENILE JUSTICE**

### Overview

The Division of Juvenile Justice's (DJJ) mission is to protect the public from criminal activity by providing education, training, and treatment services for youthful offenders committed by the courts; assisting local justice agencies with their efforts to control crime and delinquency; and encouraging the development of State and local programs to prevent crime and delinquency. The DJJ is also organized to include the needs of victims and communities through the provision of direct services, as well as programs targeting youthful offenders.

Legislative and policy changes in recent years have served to reduce crowding in DJJ facilities and to clarify the role of DJJ within the juvenile justice system. The California Legislature through Senate Bill (SB) 81 (Ch. 175, Stats. of 2007), Assembly Bill (AB) 191, (Ch. 257, Stats. of 2007), and the courts (*Farrell v. Cate*) have significantly changed the types of youth entrusted to DJJ's care. Since reaching a high of 10,122 juvenile offenders in 1996, the number of juveniles committed to DJJ by the courts has steadily declined to the current October 31, 2010, population of 1,319.

The drastic decline in population began in the mid to late 1990s for two main reasons:

- Counties received increased federal funding to build additional treatment facilities, and
- Change in fees counties are paid to house youths in DJJ facilities based upon the classification of a youth's commitment offense.

The vast majority of youths are now directed to county programs enabling direct access and closer proximity to their homes, families, social programs and services, and other support systems. Those youths committed to DJJ have been convicted of the most serious and violent crimes and are most in need of the specialized treatment services necessary for their success. These youths represent approximately one percent of the 225,000 youth arrests each year in California.

Ninety-five percent of new DJJ commitments have been convicted of serious and violent crimes while those convicted of less serious drug and property crimes have been diverted to county facilities. California is one of only four states that retain youthful offenders to the age of 25. Consequently, the average age of youths committed to the DJJ has remained consistent at 19 years, compared to under the age of 18 nationally. The average length of stay for youths committed to DJJ is approximately 26 months. In addition, the average length of stay for youths on parole is approximately 22 months.

With these changes, coupled with a lower juvenile crime rate in California over the past decade, the population housed in DJJ facilities has continued to decline. Current policy changes proposed in the Governor's 2010/11 budget reflect the potential for continued reduction of DJJ's court commitments.

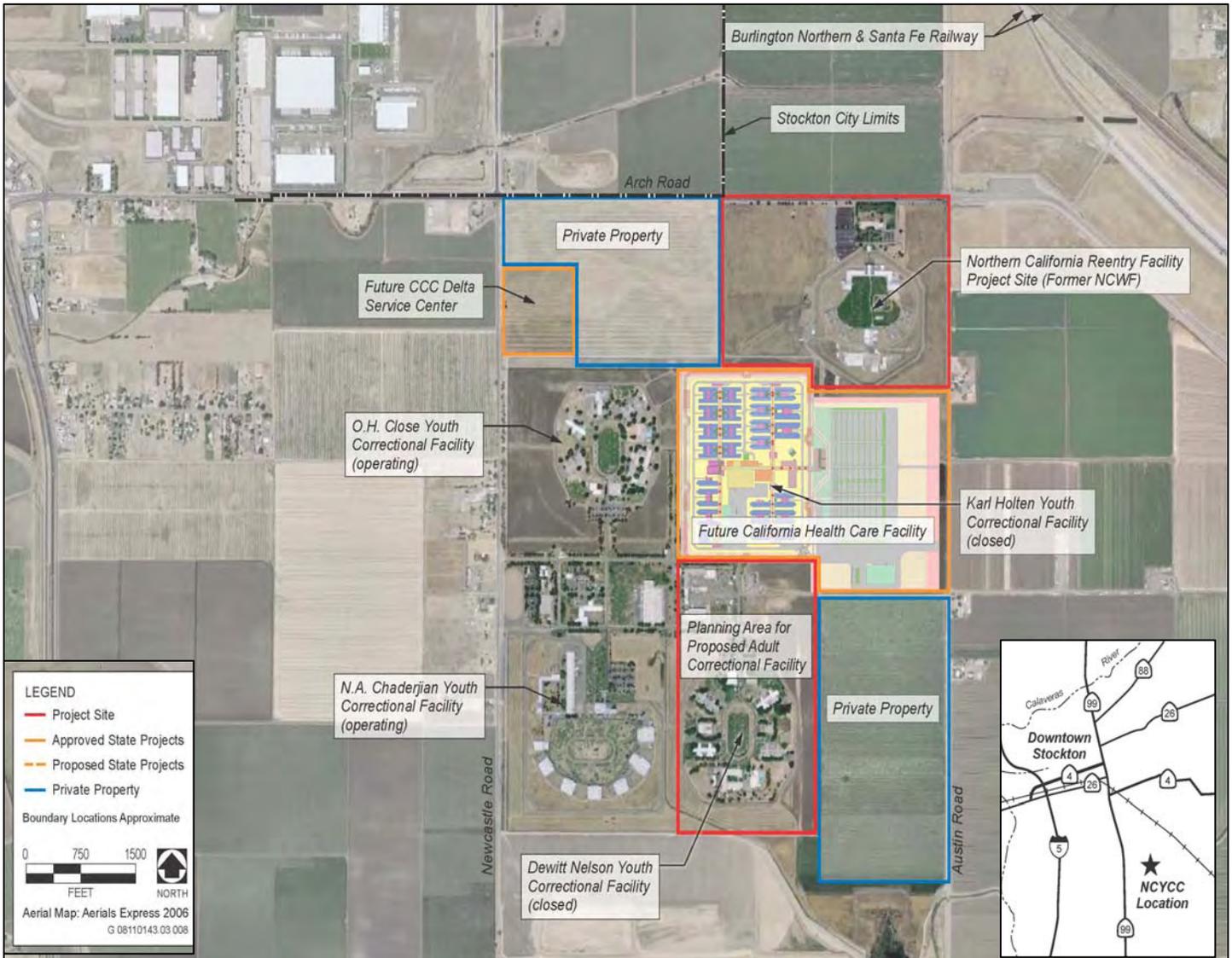
Due to the declining youth population, DJJ closed the El Paso de Robles Youth Correctional Facility (EPRYCF) and the DeWitt Nelson Youth Correctional Facility (DWNKYCF) in 2008. EPRYCF is planned for conversion to a 1,000-bed, Level II adult facility renamed Estrella Correctional Facility. The California Department of Corrections and Rehabilitation's (CDCR) will repurpose DWNKYCF for a new 1,133-bed, Level II adult facility and the adjacent Karl Holton Youth Correctional Facility (KHYCF), which was closed in 2003, for a 1,722-bed California Health Care Facility (CHCF).

The following aerial with schematic overlay shows the location of the four current and former DJJ facilities located south of Stockton at the Northern California Youth Correctional Center

## DIVISION OF JUVENILE JUSTICE

(NCYCC). The graphic shows the proposed siting for the three adult projects planned to replace the two closed DJJ facilities and the closed Northern California Women's Facility (NCWF).

The former DJJ property located south of Stockton is the site of two CDCR infill projects: the 1,722-bed CHCF to be located on the closed KHYCF site, and the 1,133-bed men's adult correctional facility to be located on the site of the closed DWNYCF. The former NCWF is the site of the proposed Northern California Reentry Facility.



The Heman G. Stark Youth Correctional Facility (HGSYCF) was closed as a DJJ facility on February 22, 2010, and is planned to be repurposed as a 2,899-bed, reception center/Level III male adult facility. As the result of the inmate riot on August 8, 2009, that damaged or destroyed several dormitory housing units at the California Institution for Men (CIM) Reception Center West Facility, approximately 700 adult male inmates were relocated to part of HGSYCF which is adjacent to CIM and found itself temporarily serving both an adult population as well as approximately 400 juvenile offenders in a separate area of the facility.

With the closure of HGSYCF in February, there are currently five closed DJJ facilities/sites that are being assessed for reuse as part of the infill bed program and/or new health care facilities. The repurposing of HGSYCF into an adult institution creates an immediate need for additional facility planning activities in order to address both near term and future needs in DJJ. Refer to the Court Cases section in Appendix E for additional information on the *Farrell* lawsuit. With the closure of HGSYCF, DJJ will be utilizing living units previously closed at its two remaining Southern California DJJ facilities at Ventura Youth Correctional Facility (VYCF) and Southern Youth Correctional Reception Center and Clinic (SYCRCC). The exception is the Portola living unit at SYCRCC which is in need of renovation prior to housing youth (money was allocated in the 2010/11 budget).

Once repaired, the Portola living unit will house up to 36 youth for core programming. The reduction of living units in the south due to the closure of HGSYCF will require DJJ to place youth that were committed by counties in the southern part of the state into northern facilities. This is in conflict with the *Farrell* Remedial Plans to place youth in close proximity to their county of commitment and emphasizes the potential need for additional DJJ beds in the south. However, with the continued decline in the statewide DJJ population, ongoing assessments will be needed to determine the distribution of the statewide DJJ population and corresponding bed and facility needs.

Due to the closure of HGSYCF, the Correctional Treatment Center (CTC) is being considered for relocation to VYCF or SYCRCC. Renovations of the existing VYCF space are required to bring the facility in compliance with State of California Code of Regulations Title 22 and Title 24. During this renovation period, alternate arrangements would be required for youth requiring a more acute level of mental health care. Licensure of the CTC at VYCF would depend on construction of clinic space responsive to gender, age, and treatment issues.

DJJ is also reviewing the potential for licensing the Marshal Building at SYCRCC as a CTC. In partnership with DJJ, the State Department of Mental Health (DMH) currently runs an Intermediate Care Facility (ICF) at Marshal. Planning is currently underway to consider the movement of the CTC from HGSYCF to SYCRCC combining both the ICF and CTC program functions under the licensure of a CTC. This combination of both CTC and ICF may provide some operational efficiencies and cost benefits over the long term for DJJ. Based on the cost, timing, and operational efficiencies identified through the planning process, DJJ will determine which facility will house the CTC.

When the majority of DJJ buildings was being designed and constructed in the 1960s the proportion of violent offenders was much smaller and security requirements were minimal. Data of June 30, 1962, reflect that only 14.8 percent of DJJ's population was made up of violent offenders, in sharp contrast to data of December 31, 2009, identifying that 58.9 percent of DJJ's population was made up of violent offenders. The Spring 2009 Population Projections indicate that 96 percent of future admissions to DJJ will have violent (or sex) as their primary commitment offense.

Many of these facilities were designed with a configuration reflecting the heritage and purpose of reform schools rather than a configuration and purpose necessary for a correctional facility. As an example, a reform school dormitory layout is not secure nor is it designed for programming or housing the existing youthful offender population. The current configurations are also inconsistent with the national models for programming youthful offender population in custody.

Youth committed to DJJ now tend to have other serious problems, including mental illness, substance abuse, and gang alliances. A 2001 Stanford University Study found that 71 percent of male youth and 82 percent of female youth incarcerated in DJJ facilities were diagnosed with between three and nine mental disorders, demonstrating a critical need for committed youth to have access to specialized programs.

While a declining youth population has reduced the overall need for institutions and facilities, the changed nature and sophistication of the current youthful offender population, combined with court mandates as a result of the *Farrell v. Cate* lawsuit, to provide mental health, medical, dental, rehabilitative, and educational programs in a rehabilitative environment, have resulted in the realization that CDCR's juvenile facilities are functionally obsolete and spatially inadequate.

As a result of the remedial plans' acknowledgement of the current conditions of DJJ facilities, CDCR received a study appropriation in the 2006 Budget Act for Statewide Master Planning and schematic design of a youth treatment facility (YTF). CDCR completed a detailed programming study and schematic design for a modern YTF in August 2007. An extensive value engineering of the YTF was completed in April 2009 maximizing space and the physical plant for youth programming. This prototypical design was developed using best practices across the country. The program and schematic design respond to program and related facilities requirements from the *Farrell* lawsuit with the goal of improving rehabilitative efforts and reducing youth recidivism.

Using living unit designs from the YTF, DJJ has proposed plans for six new prototypical living units as part of CDCR's Five-Year Infrastructure Plan. A summary of the request can be found in the Project Status Report by DJJ Institution section of this report. DJJ proposed projects in Southern California located on existing State-owned property at VYCF (four buildings equaling eight living units and 276-beds) and SYCRCC's (two buildings equaling four living units and 132-beds). The proposed prototypical buildings will create an additional 408 southern beds.

DJJ acknowledges the fiscal crisis within California and the limitations it places on the availability of capital outlay funding. However, due to the age of DJJ facilities, the infrastructure has reached a point where repair and/or renovation may be less cost effective than replacement of existing facilities over time. While the DJJ Five-Year Infrastructure plan will identify opportunities to repair and extend the use of some existing DJJ facilities, including the construction of prototypical housing units, it is important not to lose sight that investment in new facilities must be part of the State's overall rehabilitative strategy for youthful offenders. Without that investment, full implementation of reform will be challenged by the lack of needed infrastructure.

DJJ currently serves:

- Male and female juvenile offenders committed by county juvenile courts with Welfare and Institutions Code (WIC), 707(b) offenses and non-707(b) sex offenses requiring registration under Penal Code (PC) 290, consistent with SB 81 and AB 191;
- Male and female juvenile offenders remanded to adult court and directly committed to DJJ;
- Parole violators / parole detainees, (meeting the WIC 707(b) or PC 290 criteria);
- Youthful offenders sentenced to adult prison, under 18 years of age, and ordered by the court to be housed in DJJ institutions until age 18 ("M" number cases), and those committed to adult prison and transferred at age 18 ("E" number cases); and
- Youthful offenders requiring diagnostic services by law or requested on a contract basis by counties.

## DIVISION OF JUVENILE JUSTICE

DJJ currently houses youthful offenders at remaining juvenile facilities located throughout the State and two camp facilities which are listed below. The eighth facility, the NCYCC in Stockton is a support facility and does not house youthful offenders. For locations, refer to the map in Appendix B.

- O. H. Close Youth Correctional Facility (OHCYCF), Stockton
- N. A. Chaderjian Youth Correctional Facility (NACYCF), Stockton
- Preston Youth Correctional Facility (PYCF), Lone
- Southern Youth Correctional Reception Center-Clinic (SYCRCC), Norwalk
- Ventura Youth Correctional Facility (VYCF), Camarillo
- Northern California Youth Correctional Center (NCYCC), Stockton (Central Services Building on DJJ campus does not include any housing units)
- Ventura Youth Conservation Camp, Camarillo (at VYCF)
- Pine Grove Youth Conservation Camp, Pine Grove



**Pine Grove Youth Conservation Camp**

### **DJJ Facility Closures**

Due to the declining population housed in DJJ facilities, five DJJ facilities have been closed over the past six years. The Fred C. Nelles Youth Correctional Facility (FCNYCF) located in Whittier was declared to be surplus State property by the Legislature and was closed in June 2004 and subsequently advertised for sale.

On August 17, 2009, the State placed FCNYCF up for sale as surplus property to generate much needed revenues for the State. Final bids for the property were due to the Department of General Services (DGS) by November 20, 2009. There is currently a sale pending to a private buyer, with an anticipated closing date of mid 2012. The Karl Holton Drug and Alcohol Abuse Treatment Center, located at NCYCC in Stockton, closed in September 2003. It will be razed to accommodate the planned 1,722-bed CHCF for adult inmates. In October 2010, CDCR announced the closing of the 116-year-old PYCF. The facility will be gradually closed with completion by June 2011. The remaining 224 youths at PYCF will be relocated to one of the five remaining DJJ facilities. The future plans for the PYCF site are yet to be developed and will be reported in future iterations of this report.

**Historical Trends For New DJJ Commitments**

Table 1 below shows the impact of legislative and policy changes dating from the 1960s on new commitments to DJJ facilities. Beginning in 1982, laws and policies were changed to limit the commitment of adult court “youthful offenders” to DJJ facilities. By 1996, these youth offenders could only be housed at DJJ until they turned 18, at which time they were automatically transferred to adult prison. In 2004, this policy was expanded to include all offenders under age 18 sentenced to adult prison, whether ordered “housed” at DJJ by the court or not. Currently, these adult offenders may voluntarily remain at DJJ if they are willing to participate in rehabilitative programs and can finish their terms prior to reaching age 21. However, DJJ has change its policy to require that all youth that are “E” and “M” numbers transfer to the Division of Adult Institutions at age 18, regardless of release date. The only exception being “E” & “M” numbers assigned to a fire camp with an Earliest Possible Release Date before their 21<sup>st</sup> birthday.

**Table 1**  
**CYA/DJJ Population Dynamics**  
**1959-2009 (With Projected Impact of SB81 thru 2012)**

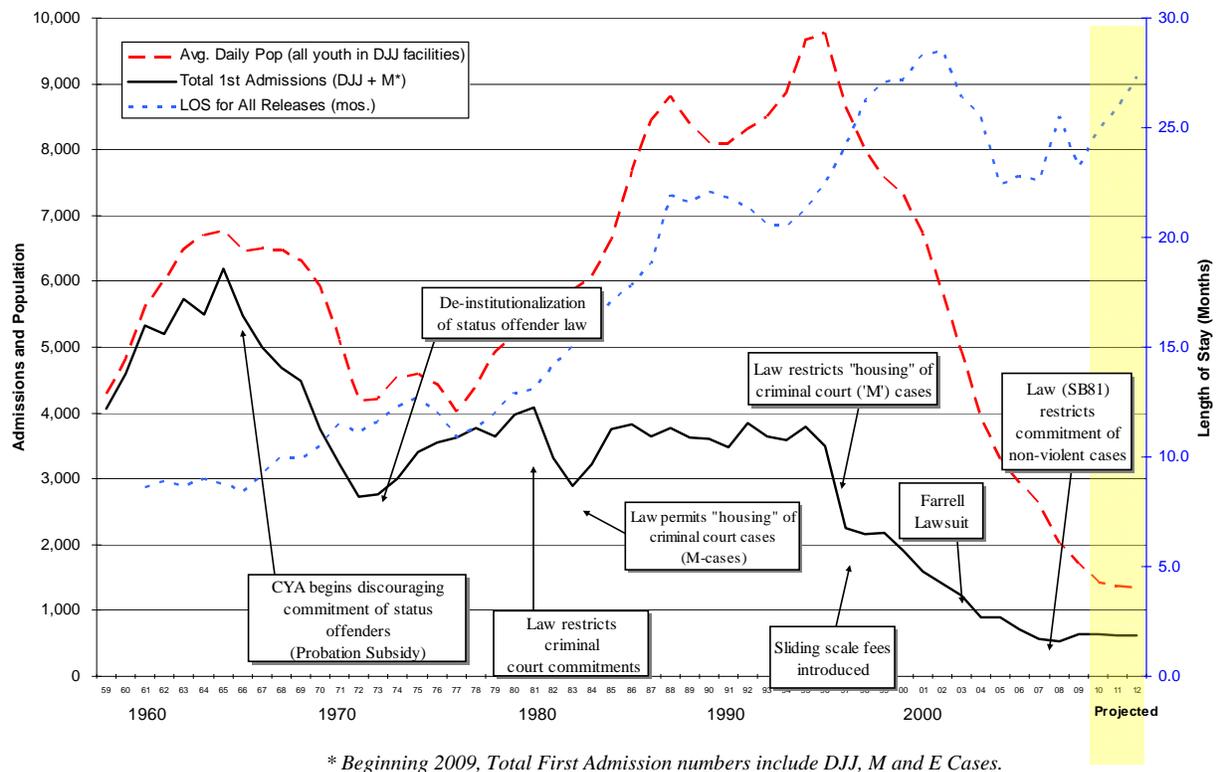


Table 1 Source: “Safety and Welfare” and “Mental Health” Remedial Plans (September 2008).

In 1997, “sliding scale” fees for juvenile commitments to DJJ were implemented to reduce admission of “less serious” offenders to DJJ. These changes were expected to reduce commitments overall and increase the proportions of violent offenders in the incoming population. Reductions resulting from the “sliding scale” have been balanced by reductions in serious juvenile crime in California. As a result, admissions have gone down and the population profile (in terms of commitment offenses) has remained fairly stable over the last ten years.

The rapid escalation of violent juvenile crime in the 1980s and early 1990s resulted in an increase of violent offenders among new commitments to DJJ (see Table 2). This trend leveled

off for a period of time around 1993 but has since changed due to SB 81 and AB 191. Under the provisions of these mandates, only violent (and sex) offenders may be newly committed to DJJ. This has resulted in a dramatic decrease in the DJJ facility population. The projected impact of these policy changes is discussed in the next section, Population Projections.

**Table 2**  
**Commitment Offenses of First Admissions to DJJ**  
**(Percent of Admissions)**  
**1959-2008**  
**(2008+ = Projected 707b/Sex Offenders Only)**

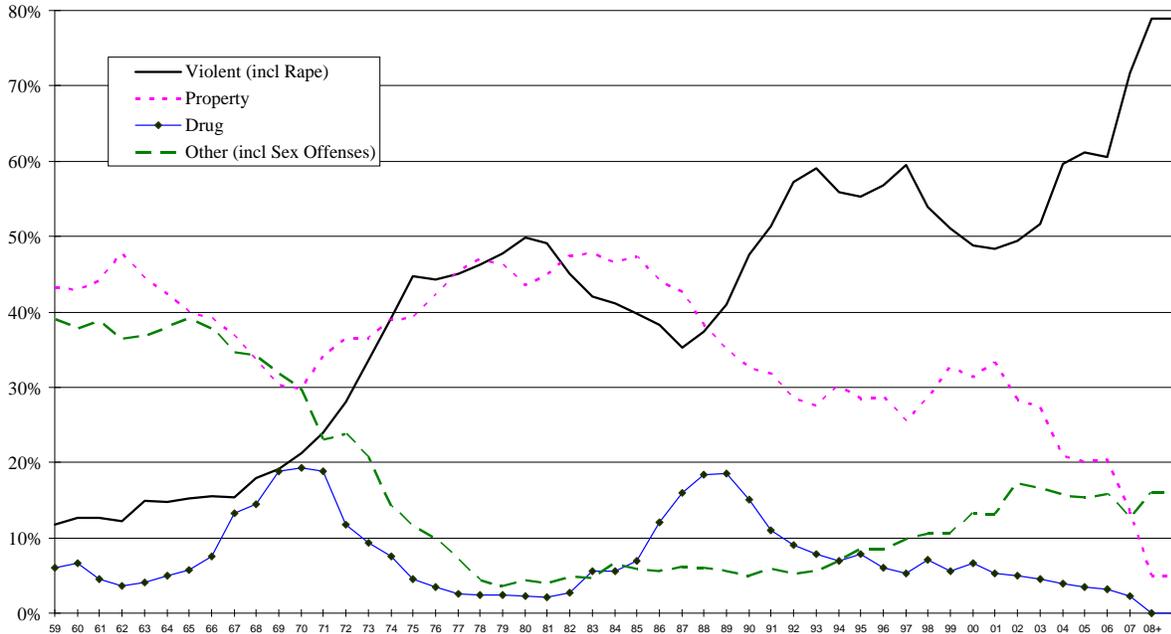


Table 2 Source: "Safety and Welfare" and "Mental Health" Remedial Plans (September 2008).

**Population Projections**

The total number of first time admissions of youthful offenders to a DJJ facility by the juvenile court is projected to decrease from 325 during fiscal year (FY) 2009/10 to 315 during FY 2013/14. This decrease is attributed to factors including the expected decline in the statewide youth population.<sup>1</sup>

As a result of the decrease in first time admissions and a lower revocation rate, parole violator admissions are also projected to decrease annually from 290 during FY 2009/10 to 132 during FY 2013/14. "M" and "E" case admissions (criminal court commitments to adult prison housed in juvenile facilities) are projected to stabilize in 2009. "M" case admissions are projected to total 171 annually and the number of "E" cases in the facility population will continue to average around 135.

<sup>1</sup>. CDCR Spring 2010 Population Projections revised March 10, 2010.

## DIVISION OF JUVENILE JUSTICE

Facility length of stay for juvenile cases is projected to be lower than projected in the past because of a significant drop in time adds. By FY 2013/14, facility length of stay for first parole releases is estimated to average 35.7 months for males and 27.1 months for females.

Based on these expected trends, the total DJJ facility population was 1,319 on October 31, 2010, lower than the 1,400 on March 31, 2010.

Tables 3 and 4 display the projected facility population (on June 30, 2010, and June 30, 2014) by case type. For 2010 and 2014, the majority of youth living in DJJ facilities will be direct commitments, followed by "E" and "M" cases and parole detainees (note: DJJ no longer receives contract cases from Los Angeles County).

As a result of the facility population reduction, DJJ in-state parole population is projected to decrease from the current June 30, 2010, population of 1,606 to 1,338 by June 30, 2014.

**Table 3**  
**Projected DJJ Population Types**  
**June 30, 2010**

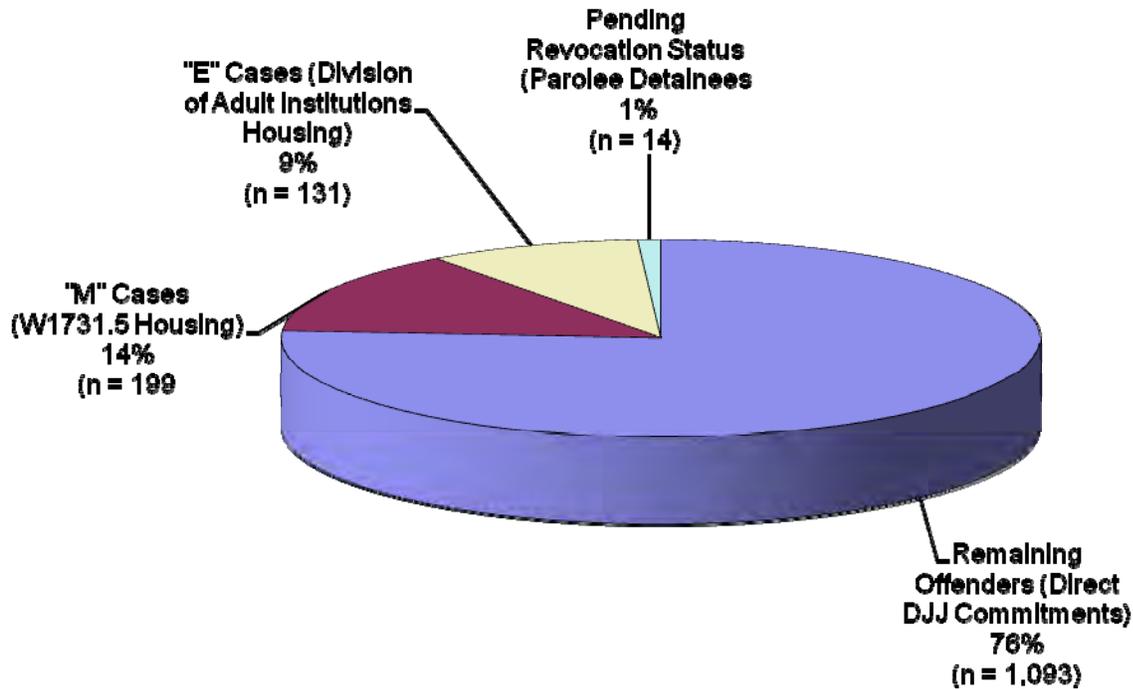


Table 3 Source: Juvenile Research Branch of the Office of Research analyses performed in March 2010.

**Table 4**  
**Projected DJJ Population Types**  
**June 30, 2014**

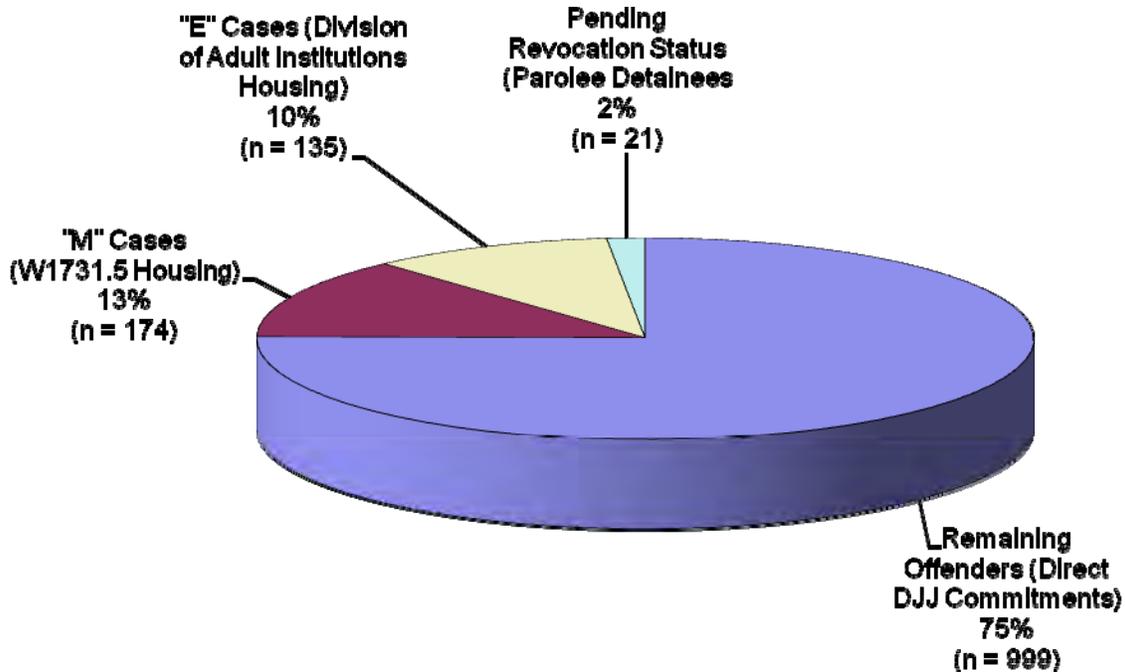


Table 4 Source: Juvenile Research Branch of the Office of Research analyses performed in March 2010.

**Current and Projected Housing Needs**

In order to be consistent with the core principle of placing youth near their homes, DJJ will completely fill the SYCRCC, VYCF, and Ventura Camp. If funding is available in future years, DJJ proposed projects in Southern California located on existing State-owned property at VYCF's (four buildings equaling eight living units and 276-beds) and SYCRCC's (two buildings equaling four living units and 132-beds). The proposed prototypical buildings will create an additional 408 southern beds. The projected cost of construction for these six buildings is approximately \$175-\$200 million. Due to pending budget constraints, funding for this project has not been approved.

Although the DJJ population is projected to decrease to 1,329 by June 2014 these projections show a need for 43 living units by June 30, 2011. These housing needs will remain fairly constant through 2014 based on population projections. However, because of DJJ facility closures, the relocation of the many of DJJ population to other facilities, and the degraded condition of existing facilities, CDCR will need to raze and replace the substandard housing units at the remaining DJJ facilities and upgrade many of the remaining units.

Table 5 below identifies the projected number of living units based on the *Farrell* program/living unit definitions.

**Table 5  
Projected Total Living Units Displayed By Program Designation<sup>2</sup>**

| Point in Time       | 30-Jun-10                    |              | 30-Jun-11                    |              |
|---------------------|------------------------------|--------------|------------------------------|--------------|
| Program Designation | Projected Total Living Units | Population   | Projected Total Living Units | Population   |
| Core High           | 5                            | 180          | 5                            | 180          |
| Core Low            | 11                           | 407          | 10                           | 363          |
| SBTP                | 5                            | 180          | 5                            | 180          |
| IBTP                | 2                            | 40           | 2                            | 40           |
| BTP                 | 5                            | 120          | 5                            | 120          |
| ITP                 | 3                            | 63           | 3                            | 63           |
| SCP                 | 4                            | 87           | 4                            | 87           |
| MHRU                | 2                            | 48           | 2                            | 48           |
| SATP                | 2                            | 72           | 2                            | 72           |
| Intake              | 2                            | 72           | 2                            | 72           |
| Pre-Morrissey       | 1                            | 36           | 1                            | 36           |
| Camps               | 2                            | 132          | 2                            | 114          |
| Total               | 44                           | <b>1,437</b> | 43                           | <b>1,375</b> |

**DJJ Facility Design**

As identified in the California Performance Review's *Independent Review Panel Report<sup>3</sup>* on California's State correctional system, historical design of the original juvenile detention facilities, now used to house youthful offenders within DJJ, were initially designed as schools for boys. In a May 2004 report<sup>4</sup>, the California Legislative Analyst's Office (LAO) also noted the building configurations of current DJJ facilities are no longer suited to the current DJJ youthful offender population. The original facilities were never designed to accommodate the facility and programming needs of the more violent youthful offenders that comprise the current DJJ population.

When the majority of DJJ buildings were being designed and constructed in the 1960s, the percentage of violent offenders was much smaller and security requirements were minimal. In June 1962 only 14.8 percent of DJJ's population was made up of violent offenders. That is in sharp contrast to December 2003 (58.9%) and December 2009 (90%) when DJJ's population was made up primarily of violent offenders.

Many of these facilities were designed with a configuration reflecting the heritage and purpose of reform schools rather than a configuration and purpose necessary for a correctional facility. As an example, a reform school dormitory layout is not secure nor was it designed for programming or housing the existing youthful offender population. The current configurations

<sup>2</sup> Source: Juvenile Research Branch of the Office of Research, analyses performed in October/November 2007 and updated October 8, 2008. Figures do not include Los Angeles County contract cases.

<sup>3</sup> Corrections Reform and Safety Chapter 5, October 30, 2004.

<sup>4</sup> A Review of the California Youth Authority's Infrastructure, completed by the LAO, May 2004.

are also consistent with the national models for programming youthful offender population in custody.

While a declining youth population has reduced the overall need for facilities, the changed nature and sophistication of the today's youthful offender population, combined with court mandates, stipulated agreements, and remedial plans as a result of the *Farrell v. Cate* lawsuit to provide medical, mental health, dental, and rehabilitative and educational programs in a rehabilitative environment, have resulted in the realization that CDCR juvenile facilities are functionally obsolete and spatially inadequate.

The DJJ Facilities Master Plan outlines a system-wide housing, programming, and rehabilitative plan for long-term facilities identified as prototypical YTFs, each designed to house 276 youthful offenders. These facilities are planned and designed to meet specific risk and programming needs of the populations they will house. Funding requests will be submitted for preliminary plans and working drawings for the development of the first prototypical living units in Southern California. Using designs from the prototypical YTF, DJJ hopes to construct modern living units at existing facilities at SYCRCC and VYCF. All youth at new YTFs will participate in core treatment model programs including education, rehabilitation, and recreation.

## **SECURITY**

Many aspects of the perimeter security at youth facilities are similar to those at older adult institutions. Facilities within the youth system offer various types of perimeter checkpoints and/or sallyports, single or double perimeter fences with razor wire, cameras, perimeter electronic detection systems, and lighting systems. The youth facilities, however, do not utilize lethal electrified fences as found at most of the adult institutions.

Youth facilities are unique and CDCR is in the process of developing separate construction Design Criteria Guidelines standards in light of differences in these facilities compared to adult prisons. There are proposals to upgrade the entire outer perimeter fence, which was built in the early 1990s, surrounding NCYCC and the two inner security fences at OHCYCF built in 1966 and NACYCF built in 1991 which are within the larger NCYCC campus.

### **Electromechanical Security Door Operating Systems**

The main objective of correctional facilities is to protect the public by safely incarcerating persons committed to the custody of CDCR. Intrinsic in this objective is providing a safe working and living environment for staff and youthful offenders. To do this, CDCR must have the ability to control and secure inmates in housing consistent with their custodial needs.

The cell/room is the first line of security which has been, and will continue to be, compromised. There have been instances where youthful offenders have exited their cells/rooms and assaulted staff and other youthful offenders. A degraded door system places staff and youthful offenders at high risk and compromises the security of the entire facility. If the operating systems are not replaced, the security of these facilities will continue to be compromised, placing not only staff and other youthful offenders at risk, but the public as well due to the increased opportunity for escapes.

Electromechanical security door operators are the mechanism by which cell doors, sallyport sliding doors/gates, and swing doors in adult correctional facilities are operated and secured. In early 2000, the adult correctional facilities began experiencing very serious operational and security problems with a large number of electromechanical security door operating systems. There have been numerous incidents where youth have manipulated the door operating system

from inside their cell allowing them to exit without staff control. Many of the electromechanical security door operating systems in the DJJ facilities have been operating for over 45 years and with the same security concerns as with the adult facilities. These systems are in dire need of repair, and in some instances, complete replacement. As the budget permits, the doors are being replaced with correctional type cell doors with handcuff ports.

CDCR will continue to replace/repair door operating systems as needed and as budget allocations permit. Due to the current State budget crisis, of the \$49 million that CDCR received for Special Repair projects in the 2009/10 budget, all but \$1.4 million for court-mandated projects was reverted, further exacerbating the continued decline in facility maintenance and viability due to budget shortfalls.

### **Youth Correctional Counselor/Officer Stations**

Each living unit in youth correctional facilities has a Youth Correctional Counselor station, Youth Correctional Officer station, or a combination station. These stations are intended to provide staff with the ability to oversee the activity in the dayrooms, restrooms, and sleep areas. Staff is also able to interact with youthful offenders and communicate with other areas of the institution from these stations. The stations are single-story and configured in a half wall design with glass partitions on the upper half. Many of the current stations are not secure from the youthful offender population and do not meet the correctional design required to manage some of the more violent youthful offender population housed in specific DJJ facilities. Additionally, the stations at most youth correctional facilities are over 30 years old and the design and layout limits staffs' ability to monitor all areas of the living unit. This considerably hinders staffs' ability to quell violence between youthful offenders and staff. State law places responsibility on the State, Department, and Supervisor to ensure a safe and secure working environment. The outdated design of these stations has resulted in staff injuries which remain an ongoing expense to the State.

The solution is to remodel outdated stations in the higher custody living units to provide staff with increased safety from youthful offenders, prevent youthful offender and staff injuries, and achieve compliance with CAL-OSHA and other statutory requirements. DJJ does not want closed stations for low risk living units. VYCF, PYCF, and OHCYCF are requesting station remodels for FY 2013/14. Currently OHCYCF and PYCF have a request for funding the remodel of their correctional counselor stations. However, due to current budget constraints, they are out-year project, requesting funding for preliminary plans in FY 2013/14.

### **Personal Duress Alarm Systems**

The personal duress alarm systems allow youth correctional officers and staff in a correctional environment to seek immediate response and assistance in an emergency. The alarm is assigned to staff and carried on their person. In case of an emergency, the staff person presses a button on the alarm which sounds for that particular zone. The alarms are programmed by zones and will not work outside of the programmed area. The older alarms are not as precise and require a custody officer to physically check the entire zone for the problem which could take an additional three to five minutes. Once the problem is found, the custody officer, via radio, will notify the main control and others of the alarm location. Alarms in new buildings pinpoint exactly where the problem is, saving time.

DJJ has undertaken a statewide project to provide a safer and more reliable system for staff within the facilities. DJJ completed an upgrade of all their facilities in 2007 to a personal alarm system designated as PALS. The system utilizes a positional transmitter carried on each person. The system is monitored by the facility's main control room and employs a universal

locator which will announce at any location within the facility. An individual who has activated the system can verbally communicate by means of audio receiver/speakers located strategically throughout the facility.

### **Video Camera Surveillance System**

Video camera surveillance systems are utilized to monitor youthful offender behavior. Surveillance equipment significantly increases staff's ability to anticipate and avert incidents and altercations and serves to reverse or reinforce charges brought against staff or youthful offenders for aggressive or other criminal behavior. Many youthful offenders have serious mental health issues that mandate closer monitoring to ensure the safety of all persons within the correctional facilities.

### **JUVENILE HEALTH CARE SERVICES**

**Mission:** The mission of the Health Care Services Division within DJJ is to provide oversight and manage quality medical, dental, mental health evaluations and treatment processes offered by local institutions in order to ensure that these services meet accepted community standards of care and changes ordered in response to the *Farrell vs. Cate* settlement.

**Program Description:** CDCR is mandated under the federal Constitution to provide adequate medical and mental health care to youthful offenders. Withholding necessary medical, dental, or mental health treatment from prisoners has been held a violation of the Eighth Amendment prohibition against cruel and unusual punishment. Further, the legal concept of "deliberate indifference" places those charged with making services available personally responsible if the services are withheld. Several cases have established legal precedent that "deliberate indifference" occurs when administrators knowingly allow conditions to persist in which prisoners (youthful offenders) do not have timely access to staffing, facilities, equipment, and procedures to diagnose and treat their medical, dental, and mental health problems.

**DJJ Population:** Youth committed to DJJ tend to have other serious problems, including mental illness, substance abuse, and gang alliances. A 2001 Stanford University Study found that DJJ youthful offenders had an extremely high prevalence of psychiatric problems. Although this is the latest outside study completed for DJJ, the prevalence rate for incoming youthful offenders has remained relatively constant. It was noted that 97 percent of DJJ youthful offenders have one mental health problem or another; 93 percent have conduct disorders; 85 percent have substance abuse dependence; 31 percent have anxiety disorders; and female youthful offenders generally have higher prevalence rates of disorders than male youthful offenders. In addition, 71 percent of male youthful offenders have three to five diagnosed co-morbid disorders and 82 percent of female youthful offenders have three to nine diagnosed co-morbid disorders.

Medical, dental, and mental health care programs are available to all youthful offenders incarcerated within DJJ facilities. Medical and dental care consisting of initial intake and evaluation, ongoing age appropriate treatment, chronic care clinics, daily sick call, consultative and emergency services, and specialized care in the Outpatient Housing Units is available at each facility.

**Outpatient Housing Units (OHU)** provides medical and nursing care for youth in need of care for an illness or diagnosis that requires recurrent observation, assistance with activities of daily living, or frequent medication, therapy or nursing care.

**DJJ Mental Health Programs**

Mental health care is provided in a hierarchy using a consistent, system-wide Integrated Treatment Model of treatment. Mental health CTCs, ICFs, Mental Health Units, Behavior Treatment Programs (BTPs), Intensive Behavior Treatment Programs, (IBTPs), Sex Offender Programs, and OHUs provide necessary and individualized mental health services. The CTCs and ICFs are licensed facilities while the remaining programs do not require licensure. A structured Dialectic Behavior Therapy approach is being piloted in two facilities to provide a consistent therapeutic base for treatment.

Acute care for youth and DJJ's CTC are central issues in the current case of *Wilber v. Warner* (Superior Court of California, County of San Francisco, Case #312092) (hereafter "*Wilber*"). The initial judgment in that case required DJJ to obtain appropriate licenses for all of its medical facilities operated by the DJJ.

The parties to that litigation have amended that order by stipulation over the years to reflect the various changes that have occurred within DJJ over the last decade. The order that currently controls in that case was issued in February 2006. The primary requirements in that order, as it relates to acute care for DJJ youth, are as follows:

- Complete the licensing process for a CTC at HGSYCF (at the time of this order, the CTC at HGSYCF was operating under a provisional license and was DJJ's only CTC)
- Renew a contract with DMH for ten state hospital beds for inpatient mental health care
- Renew a contract with DMH for a 20-bed ICF at SYCRCC
- Execute contracts with outside hospitals for acute care inpatient mental health services for male youth under the age of 18 in the Northern California facilities
- Execute contracts with outside hospitals for acute care inpatient mental health services for male and female youth under the age of 18 in the Southern California facilities
- Execute contracts for non-acute inpatient care for female youth under the age of 18

While DJJ provides medical care at multiple facilities, the only CTC operated by DJJ is at HGSYCF. The CTC provides inpatient mental health services to youthful offenders housed with DJJ. The CTC was developed under the authority of the Health and Safety Code, Sections 208(a) and 1267.10 (a) Health and Safety Code, with reference to Health and Safety Code Sections 1250 (j) and 1254. Due to the impending closure of HGSYCF, the CTC may be moved to VYCF or SYCRCC. Funds have yet to be identified for movement of this program.

In partnership with DJJ, the DMH currently runs an ICF at Marshall. The ICF provides sub-acute mental health care for youth as a step down from the acute level of CTC care. Planning is currently underway to consider the movement of the CTC from HGSYCF to SYCRCC combining both the ICF and CTC program functions under the licensure of a CTC. This combination of both CTC and ICF may provide some operational efficiencies and cost benefits over the long term for DJJ. Running an ICF and CTC together is consistent with the Receiver's plans for the adult side CTC operations.

In response to the Stanford Study, DJJ has initiated the first phase of a multi-phase reorganization of the Mental Health Delivery System. The first phase involves enhanced staffing at three institutions consistent with caseload ratios recommended in the Stanford Study. The proposed changes will also include the replacement of the current custody-based counseling model with a clinical-based psychiatric/psychological model with a standardized treatment approach. To bring these programs into operation as quickly as possible, treatment

will be delivered from various spaces available at the institutions or from modular units until a capital outlay program can be developed. The following are mental health programs:

- **Correctional Treatment Center** for DJJ is located at HGSYCF. The CTC provides inpatient mental health services to youthful offenders housed with DJJ. The CTC was developed under the authority of the Health and Safety Code, Sections 208(a) and 1267.10 (a) Health and Safety Code, with reference to Health and Safety Code Sections 1250 (j) and 1254.
- **Intermediate Care Facility** provides sub-acute mental health care for youth as a step down from the acute level of CTC care. The ICF was developed under the authority of the Health and Safety Code, Sections 208(a) and 1267.10 (a) Health and Safety Code, with reference to Health and Safety Code Sections 1250 (j) and 1254.
- **Sexual Behavior Treatment Program (SBTP)** – The SBTP provides inpatient mental health services in a more interactive program; offers revised healthy living curriculum and evidence-based programming to treat and educate youthful offenders with sexual behavior problems. The same subset of youth population is served. Population at each facility is limited to 36 youthful offenders.
- **Intensive Behavior Treatment Program (IBTP)** – The IBTP provides behavior treatment intervention for youth exhibiting violently disruptive behavior determined to be driven by mental illness. IBTP provides a resident mental health environment with more adequate staffing and training based upon youth offender need as determined in the Integrated Behavior Treatment Model (IBTM). IBTPs offer standardized curriculum and programming and a population limited to 20 youthful offenders at each facility.
- **Intensive Treatment Program (ITP)** – The ITP provides resident mental health services for youth displaying a wide range of psychological and psychiatric problems. The program provides additional staff positions with specialized training to implement the standardized curriculum and programming based upon the youth needs and the IBTM. Population is limited to 24 youthful offenders.
- **Specialized Counseling Program (SCP)** – The SCP provides resident mental health services for youth displaying moderate psychological and psychiatric problems. The program provides additional staffing with specialized training to implement the standardized curriculum and programming, based upon youth needs and the IBTM. Population is limited to 24 youthful offenders.

Health care services at DJJ have been affected by statewide budgetary constraints. With the closure of four DJJ facilities and the potential movement of the only licensed CTC to another DJJ site, medical services remain facility-centered to provide the variety of services required for the DJJ population.

### **DJJ Dental Programs**

Provide dental services to the youthful offenders housed at each of the DJJ facilities. The DJJ Dental Program is administered by a dentist and is provided a dental assistant.

**DJJ Health Care Capital Outlay Projects**

Medical, Dental, and Mental Health capital outlay projects consistent with the Health Care and Mental Health Remedial plans have been identified at DJJ facilities statewide. See the Projects and Summary Report section of this report for a listing of projects by institution.

**Health Care and Mental Health Remedial Plans**

The majority of buildings which house medical, dental, and mental health programs serving youthful offenders were constructed in the 1950 and 1960 decades and conform to design and construction standards and regulations of those decades. Technology, health care practices, equipment, and building code standards have changed dramatically over the last 40 years. Since the original construction of these buildings and facilities, numerous construction alterations have been performed altering the original construction. However, to make the necessary improvements needed to meet the requirements of current legislation, litigation, current building codes and regulations, and programmatic health care services protocol, a significant investment of capital funding is required. Necessary improvements for which there are current project requests or projects in progress are:

- Alterations to clinical space (i.e., exam rooms and youth interview rooms) are necessary to ensure visual and auditory privacy during all medical, dental, and mental health encounters as a result of the Federal Health Insurance Portability and Accountability Act enacted on April 14, 2003.
- An improvement in the location of medication administration rooms are needed to ensure youth receive prescribed medications as ordered, at the proper dose, at appropriate times, and with the least interference from programming activities. Remedial plan requirements for centralized medication distribution require alteration in the organization and access to the medication administration areas.
- The mission at VYCF has changed to serve both male and female youthful offenders. Space reconfigurations to address changes in medication administration, medical treatment and exam space, as well as dental treatment space to provide health services for both genders may be necessary as facilities to serve both genders are currently not available.
- Due to the closure of HGSYCF as a juvenile facility in February 2010, the CTC is being considered for relocation to VYCF or SYCRCC. Renovations of the existing VYCF and SYCRCC space are required to bring the facility in compliance with State of California Code of Regulations Title 22 and Title 24. During this renovation period, alternate arrangements would be required for youth requiring a more acute level of mental health care.
- DJJ is also reviewing the potential for licensing the Marshal Building at SYCRCC as a CTC. In partnership with DJJ, the DMH currently runs an ICF at Marshal. Planning is currently underway to consider the movement of the CTC from HGSYCF to SYCRCC combining both the ICF and CTC program functions under the licensure of a CTC. This combination may provide some operational efficiencies and cost benefits over the long term for DJJ. Based on the cost, timing and operational efficiency identified through the planning process, DJJ will determine which facility will house the CTC.

- The OHU at NCYCC is housed in the Admissions Building and the OHU at SYCRCC is housed in the Administration Building. Both of these buildings were originally constructed in 1954 and are in dire need of alterations to address current space limitations, antiquated facility systems and equipment, provide reliable infrastructure systems necessary to support new health care equipment, and to provide an effective and efficient therapeutic environment.

### **Americans with Disabilities Act (ADA) – Youthful Offenders with Disabilities/Program Remedial Plan**

DJJ's Disabilities Program is designed to ensure compliance with federal guidelines set out in the ADA of 1990. The goal is to provide disabled staff, volunteers, youthful offenders, and the public unobstructed access to DJJ facilities and grounds. In addition, DJJ's goal is to provide staff working within DJJ institutions with fair treatment on the basis of merit, efficiency, fitness, and to prohibit discrimination in every phase of personnel policy and practice in the employment, development, advancement, treatment, and to remove physical barriers to these goals.

DJJ conducted a survey of each institution regarding the physical plant aspects of ADA requirements and documented deficiencies were developed into corrective projects consistent with the *Farrell* Remedial Plan. While all identified ADA deficiencies have been corrected with either minor, major capital outlay, or support funding, other *Farrell*-related projects are being planned or in progress with additional project needs identified for possible future development.

Consistent with the *Farrell* Remedial Plan, CDCR identified projects aimed at facility modifications in compliance with ADA. The Juvenile Justice ADA Projects that were a part of the *Farrell* lawsuit were completed in 2009.

### ***Farrell* Lawsuit**

On November 19, 2004, the parties in the *Farrell v. Allen* (now *Cate*) litigation agreed upon the language contained in Consent Decree, Number RG-0307934. A taxpayer, plaintiff Margaret Farrell, had brought the action against Defendant Walter Allen III, the then-Director of the California Youth Authority (CYA), under California Civil Code, Section 526a, for injunctive and declaratory relief to prohibit the illegal expenditure of taxpayer funds by the Department on policies, procedures, and practices that the Plaintiff alleged were unlawful.

Prior to signing the Consent Decree, the parties agreed to an Expert review of certain conditions within the former CYA. The Experts were selected jointly by the parties and were to be compensated by the Department. On or about January 9, 2004, the CYA released the following reports to the Plaintiff's Counsel and to the general public: "General Corrections Review of the California Youth Authority," "Report of Findings of Mental Health and Substance Abuse Treatment Services to California Youth Authority Facilities," "Review of Health Care Services in the California Youth Authority," "Education Program Review of the California Youth Authority," and "Evaluation of Sex Offender Programs: The California Youth Authority." On or about February 20, 2004, the Plaintiff's Counsel also received "The Report of Findings of Disability Access at the California Youth Authority."

In the Consent Decree, the parties agreed that the facts and opinions contained in the Expert reports were substantially correct and were sufficient to support the remedies set forth therein. In addition, the former CYA agreed to develop and implement detailed remedial plans that would provide youth with adequate and effective care, treatment, and rehabilitative services.

Early in 2005, in addition to addressing specific issues raised by the Experts, DJJ committed, under a stipulated agreement, to reform the juvenile justice system at the State-level by implementing a Rehabilitative Model based upon a therapeutic environment.

The Consent Decree required DJJ develop and implement detailed remedial plans to provide all youthful offenders housed by DJJ, adequate and effective care, treatment, and rehabilitative services. As a result, the following remedial plans were developed and are collectively referred to as the Farrell Remedial Plans:

- Safety and Welfare Remedial Plan
- Sexual Behavior Treatment Program Remedial Plan
- Education Services Remedial Plan
- Youthful offenders With Disabilities Program Remedial Plan
- Health Care Services Remedial Plan
- Mental Health Remedial Plan

Development and implementation of the Farrell Remedial Plans requires additional space, appropriately configured, for the effective realization of programming and treatment pursuant to the intentions of the Consent Decree. Accordingly, DJJ has developed current year funding requests and is in the process of developing FY 2010/11 funding requests to address additional programming, rehabilitation, treatment and education space, office space for new programming and specialty staff, support and administrative space needs; and a reconfiguration of space layout necessary for the safe, secure, and effective discharge of programming functions and tasks.

**Substance Abuse Treatment Program (SATP)** – SATP serves youthful offenders assessed as having substance abuse issues, providing life skills instruction and substance abuse treatment within the guidelines established in IBTM. Population is limited to 36 youthful offenders.

Ongoing project planning efforts continue with CDCR in response to refinement of remedial plans pursuant to the *Farrell vs. Cate* litigation. The plans consist of identifying programmatic treatment space needed for core treatment programs (i.e. all youth risk levels), behavior treatment programs (high risk), and specialized treatment programs (i.e.: mental health) for youth at all existing facilities.

The current facility-based SATP is a six-month program for the treatment of addictive behaviors and chemical dependency. Youth are expected to participate in and complete a curriculum providing treatment and training delivered through a Therapeutic Community model. Participating youth are immersed in a program of recovery utilizing psychosocial, physical, and educational modalities during the last six months of their incarceration.

The substance abuse treatment component involves each youth participating in small group sessions, and substance abuse related resource groups.

The Therapeutic Community structure provides a social learning environment through both large and small group processes. The Therapeutic Community is a culture built on beliefs, values, and norms that foster behavior change by using the community, i.e., peers and staff, as the very agent of that change. All youth participate in community meetings at least one hour per day, five days per week.

The academic component provides each youth with direct, instructional contact with a teacher. Youth participating in education classes are expected to make reasonable progress on completing their high school graduation plan. Special Education students will receive designated instructional services counseling, speech language, or other resource services as required in their Individual Education Program.

The SATP currently in place is being reviewed, and may be modified in the future to rectify any conflicts with the new IBTM, which is a recent *Farrell* mandate.

### **Youth Education Program**

Education is a right for all students who are not high school graduates. DJJ provides education programming to assist youthful offenders in attaining a high school diploma or its equivalent General Education Development (GED) prior to transition to the community upon release. There are numerous legal drivers that define the mandated education services that DJJ must provide.

The three major components of the core program are middle school, high school, and post secondary education. Each component includes appropriate academic preparation; career technical preparation, and life survival skills. Progress through the core program for special needs students is supported by supplementary services including: special education, English learner services, and basic skills enhancement. General fund resources and several State and federal education grants support the core program and supplementary services.

Within DJJ, Education Services operates as a local education agency established in statute SB 334 (Ch. 996, Stats. of 1999), amended the WIC, Section 1120.1 (b) as a correctional education authority and is known as the California Education Authority (CEA) WIC § 1120.2). This section also requires the CEA to develop a high school graduation plan for every non-graduate youthful offender. The mission of the CEA is to empower each student to become a civil, responsible, employable and knowledgeable lifelong learner. A key goal for Education Services is to prepare students for successful transition back to their community.

The CEA's Superintendent of Education (established by statute, WIC § 1120.1) is responsible for managing all educational programs within the DJJ facilities. All CEA high schools are accredited by the Western Association of Schools and Colleges. The core education program has the basic components of a comprehensive secondary education system infused with value-based character education concepts. All core courses are standards-driven: Students must achieve specific measurable outcomes in order to progress through the curriculum.

When students arrive at CEA schools, they are assessed and enrolled into the appropriate educational program. At intake, basic academic, career technical education and life skills are assessed. Additionally, students are surveyed in relation to their language background, school needs, and educational history. This initial survey serves as a basis for further testing to determine English language learning needs and to assist with appropriate placement into core curricular classes. Program modifications may be made for youthful offenders identified with a learning handicap or disability. Under cooperative agreements with local Community Colleges, CEA is able to offer coursework applicable to the Associate of Arts Degree to youthful offenders.

Education Services also provides services that meet the needs of all students with an Individualized Education Program (IEP). The IEP is a legal document that is mandated by the California Department of Education and State courts based on federal statutes. These services may include resource specialists, designated instruction such as speech, counseling, behavioral

management, and/or adapted physical education, and specialized academic instruction as indicated on the student's IEP.

The CEA provides coursework and hands-on training in Career Technical Education (CTE) in compliance with WIC Section 1120 to provide vocational preparation including vocational counseling, training in marketable skills and job placement assistance, and adheres to the requirements established by the California State Board of Education. These CTE programs address more than 15 career education trades, including but not limited to: Animal Care, Auto Repair, Auto Body, Building Maintenance, Business Ed/Office Services, Electronics/Computer Repair, Culinary Arts, Graphic Arts/Printing, Landscape/Horticulture, Masonry, Mill and Cabinet, Heating Ventilation and Air Conditioning, Warehousing, Janitorial, and Welding.

The CTE programs are designed to provide students with entry level job skills and the required knowledge, skills, and abilities to obtain meaningful employment when released from custody to their communities. The majority of CTE instruction is provided in shops, classrooms, and labs containing specialized equipment unique to the particular trade or occupation. These facilities must meet accreditation standards of the Western Association of Schools and Colleges (WASC) and Health and Safety Requirements for WASC and CAL-OSHA. In addition, DJJ may explore future opportunities to expand CTE programs as new and emerging occupations and funding become apparent and established.

Within CEA, technology is a major resource that delivers an enhanced curriculum and meets a variety of student needs. The CEA has installed and maintains a system-wide student network to manage and provide learning resources to CEA students. Students must be able to access technology in classrooms to utilize digital and video learning materials.

Students use the digital encyclopedia software and the virtual web in the classroom to meet course standards and to create project presentations. Teaching and learning is enhanced using technology as learning support for the high school exit exam, GED preparation, subject-area reinforcement and transition from school to work. In addition, technology is used as positive reinforcement for completing student work. The teacher schedules and monitors use of the computers in each classroom according to the daily lesson plan.

Teachers use their workstation computers to access student records, write progress and behavior reports, communicate by e-mail, produce hard copy letters and memos, prepare lesson plans and presentations, research relevant topics, order materials, and perform other work-related computer applications.

A video-teleconference-based distance education delivery system provides opportunities for instruction in which the teacher and the student are in different locations and interact through the use of computer, audio, video, and communications technologies. Virtual field trips provide the students with access to experts and learning activities beyond DJJ's walls.

The Individuals with Disabilities Education Act (IDEA) protects the rights of disabled students. Over the years the number of CEA students with specific learning disabilities, emotional disturbance, speech impairments, and attention deficit disorder has increased. Section 504 of the Rehabilitation Act of 1973 also applies to students with disabilities that interfere with learning, and unlike IDEA, this requirement does not expire at age 22.

During the past decade, federal and State laws have increased accountability for schools receiving funding to provide a "Free and Appropriate Public Education". Free and Appropriate

## DIVISION OF JUVENILE JUSTICE

Public Education consists of educational instruction specifically designed to meet the special learning needs of students. Related educational services include physical and occupational therapy, social work services, counseling services, health services, transition services, and specialized training.

### DJJ Projects (Major – Minor –Special Repair)

DJJ has developed Major and Minor capital outlay projects and Special Repair Program (SRP) funding requests for the current year and is in the process of developing funding requests for FY 2011/12, necessary for the implementation of DJJ programs, and to address facility improvement and maintenance needs. A summary of Major, Minor, and SRP projects planned, in progress, and completed can be found in the Juvenile Justice Summary Report section and a more detailed facility specific project summary can be found in the Juvenile Institutions section of this report.

Table 6 below provides a rollup of proposed and funded *Farrell* court-related projects from FY 2007/08 - FY 2012/13.

**Table 6**

### **Farrell Court-Related Major/Minor Cap Outlay Projects FY 2007/08 – 2012/13**

| Year          | Proposed      |             |               | Funded      |             |             | Total All Projects   |
|---------------|---------------|-------------|---------------|-------------|-------------|-------------|----------------------|
|               | Major         | Minor       | Sub-Total     | Major       | Minor       | Sub-Total   |                      |
| 2007/08       |               |             |               |             | 3,529,000   | 3,529,000   | 3,529,000            |
| 2008/09       |               |             |               | 1,969,000   |             | 1,969,000   | 1,969,000            |
| 2009/10       | 4,716,500     |             | 4,716,500     |             | 1,413,941   | 1,114,941   | 6,130,441            |
| 2010/11       | 154,334,000   | 1,468,354   | 155,802,354   |             | 790,000     | 790,000     | 156,592,353          |
| 2011/12       |               | 360,433     | 360,433       |             |             |             | 360,433              |
| 2012/13       |               | 3,003,091   | 3,003,091     |             |             |             | 3,003,091            |
| <b>Totals</b> | \$159,050,500 | \$4,831,878 | \$163,882,378 | \$1,969,000 | \$5,732,941 | \$7,701,941 | <b>\$171,584,319</b> |

# **PROJECTS AND SUMMARY REPORT**

## PROJECTS REPORT

Assembly Bill (AB) 900 (Ch. 7, Stats. of 2007) – The Public Safety and Offender Rehabilitation Services Act of 2007 and Senate Bill (SB) 81 (Ch. 175, Stats. of 2007) provides reporting requirements for the California Department of Corrections and Rehabilitation (CDCR) to ensure legislative oversight of the funding for State prisons construction. AB 900 requires that on January 10 of each year, the Department shall provide a report to the Joint Legislative Budget Committee that includes the status of each project in this Master Plan Annual Report 2009 (Report). These projects consist of projects planned, projects in preliminary planning, working drawings, construction phases, and completed projects. Additionally this report will detail those projects funded with AB 900 funding including: new prisons; medical health beds; mental health beds; dental treatment facilities; reentry facilities; and infrastructure projects at existing prison facilities as they are developed.

SB 81 amended Section 7003.5 of the Penal Code and requires staffing plans for each project identified in this Report. As projects are presented to the Administration and Legislature for funding and approval, those staffing plans will be reported.

Not included in this Report, but a necessary step in planning for the future needs of the Department, is the Five-Year Infrastructure Plan (Plan) completed annually in reference to AB 1473 (Ch. 606, Stats. of 1999). The Five-Year Infrastructure Plan is the long-range planning document for all infrastructure construction, repair, and renovation for CDCR. (See Appendix D for more information on Planning Priorities).

In the Plan CDCR prioritizes and addresses specific infrastructure needs that are most vital and critical to our mission. Included in the Plan is a Project List for all institutions in priority order of ranking in relation to all other proposals over the five-year period. The Major Capital Outlay Proposed Projects from the Plan for fiscal year (FY) 2011/12 are included in each institution's Project Status Report within this Report.

This report contains information on projects underway and planned as of late 2010. It is important to note that facility repair and improvements do not always occur on a planned basis. Facility and infrastructure failures are, by their very nature, unplanned occurrences that require emergency repairs. Similarly, repairs that are planned for future years must sometimes be preformed ahead of schedule to avoid imminent facility or infrastructure failure. The projects performed due to these necessary repairs are considered to be performed pursuant to this Master Plan, and will reported in the subsequent MPAR.

The age and deterioration of juvenile and adult facilities combined with the growing number of serious and violent offenders contribute to the many infrastructure issues facing CDCR. The institution reports that follow include:

- Projects completed in Calendar Year 2010
- Active Projects for Calendar Year 2010
- Proposed Projects for FY 2011/12
- Coleman Driven Projects

Each institution profile lists these projects, including percentage of completion for each phase of the project, costs associated with the projects, and the source of funding. See the list key LEGEND, which follows, for an explanation of all acronyms used in the Institution Project Status Report, as well as the Project Status Summary Report. Each institution has been listed

alphabetically and provides the reader with a brief profile of each facility, including an aerial photograph as well as current and projected population.

The project descriptions are listed by categories and denoted with a letter on the LEGEND (i.e. Infill, Mental, Reentry, *Farrell*). However, within those broad categories are the designations for the types of infrastructure projects. The following subcategories represent the types of infrastructure systems and components at CDCR institutions:

**Security:** CDCR's mission is to protect the public from dangerous felons by incarcerating them in a secure and safe living and working environment. In being dedicated to its mission of safety and security for the public, staff, and inmate/youthful offender population, CDCR incorporated security features throughout the correctional system. For purposes of this Report, security refers to infrastructure needed for the safe and secure operation of CDCR facilities in a custodial environment. Examples of Security Projects would be: Lethal Electrified Fencing, Small Management Yards (as it segregates problems with inmates that affect Correctional Officers); and Solid Cell Fronts.

**Fire/Life/Safety:** The aging and deteriorating infrastructure of CDCR's older correctional facilities has resulted in many buildings not meeting modern building codes and/or fire/life/safety requirements. For the purpose of this Report, the Fire/Life/Safety subcategory includes program and building renovation required to meet inmate/youthful offender necessities, health and safety standards, and projects to comply with court-ordered mandates. Examples of Fire/Life/Safety Projects would be: Roofing Projects, Window Replacement Projects, and Fire Alarm System Upgrades.

**Housing:** Correctional facilities, designed to house inmates/youthful offenders in a safe and secure manner are divided into separate housing and support facilities determined by inmate/youthful offender security levels. For the purposes of this Report, Housing subcategory refers to infrastructure needs in relation to Reception Centers, the classification system, general population and special housing designations, housing capacity and population projections. Examples of Housing Projects would be: Dorm Replacement Projects and Infill Bed Projects.

**Health Care:** Considerable space is utilized at each correctional facility for the delivery of health programs. When possible, health-related buildings have been constructed or other program space renovated to accommodate these services, but there have been instances where any available space was commandeered to support required services and maintain compliance with legislative, legal and regulatory requirements. In areas where this has occurred, the provided health services are fragmented and less efficient and effective. Examples of Health Care Projects would be: California Health Care Facility, Acute/Intermediate Care Facilities, and Mental Health Services Facilities.

**Programs:** The building space and systems devoted to program needs are extensive (i.e., vocational training, work opportunities, substance abuse, etc.). However, CDCR, the Legislature, and at times the courts, have all found the space to be inadequate. Thus, CDCR has been proceeding aggressively to address these needs. Examples of Program related Projects would be: Education Buildings and Modular Replacement Projects for program space.

**Utilities:** CDCR's infrastructure includes sophisticated energy, utility, and telecommunication systems. These aging systems require periodic expansion, replacement, or upgrades to accommodate population growth, energy conservation, technological advances, and new health

## PROJECTS REPORT

and safety standards. Examples of Utility Projects would be: Boiler Retrofit Projects, HVAC System repairs, and replacements and Wastewater Treatment Projects.

**Support Services:** There are numerous buildings at each correctional facility that provide a broad range of support services essential to daily operations. Examples of Support Services Projects would be: Dining Facility improvements, Blast Chillers in kitchens, and Warehouse Improvement Projects.

The projects contained within this Report cover all institutions and statewide projects for both the Adult and Juvenile facilities. As future projects are developed and proposed, they will be captured in subsequent versions of the Department's Master Plan Annual Report.

**CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
ADULT PROJECT SUMMARY**

| INST. | PROJECT TYPE | CDCR CATEGORY CODE | SUB CATEGORY CODE | PROJECT NAME                                                                                                                                      | PROJECT STATUS | PHASE | COST         | FUNDING SOURCE | COMP PHASE | COST        | YEAR COMP | FUNDING SOURCE | COMP PHASE | COST | YEAR COMP | FUNDING SOURCE |
|-------|--------------|--------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------|--------------|----------------|------------|-------------|-----------|----------------|------------|------|-----------|----------------|
| ASP   | SRP          | I                  | F                 | ADA Path of Travel for Yards 5 & 6                                                                                                                | AC             | P     | \$1,330,800  | GF             |            |             |           |                |            |      |           |                |
| ASP   | DM           | I                  | F                 | Roof Replacement Buildings 630, 565 & 530 (3 Project IDs)                                                                                         | AC             | PWC   | \$1,620,000  | GF             |            |             |           |                |            |      |           |                |
| ASP   | DM           | I                  | F                 | Replace Roof on Building 210                                                                                                                      | PR             | PWC   | \$405,625    |                |            |             |           |                |            |      |           |                |
| ASP   | DM           | I                  | F                 | Replace Roof on Building 510                                                                                                                      | PR             | PWC   | \$405,625    |                |            |             |           |                |            |      |           |                |
| ASP   | DM           | I                  | F                 | Replace Roof on Building 265                                                                                                                      | PR             | PWC   | \$737,000    |                |            |             |           |                |            |      |           |                |
| ASP   | DM           | I                  | F                 | Conversion of Housing Unit Smoke Detectors (design)                                                                                               | PR             | P     | \$294,682    |                |            |             |           |                |            |      |           |                |
| ASP   | DM           | O                  | S                 | Lethal Electrified Fence - Bird Netting Replacement (LEF = Phase 1)                                                                               | PR             | PWC   | \$480,652    |                |            |             |           |                |            |      |           |                |
| ASP   | DM           | I                  | U                 | Institution HVAC Upgrade/Replacement (design)                                                                                                     | PR             | P     | \$1,326,000  |                |            |             |           |                |            |      |           |                |
| ASP   | DM           | I                  | U                 | Domestic Hot Water Relief of Hydronic Loop Support and Hydronic Loop/Steam Pipe Replacement (combined study of two separate projects #1830 & #11) | PR             | PWC   | \$120,000    |                |            |             |           |                |            |      |           |                |
| ASP   | DM           | I                  | U                 | Hydronic Loop/Steam Pipe Replacement (construction)                                                                                               | PR             | C     | \$6,593,000  |                |            |             |           |                |            |      |           |                |
| ASP   | DM           | I                  | U                 | Institution HVAC Upgrade/Replacement (construction)                                                                                               | PR             | C     | \$10,200,000 |                |            |             |           |                |            |      |           |                |
| ASP   | DM           | I                  | U                 | Domestic Hot Water Relief of Hydronic Loop Support (construction)                                                                                 | PR             | C     | \$4,500,000  |                |            |             |           |                |            |      |           |                |
| ASP   | SRP          | I                  | F                 | Rebuild Floor - Main Kitchen                                                                                                                      | PR             | PWC   | \$500,000    |                |            |             |           |                |            |      |           |                |
| ASP   | SRP          | I                  | U                 | Turbine Control Upgrade - Co-Gen Plant                                                                                                            | PR             | PWC   | \$1,420,000  |                |            |             |           |                |            |      |           |                |
| ASP   | SRP          | I                  | F                 | ADA Path of Travel - Yards 3, 5, 6, & Medical Backside of Yard Plaza                                                                              | PR             | PWC   | \$851,500    |                |            |             |           |                |            |      |           |                |
| ASP   | SRP          | I                  | F                 | ADA Road Repairs to Medical for Yards 3, 5, & 6 Phase IV                                                                                          | PR             | PWC   | \$851,500    |                |            |             |           |                |            |      |           |                |
| ASP   | SRP          | I                  | U                 | Turbine Emission (SCR) - NOx & CO Emissions                                                                                                       | PR             | PWC   | \$3,478,750  |                |            |             |           |                |            |      |           |                |
| ASP   | SRP          | I                  | U                 | Sitewide Water Conservation Project - (18) 270 HU's Toilets & Showers                                                                             | PR             | PWC   | \$879,771    |                |            |             |           |                |            |      |           |                |
| CAL   | MA           | I                  | U                 | Chiller Plant Emergency Generator                                                                                                                 | PR             | PW    | \$771,000    |                | C          | \$4,985,000 |           |                |            |      |           |                |
| CAL   | MA           | I                  | U                 | 1.7 M Gallon Potable Water Storage Reservoir                                                                                                      | PR             | PW    | \$347,000    |                | C          | \$2,201,000 |           |                |            |      |           |                |
| CAL   | MI           | O                  | F                 | Blast Chiller Addition                                                                                                                            | PR             | PWC   | \$489,000    |                |            |             |           |                |            |      |           |                |
| CAL   | SRP          | I                  | F                 | Renovate HU Shower Rm/Grill Gates (18) Phase I-Construction                                                                                       | PR             | C     | \$690,000    |                |            |             |           |                |            |      |           |                |
| CAL   | SRP          | I                  | U                 | Replace Vaporizer in Natural Gas Back-Up System                                                                                                   | PR             | PWC   | \$81,000     |                |            |             |           |                |            |      |           |                |
| CAL   | SRP          | I                  | U                 | Sewer Pipe Infrastructure Replacement Phase I-Design                                                                                              | PR             | P     | \$105,000    |                |            |             |           |                |            |      |           |                |
| CAL   | DM           | I                  | F                 | Administration Building Roof Replacement-Design                                                                                                   | PR             | P     | \$959,000    |                |            |             |           |                |            |      |           |                |
| CAL   | DM           | I                  | S                 | Electrified Fence-Replace Bird Netting                                                                                                            | PR             | PWC   | \$575,000    |                |            |             |           |                |            |      |           |                |
| CAL   | DM           | I                  | F                 | Sitewide Repair/Replace Asphalt-Design                                                                                                            | PR             | P     | \$61,000     |                |            |             |           |                |            |      |           |                |
| CAL   | SRP          | I                  | U                 | Sitewide Install Back Flushing Devices                                                                                                            | PR             | PWC   | \$664,000    |                |            |             |           |                |            |      |           |                |
| CAL   | SRP          | I                  | SS                | Warehouse Renovate Freezer -Design                                                                                                                | PR             | P     | \$40,000     |                |            |             |           |                |            |      |           |                |
| CAL   | DM           | I                  | F                 | Housing Unit IV-Building A-1-Replace Roof-Design                                                                                                  | PR             | P     | \$55,000     |                |            |             |           |                |            |      |           |                |
| CAL   | SRP          | I                  | F                 | Central Control Building-Exterior Entrance-Repair Canopy Ceilings                                                                                 | PR             | PWC   | \$26,500     |                |            |             |           |                |            |      |           |                |
| CAL   | SRP          | I                  | S                 | High Mast & Security Light Fixtures-Replace Timer Controls                                                                                        | PR             | PWC   | \$160,000    |                |            |             |           |                |            |      |           |                |
| CAL   | SRP          | I                  | U                 | Sewer Grinder Upgrade                                                                                                                             | PR             | PWC   | \$178,000    |                |            |             |           |                |            |      |           |                |
| CAL   | DM           | I                  | U                 | Central Boiler Plant Piping Replacement                                                                                                           | CO             | PWC   | \$285,000    | GF             |            |             |           |                |            |      |           |                |
| CCC   | MA           | O                  | SS                | Arnold Unit Kitchen/Dining                                                                                                                        | PR             | PW    | \$646,000    |                | C          | \$3,962,000 |           |                |            |      |           |                |
| CCC   | DM           | I                  | U                 | Generator Replacement                                                                                                                             | PR             | PWC   | \$852,000    |                |            |             |           |                |            |      |           |                |
| CCC   | DM           | I                  | U                 | Heating Loop Distribution System Repair                                                                                                           | PR             | PWC   | \$852,000    |                |            |             |           |                |            |      |           |                |
| CCC   | SRP          | I                  | U                 | ACC Pole Treatment Yard Remediation                                                                                                               | PR             | PWC   | \$170,852    |                |            |             |           |                |            |      |           |                |
| CCC   | SRP          | I                  | S                 | Lassen Yard High Mast Lighting Replacement (2 Poles)                                                                                              | PR             | PWC   | \$33,000     |                |            |             |           |                |            |      |           |                |
| CCC   | MA           | I                  | U                 | Wastewater Treatment Plant Modifications                                                                                                          | CO             | WC    | \$51,418,000 | GF, LR         | P          | \$1,567,000 | GF        | 2007           |            |      |           |                |
| CCC   | MI           | I                  | U                 | Air Cooling Arnold HU                                                                                                                             | CO             | C     | \$320,000    | GF             |            |             |           |                |            |      |           |                |
| CCC   | DM           | I                  | F                 | Sierra Housing Unit Roof Replacement                                                                                                              | CO             | C     | \$1,056,000  | GF             |            |             |           |                |            |      |           |                |

**CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
ADULT PROJECT SUMMARY**

| INST. | PROJECT TYPE | CDCR CATEGORY CODE | SUB CATEGORY CODE | PROJECT NAME                                                                                                        | PROJECT STATUS | PHASE | COST         | FUNDING SOURCE | COMP PHASE | COST      | YEAR COMP | FUNDING SOURCE | COMP PHASE | COST      | YEAR COMP | FUNDING SOURCE |
|-------|--------------|--------------------|-------------------|---------------------------------------------------------------------------------------------------------------------|----------------|-------|--------------|----------------|------------|-----------|-----------|----------------|------------|-----------|-----------|----------------|
| CCI   | MA           | O                  | S                 | Small Management Yards for SHU (1 of 5 Institutions)                                                                | AC             | C     | \$6,251,000  | GF             | P          | \$153,000 | GF        | 2010           | W          | \$125,000 | 2010      | GF             |
| CCI   | MA           | I                  | U                 | Wastewater Treatment Plant Renovation                                                                               | AC             | C     | \$28,338,000 | GF, LR         | P          | \$336,000 | GF        | 2000           | W          | \$661,000 | 2007      | GF,LR          |
| CCI   | E            | I                  | U                 | Energy Efficient Boilers                                                                                            | AC             | PWC   | \$1,234,950  | SF             |            |           |           |                |            |           |           |                |
| CCI   | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV) & Wind                                                                    | PR             | PWC   | TBD          |                |            |           |           |                |            |           |           |                |
| CCI   | E            | I                  | U                 | Energy Management System, Lighting Retrofit                                                                         | PR             | PWC   | TBD          |                |            |           |           |                |            |           |           |                |
| CCI   | DM           | I                  | F                 | Replace Roof on P.I.A. Industry Building                                                                            | PR             | PWC   | \$598,000    |                |            |           |           |                |            |           |           |                |
| CCI   | DM           | I                  | U                 | Repair E & F Dorm Air Handler Units, Phase 1and 2                                                                   | PR             | PW    | \$800,000    |                |            |           |           |                |            |           |           |                |
| CCI   | DM           | I                  | U                 | Hydronic Loop - IVA & IVB Heating System Repair Replace w/Stand Alone Boilers                                       | PR             | PWC   | \$1,539,000  |                |            |           |           |                |            |           |           |                |
| CCI   | DM           | I                  | U                 | Unit II, Building C, Kitchen and Laundry Air Handling Control Ductwork                                              | PR             | PWC   | \$900,000    |                |            |           |           |                |            |           |           |                |
| CCI   | SRP          | O                  | O                 | Landfill Closure                                                                                                    | PR             | PWC   | \$3,542,000  |                |            |           |           |                |            |           |           |                |
| CCI   | SRP          | I                  | U                 | Replumb Housing Units 1 through 5 at Unit III                                                                       | PR             | PWC   | \$89,000     |                |            |           |           |                |            |           |           |                |
| CCI   | SRP          | O                  | O                 | Burn Dump Closure - Soil Cover Project                                                                              | PR             | PWC   | \$42,000     |                |            |           |           |                |            |           |           |                |
| CCI   | SRP          | O                  | F                 | ADA Replace Nurse Call System Outpatient Housing Unit (OHU)                                                         | PR             | PWC   | \$38,000     |                |            |           |           |                |            |           |           |                |
| CCI   | SRP          | O                  | S                 | Unit IVA Security Cameras                                                                                           | PR             | PWC   | \$111,000    |                |            |           |           |                |            |           |           |                |
| CCI   | SRP          | O                  | S                 | Entrance Road Repairs- Asphalt & Concrete (10 miles)                                                                | PR             | PWC   | \$4,064,000  |                |            |           |           |                |            |           |           |                |
| CCI   | SRP          | O                  | S                 | IVA Helicopter Landing Pad Removal (demo & remove 25k sf of concrete & earth)                                       | PR             | PWC   | \$47,000     |                |            |           |           |                |            |           |           |                |
| CCI   | DM           | I                  | F                 | Roof Replacement, Facility 4A HU 7, 8 & Dining                                                                      | CO             | PWC   | \$441,000    | GF             |            |           |           |                |            |           |           |                |
| CCI   | SRP          | O                  | F                 | ADA IV B Outpatient Housing Unit (OHU) Phase I                                                                      | CO             | P     | \$19,294     | GF             |            |           |           |                |            |           |           |                |
| CCWF  | MA           | MH                 | HC                | EOP GP Treatment & Office Space                                                                                     | AC             | S     | \$100,000    | AB900LR        |            |           |           |                |            |           |           |                |
| CCWF  | SRP          | M                  | F                 | ADA Modifications Building #505 & #508                                                                              | AC             | PWC   | \$410,000    | GF             |            |           |           |                |            |           |           |                |
| CCWF  | E            | I                  | U                 | Energy Efficiency Projects, WWTP Aerator Improvements                                                               | AC             | C     | \$388,381    | SF             |            |           |           |                |            |           |           |                |
| CCWF  | SRP          | M                  | F                 | ADA Modifications and Path of Travel                                                                                | PR             | PWC   | \$4,140,000  |                |            |           |           |                |            |           |           |                |
| CCWF  | DM           | O                  | S                 | Netting Replacement Project Phase I                                                                                 | PR             | PWC   | \$923,000    |                |            |           |           |                |            |           |           |                |
| CCWF  | SRP          | M                  | HC                | Replace Nurse Call System (emergency)                                                                               | PR             | PWC   | \$420,000    |                |            |           |           |                |            |           |           |                |
| CCWF  | DM           | O                  | U                 | Replace Mechanical Systems - Bldgs 305 Visitor Processing and 801Central Control                                    | PR             | PWC   | \$499,000    |                |            |           |           |                |            |           |           |                |
| CCWF  | DM           | I                  | S                 | Replace Roofs - Bldgs 304 Admin                                                                                     | PR             | PWC   | \$1,670,000  |                |            |           |           |                |            |           |           |                |
| CCWF  | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV) Energy Management Systems                                                 | PR             | PWC   | TBD          |                |            |           |           |                |            |           |           |                |
| CEN   | DM           | O                  | S                 | Repair Road"Brown Road"                                                                                             | PR             | PWC   | \$450,000    |                |            |           |           |                |            |           |           |                |
| CEN   | DM           | O                  | S                 | Site-Asphalt Repair-Design                                                                                          | PR             | P     | \$25,000     |                |            |           |           |                |            |           |           |                |
| CEN   | DM           | I                  | U                 | Chiller #4-Replace Chiller                                                                                          | PR             | PWC   | \$895,026    |                |            |           |           |                |            |           |           |                |
| CEN   | SRP          | O                  | SS                | Central Control-Repair Entrance Canopy-Design                                                                       | PR             | P     | \$25,000     |                |            |           |           |                |            |           |           |                |
| CEN   | SRP          | I                  | U                 | Site-Water Tank Interior Resurfacing                                                                                | PR             | PWC   | \$218,680    |                |            |           |           |                |            |           |           |                |
| CEN   | SRP          | I                  | U                 | Waste Water-Replace Pond Liner-Ponds #1 & 2-Design                                                                  | PR             | P     | \$20,000     |                |            |           |           |                |            |           |           |                |
| CEN   | MA           | I                  | U                 | Waste Water Treatment Plant Upgrades                                                                                | CO             | PWC   | \$7,533,000  | GF/AB900GF     |            |           |           |                |            |           |           |                |
| CIM   | MA           | H                  | F                 | Renovations to RC West Housing Units F/L/S Mariposa, Otay, Angeles, Joshua                                          | AC             | C     | \$1,777,000  | GF             |            |           |           |                |            |           |           |                |
| CIM   | MA           | O                  | S                 | Solid Cell Fronts                                                                                                   | AC             | C     | \$6,863,000  | GF             | P          | \$600,000 | 2006      | GF             | W          | \$645,000 | 2007      | GF             |
| CIM   | DM           | I                  | F                 | Replace Roof on Hospital                                                                                            | AC             | PWC   | \$1,106,000  | GF             |            |           |           |                |            |           |           |                |
| CIM   | DM           | I                  | F                 | Replace Roof West Dorm MSF                                                                                          | AC             | PWC   | \$410,000    | GF             |            |           |           |                |            |           |           |                |
| CIM   | MA           | MH                 | HC                | Reception Center HC Facility Improvement Program                                                                    | PR             | AS    | TBD          |                |            |           |           |                |            |           |           |                |
| CIM   | DM           | I                  | U                 | Replace Air Duct - West Administration Bldg                                                                         | PR             | PWC   | \$332,000    |                |            |           |           |                |            |           |           |                |
| CIM   | DM           | I                  | U                 | Replace Heating/Cooling/Coils-RC Central Facility                                                                   | PR             | PWC   | \$170,000    |                |            |           |           |                |            |           |           |                |
| CIM   | DM           | I                  | U                 | Repair Exhaust Hoods and Ventilation Systems                                                                        | PR             | PWC   | \$170,000    |                |            |           |           |                |            |           |           |                |
| CIM   | DM           | I                  | U                 | Replacement and Upgrade of Domestic Waterline Distribution System, Storage and Pressure Tank Included (Design Only) | PR             | P     | \$6,240,000  |                |            |           |           |                |            |           |           |                |

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|-------|--------------|--------------------|-------------------|-----------------------------------------------------------------------------------|----------------|-------|--------------|----------------|------------|-------------|-----------|----------------|------------|-------------|-----------|----------------|
| CIM   | DM           | I                  | U                 | Replacement and Upgrade of Domestic Waterline Distribution System (construction)  | PR             | C     | \$48,000,000 |                |            |             |           |                |            |             |           |                |
| CIM   | SRP          | O                  | F                 | South Dorm Renovation Shower/Floor/Code Issues                                    | PR             | PWC   | \$1,200,000  |                |            |             |           |                |            |             |           |                |
| CIM   | SRP          | I                  | F                 | Renovate Showers RC East                                                          | PR             | PWC   | \$670,000    |                |            |             |           |                |            |             |           |                |
| CIM   | SRP          | I                  | U                 | Repair Cypress Flood Control Channel*                                             | PR             | PWC   | \$101,000    |                |            |             |           |                |            |             |           |                |
| CIM   | SRP          | I                  | U                 | Chino Basin Water Assessment                                                      | PR             | PWC   | \$13,000     |                |            |             |           |                |            |             |           |                |
| CIM   | SRP          | I                  | U                 | Repair/Replace Inmate Showers-RC West                                             | PR             | PWC   | \$580,000    |                |            |             |           |                |            |             |           |                |
| CIM   | SRP          | I                  | F                 | Replace Elm Hall Housing Unit Windows                                             | PR             | PWC   | \$330,000    |                |            |             |           |                |            |             |           |                |
| CIM   | SRP          | O                  | S                 | Replace High Mast Lighting , Reception Center East                                | PR             | PWC   | \$440,000    |                |            |             |           |                |            |             |           |                |
| CIM   | SRP          | O                  | F                 | Kitchen- Cold Storage Enclosure Major Repairs                                     | PR             | PWC   | \$556,900    |                |            |             |           |                |            |             |           |                |
| CIM   | SRP          | O                  | F                 | ADA Modifications - RCE, MSF, RCC and Infirmary                                   | PR             | PWC   | \$544,086    |                |            |             |           |                |            |             |           |                |
| CIM   | SRP          | O                  | S                 | Cell Door Replacement - RCC Madrone Cell & Plumbing Chase Security Repair/Upgrade | PR             | PWC   | \$1,200,000  |                |            |             |           |                |            |             |           |                |
| CIM   | SRP          | O                  | F                 | Walk-in Refrigerator Replacement (14 Units)                                       | PR             | PWC   | \$756,320    |                |            |             |           |                |            |             |           |                |
| CIM   | SRP          | O                  | F                 | Walk-in Freezer Replacement (5 Units)                                             | PR             | PWC   | \$276,338    |                |            |             |           |                |            |             |           |                |
| CIM   | SRP          | I                  | U                 | Denite Plant, Category II and III Elect/Mech Retrofit (amendment to contract)     | PR             | PWC   | \$175,000    |                |            |             |           |                |            |             |           |                |
| CIM   | MI           | H                  | F                 | F/L/S Upgrades to RC West HU Laguna                                               | CO             | PWC   | \$383,000    | GF             |            |             |           |                |            |             |           |                |
| CIM   | MI           | H                  | F                 | F/L/S Upgrades to RC West HU Cleveland                                            | CO             | PWC   | \$390,000    | GF             |            |             |           |                |            |             |           |                |
| CIM   | MI           | H                  | F                 | F/L/S Upgrades to RC West HU Sequoia                                              | CO             | PWC   | \$390,000    | GF             |            |             |           |                |            |             |           |                |
| CIM   | SRP          | I                  | U                 | Denite Plant Electrical/Mechanical Retrofit                                       | CO             | C     | \$5,415,000  | GF             |            |             |           |                |            |             |           |                |
| CIM   | SRP          | I                  | F                 | Replace Windows RC E Culinary/Dayrooms                                            | CO             | PWC   | \$1,750,000  | GF             |            |             |           |                |            |             |           |                |
| CIM   | DM           | I                  | F                 | Replace Roof on Alpine Dorm                                                       | CO             | PWC   | \$385,000    | GF             |            |             |           |                |            |             |           |                |
| CIM   | SRP          | I                  | U                 | Retrofit Denite Plant Brine Line Repair                                           | CO             | PWC   | \$693,000    | GF             |            |             |           |                |            |             |           |                |
| CIM   | SRP          | I                  | U                 | Water Distribution Study + Augmentation 1 & 2                                     | CO             | S     | \$165,713    | GF             |            |             |           |                |            |             |           |                |
| CIW   | MA           | MH                 | HC                | 45 Bed Acute/Intermediate Care Facility                                           | AC             | C     | \$27,424,000 | AB900LR        | W          | \$4,167,000 | 2010      | AB900LR        | P          | \$2,172,000 | 2009      | GF             |
| CIW   | MA           | MH                 | HC                | 20 Bed Psychiatric Services Unit                                                  | AC             | C     | \$6,433,000  | GF             | PW         | \$1,170,000 | 2007      | GF             |            |             |           |                |
| CIW   | E            | I                  | U                 | Energy Efficient Lighting Retrofit, HVAC                                          | AC             | C     | \$374,000    | SF             |            |             |           |                |            |             |           |                |
| CIW   | SRP          | I                  | U                 | Bar Screen Sewer Screening System Upgrade                                         | AC             | PWC   | \$376,000    | GF             |            |             |           |                |            |             |           |                |
| CIW   | DM           | I                  | F                 | Education Building (P04)-Replace Roof                                             | PR             | PWC   | \$385,000    |                |            |             |           |                |            |             |           |                |
| CIW   | DM           | I                  | F                 | Latham Housing-Replace Roof                                                       | PR             | PWC   | \$416,000    |                |            |             |           |                |            |             |           |                |
| CIW   | DM           | I                  | F                 | Administration Building-Replace Roof-Design                                       | PR             | P     | \$55,000     |                |            |             |           |                |            |             |           |                |
| CIW   | DM           | I                  | F                 | Housing Units- (6) Units & RC-Install HVACs                                       | PR             | PWC   | \$2,000,000  |                |            |             |           |                |            |             |           |                |
| CIW   | DM           | I                  | F                 | Education Building (P05) -Replace Roof                                            | PR             | PWC   | \$510,000    |                |            |             |           |                |            |             |           |                |
| CIW   | SRP          | O                  | SS                | Main Culinary-Repair/Replace Asphalt & Modify Back Dock                           | PR             | PWC   | \$243,000    |                |            |             |           |                |            |             |           |                |
| CIW   | SRP          | O                  | S                 | Perimeter Fence-Replace Inner Fence-Design                                        | PR             | P     | \$50,000     |                |            |             |           |                |            |             |           |                |
| CIW   | SRP          | O                  | SS                | Sandwich Room-Replace Terrazzo Floor                                              | PR             | PWC   | \$150,000    |                |            |             |           |                |            |             |           |                |
| CIW   | SRP          | O                  | S                 | Site-Service Gate-Replace Maintenance Service Gate                                | PR             | PWC   | \$106,000    |                |            |             |           |                |            |             |           |                |
| CIW   | SRP          | I                  | U                 | SPHU Housing-Repair Showers-C-Wing                                                | PR             | PWC   | \$2,870,000  |                |            |             |           |                |            |             |           |                |
| CIW   | SRP          | I                  | U                 | OPHU-Replace Heating & Cooling System                                             | PR             | PWC   | \$2,812,000  |                |            |             |           |                |            |             |           |                |
| CIW   | SRP          | I                  | F                 | Housing Units Replace Exterior Doors -Design                                      | PR             | P     | \$25,000     |                |            |             |           |                |            |             |           |                |
| CIW   | SRP          | I                  | U                 | Steam Plant- Install New Emergency Feedwater Tank                                 | PR             | PWC   | \$97,000     |                |            |             |           |                |            |             |           |                |
| CIW   | SRP          | I                  | U                 | Harris Wilson Housing Unit-Replace Steam & Condensation System-Design             | PR             | P     | \$30,000     |                |            |             |           |                |            |             |           |                |
| CIW   | SRP          | I                  | U                 | Steam Plant & Boilers New NOX Standards                                           | PR             | PWC   | \$700,000    |                |            |             |           |                |            |             |           |                |
| CIW   | SRP          | I                  | U                 | Electrical Substation- Upgrade Substation-Design                                  | PR             | P     | \$90,000     |                |            |             |           |                |            |             |           |                |
| CIW   | SRP          | I                  | U                 | Latham Housing-Replace Hot Water Tank-Emergency Repair                            | PR             | PWC   | \$104,000    |                |            |             |           |                |            |             |           |                |
| CIW   | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV)                                         | PR             | PWC   | TBD          |                |            |             |           |                |            |             |           |                |
| CIW   | E            | I                  | U                 | Energy Efficiency Light, Motors, EMS                                              | PR             | PWC   | TBD          |                |            |             |           |                |            |             |           |                |

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|-------|--------------|--------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------|----------------|-------|--------------|----------------|------------|-------------|-----------|----------------|------------|--------------|-----------|----------------|
| CMC   | MA           | O                  | SS                | Central Kitchen Replacement West                                                                                            | AC             | W     | \$1,250,000  | LR             | P          | \$273,000   | 1998      | GF             | C          | \$14,271,000 | 2008      | GF/LR          |
| CMC   | MA           | MH                 | HC                | 50 Bed Mental Health Crisis Bed-Coleman Project                                                                             | AC             | W     | \$2,854,000  | AB900LR        | P          | \$3,867,000 | 2009      | AB900LR        | C          | \$49,601,000 | 2012      | AB900LR        |
| CMC   | MA           | I                  | U                 | WWTP Upgrade                                                                                                                | AC             | PWC   | \$8,633,000  | AB900GF        |            |             |           |                |            |              |           |                |
| CMC   | MA           | I                  | S                 | Level II Fence Improvements West Facility                                                                                   | AC             | PWC   | \$682,000    |                |            |             |           |                |            |              |           |                |
| CMC   | MI           | O                  | F                 | Main Support Warehouse/Rest Room & ADA Upgrades                                                                             | AC             | PWC   | \$339,000    | GF             |            |             |           |                |            |              |           |                |
| CMC   | MI           | O                  | S                 | Rooftop Security Platforms, A Quad                                                                                          | AC             | PWC   | \$318,000    | GF             |            |             |           |                |            |              |           |                |
| CMC   | MI           | O                  | S                 | Rooftop Security Platforms, B Quad                                                                                          | AC             | PWC   | \$150,000    | GF             |            |             |           |                |            |              |           |                |
| CMC   | MI           | O                  | S                 | Rooftop Security Platforms, C Quad                                                                                          | AC             | PWC   | \$318,000    | GF             |            |             |           |                |            |              |           |                |
| CMC   | MI           | O                  | S                 | Rooftop Security Platforms, D Quad                                                                                          | AC             | PWC   | \$282,000    | GF             |            |             |           |                |            |              |           |                |
| CMC   | MI           | MH                 | HC                | East Facility Mental Health Conversion Room A-157                                                                           | AC             | PWC   | \$397,000    | GF             |            |             |           |                |            |              |           |                |
| CMC   | SRP          | I                  | U                 | Install Water Conservation Devices                                                                                          | AC             | PWC   | \$2,403,000  | GF             |            |             |           |                |            |              |           |                |
| CMC   | SRP          | O                  | U                 | Repair West Facility Perimeter Fence Lighting                                                                               | AC             | C     | \$573,000    | GF             |            |             |           |                |            |              |           |                |
| CMC   | DM           | O                  | F                 | Replace Roofs on West Living Units #4, #7 & # 8                                                                             | AC             | C     | \$990,000    | GF             |            |             |           |                |            |              |           |                |
| CMC   | SRP          | I                  | U                 | Replace Underground Sewer Piping E Facility                                                                                 | AC             | C     | \$528,000    | GF             |            |             |           |                |            |              |           |                |
| CMC   | SRP          | I                  | F                 | Replace Diner Floors in East Quad Bld B                                                                                     | AC             | C     | \$978,000    | GF             |            |             |           |                |            |              |           |                |
| CMC   | DM           | I                  | F                 | Building H Roof Replacement/Repair                                                                                          | PR             | C     | \$167,000    |                |            |             |           |                |            |              |           |                |
| CMC   | DM           | I                  | U                 | Replace Boiler Switchboard and Motor Controls                                                                               | PR             | PWC   | \$416,000    |                |            |             |           |                |            |              |           |                |
| CMC   | MA           | I                  | U                 | W Facility Emergency Power Generation System                                                                                | PR             | PW    | \$551,000    |                |            |             |           |                |            |              |           |                |
| CMC   | MA           | O                  | F                 | Fire Alarm Suppression Upgrade E & W Facilities                                                                             | PR             | PW    | \$409,000    |                |            |             |           |                |            |              |           |                |
| CMC   | E            | I                  | U                 | Energy Efficient Boilers, Lighting and EMS                                                                                  | PR             | C     | TBD          |                |            |             |           |                |            |              |           |                |
| CMC   | DM           | I                  | F                 | Roof Replacement West Housing Units 1 & 6                                                                                   | CO             | PWC   | \$36,339,000 | GF             |            |             |           |                |            |              |           |                |
| CMC   | MA           | I                  | U                 | Potable Water Distribution System Upgrade                                                                                   | CO             | C     | \$33,563,000 | GF             | P          | \$1,317,000 | 2005      | GF             | W          | \$1,357,000  | 2007      | GF             |
| CMF   | MA           | O                  | S                 | Solid Cell Fronts                                                                                                           | AC             | C     | \$6,688,000  | GF             | P          | \$372,000   | 2006      | GF             | W          | \$387,000    | 2007      | GF             |
| CMF   | MA           | MH                 | HC                | EOP Treatment & Office Space                                                                                                | AC             | W     | \$2,465,000  | AB900LR        | P          | \$2,326,000 | 2010      | AB900LR        | C          | \$29,093,000 | 2013      | AB900LR        |
| CMF   | MA           | MH                 | HC                | 64 Bed Intermediate Care Mental Health Facility-Coleman Project                                                             | AC             | C     | \$26,489,000 | AB900LR        | P          | \$3,914,000 | 2008      | GF             | W          | \$3,288,000  | 2010      | AB900LR        |
| CMF   | SRP          | MH                 | HC                | 124 Cell Renovations-Coleman Project (Q1, Q2, Q3, S1 & S2 Areas)                                                            | AC             | C     | \$1,075,000  | GF             |            |             |           |                |            |              |           |                |
| CMF   | MA           | MH                 | HC                | Acute Care Modifications in P-1 & P-2                                                                                       | AC             | C     | \$745,000    | GF             |            |             |           |                |            |              |           |                |
| CMF   | MA           | I                  | U                 | Emergency Generator Capacity Upgrade                                                                                        | PR             | PW    | \$719,000    |                | C          | \$4,344,000 |           |                |            |              |           |                |
| CMF   | MI           | I                  | U                 | Reverse Osmosis System                                                                                                      | PR             | PWC   | \$496,000    |                |            |             |           |                |            |              |           |                |
| CMF   | DM           | I                  | F                 | Replace Roof, Gutters and Downspouts on In-Service Training Bldg A-52                                                       | PR             | PWC   | \$202,000    |                |            |             |           |                |            |              |           |                |
| CMF   | DM           | I                  | U                 | Wings A & B Cooling System Upgrade A1, A2 and B4                                                                            | PR             | PWC   | \$1,985,474  |                |            |             |           |                |            |              |           |                |
| CMF   | DM           | I                  | U                 | Main Site Electrical Power Upgrade: MV Electrical Switchgear. Emergency Contract: Labor only.                               | PR             | PWC   | \$450,000    |                |            |             |           |                |            |              |           |                |
| CMF   | SRP          | I                  | U                 | Main Site Electrical Power Upgrade: Installation of PG&E Temporary MV 2500kva Electrical Power Transformer & MV panelboard. | PR             | PWC   | \$250,000    |                |            |             |           |                |            |              |           |                |
| CMF   | SRP          | I                  | F                 | Upgrade Fan Room Equipment A1,A2 & B4                                                                                       | PR             | PWC   | \$1,985,474  |                |            |             |           |                |            |              |           |                |
| CMF   | MA           | MH                 | HC                | D Dorm Conversion to OHU                                                                                                    | CO             | PWC   | \$580,000    | GF             |            |             |           |                |            |              |           |                |
| CMF   | MI           | O                  | F                 | Fire Alarm System Buildings P2 & P3                                                                                         | CO             | PWC   | \$388,000    | GF             |            |             |           |                |            |              |           |                |
| CMF   | MI           | O                  | SS                | Additional Parking Lot                                                                                                      | CO             | PWC   | \$255,000    | GF             |            |             |           |                |            |              |           |                |

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|-------|--------------|--------------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------|--------------|----------------|------------|-------------|-----------|----------------|------------|--------------|-----------|----------------|
| COR   | MA           | O                  | S                 | Small Management Yards for SHU (1 of 5 Institutions)                                                                                     | AC             | W     | \$278,000    | GF             |            |             |           |                |            |              |           |                |
| COR   | MA           | IN                 | HC                | Ad Seg/EOP Treatment & Office Space-Coleman                                                                                              | AC             | P     | \$1,086,000  | AB900LR        | W          | \$1,031,000 |           | AB900LR        | C          | \$15,553,000 |           | AB900LR        |
| COR   | E            | I                  | U                 | Energy Management Control System                                                                                                         | AC             | C     | \$1,327,000  | SF             |            |             |           |                |            |              |           |                |
| COR   | E            | I                  | U                 | Energy Efficiency Facility Wide Interior Lighting Retrofit                                                                               | AC             | C     | \$958,074    | SF             |            |             |           |                |            |              |           |                |
| COR   | DM           | I                  | F                 | "Temporary" Emergency Roof Repairs Bldgs 4A (1-4) & 4B (2&4)                                                                             | AC             | PWC   | \$549,000    | GF             |            |             |           |                |            |              |           |                |
| COR   | E            | I                  | U                 | Energy Management Control System Phase 2 Lighting Retrofit                                                                               | AC             | C     | \$3,082,157  | SF             |            |             |           |                |            |              |           |                |
| COR   | DM           | I                  | F                 | Repair Fire Alarm and Sprinkler System                                                                                                   | PR             | PWC   | \$2,500,000  |                |            |             |           |                |            |              |           |                |
| COR   | DM           | I                  | F                 | 180 Housing Unit Roofs 4B2/4B4 - Phase 3                                                                                                 | PR             | C     | \$1,445,000  |                |            |             |           |                |            |              |           |                |
| COR   | DM           | I                  | F                 | 180 Housing Unit Roofs 4A3 & 4A4 - Phase 2                                                                                               | PR             | PWC   | \$1,445,000  |                |            |             |           |                |            |              |           |                |
| COR   | DM           | I                  | F                 | 180 Housing Unit Roofs 4A1 & 4A2 - Phase 4                                                                                               | PR             | PWC   | \$1,445,000  |                |            |             |           |                |            |              |           |                |
| COR   | DM           | I                  | S                 | Lethal Electrified Fence - Bird Netting Replacement (LEF = Phase 1)                                                                      | PR             | PWC   | \$618,081    |                |            |             |           |                |            |              |           |                |
| COR   | DM           | I                  | S                 | Asphalt Road Repairs                                                                                                                     | PR             | PWC   | \$3,847,910  |                |            |             |           |                |            |              |           |                |
| COR   | DM           | I                  | U                 | Replace Hot Water Piping - Hydronic Loop(design)                                                                                         | PR             | P     | \$520,000    |                |            |             |           |                |            |              |           |                |
| COR   | DM           | I                  | U                 | Upgrade Main Electrical Switchgear (design)                                                                                              | PR             | P     | \$576,000    |                |            |             |           |                |            |              |           |                |
| COR   | DM           | I                  | U                 | Upgrade Institution Electrical Switchgear (construction)                                                                                 | PR             | C     | \$4,374,000  |                |            |             |           |                |            |              |           |                |
| COR   | DM           | I                  | F                 | Upgrade Fire Suppression System -Bldg 201 Support Warehouse                                                                              | PR             | PWC   | \$328,268    |                |            |             |           |                |            |              |           |                |
| COR   | DM           | I                  | U                 | Replace Hot Water Piping - Hydronic Loop (construction)                                                                                  | PR             | C     | \$4,470,840  |                |            |             |           |                |            |              |           |                |
| COR   | DM           | O                  | F                 | Replace Boiler Controls to Meet New NOx Emission Stds of 5ppmv - Oct-2008 SJVAPD Rule 4320                                               | PR             | PWC   | \$650,000    |                |            |             |           |                |            |              |           |                |
| COR   | DM           | I                  | F                 | Emergency - IWL Roof Replacement 414A (4A4L&R)                                                                                           | PR             | PWC   | \$750,000    |                |            |             |           |                |            |              |           |                |
| COR   | SRP          | I                  | U                 | Pond Liner Placement Pond A                                                                                                              | PR             | PWC   | \$1,080,000  |                |            |             |           |                |            |              |           |                |
| COR   | SRP          | O                  | F                 | Replace Television Master Antenna System                                                                                                 | PR             | PWC   | \$65,000     |                |            |             |           |                |            |              |           |                |
| COR   | SRP          | O                  | F                 | ADA Modifications - Facility 3B/Path of Travel and 3B/Cell Modifications, Acute Care Cell Modifications & 3A03/Ad-Seg Cell Modifications | PR             | PWC   | \$2,180,265  |                |            |             |           |                |            |              |           |                |
| COR   | SRP          | I                  | U                 | Housing Unit Control Panel Upgrade - Doors, Grates, Cell Doors, Intercom, Lighting, Alarm Control Center                                 | PR             | PWC   | \$1,884,307  |                |            |             |           |                |            |              |           |                |
| COR   | SRP          | I                  | F                 | Replace Control Booth Windows                                                                                                            | PR             | PWC   | \$978,340    |                |            |             |           |                |            |              |           |                |
| COR   | SRP          | O                  | F                 | ADA Modify (23) Cells for DPW in ACH                                                                                                     | PR             | PWC   | \$309,870    |                |            |             |           |                |            |              |           |                |
| COR   | SRP          | I                  | U                 | Toilet Back Flushing Repair at Facility 3A, 3B,and 3C.                                                                                   | PR             | PWC   | \$1,850,200  |                |            |             |           |                |            |              |           |                |
| COR   | SRP          | I                  | U                 | Repair Concrete Utility Vaults Inner Secured Perimeter Road                                                                              | PR             | PWC   | \$228,413    |                |            |             |           |                |            |              |           |                |
| COR   | SRP          | I                  | F                 | Kitchen Floor - Level IV & Level 1Bldg. 411-B / Bldg. 108-H                                                                              | PR             | PWC   | \$142,829    |                |            |             |           |                |            |              |           |                |
| COR   | SRP          | I                  | U                 | Kitchen Floor - Facility A,B,C Bldgs. 307-A, 307-B, 308-C                                                                                | PR             | PWC   | \$136,350    |                |            |             |           |                |            |              |           |                |
| COR   | SRP          | I                  | F                 | Main Kitchen Floor Repair Facility 3A - Bldg. 309A                                                                                       | PR             | PWC   | \$157,326    |                |            |             |           |                |            |              |           |                |
| COR   | SRP          | HC                 | F                 | Armstrong DPW Bed Conversions for ADA-4 Cells                                                                                            | CO             | PWC   |              | STWD           | GF         |             |           |                |            |              |           |                |
| COR   | DM           | I                  | F                 | Living Unit Roofs 4B1/4B3 Phase I                                                                                                        | CO             | PWC   | \$808,000    |                | GF         |             |           |                |            |              |           |                |
| COR   | MA           | I                  | U                 | WWTP Improvements                                                                                                                        | CO             | PWC   | \$6,643,000  | AB900GF        |            |             |           |                |            |              |           |                |
| CRC   | MA           | I                  | H                 | Replace Men's Dorms                                                                                                                      | AC             | WC    | \$21,998,000 | LR             | W          | \$1,190,000 | 2008      | GF             | P          | \$1,033,000  | 1998      | GF             |
| CRC   | MA           | I                  | U                 | Potable Water System Upgrade                                                                                                             | AC             | W     | \$536,000    | AB900GF        | P          | \$98,000    | 2001      | GF             | C          | \$3,308,000  | 2011      | AB900GF        |
| CRC   | E            | I                  | U                 | Energy Efficient Lighting, EMS                                                                                                           | AC             | C     | \$1,111,892  | SF             |            |             |           |                |            |              |           |                |
| CRC   | SRP          | I                  | F                 | Facility IV Kitchen Replace Fume Hood & Ventilation System                                                                               | AC             | PWC   | \$135,000    | GF             |            |             |           |                |            |              |           |                |
| CRC   | SRP          | I                  | F                 | Building 107 Renovate Restroom/Shower Phase III                                                                                          | AC             | PWC   | \$600,000    | GF             |            |             |           |                |            |              |           |                |
| CRC   | MA           | I                  | S                 | Construct Additional Guard Tower                                                                                                         | PR             | PW    | \$307,000    |                | C          | \$1,862,000 |           |                |            |              |           |                |
| CRC   | DM           | I                  | F                 | Building 320-Replace Roof-Construction                                                                                                   | PR             | C     | \$360,000    |                |            |             |           |                |            |              |           |                |
| CRC   | DM           | I                  | F                 | Central Kitchen/Custody/Medical-Replace Roof-Construction                                                                                | PR             | C     | \$998,000    |                |            |             |           |                |            |              |           |                |
| CRC   | DM           | I                  | F                 | Reservoir #2-Replace Roof- Design                                                                                                        | PR             | P     | \$19,981     |                |            |             |           |                |            |              |           |                |
| CRC   | DM           | I                  | F                 | Electrical System-Replace Electrical System-Design                                                                                       | PR             | P     | \$150,000    |                |            |             |           |                |            |              |           |                |
| CRC   | SRP          | I                  | U                 | Steam Plant & Boilers-New Nox Standards                                                                                                  | PR             | PWC   | \$700,000    |                |            |             |           |                |            |              |           |                |

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|-------|--------------|--------------------|-------------------|------------------------------------------------------------------------|----------------|-------|--------------|----------------|------------|-------------|-----------|----------------|------------|--------------|-----------|----------------|
| CRC   | SRP          | I                  | U                 | Norco Hotel-Reroute Utility Services-Design                            | PR             | S     | \$55,000     |                |            |             |           |                |            |              |           |                |
| CRC   | SRP          | I                  | U                 | Perimeter Lighting-Replace Lighting System-Design                      | PR             | P     | \$85,293     |                |            |             |           |                |            |              |           |                |
| CRC   | SRP          | O                  | F                 | Security System-Replace Personal Alarm System-Design                   | PR             | P     | \$65,000     |                |            |             |           |                |            |              |           |                |
| CRC   | SRP          | I                  | F                 | Electrical System Infrastructure -Replace Existing System Construction | PR             | C     | \$11,717,860 |                |            |             |           |                |            |              |           |                |
| CRC   | SRP          | O                  | SS                | Main Culinary-Renovate Walk-in Freezer Boxes-Phase2 (Construction)     | PR             | C     | \$151,899    |                |            |             |           |                |            |              |           |                |
| CRC   | SRP          | O                  | SS                | Replace Landscape Irrigation System & Plant Material-Design            | PR             | P     | \$45,500     |                |            |             |           |                |            |              |           |                |
| CRC   | SRP          | I                  | H                 | Ingalls Hall (ArmyReserveCenter) Renovate Building-Design              | PR             | P     | \$700,000    |                |            |             |           |                |            |              |           |                |
| CRC   | SRP          | I                  | SS                | Sitewide-Repair Roads & Parking Lot- Design                            | PR             | P     | \$35,000     |                |            |             |           |                |            |              |           |                |
| CRC   | SRP          | I                  | U                 | Emergency Generator-Replace/Upgrade Generator Capacity-Design          | PR             | P     | \$150,000    |                |            |             |           |                |            |              |           |                |
| CRC   | SRP          | I                  | F                 | Replace Grease Interceptor Main Kitchen                                | CO             | PWC   | \$119,000    | GF             |            |             |           |                |            |              |           |                |
| CTF   | MA           | O                  | S                 | Solid Cell Fronts                                                      | AC             | W     | \$498,000    | GF             | P          | \$405,000   | 2008      | GF             | C          | \$6,595,000  |           |                |
| CTF   | E            | I                  | U                 | Motor Upgrades, Life Station VFD, Various Lighting Retrofit            | AC             | C     | \$1,064,000  | SF             |            |             |           |                |            |              |           |                |
| CTF   | E            | I                  | U                 | Boiler Retrofit, Motors & Lighting                                     | AC             | C     | \$918,000    | SF             |            |             |           |                |            |              |           |                |
| CTF   | DM           | I                  | U                 | Toilet Replacement Phase 13 of 25                                      | AC             | C     | \$246,000    | GF             |            |             |           |                |            |              |           |                |
| CTF   | SRP          | I                  | U                 | Replace Boiler South Facility                                          | AC             | PWC   | \$1,036,000  | GF             |            |             |           |                |            |              |           |                |
| CTF   | SRP          | I                  | U                 | Boiler Replacement Construction, Central Facility Phase 3              | PR             | C     | \$2,108,000  |                |            |             |           |                |            |              |           |                |
| CTF   | SRP          | I                  | F                 | Repair Asphalt on A & B Yards                                          | PR             | PWC   | \$372,771    |                |            |             |           |                |            |              |           |                |
| CTF   | SRP          | I                  | S                 | 19 Guard Tower Replace Roofs & Windows-Design Phase                    | PR             | P     | \$48,000     |                |            |             |           |                |            |              |           |                |
| CTF   | SRP          | I                  | S                 | Replace Towers 10 and 17                                               | PR             | PWC   | \$1,600,000  |                |            |             |           |                |            |              |           |                |
| CTF   | MA           | I                  | S                 | Electrified Fence                                                      | PR             | P     | \$1,086,000  |                | W          | \$1,497,000 |           |                | C          | \$17,677,000 |           |                |
| CTF   | MI           | I                  | U                 | South Yard Lighting                                                    | CO             | PWC   | \$148,000    | GF             |            |             |           |                |            |              |           |                |
| CTF   | SRP          | I                  | U                 | Replacement of Cell Lighting Fixtures Phase 1 of 15                    | CO             | PWC   | \$240,000    | GF             |            |             |           |                |            |              |           |                |
| CVSP  | MA           | I                  | U                 | Wastewater Treatment Plant Improvements                                | AC             | C     | \$25,331,000 | LR             | P          | \$1,005,000 | 2008      | GF             | W          | \$1,274,000  | 2010      | GF             |
| CVSP  | MA           | I                  | U                 | Provide Emergency Power to WTP                                         | PR             | PW    | \$456,000    |                | C          | \$2,580,000 |           |                |            |              |           |                |
| CVSP  | DM           | I                  | S                 | Repair Replace Institutional Road                                      | PR             | PWC   | \$112,640    |                |            |             |           |                |            |              |           |                |
| CVSP  | SRP          | I                  | S                 | Interior Security Fence Repair, Phase 1 and 2                          | PR             | PWC   | \$1,079,000  |                |            |             |           |                |            |              |           |                |
| CVSP  | SRP          | I                  | U                 | Replace Control Panel in ASU (Trans From Cap)                          | PR             | PWC   | \$135,000    |                |            |             |           |                |            |              |           |                |
| CVSP  | SRP          | I                  | U                 | Repair Leak in the Elevated Water Tower                                | PR             | PWC   | \$211,200    |                |            |             |           |                |            |              |           |                |
| CVSP  | SRP          | I                  | SS                | RASP BLDG. Repair steel structure support. Install trench drains       | PR             | PWC   | \$32,560     |                |            |             |           |                |            |              |           |                |
| CVSP  | SRP          | I                  | SS                | Repair/Replace Pads for Satellite Kitchen & RASP                       | PR             | PWC   | \$201,000    |                |            |             |           |                |            |              |           |                |
| CVSP  | SRP          | I                  | U                 | Well Replacement Engineering Fees (Well #4 & #5)                       | CO             | PWC   | \$25,000     | GF             |            |             |           |                |            |              |           |                |
| DVI   | MA           | I                  | U                 | Wastewater Treatment Plant                                             | AC             | C     | \$36,955,000 | LR             | P          | \$1,530,000 | 2006      | GF             | W          | \$1,521,000  | 2007      |                |
| DVI   | MA           | O                  | S                 | Solid Cell Fronts                                                      | AC             | P     | \$405,000    | GF             |            |             |           |                |            |              |           |                |
| DVI   | MA           | I                  | U                 | Groundwater/Nonpotable Water Distribution System                       | AC             | C     | \$31,026,000 | GF             | P          | \$624,000   | 2005      | GF             | W          | \$1,528,000  | 2006      | GF             |
| DVI   | MA           | MH                 | HC                | Reception Center Enhanced Outpatient Program Treatment Space-Coleman   | AC             | P     | 608,000      | GF             | W          | \$357,000   |           |                | C          | \$5,037,000  |           |                |
| DVI   | MI           | I                  | U                 | Academic Wing HVAC                                                     | PR             | C     | \$537,000    |                |            |             |           |                |            |              |           |                |
| DVI   | DM           | I                  | U                 | Y HU Alternative Heating Source                                        | PR             | PWC   | \$300,000    |                |            |             |           |                |            |              |           |                |
| DVI   | DM           | I                  | F                 | E Dining Roof Replacement                                              | PR             | PWC   | \$69,000     |                |            |             |           |                |            |              |           |                |
| DVI   | DM           | I                  | U                 | Electrical Switchgear Replacement                                      | PR             | PWC   | \$150,000    |                |            |             |           |                |            |              |           |                |
| DVI   | SRP          | O                  | F                 | Dairy Road Power Pole Replacement                                      | PR             | PWC   | \$275,551    |                |            |             |           |                |            |              |           |                |
| DVI   | SRP          | I                  | F                 | Infirmiry Roof/Gutter Replacement                                      | PR             | PWC   | \$120,147    |                |            |             |           |                |            |              |           |                |
| DVI   | SRP          | O                  | SS                | Asphalt Road Repair/Replacement                                        | PR             | PWC   | \$3,743,987  |                |            |             |           |                |            |              |           |                |
| DVI   | SRP          | I                  | U                 | Reverse Osmosis Water Production Plant Repair                          | PR             | PWC   | \$500,000    |                |            |             |           |                |            |              |           |                |

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|-------|--------------|--------------------|-------------------|--------------------------------------------------------------------------------------|----------------|-------|-------------|----------------|------------|-------------|-----------|----------------|------------|---------------|-----------|----------------|
| ECF   | MA           | IN                 | H                 | Estrella Correctional Facility Infill Project 630 Bed Level II                       | AC             | P     | \$6,151,000 | AB900LR        | S          | \$215,785   | 2010      | AB900LR        | WC         | \$105,004,000 |           | AB900LR        |
| ECF   | DM           | I                  | F                 | Reroof Kitchen Complex & Various Other Buildings (Re-Allocation+Augmentation)        | AC             | PWC   | \$2,600,000 | GF             |            |             |           |                |            |               |           |                |
| FSP   | MA           | I                  | F                 | Renovate Branch Circuit Wiring in Building #5                                        | AC             | WC    | \$1,876,000 | GF             | P          | \$32,000    | 1999      | GF             |            |               |           |                |
| FSP   | MA           | O                  | SS                | Convert Officer's & Guard's Building to Office Space                                 | AC             | C     | \$6,768,000 | LR             | P          | \$410,000   | 2006      | GF             | W          | \$370,000     | 2010      | GF             |
| FSP   | MI           | I                  | U                 | Potable Water System Upgrades                                                        | AC             | PWC   | \$300,000   | GF             |            |             |           |                |            |               |           |                |
| FSP   | MA           | I                  | U                 | Water Filtration Plant Emergency Generator                                           | PR             | PW    | \$212,000   |                | C          | \$792,000   |           |                |            |               |           |                |
| FSP   | MA           | I                  | F                 | Building #5 Fire/Life/Safety Upgrades                                                | PR             | PW    | \$329,000   |                | C          | \$1,952,000 |           |                |            |               |           |                |
| FSP   | MA           | O                  | S                 | First Floor Building #4 Solid Cell Fronts                                            | PR             | P     | \$226,000   |                | W          | \$289,000   |           |                | C          | \$4,196,000   |           |                |
| FSP   | MA           | I                  | F                 | Adm Building-Modernization                                                           | PR             | P     | \$1,143,000 |                | W          | \$1,040,000 |           |                | C          | \$14,682,000  |           |                |
| FSP   | DM           | I                  | F                 | Roof Replacement PIA License Plate Factory Voc. Ed                                   | PR             | PWC   | \$752,000   |                |            |             |           |                |            |               |           |                |
| FSP   | DM           | I                  | F                 | Roof Replacement - Housing Unit #1                                                   | PR             | PWC   | \$2,120,000 |                |            |             |           |                |            |               |           |                |
| FSP   | DM           | I                  | F                 | Clean Supply Air & Exhaust Systems -Cell Block #3                                    | PR             | PWC   | \$746,681   |                |            |             |           |                |            |               |           |                |
| FSP   | SRP          | I                  | S                 | Renovate Guard Towers 1, 2, 5, 14, 15, 20 and 23 (Phase 1)                           | PR             | P     | \$1,750,000 |                |            |             |           |                |            |               |           |                |
| FSP   | SRP          | I                  | F                 | Replace Steam Condensate Pipes Main Facility                                         | PR             | PWC   | \$505,000   |                |            |             |           |                |            |               |           |                |
| FSP   | SRP          | I                  | F                 | Replace Hot/Cold Water Lines, Sewer/Steam Pipes - Bldg #1                            | PR             | PWC   | \$3,209,472 |                |            |             |           |                |            |               |           |                |
| FSP   | SRP          | I                  | F                 | Replace Windows Building #1                                                          | PR             | PWC   | \$2,117,342 |                |            |             |           |                |            |               |           |                |
| FSP   | SRP          | I                  | F                 | Cellblock 3 - Replace Hot and Cold Water Pipes                                       | PR             | PWC   | \$336,034   |                |            |             |           |                |            |               |           |                |
| FSP   | SRP          | I                  | F                 | Cellblock 5 - Replace Hot and Cold Water Pipes                                       | PR             | PWC   | \$2,698,711 |                |            |             |           |                |            |               |           |                |
| FSP   | SRP          | I                  | U                 | Upsize Emergency Generator-Prison Grounds                                            | PR             | PWC   | \$843,150   |                |            |             |           |                |            |               |           |                |
| FSP   | SRP          | I                  | S                 | Install Tier Railings- Cellblock #1, #2 and #3                                       | PR             | PWC   | \$644,833   |                |            |             |           |                |            |               |           |                |
| FSP   | SRP          | I                  | S                 | Renovate Guard Towers 3, 8, 13, 17, 19 and 21 (Phase 2)                              | PR             | PW    | \$1,500,000 |                |            |             |           |                |            |               |           |                |
| FSP   | SRP          | I                  | F                 | Modernization Control/Clinic Elevator                                                | PR             | PWC   | \$100,000   |                |            |             |           |                |            |               |           |                |
| FSP   | SRP          | O                  | F                 | ADA Compliance Transitional Treatment Facility, Dorm B, & Support Facility           | CO             | C     | \$96,000    | GF             |            |             |           |                |            |               |           |                |
| FSP   | DM           | I                  | U                 | Steam Line Replacement (Re-Allocation 07/08)                                         | CO             | PWC   | \$198,000   | GF             |            |             |           |                |            |               |           |                |
| HDSP  | MI           | I                  | U                 | Well House Buildings #217 & #218                                                     | AC             | C     | \$260,000   | GF             |            |             |           |                |            |               |           |                |
| HDSP  | MA           | I                  | U                 | Upgrade Emergency Circuit Transformer & Transfer Switch                              | PR             | PW    | \$201,000   |                | C          | \$997,000   |           |                |            |               |           |                |
| ISP   | MA           | I                  | P                 | Heating, Ventilation & Air Conditioning System                                       | AC             | P     | \$5,758,000 | GF             |            |             |           |                |            |               |           |                |
| ISP   | E            | I                  | U                 | Energy Efficiency Housing Unit Fan Variable Frequency Drives (VFDS)                  | AC             | PWC   | \$1,279,790 | SF             |            |             |           |                |            |               |           |                |
| ISP   | SRP          | O                  | U                 | Replacement of Erosion Control & Storm Water Conveyance System                       | PR             | PWC   | \$1,432,000 |                |            |             |           |                |            |               |           |                |
| KVSP  | MA           | IN                 | H                 | 500 Design Bed Capacity Level IV Infill Facility                                     | AC             | S     | \$2,406,000 | AB900GF        |            |             |           |                |            |               |           |                |
| KVSP  | MA           | I                  | U                 | Arsenic Removal Water Treatment                                                      | AC             | W     | \$556,000   | AB900GF        | C          | \$7,454,000 | 2011      | AB900GF        |            |               |           |                |
| KVSP  | SRP          | O                  | F                 | ADA DPW Inmate Search Stations                                                       | AC             | PWC   | \$15,000    | GF             |            |             |           |                |            |               |           |                |
| KVSP  | DM           | I                  | F                 | Fire Alarm System Repairs - Sitewide All Inmate Housing Units                        | PR             | PWC   | \$954,379   |                |            |             |           |                |            |               |           |                |
| KVSP  | SRP          | I                  | F                 | ADA Modifications Showers, urinals, DF, Light Switches, Path of Travel               | PR             | PWC   | \$956,712   |                |            |             |           |                |            |               |           |                |
| KVSP  | SRP          | I                  | F                 | Enhanced Outpatient Cell Conversion 180 Degree Inmate Housing Units                  | PR             | PWC   | \$126,676   |                |            |             |           |                |            |               |           |                |
| KVSP  | SRP          | I                  | F                 | ADA Cell Conversion - Facility B, Bldg. 1 (4) 180 Housing cells - 101, 112, 123, 132 | PR             | PWC   | \$228,265   |                |            |             |           |                |            |               |           |                |
| KVSP  | SRP          | I                  | F                 | ADA Exercise Equipment - Facility Yards A,B,C,D                                      | PR             | PWC   | \$70,606    |                |            |             |           |                |            |               |           |                |

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|-------|--------------|--------------------|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------|-------------|----------------|------------|-------------|-----------|----------------|------------|--------------|-----------|----------------|
| LAC   | MA           | MH                 | HC                | Enhanced Outpatient, Treatment & Program Space-Coleman                                                                                           | AC             | W     | \$727,000   | AB900LR        | P          | \$939,000   | 2010      | GF/AB900LR     | C          | \$13,680,000 |           | AB900LR        |
| LAC   | E            | I                  | U                 | Energy Efficient Refrigeration Controls, Various Lighting Retrofits & HVAC Controls                                                              | AC             | PWC   | \$1,114,000 | SF             |            |             |           |                |            |              |           |                |
| LAC   | E            | I                  | U                 | Energy Efficient Interior Lighting Retrofit-Institution Wide                                                                                     | AC             | PWC   | \$1,042,000 | SF             |            |             |           |                |            |              |           |                |
| LAC   | DM           | I                  | F                 | Replace Fire Alarm System-Design                                                                                                                 | PR             | P     | \$175,000   |                |            |             |           |                |            |              |           |                |
| LAC   | SRP          | O                  | SS                | Central Kitchen- Replace Freezer & Refrigerator Doors                                                                                            | PR             | PWC   | \$110,000   |                |            |             |           |                |            |              |           |                |
| LAC   | SRP          | I                  | U                 | (2)Hydro-Pneumatic Water Tanks- Interior Surface Recoated & Rep                                                                                  | PR             | PWC   | \$312,400   |                |            |             |           |                |            |              |           |                |
| LAC   | SRP          | I                  | U                 | Potable Water Tanks-Interior Surface Recoated & Repaired                                                                                         | PR             | PWC   | \$312,400   |                |            |             |           |                |            |              |           |                |
| LAC   | SRP          | I                  | SS                | Roads Asphalt Repair/Replacement                                                                                                                 | PR             | PWC   | \$6,523,718 |                |            |             |           |                |            |              |           |                |
| LAC   | SRP          | I                  | U                 | Central Kitchen-Replace Air Handler Units-Design                                                                                                 | PR             | P     | \$85,000    |                |            |             |           |                |            |              |           |                |
| LAC   | SRP          | I                  | U                 | Central Kitchen-Replace Refrigeration Rack System                                                                                                | PR             | PWC   | \$190,520   |                |            |             |           |                |            |              |           |                |
| LAC   | SRP          | I                  | U                 | ASU-Replace Hot Water Tank                                                                                                                       | PR             | PWC   | \$55,000    |                |            |             |           |                |            |              |           |                |
| LAC   | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV)                                                                                                        | PR             | PWC   | TBD         |                |            |             |           |                |            |              |           |                |
| LAC   | E            | I                  | U                 | Energy Efficient Light, Motors, EMS                                                                                                              | PR             | PWC   | TBD         |                |            |             |           |                |            |              |           |                |
| LAC   | SRP          | O                  | F                 | ADA Modifications Cells, Restrooms & Showers                                                                                                     | CO             | PWC   | \$786,000   | GF             |            |             |           |                |            |              |           |                |
| MCSP  | MA           | I                  | U                 | Wastewater Treatment Plant Upgrades                                                                                                              | AC             | W     | \$542,000   | GF             | P          | \$390,000   | 2007      | GF             | C          | \$6,149,000  | 2011      | AB900GF        |
| MCSP  | MI           | O                  | SS                | Bridge Over Mule Creek                                                                                                                           | AC             | PWC   | \$348,000   | GF             |            |             |           |                |            |              |           |                |
| MCSP  | E            | I                  | U                 | Energy Efficient Housing Unit Fan Variable Frequency Drives                                                                                      | AC             | PWC   | \$1,180,000 | SF             |            |             |           |                |            |              |           |                |
| MCSP  | E            | I                  | U                 | Energy Efficient Facility Wide Interior Lighting Retrofit                                                                                        | AC             | PWC   | \$1,052,000 | SF             |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | F                 | Replace Roofs on: Firehouse Bldg. (H1 & H2), Level One Program Bldg. (G1), General Visiting (G3), Level One Family Visiting Unit (G4), & PABX E3 | PR             | PWC   | \$261,415   |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | U                 | Facility A, B, C - Gymnasium Ventilation Improvement                                                                                             | PR             | PWC   | \$111,000   |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | U                 | Housing Unit- FACP & Control Digitizer Replacement                                                                                               | PR             | PWC   | \$2,883,649 |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | F                 | Replace Inner Perimeter Road                                                                                                                     | PR             | PWC   | \$2,455,267 |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | U                 | Replace Leaking Hot Water Loop System                                                                                                            | PR             | PWC   | \$8,817,796 |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | F                 | Replace Roof and AHU on Housing Unit (12)                                                                                                        | PR             | PWC   | \$800,000   |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | F                 | Replace Roof and AHU on Housing Units (13)                                                                                                       | PR             | PWC   | \$800,000   |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | F                 | Replace Roof and AHU on Housing Units (5)                                                                                                        | PR             | PWC   | \$800,000   |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | F                 | Replace Roof and AHU on Housing Units (6)                                                                                                        | PR             | PWC   | \$800,000   |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | F                 | Replace Roof and AHU on Housing Units (7)                                                                                                        | PR             | PWC   | \$800,000   |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | U                 | Replace 2 (ea) Trane 40-Ton Package Units E2 (const)                                                                                             | PR             | C     | \$375,000   |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | U                 | Replace 2 (ea) Trane 40-Ton Package Units D1 (const)                                                                                             | PR             | C     | \$375,000   |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | U                 | Replace 5 (ea) Trane 40-Ton Package Units E2, D1, B3 (design)                                                                                    | PR             | P     | \$150,000   |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | F                 | Install Roof Walkway Mats -All HU's and Facility A, B, and C                                                                                     | PR             | PWC   | \$427,000   |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | U                 | Replace Eight (8) Air Handling Units G1, G2.1 and G2.2                                                                                           | PR             | PWC   | \$597,400   |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | U                 | High Voltage Power Pole Replacement (emergency)                                                                                                  | PR             | PWC   | \$190,000   |                |            |             |           |                |            |              |           |                |
| MCSP  | DM           | I                  | U                 | Site-Wide- Replace Existing Overhead Power System with Underground Feeds (study)                                                                 | PR             | S     | \$50,000    |                |            |             |           |                |            |              |           |                |
| MCSP  | SRP          | I                  | SS                | Replacement of Floor Covering Throughout the CTC                                                                                                 | PR             | PWC   | \$164,000   |                |            |             |           |                |            |              |           |                |
| MCSP  | SRP          | I                  | SS                | Replacement of Existing Walk-in Boxes in A,B,C, Satellite Kitchen                                                                                | PR             | PWC   | \$256,000   |                |            |             |           |                |            |              |           |                |
| MCSP  | SRP          | I                  | F                 | Roof Hatch Replacement -Institution Wide                                                                                                         | PR             | PWC   | \$306,293   |                |            |             |           |                |            |              |           |                |
| MCSP  | SRP          | I                  | F                 | Replace Exterior Safety Windows-Housing Unit Control Booths                                                                                      | PR             | PWC   | \$97,639    |                |            |             |           |                |            |              |           |                |
| MCSP  | SRP          | I                  | F                 | Co-Gen Plant, Major Overhaul on Four (4) Natural Gas Engines                                                                                     | PR             | PWC   | \$932,360   |                |            |             |           |                |            |              |           |                |
| MCSP  | MI           | I                  | SS                | Additional Walk-In Freezers                                                                                                                      | CO             | C     | \$236,000   | GF             |            |             |           |                |            |              |           |                |
| MCSP  | SRP          | I                  | U                 | 270 Shower Modification Facility A                                                                                                               | CO             | PWC   | \$396,000   | GF             |            |             |           |                |            |              |           |                |
| MCSP  | SRP          | I                  | U                 | PBX Upgrade/Repair                                                                                                                               | CO             | PWC   | \$530,109   | GF             |            |             |           |                |            |              |           |                |
| NCRF  | MA           | RE                 | H                 | Northern Reentry Facility 4-270 HU (100 Bed Units)                                                                                               | AC             | P     | \$5,010,000 | AB900LR        | S          | \$1,650,000 | 2008      | AB900GF        |            |              |           |                |

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|-------|--------------|--------------------|-------------------|---------------------------------------------------------------------------------------------|----------------|-------|--------------|----------------|------------|-------------|-----------|----------------|------------|------|-----------|----------------|
| NKSP  | E            | I                  | U                 | Energy Efficient Retrofit Interior Lighting                                                 | AC             | C     | \$1,007,000  | SF             |            |             |           |                |            |      |           |                |
| NKSP  | MI           | I                  | SS                | Retherm Kitchen Remodel                                                                     | AC             | PWC   | \$275,000    | GF             |            |             |           |                |            |      |           |                |
| NKSP  | MA           | I                  | U                 | Adminstration Building Electrical Upgrade                                                   | PR             | PW    | \$364,000    |                | C          | \$2,287,000 |           |                |            |      |           |                |
| NKSP  | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV)                                                   | PR             | PWC   | TBD          |                |            |             |           |                |            |      |           |                |
| NKSP  | E            | I                  | U                 | Energy Efficient Lighting, Motors, EMS Projects                                             | PR             | PWC   | TBD          |                |            |             |           |                |            |      |           |                |
| NKSP  | DM           | I                  | U                 | Replacement of Three Evaporative Coolers                                                    | PR             | PWC   | \$236,000    |                |            |             |           |                |            |      |           |                |
| NKSP  | DM           | O                  | S                 | Netting Replacement Project - (LEF) Phase 1                                                 | PR             | PWC   | \$435,298    |                |            |             |           |                |            |      |           |                |
| NKSP  | DM           | I                  | U                 | HVAC Replacement - Bldg. 701 Receiving & Release                                            | PR             | PWC   | \$41,932     |                |            |             |           |                |            |      |           |                |
| NKSP  | DM           | I                  | F                 | Roof Replacement - Level 1 / Facility M Bldg. 903 (Program) & 904 (Visiting)                | PR             | PWC   | \$362,116    |                |            |             |           |                |            |      |           |                |
| NKSP  | SRP          | I                  | F                 | ADA Path of Travel - Five Facilities (A,B,C,D,M)                                            | PR             | PWC   | \$250,000    |                |            |             |           |                |            |      |           |                |
| NKSP  | SRP          | I                  | F                 | ADA Accessible Cells & Showers Modifications Facility B - Bldg. 3 (SNY) (4 cells = Phase 1) | PR             | PWC   | \$270,819    |                |            |             |           |                |            |      |           |                |
| NKSP  | SRP          | O                  | SS                | Roadway Repairs & Resurfacing (All Asphalt Roads at Institution)                            | PR             | PWC   | \$731,720    |                |            |             |           |                |            |      |           |                |
| NKSP  | SRP          | O                  | SS                | Concrete Walkways - D Yard/Facility D (Front Entry Walks All Bldgs.)                        | PR             | PWC   | \$88,634     |                |            |             |           |                |            |      |           |                |
| NKSP  | SRP          | I                  | SS                | Expoxy Floor Coating to Replace Tile Flooring All Kitchens & Shower                         | PR             | PWC   | \$665,334    |                |            |             |           |                |            |      |           |                |
| NKSP  | SRP          | I                  | S                 | Ad-Seg Door Replacement A-4 & D-6 = 100 Doors                                               | PR             | PWC   | \$300,000    |                |            |             |           |                |            |      |           |                |
| NKSP  | SRP          | I                  | U                 | ADA Accessible Cells & Showers Modifications Facility D - Bldg. 4 (SNY)                     | PR             | PWC   | \$225,000    |                |            |             |           |                |            |      |           |                |
| NKSP  | SRP          | I                  | U                 | ADA Accessible Cells & Showers Modifications Facility B - Bldg. 3 (SNY) (4 cells = Phase 2) | PR             | PWC   | \$270,819    |                |            |             |           |                |            |      |           |                |
| NKSP  | MI           | I                  | U                 | Bar Rake & Washer Compactor Upgrade                                                         | CO             | PWC   | \$399,000    | GF             |            |             |           |                |            |      |           |                |
| NKSP  | SRP          | I                  | F                 | Gymnasium/Housing ADA Bathroom Modifications                                                | CO             | PWC   | \$77,000     | GF             |            |             |           |                |            |      |           |                |
| PBSP  | MA           | O                  | S                 | Small Management Yards for Psychiatric Services Unit/Security Housing Units                 | AC             | PW    | STWD\$       | GF             |            |             |           |                |            |      |           |                |
| PBSP  | MI           | O                  | S                 | B-1-B-2 Kitchen/Dining Room Conversion to Mental Health Delivery                            | AC             | PWC   | \$565,000    |                |            |             |           |                |            |      |           |                |
| PBSP  | DM           | I                  | F                 | Repair/Replace Fire Alarm Control System                                                    | PR             | PWC   | \$424,000    |                |            |             |           |                |            |      |           |                |
| PBSP  | DM           | I                  | S                 | Repair/Overlay the Asphalt Roads in Yards A & B                                             | PR             | PWC   | \$200,000    |                |            |             |           |                |            |      |           |                |
| PBSP  | DM           | I                  | S                 | Exterior Perimeter Roadway Repairs                                                          | PR             | PWC   | \$1,031,000  |                |            |             |           |                |            |      |           |                |
| PBSP  | DM           | I                  | F                 | Replace Roof on Housing Unit "B"                                                            | PR             | PWC   | \$881,000    |                |            |             |           |                |            |      |           |                |
| PBSP  | DM           | I                  | F                 | Replace Roof on Housing Unit "A"                                                            | PR             | PWC   | \$881,000    |                |            |             |           |                |            |      |           |                |
| PBSP  | SRP          | I                  | F                 | Repair/Replace Delaminating Security Glass                                                  | PR             | PWC   | \$1,400,000  |                |            |             |           |                |            |      |           |                |
| PBSP  | SRP          | I                  | U                 | Replace SHU Hot and Cold Waterlines (Construction)                                          | PR             | C     | \$21,000,000 |                |            |             |           |                |            |      |           |                |
| PBSP  | SRP          | O                  | F                 | Building Intercom System - Replacement (#1)                                                 | PR             | PWC   | \$597,700    |                |            |             |           |                |            |      |           |                |
| PBSP  | SRP          | O                  | F                 | Site Intercom System (#2)                                                                   | PR             | PWC   | \$236,000    |                |            |             |           |                |            |      |           |                |
| PBSP  | SRP          | I                  | S                 | Security Housing Unit Kitchen Floor                                                         | PR             | PWC   | \$372,000    |                |            |             |           |                |            |      |           |                |
| PBSP  | SRP          | I                  | F                 | Repair/Replace Admin. Bldg. Roof/Siding/Windows                                             | PR             | PWC   | \$495,000    |                |            |             |           |                |            |      |           |                |
| PBSP  | SRP          | I                  | F                 | Replace Windows and Walkway in the SHU                                                      | PR             | PWC   | \$865,000    |                |            |             |           |                |            |      |           |                |
| PBSP  | SRP          | O                  | F                 | Repair/Replace Fuel Oil Delivery and Leak Detection System                                  | PR             | PWC   | \$598,590    |                |            |             |           |                |            |      |           |                |
| PBSP  | SRP          | I                  | F                 | Fire suppression Exhaust Hood system upgrade for Kitchen brand Ansul UL300                  | PR             | PWC   | \$87,000     |                |            |             |           |                |            |      |           |                |
| PBSP  | SRP          | I                  | U                 | Hydronic Water Loop Augmentation                                                            | CO             | PWC   | \$1,700,000  | GF             |            |             |           |                |            |      |           |                |
| PBSP  | SRP          | I                  | U                 | HU Toilet Back Flushing Repair Phase I                                                      | CO             | PWC   | \$531,000    | GF             |            |             |           |                |            |      |           |                |
| PBSP  | SRP          | I                  | U                 | HU Toilet Back Flushing Repair Phase II                                                     | CO             | PWC   | \$192,000    | GF             |            |             |           |                |            |      |           |                |

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|-------|--------------|--------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------|-------------|----------------|------------|-----------|-----------|----------------|------------|-----------|-----------|----------------|
| PVSP  | MA           | I                  | U                 | Bar Screen, Pre-lift Station                                                                                                                  | AC             | C     | \$1,491,000 | B              | PW         | \$103,281 | 2001      | GF             |            |           |           |                |
| PVSP  | MI           | MH                 | HC                | Remodel Mental Health Group Therapy Room #188 Facility A                                                                                      | AC             | PWC   | \$252,000   | GF             |            |           |           |                |            |           |           |                |
| PVSP  | MI           | MH                 | HC                | Remodel Mental Health Group Therapy Room #188 Facility B                                                                                      | AC             | PWC   | \$252,000   | GF             |            |           |           |                |            |           |           |                |
| PVSP  | MI           | MH                 | HC                | Remodel Mental Health Group Therapy Room #188 Facility C                                                                                      | AC             | PWC   | \$252,000   | GF             |            |           |           |                |            |           |           |                |
| PVSP  | MI           | MH                 | HC                | Remodel Mental Health Group Therapy Room #188 Facility D                                                                                      | AC             | PWC   | \$252,000   | GF             |            |           |           |                |            |           |           |                |
| PVSP  | E            | I                  | U                 | Energy Efficient WWTP Aerator Improvements, Motor Controls & Lighting Retrofits                                                               | AC             | PWC   | \$1,112,000 | SF             |            |           |           |                |            |           |           |                |
| PVSP  | MI           | I                  | SS                | Waste Water Treatment Plant Operations Building Expansion                                                                                     | PR             | PWC   | \$565,000   |                |            |           |           |                |            |           |           |                |
| PVSP  | DM           | O                  | S                 | Lethal Electrified Fence - Bird Netting Replacement (LEF = Phase 2)                                                                           | PR             | PWC   | \$570,134   |                |            |           |           |                |            |           |           |                |
| PVSP  | DM           | I                  | U                 | Replace Air Handlers (4) at MSF Dorms, (2) Buildings 901 and 902                                                                              | PR             | PWC   | \$225,000   |                |            |           |           |                |            |           |           |                |
| PVSP  | DM           | I                  | U                 | Replace Air Handlers (2) at Vocational Shops B & D Facilities, Buildings 523 &                                                                | PR             | PWC   | \$150,000   |                |            |           |           |                |            |           |           |                |
| PVSP  | DM           | I                  | F                 | Roof Replacement Project A/B/C/D Program Support, Gym & Food Services                                                                         | PR             | PWC   | \$3,000,000 |                |            |           |           |                |            |           |           |                |
| PVSP  | DM           | O                  | SS                | Asphalt Pavement Repairs - 900,000 SF site wide                                                                                               | PR             | PWC   | \$1,930,215 |                |            |           |           |                |            |           |           |                |
| PVSP  | DM           | I                  | F                 | IRC-3 Fire Alarm System Upgrade                                                                                                               | PR             | PWC   | \$2,445,677 |                |            |           |           |                |            |           |           |                |
| PVSP  | DM           | I                  | S                 | Replace AHU's at Gyms                                                                                                                         | PR             | PWC   | \$399,380   |                |            |           |           |                |            |           |           |                |
| PVSP  | DM           | I                  | F                 | Roof Replacement Bldgs; 421, 433, & 451                                                                                                       | PR             | PWC   | \$965,804   |                |            |           |           |                |            |           |           |                |
| PVSP  | SRP          | O                  | U                 | Replace Hobart Flight Dishwashers (5) at Main Kitchen and Satellite Kitchens on A, B, C and D Facilities Buildings 421, 431, 437, 441 and 447 | PR             | PWC   | \$750,000   |                |            |           |           |                |            |           |           |                |
| PVSP  | SRP          | I                  | U                 | Replace Underground Storage Tank (UST) with New Above Ground Fuel Tank = (Phase I) Garage Vehicle Fueling Station                             | PR             | PWC   | \$297,219   |                |            |           |           |                |            |           |           |                |
| PVSP  | SRP          | I                  | U                 | Replace Underground Storage Tank (UST) with New Above Ground Fuel Tank = (Phase II) CTC Generators                                            | PR             | PWC   | \$318,172   |                |            |           |           |                |            |           |           |                |
| PVSP  | SRP          | I                  | U                 | Scissor Lift Docks (6) Satellite Kitchens & ASU1                                                                                              | PR             | PWC   | \$200,573   |                |            |           |           |                |            |           |           |                |
| PVSP  | SRP          | O                  | U                 | Replace Underground Storage Tank (UST) with New Above Ground Fuel Tank = (Phase III) Stand-by Generators (Emer. & Norm Pwr)                   | PR             | PWC   | \$350,409   |                |            |           |           |                |            |           |           |                |
| PVSP  | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV)                                                                                                     | PR             | PWC   | TBD         |                |            |           |           |                |            |           |           |                |
| PVSP  | DM           | I                  | F                 | Emergency Roof Repairs Program Buildings A, B, C & D                                                                                          | CO             | PWC   | \$390,000   | GF             |            |           |           |                |            |           |           |                |
| PVSP  | DM           | I                  | F                 | Roof Level I HU, Bldgs 901 & 902                                                                                                              | CO             | PWC   | \$123,000   | GF             |            |           |           |                |            |           |           |                |
| PVSP  | DM           | I                  | F                 | Replace (2) Emergency Circuit Transformers                                                                                                    | CO             | PWC   | \$49,000    | GF             |            |           |           |                |            |           |           |                |
| PVSP  | SRP          | O                  | F                 | Correct Soil Erosion                                                                                                                          | CO             | PWC   | \$300,000   | GF             |            |           |           |                |            |           |           |                |
| PVSP  | SRP          | I                  | U                 | WTP Pond Basin #2 Repair Phase #1                                                                                                             | CO             | PWC   | \$893,000   | GF             |            |           |           |                |            |           |           |                |
| PVSP  | SRP          | O                  | U                 | Upgrade PBX System                                                                                                                            | CO             | PWC   | \$513,000   | GF             |            |           |           |                |            |           |           |                |
| PVSP  | SRP          | HC                 | F                 | Armstrong DPW Bed Conversions for ADA-10 Cells (HU D-1, D-2, D-3, D-5, ASU D-4 2 Cells each)                                                  | CO             | PWC   | STWD\$      | GF             |            |           |           |                |            |           |           |                |
| RJD   | MA           | I                  | U                 | Upgrade Sewer Grinder System                                                                                                                  | AC             | C     | \$2,032,000 | AB900GF        | W          | \$100,000 | 2009      | AB900GF        | P          | \$183,000 | 2008      | AB900GF        |
| RJD   | E            | I                  | U                 | Laundry Upgrades, Various Lighting Retrofits                                                                                                  | AC             | PWC   | \$1,129,000 | SF             |            |           |           |                |            |           |           |                |
| RJD   | DM           | I                  | I                 | Replace Roof Housing Units 4 & 5                                                                                                              | AC             | PWC   | \$840,000   | GF             |            |           |           |                |            |           |           |                |
| RJD   | SRP          | O                  | F                 | ADA Modifications Facilities 2 & 3                                                                                                            | AC             | PWC   | \$2,200,000 | GF             |            |           |           |                |            |           |           |                |
| RJD   | DM           | O                  | U                 | Repair High Voltage Cabling                                                                                                                   | PR             | PWC   | \$20,000    |                |            |           |           |                |            |           |           |                |
| RJD   | SRP          | O                  | S                 | Perimeter Fence-Repair Fence                                                                                                                  | PR             | PWC   | \$189,000   |                |            |           |           |                |            |           |           |                |
| RJD   | SRP          | I                  | U                 | Facility 2 Gym-Repair Shower Room Walls                                                                                                       | PR             | PWC   | \$27,339    |                |            |           |           |                |            |           |           |                |
| RJD   | E            | I                  | U                 | Energy Management Systems                                                                                                                     | PR             | C     | TBD         |                |            |           |           |                |            |           |           |                |
| RJD   | SRP          | HC                 | HC                | Armstrong DPW Bed Conversions ADA 24 Cells (Facility 1-HU1, HU 4, HU 5, Facility 2- HU 6, HU 9, Facility 3-HU 11)                             | CO             | PWC   | \$1,900,000 | GF             |            |           |           |                |            |           |           |                |

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|-------|--------------|--------------------|-------------------|------------------------------------------------------------------------------------------------|----------------|-------|--------------|----------------|------------|-------------|-----------|----------------|------------|-----------|-----------|----------------|
| SAC   | MA           | MH                 | HC                | 192 Enhanced Outpatient, Treatment & Office Space-Coleman                                      | AC             | W     | \$814,000    | GF             | P          | \$1,418,000 | 2008      | GF             |            |           |           |                |
| SAC   | MA           | MH                 | HC                | Psychiatric Services Unit Office & Treatment Space                                             | AC             | P     | \$1,153,000  | AB900LR        |            |             |           |                |            |           |           |                |
| SAC   | MA           | O                  | S                 | Small Management Yards SHU/PSU                                                                 | AC             | W     | STWDS        | GF             |            |             |           |                |            |           |           |                |
| SAC   | DM           | O                  | S                 | Netting Replacement Multiple Institutions                                                      | PR             | PWC   | \$809,000    |                |            |             |           |                |            |           |           |                |
| SAC   | SRP          | MH                 | HC                | Convert B-1 HU to MH Crisis Beds Coleman                                                       | CO             | PWC   | \$131,000    | GF             |            |             |           |                |            |           |           |                |
| SAC   | SRP          | I                  | U                 | Steam Line Replacement (Re-Allocation) Design                                                  | CO             | PWC   | \$120,000    | GF             |            |             |           |                |            |           |           |                |
| SAC   | SRP          | I                  | U                 | Boiler Retrofit Phase III                                                                      | CO             | PWC   | \$471,000    | GF             |            |             |           |                |            |           |           |                |
| SATF  | DM           | I                  | S                 | Lethal Electrified Fence - Bird Netting Replacement (LEF = Phase 1)                            | PR             | P     | \$1,047,012  |                |            |             |           |                |            |           |           |                |
| SATF  | DM           | O                  | F                 | Replace Paging System - Sitewide                                                               | PR             | PWC   | \$234,300    |                |            |             |           |                |            |           |           |                |
| SATF  | DM           | I                  | U                 | Upgrade Programming for Heating and Cooling System                                             | PR             | PWC   | \$191,160    |                |            |             |           |                |            |           |           |                |
| SATF  | DM           | I                  | U                 | Air Conditioning for all Law Libraries                                                         | PR             | PWC   | \$547,286    |                |            |             |           |                |            |           |           |                |
| SATF  | DM           | I                  | F                 | IST and AISA Trailer Siding & Roofing (Trans From Cap)                                         | PR             | PWC   | \$106,216    |                |            |             |           |                |            |           |           |                |
| SATF  | DM           | I                  | F                 | Roof Repairs - Membranes at Parapet Walls A,B,D,E, Programs & Complex Controls I & III         | PR             | PWC   | \$187,440    |                |            |             |           |                |            |           |           |                |
| SATF  | SRP          | I                  | F                 | Epoxy Floor Install Project - CTC Medical Clinics Bldgs. 421, 431, 441, 448, 451, 461,471, 481 | PR             | PWC   | \$1,601,050  |                |            |             |           |                |            |           |           |                |
| SATF  | SRP          | I                  | F                 | Restroom Floor Reseal - A & B Housing Units (Upper Tier)                                       | PR             | PWC   | \$124,960    |                |            |             |           |                |            |           |           |                |
| SATF  | SRP          | O                  | S                 | Video Conferencing System Replacement Admin, BTP & CTC Bldgs.                                  | PR             | PWC   | \$234,300    |                |            |             |           |                |            |           |           |                |
| SATF  | SRP          | O                  | S                 | Institution Telephone System (head end equip)                                                  | PR             | PWC   | \$503,314    |                |            |             |           |                |            |           |           |                |
| SATF  | SRP          | I                  | F                 | New Stairwell Enclosure                                                                        | PR             | PWC   | \$172,535    |                |            |             |           |                |            |           |           |                |
| SATF  | SRP          | O                  | F                 | Stabilize Soil at Lethal Electrified Fence                                                     | PR             | PWC   | \$669,126    |                |            |             |           |                |            |           |           |                |
| SATF  | MI           | I                  | S                 | Security Fencing Fac F & G Coleman                                                             | CO             | PWC   | \$256,000    | GF             |            |             |           |                |            |           |           |                |
| SCC   | MA           | I                  | U                 | Filtration/Sedimentation Structure                                                             | AC             | C     | \$2,579,000  | GF             | P          | \$151,000   | 2007      | GF             | W          | \$162,000 | 2008      | GF             |
| SCC   | MA           | I                  | S                 | Firing Range Improvements                                                                      | PR             | PW    | \$323,000    |                | C          | \$2,250,000 |           |                |            |           |           |                |
| SCC   | DM           | I                  | F                 | Roof Replacement on Tuolumne Yard, Living Units 3 & 4                                          | PR             | PWC   | \$1,047,000  |                |            |             |           |                |            |           |           |                |
| SCC   | DM           | I                  | F                 | Roof Replacement on Tuolumne Yard, Living Units 1 & 5                                          | PR             | PWC   | \$1,047,000  |                |            |             |           |                |            |           |           |                |
| SCC   | DM           | I                  | U                 | Effluent Pond #5 & #6 Repairs (emergency)                                                      | PR             | PWC   | \$435,000    |                |            |             |           |                |            |           |           |                |
| SCC   | SRP          | I                  | F                 | Mariposa-Calaveras Dorm Renovation (Design)                                                    | PR             | P     | \$4,160,000  |                |            |             |           |                |            |           |           |                |
| SCC   | MA           | I                  | U                 | Effluent Disposal Pipeline                                                                     | CO             | PWC   | \$29,611,000 | GF/AB900GF     |            |             |           |                |            |           |           |                |
| SCC   | SRP          | I                  | F                 | Roof Replacement Tuolumne Bldg 2                                                               | CO             | PWC   | \$451,000    | GF             |            |             |           |                |            |           |           |                |
| SOL   | MI           | O                  | S                 | Sub-Armory Weapons Storage                                                                     | AC             | PWC   | \$362,000    | GF             |            |             |           |                |            |           |           |                |
| SOL   | MI           | O                  | SS                | Modification of Level II Work Change, Building 808                                             | AC             | PWC   | \$334,000    | GF             |            |             |           |                |            |           |           |                |
| SOL   | MI           | I                  | U                 | Closed Circuit Cooling Tower for Level II & III 270 HU-Coleman Court                           | PR             | PWC   | \$352,000    |                |            |             |           |                |            |           |           |                |
| SOL   | MI           | I                  | S                 | Enhanced Security Measures for Visitors Buildings                                              | PR             | PWC   | \$595,000    |                |            |             |           |                |            |           |           |                |
| SOL   | DM           | I                  | S                 | Netting Replacement Project Phase II                                                           | PR             | PWC   | \$504,000    |                |            |             |           |                |            |           |           |                |
| SOL   | SRP          | I                  | SS                | Main Kitchen Floor Repair/Replace, Bldg. 402                                                   | PR             | PWC   | \$230,000    |                |            |             |           |                |            |           |           |                |
| SOL   | SRP          | I                  | U                 | Condensate/Steam Line Replacement (Design)                                                     | PR             | P     | \$8,027,000  |                |            |             |           |                |            |           |           |                |
| SOL   | E            | I                  | U                 | Energy Efficient Lighting, Motors, EMS Upgrades, Boilers                                       | PR             | C     | TBD          |                |            |             |           |                |            |           |           |                |
| SOL   | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV)                                                      | PR             | PWC   | TBD          |                |            |             |           |                |            |           |           |                |

**CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
ADULT PROJECT SUMMARY**

| INST. | PROJECT TYPE | CDCR CATEGORY CODE | SUB CATEGORY CODE | PROJECT NAME                                                                 | PROJECT STATUS | PHASE | COST          | FUNDING SOURCE | COMP PHASE | COST          | YEAR COMP | FUNDING SOURCE | COMP PHASE | COST         | YEAR COMP | FUNDING SOURCE |
|-------|--------------|--------------------|-------------------|------------------------------------------------------------------------------|----------------|-------|---------------|----------------|------------|---------------|-----------|----------------|------------|--------------|-----------|----------------|
| SQ    | MA           | IN                 | C                 | Condemned Inmate Complex                                                     | AC             | C     | \$136,275,000 | LR             | PWC        | \$220,000,000 | 2003      | LR             |            |              |           |                |
| SQ    | MI           | O                  | S                 | Install Dumbwaiter S Block ASU Rotunda Area                                  | AC             | PWC   | \$423,000     | GF             |            |               |           |                |            |              |           |                |
| SQ    | MA           | M                  | P                 | Neumiller Building Mission Change to Education                               | PR             | P     | \$1,536,000   |                | W          | \$1,965,000   |           |                | C          | \$26,529,000 |           |                |
| SQ    | MA           | IN                 | H                 | North & East Block Repurposing                                               | PR             | P     | \$1,909,000   |                | W          | \$2,121,000   |           |                | C          | \$26,712,000 |           |                |
| SQ    | E            | I                  | U                 | Energy Efficient Boilers, Motors, EMS & Lighting                             | PR             | C     | TBD           |                |            |               |           |                |            |              |           |                |
| SQ    | DM           | I                  | F                 | Replace Roof on Building 18                                                  | PR             | PWC   | \$297,170     |                |            |               |           |                |            |              |           |                |
| SQ    | DM           | I                  | F                 | Replace Roof on East Block Visiting #93                                      | PR             | PWC   | \$155,000     |                |            |               |           |                |            |              |           |                |
| SQ    | DM           | I                  | U                 | Transfer Switch/Emergency Generator -(Phase 1, FY 10-11 Portable E-Power     | PR             | PWC   | \$414,309     |                |            |               |           |                |            |              |           |                |
| SQ    | DM           | I                  | F                 | Roof Replacement - Building 34 and 54                                        | PR             | PWC   | \$461,120     |                |            |               |           |                |            |              |           |                |
| SQ    | DM           | O                  | SS                | Pave Road - East Gate to Admin Building                                      | PR             | PWC   | \$907,500     |                |            |               |           |                |            |              |           |                |
| SQ    | DM           | O                  | S                 | Construct New Waterfront Dock (const)                                        | PR             | C     | \$3,758,040   |                |            |               |           |                |            |              |           |                |
| SQ    | DM           | I                  | U                 | Emergency Generator Repair and Switchgear                                    | PR             | PWC   | \$250,000     |                |            |               |           |                |            |              |           |                |
| SQ    | DM           | I                  | U                 | Boiler Plant Emission Compliance- (2) New and (1) Retrofit Boilers           | PR             | PWC   | \$3,200,000   |                |            |               |           |                |            |              |           |                |
| SQ    | DM           | I                  | F                 | Roof Replacement - Building 50                                               | PR             | PWC   | \$324,720     |                |            |               |           |                |            |              |           |                |
| SQ    | DM           | I                  | U                 | Transfer Switch/Emergency Generator -(Phase 1, FY 09-10 Portable E-Power     | PR             | PWC   | \$710,000     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | S                 | Replace Tower Number 4 (const)                                               | PR             | C     | \$1,020,000   |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | U                 | Bldg. 30 Main Sewer Line Repair/Seismic Support, Phase II                    | PR             | PWC   | \$373,000     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | U                 | Main Grease Interceptor Replacement                                          | PR             | PWC   | \$225,000     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | O                  | F                 | SQ ADA Path of Travel/Condemned                                              | PR             | PWC   | \$150,000     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | O                  | F                 | SQ ADA Path of Travel                                                        | PR             | PWC   | \$1,400,000   |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | O                  | F                 | ADA Modifications - OHU Cells and Condemned Housing and Exercise Yard        | PR             | PWC   | \$600,000     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | S                 | Neumiller Infirmary Retaining Wall and Security Fence                        | PR             | PWC   | \$254,000     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | U                 | North and West Block Gang Shower Repair                                      | PR             | PWC   | \$1,514,480   |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | S                 | Replace Wall Posts 9, 10, 11 and 12                                          | PR             | PWC   | \$2,368,960   |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | F                 | Replace/Repair Main Kitchen Skylight                                         | PR             | PWC   | \$281,160     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | F                 | Window Replacement- East/West Block Rotundas                                 | PR             | PWC   | \$241,120     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | F                 | Building 18- Arched Window Replacement                                       | PR             | PWC   | \$416,713     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | S                 | Replace Deteriorated Security Bar on Exterior Windows & Repair Walls - North | PR             | PWC   | \$613,470     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | S                 | Replace Deteriorated Security Bar on Exterior Windows & Repair Walls - South | PR             | PWC   | \$613,470     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | S                 | Replace Deteriorated Security Bar on Exterior Windows & Repair Walls - East  | PR             | PWC   | \$613,470     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | S                 | Replace Deteriorated Security Bar on Exterior Windows & Repair Walls - West  | PR             | PWC   | \$613,470     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | U                 | Emergency Sewer Line Repair (augmentation)                                   | PR             | PWC   | \$152,020     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | SS                | Main Kitchen Floor Tile Replacement                                          | PR             | PWC   | \$400,507     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | O                  | S                 | Construct New Boundary Fence                                                 | PR             | PWC   | \$673,723     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | O                  | S                 | Perimeter Security Wall Repairs (study)                                      | PR             | S     | \$75,000      |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | U                 | Replace Main Water Valve                                                     | PR             | PWC   | \$72,571      |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | U                 | Replace High Mast Lighting                                                   | PR             | PWC   | \$750,000     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | S                 | North Segregation Elevator Upgrade                                           | PR             | PWC   | \$240,713     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | O                  | F                 | Demo and Removal of Bldg. 87                                                 | PR             | PWC   | \$111,540     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | O                  | F                 | Paint Bakery, Butcher Shop, Sandwich and Associated Haz-Mat Work             | PR             | PWC   | \$510,620     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | O                  | F                 | Paint Main Kitchen and Associated Haz-Mat Work                               | PR             | PWC   | \$516,120     |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | O                  | F                 | Spill Prevention Control and Countermeasure Plan (SPCCP)                     | PR             | PWC   | \$10,358      |                |            |               |           |                |            |              |           |                |
| SQ    | SRP          | O                  | F                 | Upgrade Kitchen Hood Fire Suppression Systems                                | PR             | PWC   | \$64,240      |                |            |               |           |                |            |              |           |                |
| SQ    | DM           | I                  | U                 | Diagnostics, Electrical Switchgear & Generators                              | CO             | PWC   | \$239,000     | GF             |            |               |           |                |            |              |           |                |
| SQ    | DM           | I                  | U                 | Enhanced Vapor Recovery Compliance & Dispenser Upgrades                      | CO             | PWC   | \$100,000     | GF             |            |               |           |                |            |              |           |                |
| SQ    | SRP          | O                  | F                 | Seawall Litigation Fees-State Vs Engeo                                       | CO             | PWC   | \$159,000     | GF             |            |               |           |                |            |              |           |                |
| SQ    | SRP          | I                  | U                 | Emergency Sewer Line Repair                                                  | CO             | PWC   | \$525,000     | GF             |            |               |           |                |            |              |           |                |

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|-------|--------------|--------------------|-------------------|----------------------------------------------------------------------------------------|----------------|-------|--------------|----------------|------------|-------------|-----------|----------------|------------|--------------|-----------|----------------|
| SVSP  | MA           | MH                 | HC                | EOP General Population A Quad for up to 300 Treatment & Office Space                   | AC             | P     | \$1,605,000  | AB900          | W          | \$1,731,000 |           |                | C          | \$25,521,000 |           |                |
| SVSP  | MI           | O                  | SS                | Parking Lot Addition                                                                   | AC             | PWC   | \$245,000    | GF             |            |             |           |                |            |              |           |                |
| SVSP  | MI           | MH                 | HC                | C-5 & C-6 Dining to Inpatient MH Program Coleman                                       | AC             | C     | \$306,000    | GF             |            |             |           |                |            |              |           |                |
| SVSP  | SRP          | MH                 | HC                | Fire Suppression Repair C-5 & C-6 Inpatient MH Cells                                   | AC             | PWC   | TBD          |                |            |             |           |                |            |              |           |                |
| SVSP  | SRP          | I                  | U                 | RO Plant Second Skid                                                                   | AC             | PWC   | \$235,000    | GF             |            |             |           |                |            |              |           |                |
| SVSP  | SRP          | MH                 | HC                | C5 & C6 ICF Soffit (Coleman)                                                           | AC             | PWC   | \$306,000    | GF             |            |             |           |                |            |              |           |                |
| SVSP  | SRP          | MH                 | HC                | C5 & C6 ICF Painting (Coleman)                                                         | AC             | PWC   | \$116,000    | GF             |            |             |           |                |            |              |           |                |
| SVSP  | SRP          | I                  | U                 | TC-1 Gasket Repairs - Phase I (Coleman)                                                | AC             | PWC   | \$102,000    | GF             |            |             |           |                |            |              |           |                |
| SVSP  | E            | I                  | U                 | Motors, Lighting Retrofit                                                              | AC             | PWC   | \$1,067,000  | SF             |            |             |           |                |            |              |           |                |
| SVSP  | SRP          | I                  | U                 | TC-1 Gasket Repairs - Phase II (Coleman)                                               | PR             | PWC   | \$128,000    |                |            |             |           |                |            |              |           |                |
| SVSP  | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV) & Wind                                       | PR             | PWC   | TBD          |                |            |             |           |                |            |              |           |                |
| SVSP  | MA           | MH                 | HC                | 64 Bed Mental Health Facility- Coleman Project                                         | CO             | C     | \$29,499,000 | LR             |            |             |           |                |            |              |           |                |
| SVSP  | MI           | MH                 | HC                | D5/D6 Conversion to Intermediate Care Facility Treatment Coleman Project               | CO             | PWC   | \$870,000    | GF             |            |             |           |                |            |              |           |                |
| SVSP  | MI           | MH                 | HC                | C5 & C6 Conversion to Intermediate Care Facility Treatment Space Coleman               | CO             | PWC   | \$306,000    | GF             |            |             |           |                |            |              |           |                |
| SVSP  | SRP          | MH                 | HC                | Cell Modification at C5 & C6 for Medical Coleman                                       | CO             | PWC   | \$563,000    | GF             |            |             |           |                |            |              |           |                |
| SVSP  | SRP          | O                  | F                 | ADA - DPW Wheelchair Accessible Beds                                                   | CO             | PWC   | \$306,000    | GF             |            |             |           |                |            |              |           |                |
|       |              |                    |                   |                                                                                        |                |       |              |                |            |             |           |                |            |              |           |                |
| VSPW  | MA           | O                  | S                 | Small Management Yards for PSU/SHU Housing Units                                       | AC             | PW    | STWD\$       | GF             |            |             |           |                |            |              |           |                |
| VSPW  | E            | I                  | U                 | Lighting Improvements, Kitchen Equipment Upgrade, Laundry Improvements                 | AC             | PWC   | \$1,240,000  | SF             |            |             |           |                |            |              |           |                |
| VSPW  | DM           | O                  | S                 | Netting Replacement Project Phase II                                                   | AC             | PWC   | \$501,000    | GF             |            |             |           |                |            |              |           |                |
| VSPW  | DM           | O                  | SS                | Replace PABX System                                                                    | PR             | PWC   | \$457,183    |                |            |             |           |                |            |              |           |                |
| VSPW  | DM           | I                  | F                 | Replace Fire Alarm System                                                              | PR             | PWC   | \$2,726,749  |                |            |             |           |                |            |              |           |                |
| VSPW  | SRP          | O                  | F                 | ADA Restroom - Building 301, Honor Dorm                                                | PR             | PWC   | \$195,899    |                |            |             |           |                |            |              |           |                |
| VSPW  | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV)                                              | PR             | PWC   | TBD          |                |            |             |           |                |            |              |           |                |
| VSPW  | E            | I                  | U                 | Energy Management Sustainability Projects, Energy Efficient Lighting                   | PR             | C     | TBD          |                |            |             |           |                |            |              |           |                |
|       |              |                    |                   |                                                                                        |                |       |              |                |            |             |           |                |            |              |           |                |
| WSP   | MA           | IN                 | H                 | 2-500 DBC Level IV Facilities Infill Project                                           | AC             | S     | \$2,417,445  | AB900GF        |            |             |           |                |            |              |           |                |
| WSP   | E            | I                  | U                 | HVAC Control, Housing Unit Fan Variable Frequency Drives (VFD)                         | AC             | PWC   | \$1,167,097  | SF             |            |             |           |                |            |              |           |                |
| WSP   | MI           | I                  | SS                | Blast Chillers                                                                         | PR             | PWC   | \$396,000    |                |            |             |           |                |            |              |           |                |
| WSP   | DM           | I                  | F                 | Roof Membrane Replacement on Building 702 - RC Facility Support & Complex Control      | PR             | PWC   | \$300,000    |                |            |             |           |                |            |              |           |                |
| WSP   | DM           | O                  | S                 | Lethal Electrified Fence - Bird Netting Replacement (LEF = Phase 2)                    | PR             | PWC   | \$437,000    |                |            |             |           |                |            |              |           |                |
| WSP   | DM           | I                  | U                 | 2 megawatt Generator                                                                   | PR             | PWC   | \$4,000,000  |                |            |             |           |                |            |              |           |                |
| WSP   | DM           | I                  | U                 | Generator Electrical Switchgear Replacement                                            | PR             | PWC   | \$600,000    |                |            |             |           |                |            |              |           |                |
| WSP   | DM           | I                  | U                 | Boiler Replacements - NOx Non-Compliance PIA Laundry & Institution Kitchens (Bldg.501) | PR             | PWC   | \$904,000    |                |            |             |           |                |            |              |           |                |
| WSP   | DM           | O                  | SS                | Asphalt Repair - Phase II Within Secured Perimeter                                     | PR             | PWC   | \$169,000    |                |            |             |           |                |            |              |           |                |
| WSP   | DM           | I                  | F                 | Roof Replacement E Facility                                                            | PR             | PWC   | \$430,000    |                |            |             |           |                |            |              |           |                |
| WSP   | DM           | I                  | F                 | Roof Replacement Reception Center                                                      | PR             | PWC   | \$430,000    |                |            |             |           |                |            |              |           |                |
| WSP   | DM           | I                  | F                 | Roof Replacement A Facility Bldg 301, 302, 303, 304 & 305                              | PR             | PWC   | \$430,000    |                |            |             |           |                |            |              |           |                |
| WSP   | DM           | I                  | F                 | Roof Replacement - A Facility Bldg. 306,307, 308, 309, 310                             | PR             | PWC   | \$430,000    |                |            |             |           |                |            |              |           |                |
| WSP   | DM           | I                  | F                 | Roof Replacement B Facility Bldg 407, 408, 409, 410,411 & 412                          | PR             | PWC   | \$430,000    |                |            |             |           |                |            |              |           |                |
| WSP   | DM           | I                  | F                 | Roof Replacement C Facility Bldg 413, 414, 415 & 416                                   | PR             | PWC   | \$430,000    |                |            |             |           |                |            |              |           |                |
| WSP   | DM           | I                  | F                 | Roof Replacement D Facility Bldg 401, 402, 403,404,405& 406                            | PR             | PWC   | \$430,000    |                |            |             |           |                |            |              |           |                |
| WSP   | DM           | I                  | F                 | Roof Replacement Bldg 701                                                              | PR             | PWC   | \$430,000    |                |            |             |           |                |            |              |           |                |
| WSP   | DM           | O                  | U                 | PIA Laundry Water Heater Replacement PIA Bldg. 503                                     | PR             | PWC   | \$643,000    |                |            |             |           |                |            |              |           |                |
| WSP   | SRP          | O                  | S                 | Celled Housing Cuff Ports - Facilities A, B & D                                        | PR             | PWC   | \$1,062,000  |                |            |             |           |                |            |              |           |                |
| WSP   | SRP          | I                  | SS                | PBX Upgrade (restore)                                                                  | PR             | PWC   | \$996,000    |                |            |             |           |                |            |              |           |                |

**CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
ADULT PROJECT SUMMARY**

| INST.  | PROJECT TYPE | CDCR CATEGORY CODE | SUB CATEGORY CODE | PROJECT NAME                                                                      | PROJECT STATUS | PHASE | COST         | FUNDING SOURCE | COMP PHASE | COST        | YEAR COMP | FUNDING SOURCE | COMP PHASE | COST | YEAR COMP | FUNDING SOURCE |
|--------|--------------|--------------------|-------------------|-----------------------------------------------------------------------------------|----------------|-------|--------------|----------------|------------|-------------|-----------|----------------|------------|------|-----------|----------------|
| WSP    | SRP          | O                  | F                 | ADA Cell Modifications - Facility A                                               | PR             | PWC   | \$250,000    |                |            |             |           |                |            |      |           |                |
| WSP    | SRP          | I                  | F                 | Above Ground Fuel Tank & Wash Rack (Change Order 01)                              | PR             | PWC   | \$28,000     |                |            |             |           |                |            |      |           |                |
| WSP    | SRP          | I                  | F                 | Control Booth Window Replacement Facilities A,B,C,D                               | PR             | PWC   | \$316,000    |                |            |             |           |                |            |      |           |                |
| WSP    | SRP          | I                  | U                 | Blast Chillers - Repair (3) Existing Blast Chillers #1, #2 & #3 (construction)    | PR             | PWC   | \$258,000    |                |            |             |           |                |            |      |           |                |
| WSP    | SRP          | O                  | S                 | ADA Retrofit for Facility "D" Recreation Yard                                     | PR             | PWC   | \$19,000     |                |            |             |           |                |            |      |           |                |
| WSP    | E            | I                  | U                 | Energy Efficient Lighting, Motors, EMS                                            | PR             | C     | TBD          |                |            |             |           |                |            |      |           |                |
| WSP    | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV)                                         | PR             | PWC   | TBD          |                |            |             |           |                |            |      |           |                |
| WSP    | SRP          | I                  | S                 | Upgrade PBX System                                                                | CO             | PWC   | \$25,000     | GF             |            |             |           |                |            |      |           |                |
| WSP    | SRP          | O                  | U                 | Blast Chiller Repair-Three Existing Blast Chillers (Design)                       | CO             | PWC   | \$486,000    | GF             |            |             |           |                |            |      |           |                |
|        |              |                    |                   |                                                                                   |                |       |              |                |            |             |           |                |            |      |           |                |
| DEWITT | MA           | IN                 | H                 | Infill Project for Level II Inmates                                               | AC             | S     | \$168,592    | AB900 B        |            |             |           |                |            |      |           |                |
|        |              |                    |                   |                                                                                   |                |       |              |                |            |             |           |                |            |      |           |                |
| CHCF   | MA           | M                  | HC                | California Health Care Facility, Phase I Infill                                   | AC             | C     | \$22,008,000 | AB900 LR       |            |             |           |                |            |      |           |                |
|        |              |                    |                   |                                                                                   |                |       |              |                |            |             |           |                |            |      |           |                |
| STARK  | MA           | IN                 | H                 | H. G. Stark Correctional Facility Phase I Infill                                  | PR             | S     | \$535,000    | AB900LR        |            |             |           |                |            |      |           |                |
| STARK  | SRP          | I                  | F                 | Living Unit #1 Renovate Showers E&F/G&H-Upstairs - Phase I                        | AC             | PWC   | \$500,000    | GF             |            |             |           |                |            |      |           |                |
| STARK  | DM           | I                  | F                 | Main Kitchen Replace Roof                                                         | PR             | PWC   | \$423,520    |                |            |             |           |                |            |      |           |                |
| STARK  | SRP          | I                  | F                 | Main Culinary & Bakery Replace Ceilings                                           | PR             | PWC   | \$305,000    |                |            |             |           |                |            |      |           |                |
| STARK  | SRP          | I                  | F                 | Site Mechanical Gates Overhaul Gates                                              | PR             | PWC   | \$220,000    |                |            |             |           |                |            |      |           |                |
| STARK  | SRP          | I                  | F                 | Eatery Replace Ceiling                                                            | PR             | PWC   | \$118,000    |                |            |             |           |                |            |      |           |                |
| STARK  | SRP          | I                  | U                 | Site Brind Pond Replace Brine Holding Pond                                        | PR             | PWC   | \$198,754    |                |            |             |           |                |            |      |           |                |
| STARK  | SRP          | I                  | U                 | Boiler Replace Boiler Feed Water System                                           | PR             | PWC   | \$697,545    |                |            |             |           |                |            |      |           |                |
| STARK  | SRP          | I                  | SS                | Education Building Replace Public Address System                                  | PR             | PWC   | \$552,000    |                |            |             |           |                |            |      |           |                |
| STARK  | SRP          | I                  | SS                | Sitewide Roads Renovate Roads Phase 2                                             | PR             | PWC   | \$1,620,000  |                |            |             |           |                |            |      |           |                |
|        |              |                    |                   |                                                                                   |                |       |              |                |            |             |           |                |            |      |           |                |
| STWD   | MA           | MH                 | S                 | Small Management Yards (PSU-SHU)                                                  | AC             | PW    | \$278,000    | GF             | C          | \$8,075,000 | 2010      |                |            |      |           |                |
| STWD   | SP           | I                  | SS                | Consolidated Information Technology Infrastructure Project (CITIP) Phase I of III | AC             | C     | \$65,663,377 | SF             |            |             |           |                |            |      |           |                |
| STWD   | SRP          | E                  | U                 | Retro Commissioning Energy Conservation Projects@ CIM, COR, SQ, SOL & CM          | CO             | PWC   | \$571,000    | GF             |            |             |           |                |            |      |           |                |
| STWD   | IN           | RE                 | S                 | Secure Community Re-Entry Facilities                                              | AC             | S,A   | \$1,650,000  | AB900LR        |            |             |           |                |            |      |           |                |
| STWD   | IN           | HC                 | D                 | Statewide Dental Modifications Phase I of III                                     | AC             | PW    | \$729,000    | AB900GF        |            |             |           |                |            |      |           |                |
| STWD   | IN           | HC                 | M                 | Health Care Facility Improvement Program                                          | PR             | A,S   | TBD          |                |            |             |           |                |            |      |           |                |
| STWD   | SRP          | HC                 | F                 | Armstrong DPW Bed Conversions ADA                                                 | CO             | PWC   | \$1,900,000  | GF             |            |             |           |                |            |      |           |                |



**CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
JUVENILE PROJECT SUMMARY**

| INST.  | PROJECT TYPE | CDCR CATEGORY CODE | SUB CATEGORY CODE | PROJECT NAME                                                            | PROJECT STATUS | PHASE | COST        | FUNDING SOURCE | COMPLETED PHASE | COST | YEAR COMPLETED | FUNDING SOURCE | COMPLETED PHASE | COST | YEAR COMPLETED | FUNDING SOURCE |
|--------|--------------|--------------------|-------------------|-------------------------------------------------------------------------|----------------|-------|-------------|----------------|-----------------|------|----------------|----------------|-----------------|------|----------------|----------------|
| NACYCF | MI           | FA                 | S                 | Group Recreation Yard BTP Living Unit                                   | PR             | PWC   | \$385,000   |                |                 |      |                |                |                 |      |                |                |
| NACYCF | DM           | I                  | SS                | Replace Perimeter Road                                                  | PR             | PWC   | \$310,000   |                |                 |      |                |                |                 |      |                |                |
| NACYCF | DM           | I                  | SS                | Sally Port Road Repair                                                  | PR             | PWC   | \$100,000   |                |                 |      |                |                |                 |      |                |                |
| NACYCF | DM           | I                  | F                 | Replace Roof on Living Unit 2 (const)                                   | PR             | C     | \$250,000   |                |                 |      |                |                |                 |      |                |                |
| NACYCF | DM           | I                  | F                 | Replace Roof on Living Unit 3 (const)                                   | PR             | C     | \$250,000   |                |                 |      |                |                |                 |      |                |                |
| NACYCF | DM           | I                  | F                 | Replace Roof on Living Unit 4 (const)                                   | PR             | C     | \$250,000   |                |                 |      |                |                |                 |      |                |                |
| NACYCF | DM           | I                  | F                 | Replace Roof on Living Unit 5 (const)                                   | PR             | C     | \$250,000   |                |                 |      |                |                |                 |      |                |                |
| NACYCF | DM           | I                  | F                 | Replace Roof on Living Unit 6 (const)                                   | PR             | C     | \$250,000   |                |                 |      |                |                |                 |      |                |                |
| NACYCF | DM           | I                  | F                 | Replace Roof on Living Unit 1(const)                                    | PR             | C     | \$250,000   |                |                 |      |                |                |                 |      |                |                |
| NACYCF | SRP          | I                  | F                 | Replace Defective Field Wiring Supporting Living Units 2-6              | PR             | PWC   | \$1,050,000 |                |                 |      |                |                |                 |      |                |                |
| NACYCF | SRP          | I                  | F                 | Replace Living Unit Control Panels, Wiring and Hardware-Living Unit 2-6 | PR             | PWC   | \$500,000   |                |                 |      |                |                |                 |      |                |                |
| NACYCF | SRP          | I                  | F                 | Remove Floor Tile and Seal Existing Concrete Substrate - Living Units   | PR             | PWC   | \$150,000   |                |                 |      |                |                |                 |      |                |                |
| NACYCF | SRP          | I                  | F                 | Replace Kitchen Flooring in Six (6) Kitchens                            | PR             | PWC   | \$450,000   |                |                 |      |                |                |                 |      |                |                |
| NACYCF | SRP          | I                  | F                 | Restore Living Unit Youth Room Power                                    | PR             | PWC   | \$225,000   |                |                 |      |                |                |                 |      |                |                |
| NACYCF | MA           | FA                 | P                 | Sexual Behavior Treatment Program Counseling - Bldg #1                  | CO             | C     | \$419,000   | GF             |                 |      | 2010           |                |                 |      |                |                |
| NACYCF | MA           | FA                 | P                 | Sexual Behavior Treatment Program Counseling - Bldg #2                  | CO             | C     | \$517,000   | GF             |                 |      | 2010           |                |                 |      |                |                |
| NCYCC  | DM           | O                  | SS                | Repair and Resurface Entrance Road                                      | PR             | PWC   | \$315,000   |                |                 |      |                |                |                 |      |                |                |
| NCYCC  | SRP          | I                  | U                 | Replace Delta Room Chiller and Cooling Tower                            | PR             | PWC   | \$188,000   |                |                 |      |                |                |                 |      |                |                |
| NCYCC  | SRP          | I                  | U                 | Central Boiler Replacement                                              | PR             | PWC   | \$4,804,193 |                |                 |      |                |                |                 |      |                |                |
| NCYCC  | SRP          | O                  | SS                | Walk-In Refrigeration/Freezer Replacement - Central Kitchen             | PR             | PWC   | \$300,000   |                |                 |      |                |                |                 |      |                |                |
| NCYCC  | SRP          | I                  | U                 | Water Well and Tank Level Controls                                      | PR             | PWC   | \$125,000   |                |                 |      |                |                |                 |      |                |                |
| OHCYCC | DM           | I                  | F                 | Reroof Units #1, #2, and #4 Labor Only                                  | AC             | PWC   | \$354,000   |                |                 |      |                |                |                 |      |                |                |
| OHCYCC | MI           | FA                 | U                 | Install Evaporative Coolers in Dayrooms                                 | PR             | PWC   | \$671,000   |                |                 |      |                |                |                 |      |                |                |
| OHCYCC | DM           | I                  | SS                | Repair Interior Road                                                    | PR             | PWC   | \$210,000   |                |                 |      |                |                |                 |      |                |                |
| OHCYCC | DM           | I                  | U                 | Education/Classroom Electrical Upgrade                                  | PR             | PWC   | \$450,000   |                |                 |      |                |                |                 |      |                |                |
| OHCYCC | SRP          | I                  | U                 | Replace Shower Fixtures at Eight (8) Dorms                              | PR             | PWC   | \$393,116   |                |                 |      |                |                |                 |      |                |                |
| OHCYCC | SRP          | I                  | S                 | Replace Fence Alarm System                                              | PR             | PWC   | \$130,000   |                |                 |      |                |                |                 |      |                |                |
| OHCYCC | SRP          | I                  | SS                | Bead Blast Inyo Housing Unit Floor                                      | PR             | PWC   | \$40,000    |                |                 |      |                |                |                 |      |                |                |
| OHCYCC | SRP          | I                  | U                 | Restoration of Electrical Power -Living Units                           | PR             | PWC   | \$450,000   |                |                 |      |                |                |                 |      |                |                |
| OHCYCC | MA           | FA                 | P                 | Inyo Living Unit Program Space                                          | CO             | PWC   | \$516,000   | GF             |                 |      | 2010           |                |                 |      |                |                |
| OHCYCC | MA           | FA                 | P                 | Humboldt Specialized Counseling Building Expansion                      | CO             | PWC   | \$517,000   | GF             |                 |      | 2010           |                |                 |      |                |                |
| OHCYCC | MI           | FA                 | HC                | Inyo Living Unit Medical Exam & Office space                            | CO             | PWC   | \$385,000   | GF             |                 |      | 2010           |                |                 |      |                |                |
| PYCF   | SRP          | I                  | I                 | Replace WaterStorage Tank                                               | AC             | PWC   | \$1,081,000 | GF             |                 |      |                |                |                 |      |                |                |
| PYCF   | DM           | I                  | F                 | Reroof Hawthorn Lodge                                                   | PR             | PWC   | \$582,000   |                |                 |      |                |                |                 |      |                |                |
| PYCF   | DM           | I                  | SS                | Replace Asphalt on Parking Lot and Entrance Road                        | PR             | PWC   | \$375,000   |                |                 |      |                |                |                 |      |                |                |
| PYCF   | SRP          | I                  | U                 | Upgrade Primary Power                                                   | PR             | PWC   | \$6,379,384 |                |                 |      |                |                |                 |      |                |                |
| PYCF   | SRP          | I                  | F                 | Redwood Living Unit Window Retrofit                                     | PR             | PWC   | \$163,000   |                |                 |      |                |                |                 |      |                |                |
| PYCF   | SRP          | I                  | F                 | Oak Living Unit Window Retrofit                                         | PR             | PWC   | \$113,000   |                |                 |      |                |                |                 |      |                |                |
| PYCF   | SRP          | I                  | F                 | Combi Retrofit on Ironwood Living Unit                                  | PR             | PWC   | \$423,100   |                |                 |      |                |                |                 |      |                |                |
| PYCF   | SRP          | I                  | U                 | Major Upgrade to Restroom - Cedar Lodge                                 | PR             | PWC   | \$460,000   |                |                 |      |                |                |                 |      |                |                |
| PYCF   | SRP          | I                  | U                 | Replace Waste Water Pumping Station                                     | PR             | PWC   | \$474,000   |                |                 |      |                |                |                 |      |                |                |
| PYCF   | MI           | FA                 | S                 | Redwood Living Unit Construct Group Recreation Area                     | CO             | PWC   | \$346,000   | GF             |                 |      | 2010           |                |                 |      |                |                |
| PYCF   | MI           | FA                 | S                 | Oak Living Unit Construct Group Recreation Area                         | CO             | PWC   | \$346,000   | GF             |                 |      | 2010           |                |                 |      |                |                |
| PYCF   | SRP          | FA                 | F                 | ADA Modifications to comply with Farrell                                | CO             | C     | \$360,000   | GF             |                 |      | 2010           |                |                 |      |                |                |

**CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
JUVENILE PROJECT SUMMARY**

| INST.  | PROJECT TYPE | CDCR CATEGORY CODE | SUB CATEGORY CODE | PROJECT NAME                                                                          | PROJECT STATUS | PHASE | COST        | FUNDING SOURCE | COMPLETED PHASE | COST | YEAR COMPLETED | FUNDING SOURCE | COMPLETED PHASE | COST | YEAR COMPLETED | FUNDING SOURCE |
|--------|--------------|--------------------|-------------------|---------------------------------------------------------------------------------------|----------------|-------|-------------|----------------|-----------------|------|----------------|----------------|-----------------|------|----------------|----------------|
| SYCRCC | MI           | O                  | S                 | New Security Fence                                                                    | AC             | PWC   | \$278,000   | GF             |                 |      |                |                |                 |      |                |                |
| SYCRCC | MI           | FA                 | HC                | Drake LU Convert 3 Cells to Medical Offices ITP                                       | AC             | PWC   | \$356,000   | GF             |                 |      |                |                |                 |      |                |                |
| SYCRCC | MI           | FA                 | HC                | Gibbs Living Unit -Renovate 3 Cells to Treatment & Office Space                       | PR             | PWC   | \$193,000   |                |                 |      |                |                |                 |      |                |                |
| SYCRCC | MI           | FA                 | HC                | Sutter Living Unit -Renovate 3 Cells to Treatment & Office Space                      | PR             | PWC   | \$193,000   |                |                 |      |                |                |                 |      |                |                |
| SYCRCC | MI           | FA                 | HC                | Cabrillo Living Unit -Renovate 3 Cells to Treatment & Office Space                    | PR             | PWC   | \$193,000   |                |                 |      |                |                |                 |      |                |                |
| SYCRCC | MA           | FA                 | H                 | 132 Bed Prototypical Housing Unit                                                     | PR             | P     | \$2,844,000 |                |                 |      |                |                |                 |      |                |                |
| SYCRCC | SRP          | I                  | U                 | Replace Sewer Lines Infrastructure-Design                                             | PR             | P     | \$380,000   |                |                 |      |                |                |                 |      |                |                |
| SYCRCC | SRP          | O                  | SS                | Main Kitchen-RegROUT Kitchen Floor                                                    | PR             | PWC   | \$39,000    |                |                 |      |                |                |                 |      |                |                |
| SYCRCC | SRP          | O                  | S                 | Sitewide-Replace Perimeter Fences-Design                                              | PR             | P     | \$600,000   |                |                 |      |                |                |                 |      |                |                |
| SYCRCC | SRP          | I                  | U                 | Central Kitchen-Replace Boiler-Design                                                 | PR             | P     | \$35,000    |                |                 |      |                |                |                 |      |                |                |
| SYCRCC | MI           | FA                 | HC                | Sutter LU Convert 3 Cells to 3 Medical Offices                                        | CO             | PWC   | \$385,000   | GF             |                 |      | 2010           |                |                 |      |                |                |
| SYCRCC | MI           | FA                 | HC                | Cabrillo LU Convert 3 Cells to 3 Medical Offices                                      | CO             | PWC   | \$385,000   | GF             |                 |      | 2010           |                |                 |      |                |                |
| SYCRCC | MI           | FA                 | HC                | Pico LU Convert 3 Cells to 3 Medical Offices                                          | CO             | PWC   | \$385,000   | GF             |                 |      | 2010           |                |                 |      |                |                |
| SYCRCC | MI           | FA                 | HC                | Marshall LU Construct Medical Exam Room                                               | CO             | PWC   | \$164,000   | GF             |                 |      | 2009           |                |                 |      |                |                |
| SYCRCC | MI           | FA                 | HC                | Admin/OHU Construct 3 Medical Offices                                                 | CO             | PWC   | \$385,000   | GF             |                 |      |                |                |                 |      |                |                |
|        |              |                    |                   |                                                                                       |                |       |             |                |                 |      |                |                |                 |      |                |                |
| VYCF   | MA           | FA                 | H                 | 276 Bed Prototypical Housing Unit                                                     | PR             | P     | \$5,304,000 |                |                 |      |                |                |                 |      |                |                |
| VYCF   | MI           | FA                 | HC                | Construct Medical Exam Room & Medical Office Monte Vista LU                           | PR             | PWC   | \$392,000   |                |                 |      |                |                |                 |      |                |                |
| VYCF   | MI           | FA                 | HC                | Construct Medical Exam Room & Medical Office Special Program Counseling Building      | PR             | PWC   | \$398,000   |                |                 |      |                |                |                 |      |                |                |
| VYCF   | MI           | FA                 | HC                | Renovate Casa de Caballeros LU-6 Vacant Cells to Treatment & Office Space             | PR             | PWC   | \$389,000   |                |                 |      |                |                |                 |      |                |                |
| VYCF   | MI           | FA                 | HC                | Renovate El Toyon LU-3 Vacant Cells to Treatment & Office Space                       | PR             | PWC   | \$193,000   |                |                 |      |                |                |                 |      |                |                |
| VYCF   | MI           | FA                 | HC                | Renovate Montecito LU, 3 Vacant Cells into Treatment & Office Space                   | PR             | PWC   | \$193,000   |                |                 |      |                |                |                 |      |                |                |
| VYCF   | MI           | FA                 | HC                | Renovate Mira Loma LU, 3 Vacant Cells into Treatment & Office Space                   | PR             | PWC   | \$193,000   |                |                 |      |                |                |                 |      |                |                |
| VYCF   | MI           | FA                 | HC                | Renovate Casa de Alma LU, 9 Vacant Cells into Treatment/ Specialized Counseling Space | PR             | PWC   | \$595,487   |                |                 |      |                |                |                 |      |                |                |
| VYCF   | MI           | FA                 | HC                | Renovate Casa de Collegio LU, 3 Vacant Cells into Treatment and Office Space          | PR             | PWC   | \$193,000   |                |                 |      |                |                |                 |      |                |                |
| VYCF   | MI           | FA                 | HC                | Renovate Miramar LU, 3 Vacant Cells into Treatment and Office Space                   | PR             | PWC   | \$193,000   |                |                 |      |                |                |                 |      |                |                |
| VYCF   | MI           | FA                 | HC                | Renovate Alta Vista LU, 3 Vacant Cells into Treatment and Office Space                | PR             | PWC   | \$193,000   |                |                 |      |                |                |                 |      |                |                |
| VYCF   | DM           | I                  | F                 | Administration Building-Replace Roof-Phase1 (Design)                                  | PR             | PWC   | \$186,010   |                |                 |      |                |                |                 |      |                |                |
| VYCF   | SRP          | O                  | SS                | PBX-Replace PBX System                                                                | PR             | PWC   | \$312,000   |                |                 |      |                |                |                 |      |                |                |
| VYCF   | SRP          | I                  | F                 | Cottages-Replace Existing Plumbing Fixtures-Design                                    | PR             | PWC   | \$288,000   |                |                 |      |                |                |                 |      |                |                |
| VYCF   | SRP          | I                  | F                 | Casa De Los CaballeCott-Harden Cell Walls, Doors & Frames-Design                      | PR             | PWC   | \$35,000    |                |                 |      |                |                |                 |      |                |                |
| VYCF   | SRP          | I                  | F                 | El Mirasol Cott-Harden Walls, Doors & Frames-Design                                   | PR             | PWC   | \$35,000    |                |                 |      |                |                |                 |      |                |                |
| VYCF   | DM           | I                  | F                 | El MirosoL Housing Cottage-Repair Roof Phase 1 (Temp Repair)                          | CO             | PWC   | \$128,300   | GF             |                 |      | 2010           |                |                 |      |                |                |
| VYCF   | DM           | I                  | F                 | El Teyon Housing Cottage-Repair Roof Phase 1 (Temp Repair)                            | CO             | PWC   | \$128,300   | GF             |                 |      | 2010           |                |                 |      |                |                |
| VYCF   | DM           | I                  | F                 | Alta Vista Housing Cottage- Repair Roof Phase 1 (Temp Repair)                         | CO             | PWC   | \$128,300   | GF             |                 |      | 2010           |                |                 |      |                |                |
| VYCF   | SRP          | O                  | F                 | ADA Modifications BCP 1 & 3                                                           | CO             | PWC   | \$552,000   | GF             |                 |      | 2010           |                |                 |      |                |                |
|        |              |                    |                   |                                                                                       |                |       |             |                |                 |      |                |                |                 |      |                |                |
| STWD   | MA           | FA                 | P                 | Farrell Modular Space                                                                 | AC             | C     | \$5,375,000 | FF             |                 |      |                |                |                 |      |                |                |
| STWD   | MA           | FA                 | P                 | Farrell Modular Space                                                                 | AC             | C     | \$4,350,000 | GF             |                 |      |                |                |                 |      |                |                |
| STWD   | MA           | FA                 | P                 | Farrell Modular Space                                                                 | AC             | C     | \$6,500,000 | GF             |                 |      |                |                |                 |      |                |                |
| STWD   | MA           | FA                 | P                 | Program Space for Farrell Compliance                                                  | PR             | C     | \$5,136,000 |                |                 |      |                |                |                 |      |                |                |

| LIST KEY                                                |                                                     |                       |
|---------------------------------------------------------|-----------------------------------------------------|-----------------------|
| CDCR CATEGORY CODE                                      | PHASE CODE                                          | Sub-Category Code     |
| Infill (IN)                                             | Acquisition (A) Study (S)                           | Fire/Life/Safety (F)  |
| Medical (M)                                             | Preliminary Plans (P)                               | Housing (H)           |
| Mental Health (MH)                                      | Working Drawings (W)                                | Health Care (HC)      |
| Dental (D)                                              | Construction (C)                                    | Programs (P)          |
| Re-Entry (RE)                                           | Design Build (DB)                                   | Security (S)          |
| Farrell (FA)                                            | All Phases (PWC)                                    | Support Services (SS) |
| Infrastructure (I)                                      | <b>PROJECT TYPE</b>                                 | Utilities (U)         |
| Other (O)                                               | Major (MA)                                          |                       |
|                                                         | Minor (MI)                                          |                       |
|                                                         | Special Repair Project (SRP)                        |                       |
| PROJECT STATUS                                          | FUNDING SOURCE                                      |                       |
| Active (AC) Portion or all Funded                       | General Fund (GF)                                   | Federal Funds (FF)    |
| Proposed (PR) Proposed for 11/12                        | Bonds (B)                                           |                       |
| Completed (CO) Funded & Completed in Calendar Year 2010 | Lease Revenue Bonds (LR)                            |                       |
|                                                         | AB900 General Fund (AB900GF)                        |                       |
|                                                         | AB900 Medical/Dental/Mental Lease Revenue (AB900LR) |                       |
|                                                         | AB900 Infrastructure Lease Revenue (AB900LR-I)      |                       |

**Adult Institutions:**

|                                                |        |
|------------------------------------------------|--------|
| Avenal State Prison .....                      | (ASP)  |
| Calipatria State Prison .....                  | (CAL)  |
| California Correctional Center .....           | (CCC)  |
| California Correctional Institution .....      | (CCI)  |
| Central California Women’s Facility .....      | (CCWF) |
| Centinela State Prison .....                   | (CEN)  |
| California Institution for Men .....           | (CIM)  |
| California Institution for Women .....         | (CIW)  |
| California Men’s Colony .....                  | (CMC)  |
| California Medical Facility .....              | (CMF)  |
| California State Prison, Corcoran .....        | (COR)  |
| California Rehabilitation Center .....         | (CRC)  |
| Correctional Training Facility .....           | (CTF)  |
| Chuckwalla Valley State Prison .....           | (CVSP) |
| Deuel Vocational Institution .....             | (DVI)  |
| Folsom State Prison .....                      | (FSP)  |
| High Desert State Prison .....                 | (HDSP) |
| Ironwood State Prison .....                    | (ISP)  |
| Kern Valley State Prison .....                 | (KVSP) |
| California State Prison, Los Angeles .....     | (LAC)  |
| Mule Creek State Prison .....                  | (MCSP) |
| Northern California Reentry Facility .....     | (NCRF) |
| North Kern State Prison .....                  | (NKSP) |
| Pelican Bay State Prison .....                 | (PBSP) |
| Pleasant Valley State Prison .....             | (PVSP) |
| Richard J. Donovan Correctional Facility ..... | (RJD)  |
| California State Prison, Sacramento .....      | (SAC)  |
| Substance Abuse Treatment Facility .....       | (SATF) |
| Sierra Conservation Center .....               | (SCC)  |
| California State Prison, Solano .....          | (SOL)  |
| San Quentin State Prison .....                 | (SQ)   |
| Salinas Valley State Prison .....              | (SVSP) |
| Valley State Prison for Women .....            | (VSPW) |
| Wasco State Prison .....                       | (WSP)  |
| California Health Care Facility .....          | (CHCF) |
| DeWitt Nelson Conversion                       |        |
| Estrella Correctional Facility .....           | (ECF)  |
| Heman G. Stark Conversion                      |        |
| Statewide Adult Projects                       |        |



**Legend: Project Type by Color Code**

Major Capitol Outlay Project (MA)

Minor Capitol Outlay Project (MI)

Special Repair Program (SRP)

Deferred Maintenance Program (DMP)

Special Projects (SP)

Energy Projects (E)

**AVENAL STATE PRISON (ASP)**

| Institution Overview                      |       | List Key                                            |                       |                                   |
|-------------------------------------------|-------|-----------------------------------------------------|-----------------------|-----------------------------------|
| Year Built/Occupied:                      | 1987  | CDCR Category Code                                  | Sub-Category Code     | Phase Code                        |
|                                           |       | Infill (IN)                                         | Fire/Life/Safety (F)  | Acquisition (A) Study (S)         |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                         | Housing (H)           | Preliminary Plans (P)             |
| Design Bed Capacity                       | 2,920 | Mental Health (MH)                                  | Health Care (HC)      | Working Drawings (W)              |
| Overcrowding Capacity                     | 2,856 | Dental (D)                                          | Programs (P)          | Construction (C)                  |
| Nontraditional Capacity                   | 1,462 | Re-Entry (RE)                                       | Security (S)          | Design Build (DB)                 |
| Total                                     | 7,238 | Farrell (FA)                                        | Support Services (SS) | All Phases (PWC)                  |
|                                           |       | Infrastructure (I)                                  | Utilities (U)         |                                   |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                           |                       |                                   |
| Female                                    | 0     | Project Type                                        |                       | Project Status                    |
| Reception                                 | 0     | Major (MA)                                          |                       | Active (AC) Portion or all Funded |
| Level I                                   | 10    | Minor (MI)                                          |                       | Proposed (PR) Proposed for 11/12  |
| Level II                                  | 6,135 | Special Repair Project (SRP)                        |                       | Completed (CO) Funded &           |
| Level III                                 | 0     | Special Project (SP)                                |                       | Completed in CY 2010              |
| Level IV                                  | 0     | Deferred Maintenance (DM)                           |                       |                                   |
| Total                                     | 6,145 | Energy Projects (E)                                 |                       |                                   |
|                                           |       | Funding Source                                      |                       |                                   |
| Proposed Infill Bed Site:                 | No    | General Fund (GF)                                   |                       |                                   |
| Prison Industry Authority Site            | Yes   | Bonds (B)                                           |                       |                                   |
| Addiction & Recovery Services             | Yes   | Special Funds (SF)                                  |                       |                                   |
| Administrative Segregation Unit           | Yes   | AB900 General Fund (AB900GF)                        |                       |                                   |
| Sensitive Needs Yard                      | Yes   | AB900 Medical/Dental/Mental Lease Revenue (AB900LR) |                       |                                   |
| Small Management Yard                     | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I)      |                       |                                   |
| Wheelchair/Disabled Access                | Yes   |                                                     |                       |                                   |

| Institution Infrastructure Overview     |     |                                   |     |         |                |
|-----------------------------------------|-----|-----------------------------------|-----|---------|----------------|
| Water (On-site Wells, Municipal, Both): |     |                                   |     |         | Municipal only |
| Wastewater Overusage:                   | No  | Fines:                            | No  | Amount: | \$             |
| Water Conservation Devices              | No  | What is the percentage reduction? |     |         |                |
| Special Repair Projects                 | Yes | # of Projects:                    | 7   | Amount: | \$9,312,321    |
| Deferred Maintenance Projects           | Yes | # of Projects:                    | 11  | Amount: | \$26,682,584   |
| VFA Assessments                         | No  | Est. Date:                        | TBD | Phase:  | IV             |

## AVENAL STATE PRISON (ASP)

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                                                                                      | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------|
| 1              | SRP          | I                  | F                 | ADA Path of Travel for Yards 5 & 6                                                                                                                | AC             | P     |
| 2              | DM           | I                  | F                 | Roof Replacement Buildings 630, 565 & 530 (3 Project IDs)                                                                                         | AC             | PWC   |
| 3              | DM           | I                  | F                 | Replace Roof on Building 210                                                                                                                      | PR             | PWC   |
| 4              | DM           | I                  | F                 | Replace Roof on Building 510                                                                                                                      | PR             | PWC   |
| 5              | DM           | I                  | F                 | Replace Roof on Building 265                                                                                                                      | PR             | PWC   |
| 6              | DM           | I                  | F                 | Conversion of Housing Unit Smoke Detectors (design)                                                                                               | PR             | P     |
| 7              | DM           | O                  | S                 | Lethal Electrified Fence - Bird Netting Replacement (LEF = Phase 1)                                                                               | PR             | PWC   |
| 8              | DM           | I                  | U                 | Institution HVAC Upgrade/Replacement (design)                                                                                                     | PR             | P     |
| 9              | DM           | I                  | U                 | Domestic Hot Water Relief of Hydronic Loop Support and Hydronic Loop/Steam Pipe Replacement (combined study of two separate projects #1830 & #11) | PR             | PWC   |
| 10             | DM           | I                  | U                 | Hydronic Loop/Steam Pipe Replacement (construction)                                                                                               | PR             | C     |
| 11             | DM           | I                  | U                 | Institution HVAC Upgrade/Replacement (construction)                                                                                               | PR             | C     |
| 12             | DM           | I                  | U                 | Domestic Hot Water Relief of Hydronic Loop Support (construction)                                                                                 | PR             | C     |
| 13             | SRP          | I                  | F                 | Rebuild Floor - Main Kitchen                                                                                                                      | PR             | PWC   |
| 14             | SRP          | I                  | U                 | Turbine Control Upgrade - Co-Gen Plant                                                                                                            | PR             | PWC   |
| 15             | SRP          | I                  | F                 | ADA Path of Travel - Yards 3, 5, 6, & Medical Backside of Yard Plaza                                                                              | PR             | PWC   |
| 16             | SRP          | I                  | F                 | ADA Road Repairs to Medical for Yards 3, 5, & 6 Phase IV                                                                                          | PR             | PWC   |
| 17             | SRP          | I                  | U                 | Turbine Emission (SCR) - NOx & CO Emissions                                                                                                       | PR             | PWC   |
| 18             | SRP          | I                  | U                 | Sitewide Water Conservation Project - (18) 270 HU's Toilets & Showers                                                                             | PR             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### AVENAL STATE PRISON (ASP)

#### Proposed Project:

| Type | Cat | Phase | Project Name | Scope: |
|------|-----|-------|--------------|--------|
|      |     |       | NONE         |        |

#### Project Schedule:

| Phase  | Begin Date |  |  |  | Phase | Budget Costs | Total Cost | Funding Source |
|--------|------------|--|--|--|-------|--------------|------------|----------------|
| Notes: |            |  |  |  |       |              |            |                |

#### Special Repair/Deferred Maintenance Projects

| Type | Project #                           | Project Name                                                                                                                                      | AC or PR | Year    | Project Costs | Funding Source |
|------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0809-01801                          | ADA Path of Travel for Yards 5 & 6                                                                                                                | AC       | 2008-09 | \$1,330,800   | GF             |
| DM   | 0809-0006<br>0809-0008<br>0809-0010 | Roof Replacement Buildings 630,565 & 530(3 Project ID's)                                                                                          | AC       | 2008-09 | \$1,620,000   | GF             |
| DM   | 0809-00005                          | Replace Roof on Building 210                                                                                                                      | PR       | 2009-10 | \$405,625     | GF             |
| DM   | 0809-00007                          | Replace Roof on Building 510                                                                                                                      | PR       | 2009-10 | \$405,625     | GF             |
| DM   | 0809-00009                          | Replace Roof on Building 265                                                                                                                      | PR       | 2009-10 | \$737,000     | GF             |
| DM   | 0809-00012                          | Conversion of Housing Unit Smoke Detectors (design)                                                                                               | PR       | 2010-11 | \$294,682     | GF             |
| DM   | 0809-00481                          | Lethal Electrified Fence - Bird Netting Replacement (LEF = Phase 1)                                                                               | PR       | 2010-11 | \$480,652     | GF             |
| DM   | 0809-01754                          | Institution HVAC Upgrade/Replacement (design)                                                                                                     | PR       | 2011-12 | \$1,326,000   | GF             |
| DM   | 0809-01814                          | Domestic Hot Water Relief of Hydronic Loop Support and Hydronic Loop/Steam Pipe Replacement (combined study of two separate projects #1830 & #11) | PR       | 2010-11 | \$120,000     | GF             |
| DM   | 0809-01830                          | Hydronic Loop/Steam Pipe Replacement (construction)                                                                                               | PR       | 2011-12 | \$6,593,000   | GF             |
| DM   | 0809-01832                          | Institution HVAC Upgrade/Replacement (construction)                                                                                               | PR       | 2011-12 | \$10,200,000  | GF             |
| DM   | 0809-01833                          | Domestic Hot Water Relief of Hydronic Loop Support (construction)                                                                                 | PR       | 2010-11 | \$4,500,000   | GF             |
| SRP  | 0809-00871                          | Rebuild Floor - Main Kitchen                                                                                                                      | PR       | 2011-12 | \$500,000     | GF             |
| SRP  | 0809-01857                          | Turbine Control Upgrade - Co-Gen Plant                                                                                                            | PR       | 2011-12 | \$1,420,000   | GF             |
| SRP  | 0809-02055                          | ADA Path of Travel - Yards 3, 5, 6, & Medical Backside of Yard Plaza                                                                              | PR       | 2011-12 | \$851,500     | GF             |
| SRP  | 0809-02056                          | ADA Road Repairs to Medical for Yards 3,5,& 6 Phase IV                                                                                            | PR       | 2011-12 | \$851,500     | GF             |
| SRP  | 0910-00059                          | Turbine Emission (SCR) - NOx & CO Emissions                                                                                                       | PR       | 2011-12 | \$3,478,750   | GF             |

\*See LEGEND SHEET at beginning for LIST KEY explanation

## INSTITUTION PROJECT STATUS REPORT

### AVENAL STATE PRISON (ASP)

#### Special Repair/Deferred Maintenance Projects (continued)

| Type | Project #  | Project Name                                                          | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-----------------------------------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0910-00244 | Sitewide Water Conservation Project - (18) 270 HU's Toilets & Showers | PR       | 2011-12 | \$879,771     | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name | Project Costs | Date Completed | Funding Source |
|------|-----|--------------|---------------|----------------|----------------|
|      |     | NONE         |               |                |                |



**Legend: Project Type by Color Code**

Major Capitol Outlay Project (MA)

Deferred Maintenance Program (DMP)

Minor Capitol Outlay Project (MI)

Special Projects (SP)

Special Repair Program (SRP)

Energy Projects (E)

**CALIPATRIA STATE PRISON**

| Institution Overview                      |       | List Key                                       |                       |                                            |
|-------------------------------------------|-------|------------------------------------------------|-----------------------|--------------------------------------------|
| Year Built/Occupied:                      | 1992  | CDCR Category Code                             | Sub-Category Code     | Phase Code                                 |
|                                           |       | Infill (IN)                                    | Fire/Life/Safety (F)  | Acquisition (A) Study (S)                  |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)           | Preliminary Plans (P)                      |
| Design Bed Capacity                       | 2,308 | Mental Health (MH)                             | Health Care (HC)      | Working Drawings (W)                       |
| Overcrowding Capacity                     | 2,010 | Dental (D)                                     | Programs (P)          | Construction ( C)                          |
| Nontraditional Capacity                   | 0     | Re-Entry (RE)                                  | Security (S)          | Design Build (DB)                          |
| Total                                     | 4,318 | Farrell (FA)                                   | Support Services (SS) | All Phases (PWC)                           |
|                                           |       | Infrastructure (I)                             | Utilities (U)         |                                            |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                      |                       |                                            |
| Female                                    | 0     | Project Type                                   |                       | Project Status                             |
| Reception                                 | 0     | Major (MA)                                     |                       | Active (AC) Portion or all Funded          |
| Level I                                   | 172   | Minor (MI)                                     |                       | Proposed (PR) Proposed for 11/12           |
| Level II                                  | 0     | Special Repair Project (SRP)                   |                       | Completed (CO) Funded & Completed in CY 10 |
| Level III                                 | 0     | Special Project (SP)                           |                       |                                            |
| Level IV                                  | 3,944 | Deferred Maintenance (DM)                      |                       |                                            |
| Total                                     | 4,116 | Energy Projects (E)                            |                       |                                            |
|                                           |       | Funding Source                                 |                       |                                            |
| Proposed Infill Bed Site:                 | No    | General Fund (GF)                              |                       |                                            |
| Prison Industry Authority Site            | No    | Bonds (B)                                      |                       |                                            |
| Addiction & Recovery Services             | No    | Special Funds (SF)                             |                       |                                            |
| Administrative Segregation Unit           | Yes   | AB900 General Fund (AB900GF)                   |                       |                                            |
| Sensitive Needs Yard                      | Yes   | AB900 Lease Revenue (AB900LR)                  |                       |                                            |
| Small Management Yard                     | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |                                            |
| Wheelchair/Disabled Access                | No    |                                                |                       |                                            |

| Institution Infrastructure Overview               |     |                                           |    |                     |
|---------------------------------------------------|-----|-------------------------------------------|----|---------------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |    | Municipal only.     |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$          |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    | 21%                 |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 8  | Amount: \$1,944,500 |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 4  | Amount: \$1,650,000 |
| VFA Assessment Facility Condition Index %         | 20% | 5 Yr Cost to Maintain Current FCI         |    | \$46,091,000        |

**CALIPATRIA STATE PRISON (CAL)**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                      | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-------------------------------------------------------------------|----------------|-------|
| 1              | MA           | I                  | U                 | Chiller Plant Emergency Generator                                 | PR             | PW    |
| 2              | MA           | I                  | U                 | 1.7 M Gallon Potable Water Storage Reservoir                      | PR             | PW    |
| 3              | MI           | O                  | F                 | Blast Chiller Addition                                            | PR             | PWC   |
| 4              | SRP          | I                  | F                 | Renovate HU Shower Rm/Grill Gates (18) Phase I-Construction       | PR             | C     |
| 5              | SRP          | I                  | U                 | Replace Vaporizer in Natural Gas Back-Up System                   | PR             | PWC   |
| 6              | SRP          | I                  | U                 | Sewer Pipe Infrastructure Replacement Phase I-Design              | PR             | P     |
| 7              | DM           | I                  | F                 | Administration Building Roof Replacement-Design                   | PR             | P     |
| 8              | DM           | I                  | S                 | Electrified Fence-Replace Bird Netting                            | PR             | PWC   |
| 9              | DM           | I                  | F                 | Sitewide Repair/Replace Asphalt-Design                            | PR             | P     |
| 10             | SRP          | I                  | U                 | Sitewide Install Back Flushing Devices                            | PR             | PWC   |
| 11             | SRP          | I                  | SS                | Warehouse Renovate Freezer - Design                               | PR             | P     |
| 12             | DM           | I                  | F                 | Housing Unit IV-Building A-1-Replace Roof - Design                | PR             | P     |
| 13             | SRP          | I                  | F                 | Central Control Building-Exterior Entrance-Repair Canopy Ceilings | PR             | PWC   |
| 14             | SRP          | I                  | S                 | High Mast & Security Light Fixtures-Replace Timer Controls        | PR             | PWC   |
| 15             | SRP          | I                  | U                 | Sewer Grinder Upgrade                                             | PR             | PWC   |
| 16             | DM           | I                  | U                 | Central Boiler Plant Piping Replacement                           | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### CALIPATRIA STATE PRISON (CAL)

#### Proposed Project:

| Type | Cat | Phase | Project Name                      | Scope:                                                                                                                                                                                                                                                        |
|------|-----|-------|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | PW    | Chiller Plant Emergency Generator | This project would install an emergency generator dedicated solely to meet the electrical demands of the institution's chiller plant. The current emergency generator capacity is not sufficient to support the chiller plant in the event of a power outage. |

#### Project Schedule:

| Phase | Begin Date |  |  |  |
|-------|------------|--|--|--|
| PW    | FY 11/12   |  |  |  |
| C     | FY 12/13   |  |  |  |

#### Project Budget:

| Phase | Budget Costs | Total Cost | Funding Source |
|-------|--------------|------------|----------------|
| PW    | \$771,000    |            |                |
| C     | \$4,985,000  |            |                |

Notes: Project on Project List for FY 11/12 PW funding consideration

#### Proposed Project:

| Type | Cat | Phase | Project Name                                 | Scope:                                                                                                                                                                                                  |
|------|-----|-------|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | PW    | 1.7 M Gallon Potable Water Storage Reservoir | This project would construct a 1.7 million gallon cathodically protected potable water reservoir to provide a fully redundant water supply to the prison in accordance with Design Criteria Guidelines. |

#### Project Schedule:

| Phase | Begin Date |  |  |  |
|-------|------------|--|--|--|
| PW    | FY 11/12   |  |  |  |
| C     | FY 12/13   |  |  |  |

#### Project Budget:

| Phase | Budget Costs | Total Cost | Funding Source |
|-------|--------------|------------|----------------|
| PW    | \$347,000    |            |                |
| C     | \$2,201,000  |            |                |

Notes: Project on Project List for FY 11/12 PW funding consideration

#### Proposed Project:

| Type | Cat | Phase | Project Name           | Scope:                                                                                                                                                                                                                         |
|------|-----|-------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MI   | O   | PWC   | Blast Chiller Addition | This project would install two new blast chillers in the central kitchen to accommodate the food production demands for the current inmate population and mitigate potential food contamination due to insufficient equipment. |

#### Project Schedule:

| Phase | Begin Date |  |  |  |
|-------|------------|--|--|--|
| PWC   | FY 11/12   |  |  |  |

#### Project Budget:

| Phase | Budget Costs | Total Cost | Funding Source |
|-------|--------------|------------|----------------|
| PWC   | \$489,000    |            |                |

Notes: Project on Minor Funding List for FY 11/12

## INSTITUTION PROJECT STATUS REPORT

### CALIPATRIA STATE PRISON (CAL)

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                                      | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-------------------------------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0910-00822 | Renovate HU Shower Rm/Grill Gates (18) Phase I Construction       | PR       | 2010-11 | \$690,000     | GF             |
| SRP  | 0809-00018 | Replace Vaporizer in Natural Gas Back-Up System                   | PR       | 2011-12 | \$81,000      | GF             |
| SRP  | 0809-00014 | Sewer Pipe Infrastructure Replacement Phase I-Design              | PR       | 2011-12 | \$105,000     | GF             |
| DM   | 0809-00905 | Administration Building Roof Replacement-Design                   | PR       | 2010-11 | \$959,000     | GF             |
| DM   | 0809-00480 | Electrified Fence-Replace Bird Netting                            | PR       | 2010-11 | \$575,000     | GF             |
| DM   | 0809-00015 | Sitewide Repair/Replace Asphalt-Design                            | PR       | 2011-12 | \$61,000      | GF             |
| SRP  | 0809-00013 | Sitewide Install Back Flushing Devices                            | PR       | 2010-11 | \$664,000     | GF             |
| SRP  | 0809-00998 | Warehouse Renovate Freezer-Design                                 | PR       | 2011-12 | \$40,000      | GF             |
| DM   | 0809-00017 | Housing Unit IV-Building A-1-Replace Roof-Design                  | PR       | 2011-12 | \$55,000      | GF             |
| SRP  | 0809-01043 | Central Control Building-Exterior Entrance-Repair Canopy Ceilings | PR       | 2011-12 | \$26,500      | GF             |
| SRP  | 0809-02153 | High Mast & Security Light Fixtures-Replace Timer Controls        | PR       | 2011-12 | \$160,000     |                |
| SRP  | 0910-00378 | Sewer Grinder Upgrade                                             | PR       | 2010-11 | \$178,000     | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                            | Project Costs | Date Completed | Funding Source |
|------|-----|-----------------------------------------|---------------|----------------|----------------|
| DM   | I   | Central Boiler Plant Piping Replacement | \$285,000     | 03/2010        | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

# Calipatria State Prison (CAL)

## Calipatria, CA

### Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1992                |
| Design Bed Capacity             | 2,208               |
| Asset count                     | 262 (199 buildings) |
| Actual Building Square Feet     | 1,197,000 SF        |
| Replacement Value (Buildings):  | \$215,320,000       |
| Date of VFA Facility Assessment | February 1, 2009    |

### Existing Assets Summary

**The Calipatria State Prison** assessment data was collected and input into three Campuses : Main Campus – Inside Secured Fence, Main Campus – Outside Secured Fence and Main Campus – Site Infrastructure with an Institution-wide total building size of 1,197,000 SF.

**The Main Campus-Inside Secured Fence**, 987,000 SF is comprised of Facility A , Facility B, Facility C Housing Units, Facility D Housing Units, Kitchen & Food Service buildings along with Gymnasiums, Storage Buildings and Central Control structures. All but one of these assets was built in 1991-1992 and the campus has an overall FCI of 20%.

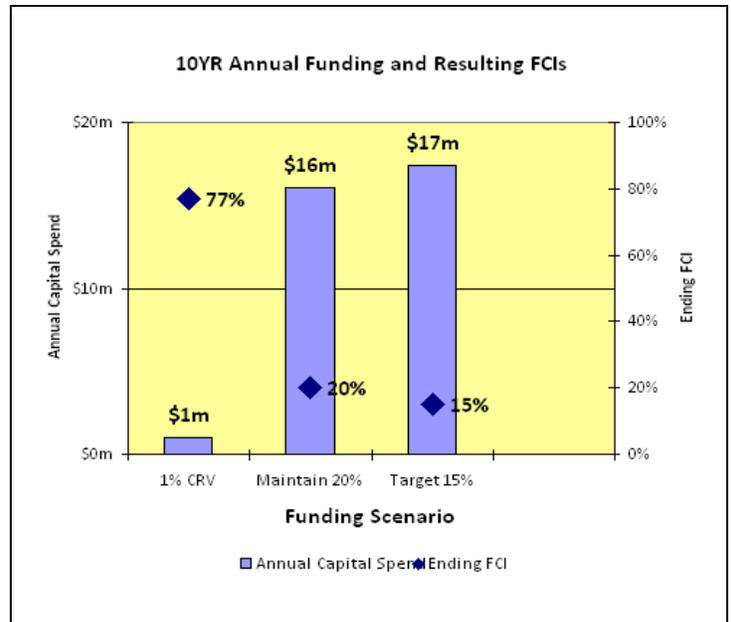
**The Main Campus-Outside Secured Fence**, is comprised of Administration Uses, Testing Facilities, Warehouses, Storage Units and a Vehicle Maintenance Shop and has 210,000 SF of building assets. A large majority of these assets were also built in 1991-1992 and currently have an overall FCI of 31%.

**The Main Campus-Site Infrastructure**, serving all campuses, includes assets such as Parking Lots & Roadways, Site Electrical Distribution, Electrified Fencing, Chilled Water, Domestic Water Distribution, Site Storm Drainage and Site Telecommunications Distribution. The average FCI of most of these 18 year old Site Infrastructure Assets is near 0% with the parking lots at FCI = 41%.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$     | 5YR FCI %  |
|-----------------------------------------|------------------------------|------------------|------------|
| Structure & Foundations                 | 31,066k                      | 0k               | 0%         |
| Exterior Envelope                       | 27,520k                      | 777k             | 3%         |
| Roofing                                 | 7,475k                       | 4,044k           | 54%        |
| Interior Construction                   | 50,186k                      | 6,556k           | 13%        |
| Plumbing & Fixtures                     | 23,605k                      | 870k             | 4%         |
| Heating, Ventilating & Air Conditioning | 21,707k                      | 5,318k           | 24%        |
| Fire Protection Systems                 | 4,064k                       | 0k               | 0%         |
| Electrical Systems                      | 46,409k                      | 19,717k          | 42%        |
| Equipment                               | 14,186k                      | 3,506k           | 25%        |
| Site Infrastructure                     | 28,547k                      | 5,303k           | 19%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$254,765k</b>            | <b>\$46,091k</b> | <b>20%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# Calipatria State Prison (CAL)

## Calipatria, CA

### Major Issues

This Institution, at 19 years old, is showing wear & tear at assets that are in constant use such as the Central Kitchens, Food Service programs, several PIA Services and the Central Chiller Plant. Many of these buildings' dedicated systems, such as Roofing, HVAC & Electrical, need major renovations or replacement within the next 3-5 years.

Site Infrastructure assets, Roadways, Parking Lots and Driveways, are presently beyond their useful life. The Site Sanitary Sewer Distribution system, as reported by Institution personnel, has several locations of collapsed underground lines (as referenced in documents for Project ID 0809-00014) and an assessed FCI of 109%

### Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$16m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$17m per year for the next 10 years would bring Calipatria's FCI down to 15%.

The **Facility Condition Index (FCI = 20%)** is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                      | Asset - CRV | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|-----------------------------------|-------------|---------------------|-----------------|
| Site Wood Post Fence              | \$19,904    | \$24,880            | 125%            |
| Site Sanitary Sewer Distribution  | \$1,618,560 | \$1,759,119         | 109%            |
| Propane Vaporizer                 | \$92,009    | \$85,000            | 92%             |
| Firing Range Canopy (Pistol)      | \$60,819    | \$43,621            | 72%             |
| Generator Building                | \$3,139,807 | \$2,086,187         | 66%             |
| Site Roads and Drives             | \$2,731,866 | \$1,707,410         | 63%             |
| Sewer Lift Station                | \$401,697   | \$227,483           | 57%             |
| Facility C - Food Service         | \$2,731,534 | \$1,388,162         | 51%             |
| PABX                              | \$216,201   | \$108,210           | 50%             |
| Facility D - Food Service         | \$2,677,242 | \$1,320,208         | 49%             |
| Facility B - Food Service         | \$2,596,201 | \$1,243,958         | 48%             |
| Facility A - Food Service         | \$2,611,027 | \$1,248,253         | 48%             |
| Central Kitchen                   | \$3,660,710 | \$1,710,619         | 47%             |
| Site Parking Lots                 | \$4,270,916 | \$1,771,189         | 41%             |
| Firing Range Canopy (Rifle)       | \$154,715   | \$59,676            | 39%             |
| Central Administration            | \$3,329,440 | \$1,248,094         | 37%             |
| Central Chiller Plant             | \$5,489,968 | \$1,873,895         | 34%             |
| Greenhouse                        | \$50,034    | \$16,582            | 33%             |
| Facility B - Storage Shed (571 A) | \$5,911     | \$1,921             | 33%             |
| Facility B - Storage Shed (571 B) | \$5,911     | \$1,921             | 33%             |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name                     | Asset - CRV | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|----------------------------------|-------------|-----------|---------------------------|
| Generator Building               | \$3,139,807 | 66%       | \$2,086,187               |
| Central Chiller Plant            | \$5,489,968 | 34%       | \$1,873,895               |
| Site Parking Lots                | \$4,270,916 | 41%       | \$1,771,189               |
| Site Sanitary Sewer Distribution | \$1,618,560 | 109%      | \$1,759,119               |
| Central Kitchen                  | \$3,660,710 | 47%       | \$1,710,619               |
| Site Roads and Drives            | \$2,731,866 | 63%       | \$1,707,410               |
| Facility C - Food Service        | \$2,731,534 | 51%       | \$1,388,162               |
| Facility D - Food Service        | \$2,677,242 | 49%       | \$1,320,208               |
| Facility A - Food Service        | \$2,611,027 | 48%       | \$1,248,253               |
| Central Administration           | \$3,329,440 | 37%       | \$1,248,094               |
| Facility B - Food Service        | \$2,596,201 | 48%       | \$1,243,958               |
| General and PIA Warehouse        | \$4,662,460 | 25%       | \$1,163,467               |
| Central Control C&D Visiting     | \$3,074,026 | 28%       | \$870,839                 |
| Facility D - Housing Unit (D-5)  | \$5,780,691 | 15%       | \$864,210                 |
| Central Control A&B Visiting     | \$3,074,242 | 28%       | \$862,826                 |
| Facility C - Housing Unit (C-1)  | \$5,781,409 | 15%       | \$861,989                 |
| Facility A - Housing Unit (A-3)  | \$5,759,928 | 15%       | \$856,463                 |
| Facility A - Housing Unit (A-1)  | \$5,782,955 | 15%       | \$856,463                 |
| Facility A - Housing Unit (A-2)  | \$5,837,747 | 15%       | \$856,463                 |
| Facility B - Housing Unit (B-3)  | \$5,725,900 | 15%       | \$854,530                 |



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Minor Capitol Outlay Project (MI)

Special Repair Program (SRP)

Deferred Maintenance Program (DMP)

Special Projects (SP)

Energy Projects (E)

CALIFORNIA CORRECTIONAL CENTER

| Institution Overview                      |       | List Key                                       |                          |                                               |
|-------------------------------------------|-------|------------------------------------------------|--------------------------|-----------------------------------------------|
| Year Built/Occupied:                      | 1963  | <b>CDCR Category Code</b>                      | <b>Sub-Category Code</b> | <b>Phase Code</b>                             |
|                                           |       | Infill (IN)                                    | Fire/Life/Safety (F)     | Acquisition (A) Study (S)                     |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)              | Preliminary Plans (P)                         |
| Design Bed Capacity                       | 3,883 | Mental Health (MH)                             | Health Care (HC)         | Working Drawings (W)                          |
| Overcrowding Capacity                     | 1,651 | Dental (D)                                     | Programs (P)             | Construction (C)                              |
| Nontraditional Capacity                   | 450   | Re-Entry (RE)                                  | Security (S)             | Design Build (DB)                             |
| Total                                     | 5,984 | Farrell (FA)                                   | Support Services (SS)    | All Phases (PWC)                              |
|                                           |       | Infrastructure (I)                             | Utilities (U)            |                                               |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                      |                          |                                               |
| Female                                    | 0     | <b>Project Type</b>                            |                          | <b>Project Status</b>                         |
| Reception                                 | 0     | Major (MA)                                     |                          | Active (AC) Portion or all Funded             |
| Level I                                   | 3,509 | Minor (MI)                                     |                          | Proposed (PR) Proposed for 11/12              |
| Level II                                  | 1,063 | Special Repair Project (SRP)                   |                          | Completed (CO) Funded & Completed in Calendar |
| Level III                                 | 873   | Special Project (SP)                           |                          | Year 2010                                     |
| Level IV                                  | 0     | Deferred Maintenance (DM)                      |                          |                                               |
| Total                                     | 5,445 | Energy Projects (E)                            |                          |                                               |
|                                           |       | <b>Funding Source</b>                          |                          |                                               |
| Proposed Infill Bed Site:                 | No    | General Fund (GF)                              |                          |                                               |
| Prison Industry Authority Site            | No    | Bonds (B)                                      |                          |                                               |
| Addiction & Recovery Services             | No    | Special Funds (SF)                             |                          |                                               |
| Administrative Segregation Unit           | Yes   | AB900 General Fund (AB900GF)                   |                          |                                               |
| Sensitive Needs Yard                      | No    | AB900 Lease Revenue (AB900LR)                  |                          |                                               |
| Small Management Yard                     | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                          |                                               |
| Wheelchair/Disabled Access                | Yes   |                                                |                          |                                               |

| Institution Infrastructure Overview               |     |                                           |    |                     |
|---------------------------------------------------|-----|-------------------------------------------|----|---------------------|
| Water (On-site Wells, Municipal, Both):           |     | On-Site Well(s) only.                     |    |                     |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$          |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    | 21%                 |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 2  | Amount: \$203,852   |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 2  | Amount: \$1,704,000 |
| VFA Assessment Facility Condition Index %         | 35% | 5 Yr Cost to Maintain Current FCI         |    | \$216,855,000       |

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                         | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|------------------------------------------------------|----------------|-------|
| 1              | MA           | O                  | SS                | Arnold Unit Kitchen/Dining                           | PR             | PW    |
| 2              | DM           | I                  | U                 | Generator Replacement                                | PR             | PWC   |
| 3              | DM           | I                  | U                 | Heating Loop Distribution System Repair              | PR             | PWC   |
| 4              | SRP          | I                  | U                 | ACC Pole Treatment Yard Remediation                  | PR             | PWC   |
| 5              | SRP          | I                  | S                 | Lassen Yard High Mast Lighting Replacement (2 Poles) | PR             | PWC   |
| 6              | MA           | I                  | U                 | Wastewater Treatment Plant Modifications             | CO             | WC    |
| 7              | MI           | I                  | U                 | Air Cooling Arnold HU                                | CO             | C     |
| 8              | DM           | I                  | F                 | Sierra Housing Unit Roof Replacement                 | CO             | C     |

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA CORRECTIONAL CENTER (CCC)

#### Proposed Project:

| Type | Cat | Phase | Project Name                    | Scope:                                                                                                   |
|------|-----|-------|---------------------------------|----------------------------------------------------------------------------------------------------------|
| MA   | I   | PW    | Arnold Unit Kitchen/Dining Bldg | This project proposes to design and construct a 2,880 SF kitchen/dining building in compliance with DCG. |

#### Project Schedule:

| Phase | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|-------|--------------|------------|----------------|
| PW    | FY11/12    | PW    | \$646,000    |            |                |
| C     | FY12/13    | C     | \$3,962,000  |            |                |

Notes: Project on 11/12 Project List for PW funding consideration

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                         | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00476 | Generator Replacement                                | PR       | 2010-11 | \$852,000     |                |
| DM   | 0809-00024 | Heating Loop Distribution System Repair              | PR       | 2010-11 | \$852,000     |                |
| SRP  | 0910-00797 | Lassen Yard High Mast Lighting Replacement (2 Poles) | PR       | 2010-11 | \$170,852     |                |
| SRP  | 0809-02138 | ACC Pole Treatment Yard Remediation                  | PR       | 2010-11 | \$33,000      |                |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                             | Project Costs | Date Completed | Funding Source |
|------|-----|------------------------------------------|---------------|----------------|----------------|
| MA   | I   | Wastewater Treatment Plant Modifications | \$51,418,000  | 06/2010        | GF, LR         |
| MI   | SS  | Air Cooling Arnold Housing Unit          | \$320,000     | 02/2010        | GF             |
| DM   | I   | Sierra Housing Unit Roof Replacement     | \$1,056,000   | 04/2010        | GF             |

# California Correctional Center (CCC) Susanville, CA

## Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1963                |
| Design Bed Capacity             | 3,682               |
| Asset count                     | 341 (297 buildings) |
| Actual Building Square Feet     | 746,000 SF          |
| Replacement Value (Buildings):  | \$248,796,000       |
| Date of VFA Facility Assessment | January 1, 2008     |

## Existing Assets Summary

**The California Correctional Center** assessment data was collected and input into three Campuses : Main Campus- Inside Secured Fence; Main Campus-Site Infrastructure, Main Campus – Outside Secured Fence with an Institution-wide total building size of 746,000 SF.

**The Main Campus-Inside Secured Fence**, 495,000 SF, is comprised of several Inmate Housing Units, Administration, Kitchen / Food Services, Observation / Security Towers, Gymnasium and Storage facilities. Most assets in the Main Campus-Inside Secured Fence range from 15-35 years old, and the campus has an overall FCI of 38%.

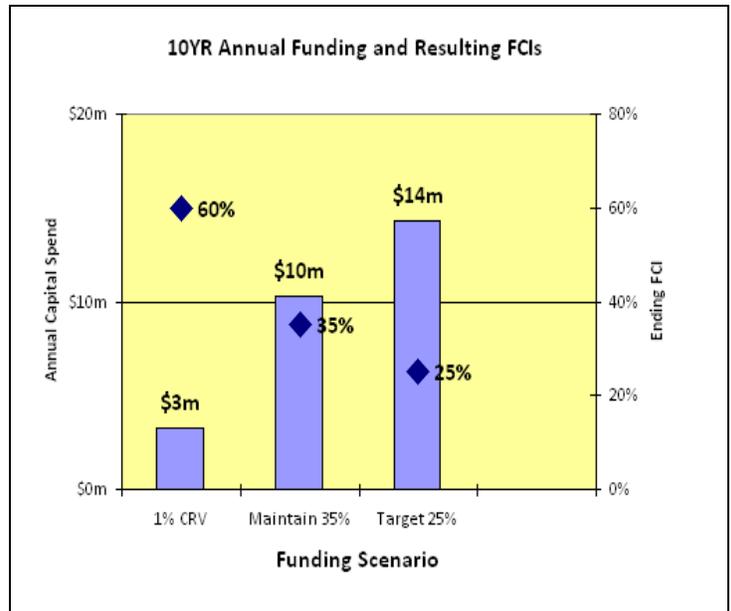
**The Main Campus-Outside Secured Fence**, 251,000 SF, is comprised of Administration buildings, Inmate Services facilities, Food Services, a Fire House and several Warehouse & Storage buildings. The range of construction dates for this Campus is 2-46 years with an overall Campus FCI = 42%.

**The Main Campus-Site Infrastructure**, serving all campuses, includes assets ranging from 46-year-old Well Houses & Waste Treatment Plant to 25 year old Site Lighting Distribution. The average FCI of these Site Infrastructure Assets is approximately 23%.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$      | 5YR FCI %  |
|-----------------------------------------|------------------------------|-------------------|------------|
| Structure & Foundations                 | 62,785k                      | 1,062k            | 2%         |
| Exterior Envelope                       | 45,409k                      | 6,955k            | 15%        |
| Roofing                                 | 7,432k                       | 6,829k            | 92%        |
| Interior Construction                   | 46,522k                      | 22,159k           | 48%        |
| Plumbing & Fixtures                     | 13,367k                      | 9,525k            | 71%        |
| Heating, Ventilating & Air Conditioning | 19,834k                      | 21,089k           | 106%       |
| Fire Protection Systems                 | 211,665k                     | 95,955k           | 45%        |
| Electrical Systems                      | 40,697k                      | 28,859k           | 71%        |
| Equipment                               | 10,587k                      | 6,135k            | 58%        |
| Site Infrastructure                     | 80,866k                      | 18,287k           | 23%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$539,164k</b>            | <b>\$216,855k</b> | <b>35%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# California Correctional Center (CCC) Susanville, CA

## Major Issues

The Institutions' Housing-Dormitories & Housing Cell units are 15-24 years old and several of the major mechanical and electrical systems will need renovations or replacement within the next 3-6 years.

Approximately 45% of all the buildings on the site are 45 years old, or older. Several assets that are critical to the general operation of the Institution (Hospital Control Seg., Kitchen Dining Room, Armory, Plant Operations and Family Housing) are over 40 years old and quite a few of these buildings' major systems and minor systems are beyond their rated useful life, causing higher operating and repair costs and risking shut down in the event of total system failure.

Site Infrastructure assets such as Site Domestic Water Distribution, Site Electrical Distribution, Site Natural Gas Distribution and Roadways/Parking Lots are beyond their useful life with an average age of over 45 years.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$10m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$14m per year for the next 10 years would bring CCC's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index** ( FCI = 35% ) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                           | Asset - CRV | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|----------------------------------------|-------------|---------------------|-----------------|
| MAIN - Rear Vehicle Sally Port         | \$165,313   | \$237,447           | 144%            |
| Site Perimeter Fencing                 | \$946,296   | \$1,210,870         | 128%            |
| Old IDL Yard Storage Fencing           | \$35,095    | \$43,869            | 125%            |
| Main Warehouse H Yard Storage Fencing  | \$59,047    | \$73,808            | 125%            |
| LASSEN - Vehicle Sally Port            | \$149,431   | \$186,789           | 125%            |
| Forestry Warehouse Storage Fencing     | \$44,327    | \$55,408            | 125%            |
| Lassen Visit Control Fencing           | \$6,495     | \$8,119             | 125%            |
| Small Building 1                       | \$4,932     | \$6,164             | 125%            |
| Arnold Yard Security Fencing           | \$216,637   | \$270,796           | 125%            |
| Lassen Family Visiting Units Fencing   | \$46,073    | \$57,591            | 125%            |
| LASSEN - Vehicle Sally Port Gate House | \$198,776   | \$221,761           | 112%            |
| LASSEN - Port-A-John                   | \$1,252     | \$1,252             | 100%            |
| LASSEN - Port-A-John                   | \$1,252     | \$1,252             | 100%            |
| Records Port-A-John                    | \$1,252     | \$1,252             | 100%            |
| Site - Flagpoles                       | \$4,640     | \$4,640             | 100%            |
| Site Domestic Water Distribution       | \$1,381,380 | \$1,381,380         | 100%            |
| Site Heating Hot Water Distribution    | \$1,345,500 | \$1,345,500         | 100%            |
| Site Natural Gas Distribution          | \$112,732   | \$112,732           | 100%            |
| Site Steam Distribution System         | \$1,942,119 | \$1,942,119         | 100%            |
| VOC Area Port-O-John                   | \$2,503     | \$2,503             | 100%            |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name                                | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|---------------------------------------------|--------------|-----------|---------------------------|
| MAIN - Cascade Housing Unit                 | \$19,230,515 | 57%       | \$10,947,165              |
| MAIN - Sierra Housing Unit                  | \$19,114,081 | 57%       | \$10,935,531              |
| MAIN - Kitchen Dining Room                  | \$14,197,716 | 55%       | \$7,760,840               |
| Site Roads - Main Outside Secured Areas Gra | \$9,158,703  | 65%       | \$5,958,443               |
| MAIN - Hospital Control Segregation         | \$9,492,482  | 62%       | \$5,901,761               |
| Boiler House                                | \$6,676,905  | 82%       | \$5,461,184               |
| MAIN - Administration                       | \$9,209,960  | 56%       | \$5,191,281               |
| MAIN - Maintenance and VOC Shops            | \$8,676,110  | 56%       | \$4,856,843               |
| MAIN - Laundry Canteen R and R Library      | \$10,484,427 | 43%       | \$4,546,526               |
| MAIN - Maintenance Warehouse                | \$6,759,022  | 59%       | \$4,002,394               |
| MAIN - Activities Gym Housing Unit          | \$5,193,880  | 50%       | \$2,607,913               |
| LASSEN - Support Facility                   | \$9,951,626  | 23%       | \$2,270,152               |
| IST Snack Bar                               | \$3,984,219  | 55%       | \$2,177,118               |
| LASSEN - Dining / Kitchen                   | \$5,090,914  | 41%       | \$2,068,277               |
| Site Steam Distribution System              | \$1,942,119  | 100%      | \$1,942,119               |
| Bachelor Officers Quarters                  | \$3,184,778  | 55%       | \$1,753,284               |
| LASSEN - Emergency Generator 1              | \$2,086,061  | 82%       | \$1,706,554               |
| LASSEN - Housing Unit 01                    | \$9,115,962  | 17%       | \$1,539,003               |
| LASSEN - Housing Unit 02                    | \$9,115,962  | 17%       | \$1,539,003               |
| LASSEN - Housing Unit 03                    | \$9,115,962  | 17%       | \$1,539,003               |



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Minor Capitol Outlay Project (MI)

Special Repair Program (SRP)

Deferred Maintenance Program (DMP)

Special Projects (SP)

Energy Projects (E)

CALIFORNIA CORRECTIONAL INSTITUTION

| Institution Overview                      |       | List Key                                       |                       |                                             |
|-------------------------------------------|-------|------------------------------------------------|-----------------------|---------------------------------------------|
| Year Built/Occupied:                      | 1933  | CDCR Category Code                             | Sub-Category Code     | Phase Code                                  |
|                                           |       | Infill (IN)                                    | Fire/Life/Safety (F)  | Acquisition (A) Study (S)                   |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)           | Preliminary Plans (P)                       |
| Design Bed Capacity                       | 2,783 | Mental Health (MH)                             | Health Care (HC)      | Working Drawings (W)                        |
| Overcrowding Capacity                     | 2,356 | Dental (D)                                     | Programs (P)          | Construction (C)                            |
| Nontraditional Capacity                   | 55    | Re-Entry (RE)                                  | Security (S)          | Design Build (DB)                           |
| Total                                     | 5,194 | Farrell (FA)                                   | Support Services (SS) | All Phases (PWC)                            |
|                                           |       | Infrastructure (I)                             | Utilities (U)         |                                             |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                      |                       |                                             |
| Female                                    | 0     | Project Type                                   |                       | Project Status                              |
| Reception                                 | 1,474 | Major (MA)                                     |                       | Active (AC) Portion or all Funded           |
| Level I                                   | 1,131 | Minor (MI)                                     |                       | Proposed (PR) Proposed for 11/12            |
| Level II                                  | 1,579 | Special Repair Project (SRP)                   |                       | Completed (CO) Funded & Completed in CY2010 |
| Level III                                 | 0     | Special Project (SP)                           |                       |                                             |
| Level IV                                  | 847   | Deferred Maintenance (DM)                      |                       |                                             |
| Special                                   | 769   | Energy Projects (E)                            |                       |                                             |
| Total                                     | 5,800 | Funding Source                                 |                       |                                             |
|                                           |       | General Fund (GF)                              |                       |                                             |
| Proposed Infill Bed Site:                 | Yes   | Bonds (B)                                      |                       |                                             |
| Prison Industry Authority Site            | Yes   | Special Funds (SF)                             |                       |                                             |
| Addiction & Recovery Services             | Yes   | AB900 General Fund (AB900GF)                   |                       |                                             |
| Administrative Segregation Unit           | Yes   | AB900 Lease Revenue (AB900LR)                  |                       |                                             |
| Sensitive Needs Yard                      | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |                                             |
| Small Management Yard                     | Yes   |                                                |                       |                                             |
| Wheelchair/Disabled Access                | No    |                                                |                       |                                             |

| Institution Infrastructure Overview               |                                     |                                           |               |                     |
|---------------------------------------------------|-------------------------------------|-------------------------------------------|---------------|---------------------|
| Water (On-site Wells, Municipal, Both):           | Both On-Site Well(s) and Municipal. |                                           |               |                     |
| Wastewater Overusage:                             | No                                  | Fines:                                    | No            | Amount: \$          |
| Water Conservation Devices                        | Yes                                 | If yes, what is the percentage reduction? |               | 21%                 |
| Special Repair Projects (Active & Proposed)       |                                     | # of Projects:                            | 7             | Amount: \$7,933,000 |
| Deferred Maintenance Projects (Active & Proposed) |                                     | # of Projects:                            | 4             | Amount: \$3,837,000 |
| VFA Assessment Facility Condition Index %         | 35%                                 | 5 Yr Cost to Maintain Current FCI         | \$222,114,000 |                     |

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                  | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-------------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | MH                 | S                 | Small Management Yards for SHU (1 of 5 institutions)                          | AC             | P     |
| 2              | MA           | I                  | U                 | Wastewater Treatment Plant Renovation                                         | AC             | C     |
| 3              | E            | I                  | U                 | Energy Efficient Boilers                                                      | AC             | W     |
| 4              | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV) & Wind                              | PR             | PWC   |
| 5              | E            | I                  | U                 | Energy Management System, Lighting Retrofit                                   | PR             | PWC   |
| 6              | DM           | I                  | F                 | Replace Roof on P.I.A. Industry Building                                      | PR             | PWC   |
| 7              | DM           | I                  | U                 | Repair E & F Dorm Air Handler Units, Phase 1 and 2                            | PR             | PW    |
| 8              | DM           | I                  | U                 | Hydronic Loop - IVA & IVB Heating System Repair Replace w/Stand Alone Boilers | PR             | PWC   |
| 9              | DM           | I                  | U                 | Unit II, Building C, Kitchen and Laundry Air Handling Control Ductwork        | PR             | PWC   |
| 10             | SRP          | O                  | O                 | Landfill Closure                                                              | PR             | PWC   |
| 11             | SRP          | I                  | U                 | Replumb Housing Units 1 through 5 at Unit III                                 | PR             | PWC   |
| 12             | SRP          | O                  | O                 | Burn Dump Closure - Soil Cover Project                                        | PR             | PWC   |
| 13             | SRP          | O                  | F                 | ADA Replace Nurse Call System Outpatient Housing Unit (OHU)                   | PR             | PWC   |
| 14             | SRP          | O                  | S                 | Unit IVA Security Cameras                                                     | PR             | PWC   |
| 15             | SRP          | O                  | S                 | Entrance Road Repairs- Asphalt & Concrete (10 miles)                          | PR             | PWC   |
| 16             | SRP          | O                  | S                 | IVA Helicopter Landing Pad Removal (demo & remove 25k sf of concrete & earth) | PR             | PWC   |
| 17             | DM           | I                  | F                 | Roof Replacement, Facility 4A HU 7, 8 & Dining                                | CO             | PWC   |
| 18             | SRP          | O                  | F                 | ADA IV B Outpatient Housing Unit (OHU) Phase I                                | CO             | P     |

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA CORRECTIONAL INSTITUTION (CCI)

#### Active Project:

| Type | Phase | Project Name                          | Scope:                                                                                                     |
|------|-------|---------------------------------------|------------------------------------------------------------------------------------------------------------|
| MA   | C     | Wastewater Treatment Plant Renovation | Construction to renovate existing wastewater treatment plant in order to comply with discharge violations. |

Notes:

#### Project Schedule:

#### Funding:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App                                                          | Year                                             | Aug/<br>Reversion              | Year         | Current Authority | Year      | Funding Source       |
|-------|----------------|-------------------|---------------|------------------|------------|--------------------------------------------------------------|--------------------------------------------------|--------------------------------|--------------|-------------------|-----------|----------------------|
| P     | 09/1998        | 11/1998           | 11/1999       | 07/2000          | 100%       | \$336,000                                                    | 1998/1999                                        |                                |              | \$336,000         | 1998/1999 | GF                   |
| W     | 01/1999        | 05/1999           | 11/2003       | 11/2007          | 100%       | \$472,000<br>\$107,000                                       | 1998/1999<br>2005/2006                           | \$ 12,000<br>\$ 70,000         | 2001<br>2006 | \$661,000         | 2007/2008 | GF<br>LR             |
| C     | 10/2000        | 04/2002           | 05/2008       | 11/2010          | 97%        | \$10,261,000<br>\$15,743,000<br>\$19,608,000<br>\$ 8,730,000 | 1999/2000<br>2003/2004<br>2005/2006<br>2007/2008 | -\$10,261,000<br>-\$15,743,000 | 2003<br>2005 | \$28,338,000      | 2007/2008 | LR<br>LR<br>LR<br>LR |

Notes:

#### Active Project:

| Type | Phase | Project Name                   | Scope:                                                                                                                                                                                                                                                                    |
|------|-------|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | C     | Small Management Yards SHU/PSU | This project will construct SMYs at 5 institutions in order to comply with California Code of Regulations, Title 15 regarding inmates housed in Segregated Program Housing Units allowing them out of cell time for exercise. This project will construct 73 SMYs at CCI. |

Notes: See Statewide Project for funding information

#### Project Schedule:

#### Funding:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year    | Aug/<br>Reversion | Year | Current Authority | Year    | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-------------|---------|-------------------|------|-------------------|---------|----------------|
| P     | 08/2009        | 11/2009           | 09/2009       | 01/2010          | 100%       | \$153,000   | 2009-10 |                   |      | \$153,000         | 2009-10 | GF             |
| W     | 08/2009        | 04/2010           | 01/2010       | 05/2010          | 100%       | \$125,000   | 2009-10 |                   |      | \$125,000         | 2009-10 | GF             |
| C     | 01/2011        | 10/2012           | 01/2011       | 10/2012          | 0%         | \$6,251,000 | 2010-11 |                   |      | \$6,251,000       | 2010-11 | GF             |

Notes: Project costs for Construction are based on 5 institutions

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA CORRECTIONAL INSTITUTION (CCI)

#### Special Repair/Deferred Maintenance Projects

| Type | Project #  | Project Name                                                                     | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|----------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00029 | Replace Roof on P.I.A. Industry Building                                         | PR       | 2010-11 | \$598,000     | GF             |
| DM   | 0809-00030 | Repair E & F Dorm Air Handler Units, Phase 1 and 2                               | PR       | 2010-11 | \$800,000     | GF             |
| DM   | 0910-00241 | Hydronic Loop - IVA & IVB Heating System Repair<br>Replace w/Stand Alone Boilers | PR       | 2010-11 | \$1,539,000   | GF             |
| DM   | 0910-00626 | Unit II, Building C, Kitchen and Laundry Air handling Control Ductwork           | PR       | 2011-12 | \$900,000     | GF             |
| SRP  | 0809-00032 | Landfill Closure                                                                 | PR       | 2011-12 | \$3,542,000   | GF             |
| SRP  | 0809-00033 | Replumb Housing Units 1 through 5 at Unit III                                    | PR       | 2011-12 | \$89,000      | GF             |
| SRP  | 0910-00377 | Burn Dump Closure - Soil Cover Project                                           | PR       | 2011-12 | \$42,000      | GF             |
| SRP  | 0910-00425 | ADA Replace Nurse Call System Outpatient Housing Unit (OHU)                      | PR       | 2011-12 | \$38,000      | GF             |
| SRP  | 0910-00456 | Unit IVA Security Cameras                                                        | PR       | 2011-12 | \$111,000     | GF             |
| SRP  | 0910-00457 | Entrance Road Repairs - Asphalt & Concrete (10 miles)                            | PR       | 2011-12 | \$4,064,000   | GF             |
| SRP  | 0910-00458 | IVA Helicopter Landing Pad Removal<br>(demo & remove 25k sf of concrete & earth) | PR       | 2011-12 | \$47,000      | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                                              | Project Costs | Date Completed | Funding Source |
|------|-----|-----------------------------------------------------------|---------------|----------------|----------------|
| DM   | I   | Roof Replacement Facility 4A Housing Units 7 & 8 & Dining | \$441,000     | 03/2010        | GF             |
| SRP  | I   | ADA IV B Phase I                                          | \$19,294      | 10/2009        | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

# California Correctional Institution (CCI) Tehachapi, CA

## Background Info

Original Construction Date 1933; Reopened 1954  
 Design Bed Capacity 2,781  
 Asset count 337 (242 buildings)  
 Actual Building Square Feet 1,551,000 SF  
 Replacement Value (Buildings): \$486,862,000  
 Date of VFA Facility Assessment June 1, 2009

## Existing Assets Summary

**The California Correctional Institution** assessment data was collected and input into five main Campuses : Central Facility, Level I, Level II, Level III & Level IV with an Institution-wide total building size of 1,551,000 SF.

**Central Facility**, 201,000SF has a large Main Support Warehouse, Non-Inmate Housing, Administration & Security Administration buildings as well as several Storage Containers. This Campus has an overall FCI of 39%.

**Level III**, 238,000 SF, is comprised of Facility support, Food Service, Receiving/Release, Housing and Guard Tower buildings. All building assets in the Level III campus are 23 years old, and the campus has an overall FCI of 46%

**Level IV**, at 24 years old, comprises 677,000SF. Building types range from Housing/Cells, & Family Visiting to Guard Towers & Storage Containers. The combined FCI of Level IV buildings is 50%.

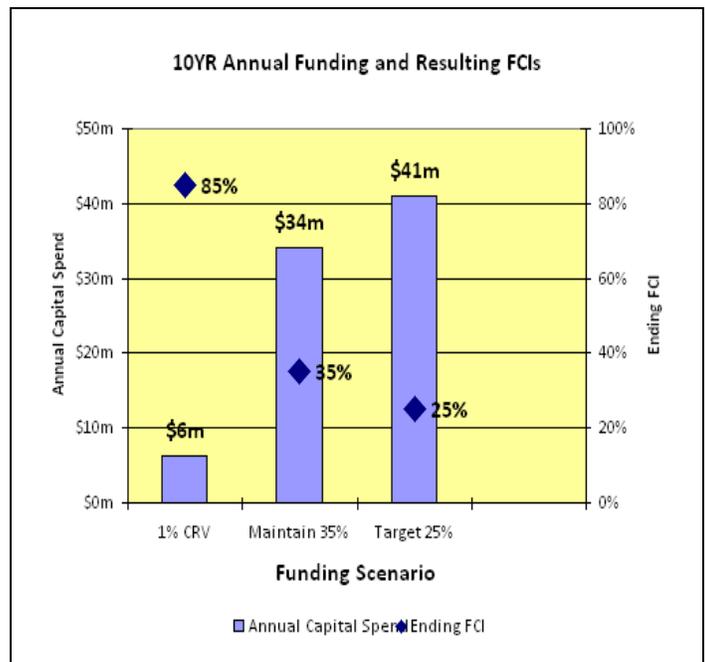
**Level II**, 195,000SF, is made up of building types ranging from Housing-Dormitory, & Gymnasium to Towers & Instructional shops. The combined FCI of Level II buildings is 59%.

**Level I**, 240,000SF, is made up of 41 buildings, 4-78 years old, with uses comprised of Administration, Chaple, Housing-Dormitory, Maintenance & Warehousing. The overall FCI of Level I buildings is 37%.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$      | 5YR FCI %  |
|-----------------------------------------|------------------------------|-------------------|------------|
| Structure & Foundations                 | 82,673k                      | 309k              | 0%         |
| Exterior Envelope                       | 72,681k                      | 8,321k            | 11%        |
| Roofing                                 | 18,953k                      | 14,389k           | 76%        |
| Interior Construction                   | 92,802k                      | 16,179k           | 17%        |
| Plumbing & Fixtures                     | 84,959k                      | 20,823k           | 25%        |
| Heating, Ventilating & Air Conditioning | 40,480k                      | 40,552k           | 100%       |
| Fire Protection Systems                 | 4,154k                       | 531k              | 13%        |
| Electrical Systems                      | 114,690k                     | 84,871k           | 74%        |
| Equipment                               | 26,241k                      | 2,139k            | 8%         |
| Site Infrastructure                     | 99,523k                      | 34,000k           | 34%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$637,156k</b>            | <b>\$222,114k</b> | <b>35%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# California Correctional Institution (CCI) Tehachapi, CA

## Major Issues

The Institutions' dormitories & housing units, along with several of the other types of existing buildings, are 24-42 years old and several of the major mechanical / electrical / plumbing systems need renovations or entire system replacement within the next 3-5 years.

Approximately 50% of the total 5 Years needs for the Institution are accounted for by the top nine buildings according to 5-Years FCI Needs.

Site infrastructure assets such as Roadways, Pedestrian Pavement, Telecommunications Distribution & Fences / Gates all show FCI designations at, or above, 100% with an average age of 30-40 years old.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$34m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$41m per year for the next 10 years would bring CCI's FCI down to 25%.

The **Facility Condition Index** ( FCI=35% ) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

Table 3. Top 20 Buildings by 5YR FCI %

| Asset - Name                                | Asset - CRV | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|---------------------------------------------|-------------|---------------------|-----------------|
| Fences and Gates                            | \$1,036,997 | \$1,296,247         | 125%            |
| Site Lighting Distribution - Unit 4A        | \$949,891   | \$1,187,363         | 125%            |
| Site Lighting Distribution - Unit 4B        | \$949,891   | \$1,187,363         | 125%            |
| Site 4A Electrified Perimeter Fence         | \$4,885,592 | \$6,106,990         | 125%            |
| Site 4B Electrified Perimeter Fence         | \$4,885,592 | \$6,106,990         | 125%            |
| Central Facility Telecommunications Distrib | \$133,325   | \$166,656           | 125%            |
| Native American Ceremonial Area             | \$5,953     | \$7,442             | 125%            |
| Toilet Shed - CF 03e                        | \$7,259     | \$8,943             | 123%            |
| Pedestrian Sallyport                        | \$51,641    | \$63,116            | 122%            |
| Site Electrical Distribution - Unit 4A      | \$8,073,959 | \$9,415,443         | 117%            |
| Antenna Building                            | \$151,316   | \$173,280           | 115%            |
| West Gate Sally Port and Guard House        | \$107,117   | \$119,682           | 112%            |
| Shed - CF 03c                               | \$2,788     | \$3,052             | 109%            |
| Substation/Transformer Building             | \$206,636   | \$218,280           | 106%            |
| Unit 4B-Site Emergency Power Distribution   | \$479,332   | \$493,710           | 103%            |
| Unit 4A-Site Emergency Power Distribution   | \$479,332   | \$493,710           | 103%            |
| Visiting Trailer - Abandoned                | \$102,918   | \$105,492           | 103%            |
| Trailer Toilet                              | \$107,354   | \$108,881           | 101%            |
| South Water Storage Tanks                   | \$2,192,284 | \$2,219,404         | 101%            |
| East Hut Hobby - M116                       | \$92,524    | \$93,386            | 101%            |

Table 4. Top 20 Buildings by 5YR Needs \$\$

| Asset - Name                                 | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|----------------------------------------------|--------------|-----------|---------------------------|
| Unit 4A H/U 7&8 Ad Seg                       | \$24,303,927 | 66%       | \$16,118,283              |
| Unit 4A H/U 5&6 Ad Seg                       | \$24,305,235 | 66%       | \$16,117,915              |
| Unit 4A (Indus/Voc) (Support Serv) (Chapel/A | \$22,092,407 | 67%       | \$14,775,525              |
| Unit 4B (Indus/Voc) (Support Serv) (Chapel/A | \$24,767,030 | 49%       | \$12,024,554              |
| Kitchen and Laundry                          | \$15,371,829 | 76%       | \$11,710,860              |
| Unit 4B H/U 1&2 SHU                          | \$24,199,944 | 47%       | \$11,419,910              |
| Unit 4B H/U 3&4 SHU                          | \$24,206,592 | 46%       | \$11,044,594              |
| Unit 4B H/U 5&6 SHU                          | \$24,401,262 | 45%       | \$10,939,717              |
| Unit 4B H/U 7&8 Ad Seg                       | \$24,346,628 | 42%       | \$10,184,379              |
| Site Electrical Distribution - Unit 4A       | \$8,073,959  | 117%      | \$9,415,443               |
| Unit 4A H/U 3&4 GP                           | \$19,352,330 | 48%       | \$9,365,414               |
| Unit 4A H/U 1&2 GP                           | \$19,345,682 | 48%       | \$9,358,415               |
| Site 4A Electrified Perimeter Fence          | \$4,885,592  | 125%      | \$6,106,990               |
| Site 4B Electrified Perimeter Fence          | \$4,885,592  | 125%      | \$6,106,990               |
| Administration and Visiting                  | \$13,413,262 | 45%       | \$6,051,255               |
| Dorm E                                       | \$12,446,012 | 47%       | \$5,815,481               |
| Dorm F                                       | \$12,446,012 | 47%       | \$5,811,665               |
| Vocational Shops Building G                  | \$7,870,108  | 66%       | \$5,217,595               |
| Boiler House                                 | \$5,919,335  | 71%       | \$4,186,222               |
| Level IV Primary Heating Water               | \$3,984,016  | 100%      | \$3,984,640               |



Legend: Project Type by Color Code

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**CENTRAL CALIFORNIA WOMEN'S FACILITY**

| Institution Overview                      |       | List Key                                       |                       |                                              |
|-------------------------------------------|-------|------------------------------------------------|-----------------------|----------------------------------------------|
| Year Built/Occupied:                      | 1990  | CDCR Category Code                             | Sub-Category Code     | Phase Code                                   |
|                                           |       | Infill (IN)                                    | Fire/Life/Safety (F)  | Acquisition (A) Study (S)                    |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)           | Preliminary Plans (P)                        |
| Design Bed Capacity                       | 2,004 | Mental Health (MH)                             | Health Care (HC)      | Working Drawings (W)                         |
| Overcrowding Capacity                     | 1,917 | Dental (D)                                     | Programs (P)          | Construction (C)                             |
| Nontraditional Capacity                   | 564   | Re-Entry (RE)                                  | Security (S)          | Design Build (DB)                            |
| Total                                     | 4,485 | Farrell (FA)                                   | Support Services (SS) | All Phases (PWC)                             |
|                                           |       | Infrastructure (I)                             | Utilities (U)         |                                              |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                      |                       |                                              |
| Female                                    | 3,017 | Project Type                                   |                       | Project Status                               |
| Reception                                 | 722   | Major (MA)                                     |                       | Active (AC) Portion or all Funded            |
| Level I                                   | 0     | Minor (MI)                                     |                       | Proposed (PR) Proposed for 11/12             |
| Level II                                  | 0     | Special Repair Project (SRP)                   |                       | Completed (CO) Funded & Completed in CY 2010 |
| Level III                                 | 0     | Special Project (SP)                           |                       |                                              |
| Level IV                                  | 16    | Deferred Maintenance (DM)                      |                       |                                              |
| Total                                     | 3,755 | Energy Projects (E)                            |                       |                                              |
|                                           |       | Funding Source                                 |                       |                                              |
| Proposed AB 900 Project Site:             | No    | General Fund (GF)                              |                       |                                              |
| Prison Industry Authority Site            | Yes   | Bonds (B)                                      |                       |                                              |
| Addiction & Recovery Services             | Yes   | Special Funds (SF)                             |                       |                                              |
| Administrative Segregation Unit           | Yes   | AB900 General Fund (AB900GF)                   |                       |                                              |
| Sensitive Needs Yard                      | No    | AB900 Lease Revenue (AB900LR)                  |                       |                                              |
| Small Management Yard                     | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |                                              |
| Wheelchair/Disabled Access                | No    |                                                |                       |                                              |

| Institution Infrastructure Overview               |                                   |                                           |    |         |               |
|---------------------------------------------------|-----------------------------------|-------------------------------------------|----|---------|---------------|
| Water (On-site Wells, Municipal, Both):           | On-Site Well(s) shared with VSPW. |                                           |    |         |               |
| Wastewater Overusage:                             | No                                | Fines:                                    | No | Amount: | \$            |
| Water Conservation Devices                        | No                                | If yes, what is the percentage reduction? |    |         |               |
| Special Repair Projects (Active & Proposed)       |                                   | # of Projects:                            | 3  | Amount: | \$2,500,000   |
| Deferred Maintenance Projects (Active & Proposed) |                                   | # of Projects:                            | 3  | Amount: | \$5,562,000   |
| VFA Assessment Facility Condition Index %         | 30%                               | 5 Yr Cost to Maintain Current FCI         |    |         | \$106,416,000 |

**CENTRAL CALIFORNIA WOMEN'S FACILITY (CCWF)**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                      | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-----------------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | HC                 | MH                | 70 Bed EOP GP Treatment and Office Space (Coleman)                                | AC             | S     |
| 2              | SRP          | M                  | F                 | ADA Modifications Building #505 & #508                                            | AC             | PWC   |
| 3              | E            | I                  | U                 | Energy Efficiency Projects, WWTP Aerator Improvements                             | AC             | C     |
| 4              | SRP          | M                  | F                 | ADA Modifications and Path of Travel                                              | PR             | PWC   |
| 5              | DM           | O                  | S                 | Netting Replacement Project Phase I                                               | PR             | PWC   |
| 6              | SRP          | M                  | HC                | Replace Nurse Call System (emergency)                                             | PR             | PWC   |
| 7              | DM           | O                  | U                 | Replace Mechanical Systems - Bldgs 305 Visitor Processing and 801 Central Control | PR             | PWC   |
| 8              | DM           | I                  | S                 | Replace Roofs - Bldgs 304 Admin                                                   | PR             | PWC   |
| 9              | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV)                                         | PR             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### CENTRAL CALIFORNIA WOMEN'S FACILITY (CCWF)

#### Active Project:

| Type | Cat | Phase | Project Name                           | Scope:                                                                                                                                                                                                          |
|------|-----|-------|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | MH  | S     | 70 Bed EOP GP Treatment & Office Space | This project will construct treatment & office space in existing space to treat inmate-patients requiring this level of care in a planned, supportive, and therapeutic designated and segregated housing units. |

Notes:

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | Funding:  |      |                |      |                   |      |                |
|-------|----------------|-------------------|---------------|------------------|------------|-----------|------|----------------|------|-------------------|------|----------------|
|       |                |                   |               |                  |            | App       | Year | Aug/ Reversion | Year | Current Authority | Year | Funding Source |
| S     |                | 01/2011           | 03/2010       |                  | 50%        | \$100,000 |      |                |      | \$100,000         |      | AB900          |
| P     | 01/2011        | 08/2011           |               |                  |            |           |      |                |      |                   |      |                |
| W     | 10/2011        | 05/2012           |               |                  |            |           |      |                |      |                   |      |                |
| C     | 08/2012        | 12/2013           |               |                  |            |           |      |                |      |                   |      |                |

Notes: This is a Coleman Project

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                                                      | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-----------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0809-00035 | ADA Modifications Building #505 & 508                                             | AC       | 2008-09 | \$410,000     | GF             |
| DM   | 0910-00928 | Replace Mechanical Systems - Bldgs 305 Visitor Processing and 801 Central Control | PR       | 2010-11 | \$4,140,000   | GF             |
| DM   | 0910-00929 | Replace Roofs - Bldgs 304 Admin                                                   | PR       | 2010-11 | \$923,000     | GF             |
| SRP  | 0809-00037 | Replace Nurse Call System (emergency)                                             | PR       | 2010-11 | \$420,000     | GF             |
| DM   | 0809-00489 | Netting Replacement Phase I                                                       | PR       | 2011-12 | \$499,000     | GF             |
| SRP  | 0809-01673 | ADA Modification and Path of Travel Repairs                                       | PR       | 2010-11 | \$1,670,000   | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name | Project Costs | Date Completed | Funding Source |
|------|-----|--------------|---------------|----------------|----------------|
|      |     | NONE         |               |                |                |

# Central California Women's Facility (CCWF) Chowchilla, CA

## Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1990                |
| Design Bed Capacity             | 2,004               |
| Asset count                     | 206 (166 buildings) |
| Actual Building Square Feet     | 893,000 SF          |
| Replacement Value (Buildings):  | \$272,563,000       |
| Date of VFA Facility Assessment | January 1, 2008     |

## Existing Assets Summary

**The Central California Women's Facility** assessment data was collected and input into three Campuses : Main Campus-Site Infrastructure, Main Campus – Inside Secured Fence & Main Campus – Outside Secured Fence with an Institution-wide total building size of 893,000 SF.

**The Main Campus-Inside Secured Fence**, 749,000 SF, is comprised of an Academic Education Facility, Central Health Services, Vocational Training facilities and Housing-Dormitories. All assets in this Campus are less than 20 years old and yet the campus has an overall FCI of 31%.

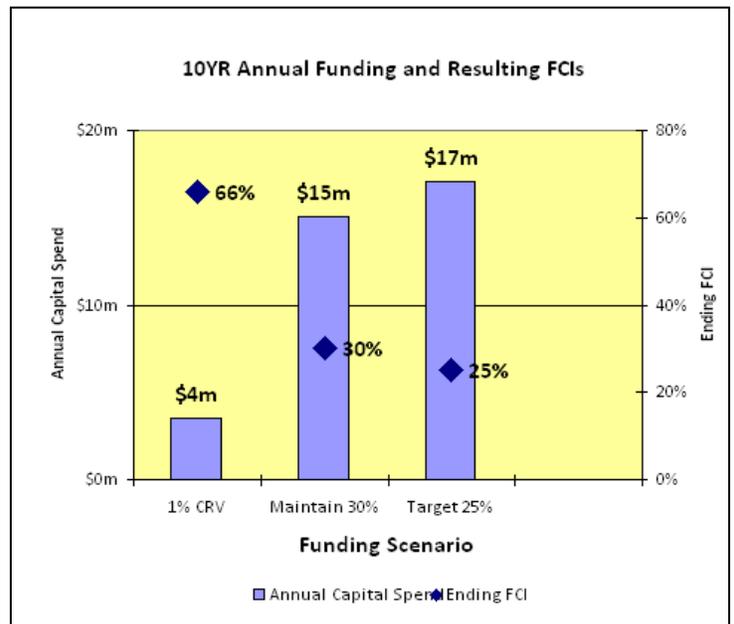
**The Main Campus-Outside Secured Fence**, 144,000 SF, consists of Storage, Administration and Warehousing buildings with Security and Staff Processing located in this area as well. Similar to the Main Campus – Inside Secured Fence, most of the buildings are less than 20 years old and the overall FCI of these buildings is 31%.

**The Main Campus-Site Infrastructure**, serving the entire Institution, also includes assets that are less than 20 years old such as the Site Waste Water Treatment Plant, Domestic Water Wells, Site Electrical Distribution & Electrified Fence and Parking Lots & Roadways. The average FCI of these Site Infrastructure Assets is 14%.

Table 1. 5YR Facility Condition Index by Major

| System                                  | Assessment Replacement Value | 5YR Needs \$      | 5YR FCI %  |
|-----------------------------------------|------------------------------|-------------------|------------|
| Structure & Foundations                 | 76,649k                      | 4,990k            | 7%         |
| Exterior Envelope                       | 18,120k                      | 4,975k            | 27%        |
| Roofing                                 | 10,762k                      | 2,100k            | 20%        |
| Interior Construction                   | 45,148k                      | 16,672k           | 37%        |
| Plumbing & Fixtures                     | 26,014k                      | 13,535k           | 52%        |
| Heating, Ventilating & Air Conditioning | 26,217k                      | 16,102k           | 61%        |
| Fire Protection Systems                 | 5,952k                       | 0k                | 0%         |
| Electrical Systems                      | 56,307k                      | 30,471k           | 54%        |
| Equipment                               | 8,640k                       | 6,790k            | 79%        |
| Site Infrastructure                     | 78,871k                      | 10,781k           | 14%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$352,680k</b>            | <b>\$106,416k</b> | <b>30%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# Central California Women's Facility (CCWF) Chowchilla, CA

## Major Issues

The Institutions' Site Wastewater Treatment Plant with an FCI of 92%, the Site Emergency Electrical Distribution with an FCI of 79% and the General Population Housing Units are the Major assets that have highest FCI and need the most repair dollars. Other assets such as Site Water Wells and the Central Kitchen also are exhibiting signs that several of the major mechanical systems need renovations or entire system replacement within the next 3-5 years.

Other Site Infrastructure assets such as Storm Drainage, Perimeter Security Controls and overall Site Fencing have an FCI rating above 38%.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$15m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$17m per year for the next 10 years would bring CCWF's FCI down to 25%.

The **Facility Condition Index** ( FCI = 30% ) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                                    | Asset - CRV | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|-------------------------------------------------|-------------|---------------------|-----------------|
| Site Fencing - Outside Secure Area              | \$1,366,543 | \$1,695,679         | 125%            |
| Site Fencing - Inside Secure Area               | \$2,153,894 | \$2,692,368         | 125%            |
| Perimeter Security Controls                     | \$2,701,656 | \$3,223,158         | 119%            |
| Unclothed Body Search/Vehicle Sallyport         | \$66,205    | \$73,422            | 111%            |
| Site Waste Water Treatment Plant                | \$5,003,225 | \$4,625,857         | 92%             |
| Firing Range Platform                           | \$87,743    | \$78,575            | 90%             |
| Site Emergency Electrical Distribution          | \$1,735,733 | \$1,367,965         | 79%             |
| Substance Abuse B Yard Modular 2                | \$272,053   | \$157,917           | 58%             |
| Look Out Station on 504                         | \$33,139    | \$18,366            | 55%             |
| Substance Abuse B Yard Modular 1                | \$869,132   | \$452,521           | 52%             |
| Site Water Well 401                             | \$385,030   | \$198,597           | 52%             |
| Site Water Well 402                             | \$385,030   | \$198,597           | 52%             |
| Site Water Well 403                             | \$385,030   | \$198,597           | 52%             |
| Firing Range Platform                           | \$142,857   | \$70,306            | 49%             |
| Central Administration/Staff Services/Dining/Tr | \$8,127,429 | \$3,908,602         | 48%             |
| Facility A Modular                              | \$309,130   | \$144,864           | 47%             |
| Water Supply System/Pump Station                | \$971,459   | \$452,366           | 47%             |
| Irrigation Well #3                              | \$317,583   | \$146,996           | 46%             |
| Guard Observation Tower 1                       | \$248,800   | \$96,568            | 39%             |
| General Population Housing Unit (B Yard)        | \$7,725,150 | \$2,997,358         | 39%             |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name                                    | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|-------------------------------------------------|--------------|-----------|---------------------------|
| Site Waste Water Treatment Plant                | \$5,003,225  | 92%       | \$4,625,857               |
| Central Administration/Staff Services/Dining/Tr | \$8,127,429  | 48%       | \$3,908,602               |
| Site Wastewater Treatment - Effluent Storage    | \$16,556,335 | 22%       | \$3,688,388               |
| Support Services - C/D Food Services            | \$13,068,836 | 28%       | \$3,615,873               |
| Support Services - A/B Food Services            | \$13,065,153 | 27%       | \$3,577,257               |
| General/PIA Warehouse                           | \$11,667,120 | 29%       | \$3,412,950               |
| Perimeter Security Controls                     | \$2,701,656  | 119%      | \$3,223,158               |
| General Population Housing Unit (B Yard)        | \$7,725,150  | 39%       | \$2,997,358               |
| Central Health Services                         | \$11,380,449 | 26%       | \$2,935,523               |
| Central Kitchen                                 | \$9,442,074  | 31%       | \$2,885,132               |
| General Population Housing Unit (B Yard)        | \$7,638,410  | 37%       | \$2,845,951               |
| General Population Housing Unit (B Yard)        | \$7,603,648  | 37%       | \$2,844,719               |
| General Population Housing Unit (B Yard)        | \$7,601,687  | 37%       | \$2,837,375               |
| PIA/Vocational Facility/Joint Venture           | \$10,377,991 | 27%       | \$2,814,136               |
| General Population Housing Unit (D Yard)        | \$7,697,609  | 36%       | \$2,774,552               |
| General Population Housing Unit (C Yard)        | \$7,612,214  | 36%       | \$2,747,498               |
| General Population Housing Unit (C Yard)        | \$7,546,828  | 36%       | \$2,747,498               |
| General Population Housing Unit (C Yard)        | \$7,733,353  | 36%       | \$2,745,476               |
| General Population Housing Unit (D Yard)        | \$7,759,566  | 35%       | \$2,731,758               |
| Reception Housing Unit (A Yard)                 | \$7,548,413  | 36%       | \$2,730,720               |



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Deferred Maintenance Program (DMP)

Minor Capitol Outlay Project (MI)

Special Projects (SP)

Special Repair Program (SRP)

Energy Projects (E)

**CENTINELA STATE PRISON**

| Institution Overview                      |       | List Key                                       |                       |                                            |
|-------------------------------------------|-------|------------------------------------------------|-----------------------|--------------------------------------------|
| Year Built/Occupied:                      | 1993  | CDCR Category Code                             | Sub-Category Code     | Phase Code                                 |
|                                           |       | Infill (IN)                                    | Fire/Life/Safety (F)  | Acquisition (A) Study (S)                  |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)           | Preliminary Plans (P)                      |
| Design Bed Capacity                       | 2,308 | Mental Health (MH)                             | Health Care (HC)      | Working Drawings (W)                       |
| Overcrowding Capacity                     | 2,060 | Dental (D)                                     | Programs (P)          | Construction (C)                           |
| Nontraditional Capacity                   | 912   | Re-Entry (RE)                                  | Security (S)          | Design Build (DB)                          |
| Total                                     | 5,280 | Farrell (FA)                                   | Support Services (SS) | All Phases (PWC)                           |
|                                           |       | Infrastructure (I)                             | Utilities (U)         |                                            |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                      |                       |                                            |
| Female                                    | 0     | Project Type                                   |                       | Project Status                             |
| Reception                                 | 0     | Major (MA)                                     |                       | Active (AC) Portion or all Funded          |
| Level I                                   | 94    | Minor (MI)                                     |                       | Proposed (PR) Proposed for 11/12           |
| Level II                                  | 0     | Special Repair Project (SRP)                   |                       | Completed (CO) Funded & Completed in CY 10 |
| Level III                                 | 3,881 | Special Project (SP)                           |                       |                                            |
| Level IV                                  | 0     | Deferred Maintenance (DM)                      |                       |                                            |
| Special                                   | 0     | Energy Projects (E)                            |                       |                                            |
| Total                                     | 3,975 | Funding Source                                 |                       |                                            |
|                                           |       | General Fund (GF)                              |                       |                                            |
| Proposed Infill Bed Site:                 | Yes   | Bonds (B)                                      |                       |                                            |
| Prison Industry Authority Site            | No    | Special Funds (SF)                             |                       |                                            |
| Addiction & Recovery Services             | No    | AB900 General Fund (AB900GF)                   |                       |                                            |
| Administrative Segregation Unit           | Yes   | AB900 Lease Revenue (AB900LR)                  |                       |                                            |
| Sensitive Needs Yard                      | No    | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |                                            |
| Small Management Yard                     | Yes   |                                                |                       |                                            |
| Wheelchair/Disabled Access                | Yes   |                                                |                       |                                            |

| Institution Infrastructure Overview               |     |                                           |    |                     |
|---------------------------------------------------|-----|-------------------------------------------|----|---------------------|
| Water (On-site Wells, Municipal, Both):           |     | On-Site Well(s) only.                     |    |                     |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$          |
| Water Conservation Devices                        | No  | If yes, what is the percentage reduction? |    |                     |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 3  | Amount: \$263,680   |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 3  | Amount: \$1,370,026 |
| VFA Assessment Facility Condition Index %         | 21% | 5 Yr Cost to Maintain Current FCI         |    | \$54,594,000        |

**CENTINELA STATE PRISON (CEN)**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                         | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|------------------------------------------------------|----------------|-------|
| 1              | DM           | O                  | S                 | Repair Road "Brown Road"                             | PR             | PWC   |
| 2              | DM           | O                  | S                 | Site-Asphalt Repair - Design                         | PR             | P     |
| 3              | DM           | I                  | U                 | Chiller #4-Replace Chiller                           | PR             | PWC   |
| 4              | SRP          | O                  | SS                | Central Control-Repair Entrance Canopy - Design      | PR             | P     |
| 5              | SRP          | I                  | U                 | Site-Water Tank Interior Resurfacing                 | PR             | PWC   |
| 6              | SRP          | I                  | U                 | Waste Water-Replace Pond Liner-Ponds #1 & 2 - Design | PR             | P     |
| 7              | MA           | I                  | U                 | Wastewater Treatment Plant Upgrades                  | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### CENTINELA STATE PRISON (CEN)

#### Active Project:

| Type | Cat | Phase | Project Name | Scope: |
|------|-----|-------|--------------|--------|
| MA   |     |       | NONE         |        |

#### Proposed Project:

| Type | Cat | Phase | Project Name | Scope: |
|------|-----|-------|--------------|--------|
| MA   |     |       | NONE         |        |

#### Special Repair/Deferred Maintenance Projects

| Type | Project #  | Project Name                                       | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|----------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00904 | Repair Road "Brown Road"                           | PR       | 2011-12 | \$450,000     | GF             |
| DM   | 0809-00907 | Site-Asphalt Repair-Design                         | PR       | 2011-12 | \$25,000      | GF             |
| DM   | 0910-01187 | Chiller #4-Replace Chiller                         | PR       | 2010-11 | \$895,026     | GF             |
| SRP  | 0809-00040 | Central Control-Repair Entrance Canopy-Design      | PR       | 2011-12 | \$25,000      | GF             |
| SRP  | 0809-01841 | Site-Water Tank Interior Resurfacing               | PR       | 2010-11 | \$218,680     | GF             |
| SRP  | 0809-01843 | Waste Water-Replace Pond Liner-Ponds #1 & 2-Design | PR       | 2010-11 | \$20,000      | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                        | Project Costs | Date Completed | Funding Source  |
|------|-----|-------------------------------------|---------------|----------------|-----------------|
| MA   | I   | Wastewater Treatment Plant Upgrades | \$7,533,000   | 12/2009        | PW-GF/C AB900GF |

\* See LEGEND SHEET at beginning for LIST KEY explanation

# Centinella State Prison (CEN)

## Imperial, CA

### Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1993                |
| Design Bed Capacity             | 2208                |
| Asset count                     | 270 (206 buildings) |
| Actual Building Square Feet     | 1,699,000 SF        |
| Replacement Value (Buildings):  | \$241,420,000       |
| Date of VFA Facility Assessment | February 1, 2009    |

### Existing Assets Summary

**The Centinella State Prison** assessment data was collected and input into three Campuses : Main Campus – Inside Secured Fence, Main Campus – Outside Secured Fence and Main Campus – Site Infrastructure with an Institution-wide total building size of 1,699,000 SF.

**The Main Campus-Inside Secured Fence**, 980,000 SF, is comprised of several Housing Cell assets arranged as A, B, C & D-Facility. Each of these assets is over 24,000 SF and exhibits condition that results in an average FCI of 17%. Also in this Campus are Gymnasiums, Kitchen/Food Service facilities, Chiller Plants and Vocational Ed buildings. These assets are predominately 16 years old with campus-wide overall FCI of 19%.

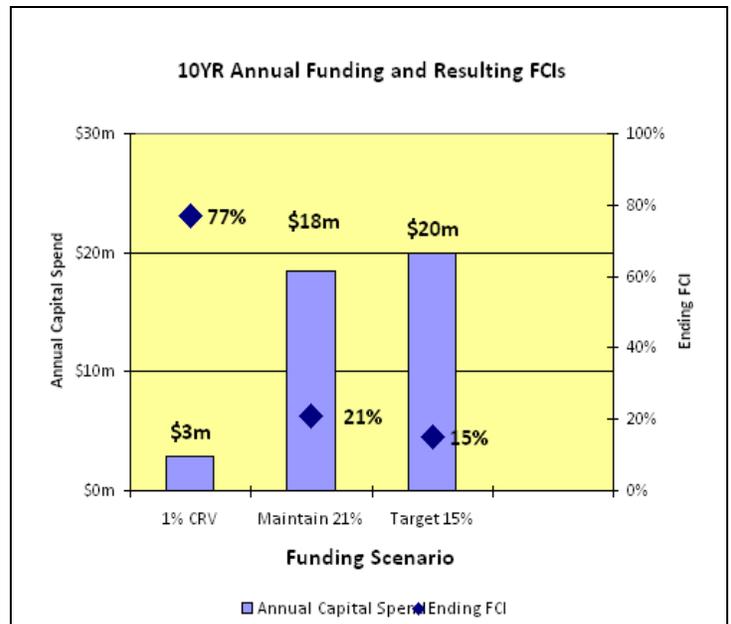
**The Main Campus-Outside Secured Fence**, with 719,000 SF, is comprised of E-Facility Housing, Program and Support Services, Administration offices, General Storage, Guard Towers and a Generator Building, all of which were built in 1993. The overall FCI of these buildings in the Main Campus-Outside Secured Fence is 30%.

**Main Campus-Site Infrastructure**, serving all the campuses, includes assets ranging from Water Treatment Storage Tanks, Domestic Water Distribution, Electrified Fence and Emergency Generator to Irrigation Systems, Site Lighting Distribution, Natural Gas Distribution and Site Parking Lots / Driveways. The average FCI of these 16 year old Site Infrastructure Assets is 27%

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$     | 5YR FCI %  |
|-----------------------------------------|------------------------------|------------------|------------|
| Structure & Foundations                 | 36,365k                      | 0k               | 0%         |
| Exterior Envelope                       | 30,716k                      | 49k              | 0%         |
| Roofing                                 | 6,906k                       | 5,923k           | 86%        |
| Interior Construction                   | 52,726k                      | 5,516k           | 10%        |
| Plumbing & Fixtures                     | 31,884k                      | 970k             | 3%         |
| Heating, Ventilating & Air Conditioning | 32,420k                      | 5,776k           | 18%        |
| Fire Protection Systems                 | 3,099k                       | 146k             | 5%         |
| Electrical Systems                      | 47,872k                      | 24,890k          | 52%        |
| Equipment                               | 14,909k                      | 2,297k           | 15%        |
| Site Infrastructure                     | 33,271k                      | 9,027k           | 27%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$290,168k</b>            | <b>\$54,594k</b> | <b>21%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# Centinella State Prison (CEN) Imperial, CA

## Major Issues

The Institutions' Roads, Driveways & Parking Lots have an FCI over 75% depicting that their major systems will need renovation or entire system replacement within the next 1-3 years.

Central Administration (Outside Secured Fence) and most of the Housing Cells will require a large portion of the Institutions' funding needs during the next 3-5 in order to keep these assets operating correctly.

Several utility type buildings such as the Armory, General Warehouse, Generator Building, Pump Buildings and Level 1 Dormitories are exhibiting deterioration with FCI above 27%.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$18m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$20m per year for the next 10 years would bring CEN's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index** ( FCI = 21%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

Table 3. Top 20 Buildings by 5YR FCI %

| Asset - Name                               | Asset - CRV  | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|--------------------------------------------|--------------|---------------------|-----------------|
| Water Treatment Diesel Pump Building       | \$218,867    | \$213,840           | 98%             |
| C-Facility Yard Toilet - Main Yard (South) | \$138,625    | \$134,496           | 97%             |
| D-Facility Yard Toilet - Main Yard         | \$138,625    | \$134,496           | 97%             |
| Electric Fence Generator and Enclosure     | \$22,490     | \$19,819            | 88%             |
| A-Facility Steam Generation Building       | \$1,104,285  | \$953,192           | 86%             |
| Central Health Generator Enclosure         | \$302,381    | \$257,126           | 85%             |
| A-Facility Yard Toilet - Main Yard         | \$81,385     | \$67,296            | 83%             |
| C-Facility Yard Toilet - Main Yard (North) | \$81,385     | \$67,296            | 83%             |
| Site Parking Lots                          | \$1,995,486  | \$1,589,278         | 80%             |
| Site Roads, Bridges and Drives             | \$10,615,007 | \$8,219,414         | 77%             |
| Generator Building                         | \$2,346,785  | \$1,493,890         | 64%             |
| A-Facility Volatile Storage Building       | \$20,824     | \$12,203            | 59%             |
| B-Facility Volatile Storage Building       | \$20,824     | \$12,203            | 59%             |
| C-Facility Volatile Storage Building       | \$20,824     | \$12,203            | 59%             |
| D-Facility Volatile Storage Building       | \$20,824     | \$12,203            | 59%             |
| A-Facility Work Change                     | \$128,699    | \$72,073            | 56%             |
| Entrance Gatehouse                         | \$100,804    | \$54,069            | 54%             |
| Waste Water Aeration Ponds                 | \$1,983,395  | \$1,057,074         | 53%             |
| Water Treatment Raw Water Storage Ponds    | \$794,470    | \$415,960           | 52%             |
| Firing Range Platform - Pistols (25-Yard)  | \$99,490     | \$51,479            | 52%             |

Table 4. Top 20 Buildings by 5YR Needs \$

| Asset - Name                        | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|-------------------------------------|--------------|-----------|---------------------------|
| Site Roads, Bridges and Drives      | \$10,615,007 | 77%       | \$8,219,414               |
| Central Administration              | \$5,323,438  | 33%       | \$1,781,042               |
| Site Parking Lots                   | \$1,995,486  | 80%       | \$1,589,278               |
| A-Facility Central Kitchen          | \$4,563,237  | 33%       | \$1,525,363               |
| Generator Building                  | \$2,346,785  | 64%       | \$1,493,890               |
| A-Facility - Level III Housing (A1) | \$6,103,915  | 23%       | \$1,386,546               |
| A-Facility AD-SEG (A5)              | \$6,454,665  | 18%       | \$1,154,665               |
| Waste Water Aeration Ponds          | \$1,983,395  | 53%       | \$1,057,074               |
| B-Facility - Level III Housing (B1) | \$6,103,915  | 17%       | \$1,039,953               |
| B-Facility - Level III Housing (B2) | \$6,103,915  | 17%       | \$1,039,953               |
| C-Facility - Level IV Housing (C5)  | \$6,076,653  | 17%       | \$1,029,868               |
| D-Facility - Level III Housing (D3) | \$6,076,653  | 17%       | \$1,029,868               |
| D-Facility - Level III Housing (D5) | \$6,076,653  | 17%       | \$1,029,868               |
| C-Facility - Level IV Housing (C2)  | \$6,111,688  | 17%       | \$1,029,867               |
| C-Facility - Level IV Housing (C1)  | \$6,111,688  | 17%       | \$1,018,590               |
| A-Facility - Level III Housing (A2) | \$6,086,397  | 17%       | \$1,018,590               |
| A-Facility - Level III Housing (A3) | \$6,103,915  | 17%       | \$1,018,590               |
| A-Facility - Level III Housing (A4) | \$6,103,915  | 17%       | \$1,018,590               |
| B-Facility - Level III Housing (B3) | \$6,103,915  | 17%       | \$1,018,590               |
| B-Facility - Level III Housing (B4) | \$6,118,274  | 17%       | \$1,018,590               |



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Minor Capitol Outlay Project (MI)

Special Repair Program (SRP)

Deferred Maintenance Program (DMP)

Special Projects (SP)

Energy Projects (E)

CALIFORNIA INSTITUTION FOR MEN



**Legend: Project Type by Color Code**

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**CALIFORNIA INSTITUTION FOR MEN**

| Institution Overview                      |       | List Key                                       |                                            |                           |
|-------------------------------------------|-------|------------------------------------------------|--------------------------------------------|---------------------------|
| Year Built/Occupied:                      | 1941  | <b>CDCR Category Code</b>                      | <b>Sub-Category Code</b>                   | <b>Phase Code</b>         |
|                                           |       | Infill (IN)                                    | Fire/Life/Safety (F)                       | Acquisition (A) Study (S) |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)                                | Preliminary Plans (P)     |
| Design Bed Capacity                       | 2,976 | Mental Health (MH)                             | Health Care (HC)                           | Working Drawings (W)      |
| Overcrowding Capacity                     | 2,434 | Dental (D)                                     | Programs (P)                               | Construction (C)          |
| Nontraditional Capacity                   | 288   | Re-Entry (RE)                                  | Security (S)                               | Design Build (DB)         |
| Total                                     | 5,698 | Farrell (FA)                                   | Support Services (SS)                      | All Phases (PWC)          |
|                                           |       | Infrastructure (I)                             | Utilities (U)                              |                           |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                      |                                            |                           |
| Female                                    | 0     | <b>Project Type</b>                            |                                            | <b>Project Status</b>     |
| Reception                                 | 3,503 | Major (MA)                                     | Active (AC) Portion or all Funded          |                           |
| Level I                                   | 1,877 | Minor (MI)                                     | Proposed (PR) Proposed for 11/12           |                           |
| Level II                                  | 0     | Special Repair Project (SRP)                   | Completed (CO) Funded & Completed in CY 10 |                           |
| Level III                                 | 0     | Special Project (SP)                           |                                            |                           |
| Level IV                                  | 0     | Deferred Maintenance (DM)                      |                                            |                           |
| Total                                     | 5,380 | Energy Projects (E)                            |                                            |                           |
|                                           |       | <b>Funding Source</b>                          |                                            |                           |
| Proposed Infill Bed Site:                 | No    | General Fund (GF)                              |                                            |                           |
| Prison Industry Authority Site            | Yes   | Bonds (B)                                      |                                            |                           |
| Addiction & Recovery Services             | Yes   | Special Funds (SF)                             |                                            |                           |
| Administrative Segregation Unit           | Yes   | AB900 General Fund (AB900GF)                   |                                            |                           |
| Sensitive Needs Yard                      | No    | AB900 Lease Revenue (AB900LR)                  |                                            |                           |
| Small Management Yard                     | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                                            |                           |
| Wheelchair/Disabled Access                | Yes   |                                                |                                            |                           |

| Institution Infrastructure Overview               |     |                                           |    |               |              |
|---------------------------------------------------|-----|-------------------------------------------|----|---------------|--------------|
| Water (On-site Wells, Municipal, Both):           |     | On-Site Well(s) only.                     |    |               |              |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount:       | \$           |
| Water Conservation Devices                        | No  | If yes, what is the percentage reduction? |    |               |              |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 13 | Amount:       | \$6,842,644  |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 7  | Amount:       | \$56,428,000 |
| VFA Assessment Facility Condition Index %         | 67% | 5 Yr Cost to Maintain Current FCI         |    | \$215,155,000 |              |

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                                                        | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|---------------------------------------------------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | H                  | F                 | Renovations to RC West Housing Units F/L/S Otay, Angeles, Mariposa, and Joshua                                      | AC             | C     |
| 2              | MA           | O                  | S                 | Solid Cell Fronts                                                                                                   | AC             | C     |
| 3              | DM           | I                  | F                 | Replace Roof on Hospital                                                                                            | AC             | PWC   |
| 4              | DM           | I                  | F                 | Replace Roof West Dorm MSF                                                                                          | AC             | PWC   |
| 5              | MA           | MH                 | HC                | Reception Center HC Facility Improvement Program                                                                    | PR             | AS    |
| 6              | DM           | I                  | U                 | Replace Air Duct - West Administration Bldg                                                                         | PR             | PWC   |
| 7              | DM           | I                  | U                 | Replace Heating/Cooling/Coils-RC Central Facility                                                                   | PR             | PWC   |
| 8              | DM           | I                  | U                 | Repair Exhaust Hoods and Ventilation Systems                                                                        | PR             | PWC   |
| 9              | DM           | I                  | U                 | Replacement and Upgrade of Domestic Waterline Distribution System, Storage and Pressure Tank Included (Design Only) | PR             | P     |
| 10             | DM           | I                  | U                 | Replacement and Upgrade of Domestic Waterline Distribution System (construction)                                    | PR             | C     |
| 11             | SRP          | O                  | F                 | South Dorm Renovation Shower/Floor/Code Issues                                                                      | PR             | PWC   |
| 12             | SRP          | I                  | F                 | Renovate Showers RC East                                                                                            | PR             | PWC   |
| 13             | SRP          | I                  | U                 | Repair Cypress Flood Control Channel                                                                                | PR             | PWC   |
| 14             | SRP          | I                  | U                 | Chino Basin Water Assessment                                                                                        | PR             | PWC   |
| 15             | SRP          | I                  | U                 | Repair/Replace Inmate Showers - RC West                                                                             | PR             | PWC   |
| 16             | SRP          | I                  | F                 | Replace Elm Hall Housing Unit Windows                                                                               | PR             | PWC   |
| 17             | SRP          | O                  | S                 | Replace High Mast Lighting , Reception Center East                                                                  | PR             | PWC   |
| 18             | SRP          | O                  | F                 | Kitchen- Cold Storage Enclosure Major Repairs                                                                       | PR             | PWC   |
| 19             | SRP          | O                  | F                 | ADA Modifications - RCE, MSF, RCC and Infirmary                                                                     | PR             | PWC   |
| 20             | SRP          | O                  | S                 | Cell Door Replacement - RCC Madrone Cell & Plumbing Chase Security Repair/Upgrade                                   | PR             | PWC   |
| 21             | SRP          | O                  | F                 | Walk-in Refrigerator Replacement (14 Units)                                                                         | PR             | PWC   |
| 22             | SRP          | O                  | F                 | Walk-in Freezer Replacement (5 Units)                                                                               | PR             | PWC   |
| 23             | SRP          | I                  | U                 | Denite Plant, Category II and III Elect/Mech Retrofit (amendment to contract)                                       | PR             | PWC   |
| 24             | SRP          | I                  | U                 | Denite Plant Electrical/Mechanical Retrofit                                                                         | CO             | C     |
| 25             | SRP          | I                  | F                 | Replace Windows RC E Culinary/Dayrooms                                                                              | CO             | PWC   |
| 26             | DM           | I                  | F                 | Replace Roof on Alpine Dorm                                                                                         | CO             | PWC   |
| 27             | SRP          | I                  | U                 | Retrofit Denite Plant Brine Line Repair                                                                             | CO             | PWC   |
| 28             | SRP          | I                  | U                 | Water Distribution Study + Augmentation 1 & 2                                                                       | CO             | S     |
| 29             | MI           | H                  | F                 | F/L/S Upgrades to RC West HU Laguna                                                                                 | CO             | PWC   |
| 30             | MI           | H                  | F                 | F/L/S Upgrades to RC West HU Cleveland                                                                              | CO             | PWC   |
| 31             | MI           | H                  | F                 | F/L/S Upgrades to RC West HU Sequoia                                                                                | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA INSTITUTION FOR MEN (CIM)

**Active Project:**

| Type | Cat | Phase | Project Name                                             | Scope:                                                                                                                            |
|------|-----|-------|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | C     | RC West Housing Unit Fire, Life and Safety Modifications | Renovation to inmate housing RC West to upgrade fire, life and safety issues in Housing Units Otay, Angeles, Mariposa and Joshua. |

Notes:

**Project Schedule:**

| Project Schedule: |                |                   |               |                  |            | Funding:    |           |                |      |                   |           |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|-------------|-----------|----------------|------|-------------------|-----------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year      | Aug/ Reversion | Year | Current Authority | Year      | Funding Source |
| P                 | 08/2009        | 10/2009           | 08/2009       | 10/2009          | 100%       |             |           |                |      |                   |           |                |
| W                 | 10/2009        | 12/2009           | 11/2009       | 01/2010          | 100%       |             |           |                |      |                   |           |                |
| C                 | 01/2010        | 10/2011           | 11/2009       | 11/2010          | 99%        | \$1,777,000 | 2009/2010 |                |      | \$1,777,000       | 2009/2010 | GF             |

Notes: Mariposa, Otay & Angeles Units are completed & turned over to the institution, Joshua HU is 50% complete

**Active Project:**

| Type | Cat | Phase | Project Name      | Scope:                                                                                                                                                                                                                                                              |
|------|-----|-------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | O   | C     | Solid Cell Fronts | Project will replace existing barred cell fronts/doors (including shower cells) in Cypress & Palm Halls. Modifications will also be required to the heating/ventilation system, utilities, locking mechanisms, smoke detectors, fire alarm and suppression systems. |

Notes:

**Project Schedule:**

| Project Schedule: |                |                   |               |                  |            | Funding:    |           |                |      |                   |           |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|-------------|-----------|----------------|------|-------------------|-----------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year      | Aug/ Reversion | Year | Current Authority | Year      | Funding Source |
| P                 | 07/2005        | 06/2006           | 06/2006       | 12/2006          | 100%       | \$600,000   | 2005/2006 |                |      | \$600,000         | 2005/2006 | GF             |
| W                 | 12/2006        | 05/2007           | 12/2006       | 05/2007          | 100%       | \$645,000   | 2006/2007 |                |      | \$645,000         | 2006/2007 | GF             |
| C                 | 10/2007        | 01/2009           | 11/2007       | 12/2010          | 99%        | \$6,863,000 | 2007/2008 |                |      | \$6,863,000       | 2007/2008 | GF             |

Notes: IWL to complete remaining work on fire alarm work and complete contract process for a fire alarm consultant to perform testing & programming necessary for SFM certification.

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA INSTITUTION FOR MEN (CIM)

#### Proposed Project:

| Type | Cat | Phase | Project Name                             | Scope:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------|-----|-------|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | HC  | AS    | Health Care Facility Improvement Program | This is a statewide project that will be performed at designated institutions encompassing three separate categories on the levels of medical care: Intermediate care (11), Reception Centers (5), and Basic Care (17). The construction will address not only medical care needs but also dental and mental health requirements in support of Coleman and Perez court actions. CIM will be part of the Reception Centers which will include RC intake processing, medical distribution and pharmacies. |

#### Project Schedule:

| Phase | Begin Date |  |  |  | Phase | Budget Costs | Total Costs | Funding Source |
|-------|------------|--|--|--|-------|--------------|-------------|----------------|
| A/S   | TBD        |  |  |  | A/S   | TBD          |             |                |

Notes: Funding as part of AB900-See STWD project for funding details

#### Special Repair/Deferred Maintenance Projects

| Type | Project #  | Project Name                                                                                                        | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|---------------------------------------------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00042 | Replace Roof on Hospital                                                                                            | AC       | 2008-09 | \$1,106,000   | GF             |
| DM   | 0809-00045 | Roof Replacement W Dorm HU (MSF)                                                                                    | AC       | 2008-09 | \$410,000     | GF             |
| DM   | 0809-00050 | Replace Air Duct - West Administration Bldg                                                                         | PR       | 2010-11 | \$332,000     | GF             |
| DM   | 0809-00052 | Replace Heating/Cooling/Coils-RC Central Facility                                                                   | PR       | 2010-11 | \$170,000     | GF             |
| DM   | 0809-00053 | Repair Exhaust Hoods and Ventilation Systems                                                                        | PR       | 2010-11 | \$170,000     | GF             |
| DM   | 0809-01803 | Replacement and Upgrade of Domestic Waterline Distribution System, Storage and Pressure Tank Included (Design Only) | PR       | 2010-11 | \$6,240,000   | GF             |
| DM   | 0809-01804 | Replacement and Upgrade of Domestic Waterline Distribution System (construction)                                    | PR       | 2010-11 | \$48,000,000  | GF             |
| SRP  | 0809-00044 | South Dorm Renovation Shower/Floor/Code Issues                                                                      | PR       | 2011-12 | \$1,200,000   | GF             |
| SRP  | 0809-00047 | Renovate Showers RC East                                                                                            | PR       | 2011-12 | \$670,000     | GF             |
| SRP  | 0809-00051 | Repair Cypress Flood Control Channel                                                                                | PR       | 2010-11 | \$101,000     | GF             |
| SRP  | 0809-00054 | Chino Basin Water Assessment                                                                                        | PR       | 2010-11 | \$13,000      | GF             |
| SRP  | 0809-00055 | Repair/Replace Inmate Showers-RC West                                                                               | PR       | 2010-11 | \$580,000     | GF             |
| SRP  | 0809-00056 | Replace Elm Hall Housing Unit Windows                                                                               | PR       | 2010-11 | \$330,000     | GF             |
| SRP  | 0809-00057 | Replace High Mast Lighting, Reception Center East                                                                   | PR       | 2010-11 | \$440,000     | GF             |
| SRP  | 0809-01382 | Kitchen- Cold Storage Enclosure Major Repairs                                                                       | PR       | 2010-11 | \$556,900     | GF             |
| SRP  | 0809-01871 | ADA Modifications - RCE, MSF, RCC and Infirmary                                                                     | PR       | 2010-11 | \$544,086     | GF             |
| SRP  | 0809-02050 | Cell Door Replacement - RCC Madrone Cell & Plumbing Chase Security Repair/Upgrade                                   | PR       | 2011-12 | \$1,200,000   | GF             |
| SRP  | 0809-02053 | Walk-in Refrigerator Replacement (14 Units)                                                                         | PR       | 2010-11 | \$756,320     | GF             |
| SRP  | 0809-02054 | Walk-in Freezer Replacement (5 Units)                                                                               | PR       | 2010-11 | \$276,338     | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA INSTITUTION FOR MEN (CIM)

#### Special Repair/Deferred Maintenance Projects (continued)

| Type | Project #  | Project Name                                                                  | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0910-00870 | Denite Plant, Category II and III Elect/Mech Retrofit (amendment to contract) | PR       | 2010-11 | \$175,000     | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                                                              | Project Costs | Date Completed | Funding Source |
|------|-----|---------------------------------------------------------------------------|---------------|----------------|----------------|
| MI   | I   | Renovation to Inmate Housing RC West Phase I (F/L/S Upgrade to Laguna HU) | \$383,000     | 09/2010        | GF             |
| MI   | I   | Receiving Center West Cleveland Housing Unit (F/L/S Upgrade)              | \$390,000     | 09/2010        | GF             |
| MI   | I   | RC West Sequoia Housing Unit (F/L/S Upgrade)                              | \$390,000     | 09/2010        | GF             |
| SRP  | I   | Replace Windows RC E Culinary/Dayrooms                                    | \$1,750,000   | 07/2010        | GF             |
| SRP  | I   | Denite Plant Electrical/Mechanical Retrofit                               | \$5,415,000   | 09/2010        | GF             |
| SRP  | I   | Retrofit Denite Plant Brine Line Repair                                   | \$693,000     | 06/2010        | GF             |
| SRP  | I   | Water Distribution Study & Augmentation 1 & 2                             | \$165,713     | 02/2010        | GF             |
| DM   | I   | Replace Roof on Alpine Dorm                                               | \$385,000     | 06/2010        | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

# California Institution for Men (CIM) Chino, CA

## Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1941                |
| Design Bed Capacity             | 3,078               |
| Asset count                     | 333 (303 buildings) |
| Actual Building Square Feet     | 1,298,000 SF        |
| Replacement Value (Buildings):  | \$355,305,000       |
| Date of VFA Facility Assessment | January 1, 2008     |

## Existing Assets Summary

**The California Institution for Men** assessment data was collected and input into nine Campuses : Central Facility, Main Campus-Site Infrastructure, East Facility, Minimum Support Facility, West Facility and Storage Containers with an Institution-wide total building size of 1,298,000 SF.

**Central Facility**, 190,000 SF, is comprised of a large Inmate Services building, a Gymnasium and several Guard Towers/Security structures. Most assets in the Central Facility range from 22-59 years old, and the campus has an overall FCI of 39%.

**The East Facility**, 179,000 SF, is comprised of large Administration & Culinary buildings and several Security, Inmate Services and Storage buildings, most of which were built in 1968. The overall FCI of these buildings in the East Facility is 61%.

**Main Campus-Site Infrastructure**, serving all campuses, includes assets ranging from 64-year-old Domestic Water Wells, Water Supply Treatment Plants, Parking Lots & Roadways to 15 year old Site Electrical Distribution and Fencing Assets to 5 year old Electrified Perimeter Fencing and Site Lighting assets. The average FCI of these Site Infrastructure Assets is 44%.

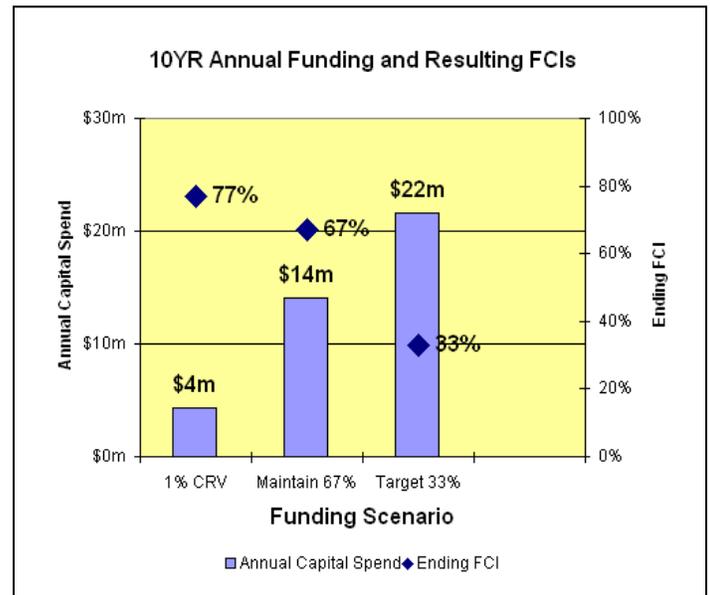
**The Minimum Support Facility**, with 148 buildings, has an FCI of 56% representing 725,000 SF. More than half of these buildings, 37, are between 65 and 69 years old and are used for Housing/Dormitories, Maintenance, Inmate Services (Barber Shop, Chapel & Visiting).

**The Storage Containers Campus** consists of data for 71, site wide, steel/corrugated storage assets, built and installed between 1958 and 1998.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$      | 5YR FCI %  |
|-----------------------------------------|------------------------------|-------------------|------------|
| Equipment                               | 19,950k                      | 18,140k           | 91%        |
| Heating, Ventilating & Air Conditioning | 41,014k                      | 35,642k           | 87%        |
| Plumbing & Fixtures                     | 34,827k                      | 28,403k           | 82%        |
| Fire Protection Systems                 | 3,370k                       | 2,820k            | 84%        |
| Roofing                                 | 12,674k                      | 9,090k            | 72%        |
| Electrical Systems                      | 46,652k                      | 40,230k           | 86%        |
| Exterior Envelope                       | 35,914k                      | 14,705k           | 41%        |
| Interior Construction                   | 73,387k                      | 41,354k           | 56%        |
| Site Infrastructure                     | 7,505k                       | 21,678k           | 289%       |
| Structure & Foundations                 | 80,012k                      | 3,093k            | 4%         |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$355,305k</b>            | <b>\$215,155k</b> | <b>67%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# California Institution for Men (CIM) Chino, CA

**The West Facility**, at 183,000 SF, is partially comprised of 8 Dormitories and 16 Administration, Program, Services & Security assets that were built 58 years ago with an additional 9 buildings as old as 64 years. The remainder of the assets were built within the last 5 to 20 years serving Storage, Warehousing & Security functions. The overall FCI of these buildings in the East Facility is 41%.

## Major Issues

The Institutions' dormitories & housing units are 45-71 years old and several of the major mechanical systems need major renovations or entire system replacement within the next 2-3 years.

Approximately 45% of all the buildings on the site are 45 years old, or older. Most of these buildings' mechanical systems and electrical systems are beyond their rated useful life, causing higher operating and repair costs and risking shut down in the event of total system failure.

Critical site infrastructure assets such as Domestic Water Wells, Water Supply Treatment Plant assets, Site Services Tunnels and Roadways & Parking Lots are well beyond their useful life with an average age of over 65 years.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$14m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$22m per year for the next 10 years would bring CIM's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index** ( FCI = 67%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                                 | Asset - CRV | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|----------------------------------------------|-------------|---------------------|-----------------|
| Water Supply Treatment Plant - Elevated Wate | \$836,792   | \$1,045,990         | 125%            |
| Toxic Shed Building                          | \$35,299    | \$41,810            | 118%            |
| Wastewater Plant - Influent Box Screen       | \$115,333   | \$134,231           | 116%            |
| Storage Container 17                         | \$5,414     | \$6,090             | 113%            |
| Storage Container 45                         | \$5,414     | \$6,090             | 113%            |
| Storage Container 48                         | \$5,414     | \$6,090             | 113%            |
| Storage Container 49                         | \$5,414     | \$6,090             | 113%            |
| Storage Container 54                         | \$5,414     | \$6,090             | 113%            |
| Storage Container 55                         | \$5,414     | \$6,090             | 113%            |
| Storage Container 10                         | \$7,442     | \$8,372             | 112%            |
| Storage Container 14                         | \$7,442     | \$8,372             | 112%            |
| Storage Container 15                         | \$7,442     | \$8,372             | 112%            |
| Storage Container 16                         | \$7,442     | \$8,372             | 112%            |
| Storage Container 43                         | \$7,442     | \$8,372             | 112%            |
| Storage Container 44                         | \$7,442     | \$8,372             | 112%            |
| Storage Container 46                         | \$7,442     | \$8,372             | 112%            |
| Storage Container 47                         | \$7,442     | \$8,372             | 112%            |
| South Dormitory                              | \$7,755,643 | \$7,880,220         | 102%            |
| Wastewater Plant - Aerobic Digesters         | \$1,153,416 | \$1,153,416         | 100%            |
| MSF - Domestic Water Wells                   | \$350,649   | \$349,311           | 100%            |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name                             | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|------------------------------------------|--------------|-----------|---------------------------|
| Reception Center - Central Facility      | \$83,222,501 | 60%       | \$49,929,732              |
| Alpine, Butte, West Culinary             | \$19,611,257 | 76%       | \$14,826,089              |
| MSF - Site Services Tunnel - Below Grade | \$14,424,889 | 76%       | \$10,945,917              |
| Administration Building                  | \$15,106,891 | 72%       | \$10,892,157              |
| Del Norte, Colusa, East Culinary         | \$16,086,279 | 60%       | \$9,721,479               |
| West Dormitory                           | \$9,684,045  | 96%       | \$9,344,486               |
| Hospital-MSF Infirmary                   | \$20,371,862 | 44%       | \$8,962,746               |
| South Dormitory                          | \$7,755,643  | 102%      | \$7,880,220               |
| Culinary Building                        | \$9,579,927  | 70%       | \$6,671,147               |
| Administration                           | \$5,820,895  | 73%       | \$4,275,266               |
| New Laundry Building                     | \$9,112,012  | 43%       | \$3,955,279               |
| Outside MSF - Roads and Drives           | \$7,869,658  | 50%       | \$3,919,848               |
| Administration                           | \$6,671,426  | 51%       | \$3,416,895               |
| Elm Hall Dormitory                       | \$3,593,909  | 89%       | \$3,189,370               |
| Plant Operations (Shops)                 | \$5,019,325  | 60%       | \$3,020,728               |
| Outside MSF - Parking Lots               | \$5,600,901  | 49%       | \$2,723,511               |
| Pine Hall Dormitory                      | \$2,717,994  | 94%       | \$2,548,825               |
| Vocational Shops #2 (P24)                | \$3,787,312  | 64%       | \$2,410,770               |
| Canteen Warehouse                        | \$2,366,905  | 99%       | \$2,354,670               |
| Culinary                                 | \$4,808,022  | 48%       | \$2,327,080               |



4

# 3 Energy Efficient Lighting Retrofit, HVAC Institution wide

2

1

**Legend: Project Type by Color Code**

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**CALIFORNIA INSTITUTION FOR WOMEN**

| Institution Overview                      |       | List Key                                       |                          |                                            |
|-------------------------------------------|-------|------------------------------------------------|--------------------------|--------------------------------------------|
| Year Built/Occupied:                      | 1952  | <b>CDCR Category Code</b>                      | <b>Sub-Category Code</b> | <b>Phase Code</b>                          |
|                                           |       | Infill (IN)                                    | Fire/Life/Safety (F)     | Acquisition (A) Study (S)                  |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)              | Preliminary Plans (P)                      |
| Design Bed Capacity                       | 1,356 | Mental Health (MH)                             | Health Care (HC)         | Working Drawings (W)                       |
| Overcrowding Capacity                     | 976   | Dental (D)                                     | Programs (P)             | Construction (C)                           |
| Nontraditional Capacity                   | 288   | Re-Entry (RE)                                  | Security (S)             | Design Build (DB)                          |
| Total                                     | 2,620 | Farrell (FA)                                   | Support Services (SS)    | All Phases (PWC)                           |
|                                           |       | Infrastructure (I)                             | Utilities (U)            |                                            |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                      |                          |                                            |
| Female                                    | 2,024 | <b>Project Type</b>                            |                          | <b>Project Status</b>                      |
| Reception                                 | 266   | Major (MA)                                     |                          | Active (AC) Portion or all Funded          |
| Level I                                   | 0     | Minor (MI)                                     |                          | Proposed (PR) Proposed for 11/12           |
| Level II                                  | 0     | Special Repair Project (SRP)                   |                          | Completed (CO) Funded & Completed in CY 10 |
| Level III                                 | 0     | Special Project (SP)                           |                          |                                            |
| Level IV                                  | 0     | Deferred Maintenance (DM)                      |                          |                                            |
| Total                                     | 2,290 | Energy Projects (E)                            |                          |                                            |
|                                           |       | <b>Funding Source</b>                          |                          |                                            |
| Proposed AB 900 Project Site:             | Yes   | General Fund (GF)                              |                          |                                            |
| Prison Industry Authority Site            | Yes   | Bonds (B)                                      |                          |                                            |
| Addiction & Recovery Services             | Yes   | Special Funds (SF)                             |                          |                                            |
| Administrative Segregation Unit           | Yes   | AB900 General Fund (AB900GF)                   |                          |                                            |
| Sensitive Needs Yard                      | Yes   | AB900 Lease Revenue (AB900LR)                  |                          |                                            |
| Small Management Yard                     | No    | AB900 Infrastructure Lease Revenue (AB900LR-I) |                          |                                            |
| Wheelchair/Disabled Access                | Yes   |                                                |                          |                                            |

| Institution Infrastructure Overview               |     |                                           |    |                     |
|---------------------------------------------------|-----|-------------------------------------------|----|---------------------|
| Water (On-site Wells, Municipal, Both):           |     | On-Site Well(s) only.                     |    |                     |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$          |
| Water Conservation Devices                        | No  | If yes, what is the percentage reduction? |    |                     |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 13 | Amount: \$7,653,000 |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 5  | Amount: \$3,366,000 |
| VFA Assessment Facility Condition Index %         | 50% | 5 Yr Cost to Maintain Current FCI         |    | \$109,231,000       |

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                            | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | MH                 | HC                | 45 Bed Acute/Intermediate Care Facility                                 | AC             | P     |
| 2              | MA           | MH                 | HC                | 20 Bed Psychiatric Services Unit                                        | AC             | C     |
| 3              | E            | I                  | U                 | Energy Efficient Lighting Retrofit, HVAC                                | AC             | C     |
| 4              | SRP          | I                  | U                 | Bar Screen Sewer Screening System Upgrade                               | AC             | PWC   |
| 5              | DM           | I                  | F                 | Education Building (P04)-Replace Roof                                   | PR             | PWC   |
| 6              | DM           | I                  | F                 | Latham Housing-Replace Roof                                             | PR             | PWC   |
| 7              | DM           | I                  | F                 | Administration Building-Replace Roof - Design                           | PR             | P     |
| 8              | DM           | I                  | F                 | Housing Units- (6) Units & RC-Install HVACs                             | PR             | PWC   |
| 9              | DM           | I                  | F                 | Education Building (P05) -Replace Roof                                  | PR             | PWC   |
| 10             | SRP          | O                  | SS                | Main Culinary-Repair/Replace Asphalt & Modify Back Dock                 | PR             | PWC   |
| 11             | SRP          | O                  | S                 | Perimeter Fence-Replace Inner Fence - Design                            | PR             | P     |
| 12             | SRP          | O                  | SS                | Sandwich Room-Replace Terrazzo Floor                                    | PR             | PWC   |
| 13             | SRP          | O                  | S                 | Site-Service Gate-Replace Maintenance Service Gate                      | PR             | PWC   |
| 14             | SRP          | I                  | U                 | SPHU Housing Repair Showers C-Wing                                      | PR             | PWC   |
| 15             | SRP          | I                  | U                 | OPHU-Replace Heating & Cooling System                                   | PR             | PWC   |
| 16             | SRP          | I                  | F                 | Housing Units Replace Exterior Doors - Design                           | PR             | P     |
| 17             | SRP          | I                  | U                 | Steam Plant- Install New Emergency Feedwater Tank                       | PR             | PWC   |
| 18             | SRP          | I                  | U                 | Harris Wilson Housing Unit-Replace Steam & Condensation System - Design | PR             | P     |
| 19             | SRP          | I                  | U                 | Steam Plant & Boilers New NOX Standards                                 | PR             | PWC   |
| 20             | SRP          | I                  | U                 | Electrical Substation- Upgrade Substation - Design                      | PR             | P     |
| 21             | SRP          | I                  | U                 | Latham Housing-Replace Hot Water Tank - Emergency Repair                | PR             | PWC   |
| 22             | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV)                               | PR             | PWC   |
| 23             | E            | I                  | U                 | Energy Efficiency Light, Motors, EMS                                    | PR             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA INSTITUTION FOR WOMEN (CIW)

**Active Project:**

| Type | Cat | Phase | Project Name                            | Scope:                                                                                                                                                                                                                      |
|------|-----|-------|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | IN  | C     | 45 Bed Acute/Intermediate Care Facility | 45 Bed licensed inpatient mental health facility for female inmates at CIW-consists of housing, treatment, support & administrative services- It will be adjacent to & licensed under the existing CIW CTC-Coleman Project. |

Notes:

| Project Schedule: |                |                   |               |                  |            | Funding:     |           |                |         |                   |           |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|--------------|-----------|----------------|---------|-------------------|-----------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App          | Year      | Aug/ Reversion | Year    | Current Authority | Year      | Funding Source |
| P                 | 11/2006        | 09/2008           | 11/2006       | 06/2009          | 100%       | \$2,172,000  | 2006/2007 |                |         | \$2,172,000       | 2006/2007 | GF             |
| W                 | 07/2009        | 01/2010           | 07/2009       | 03/2010          | 100%       | \$4,167,000  |           |                |         | \$4,167,000       |           | AB900LR        |
| C                 | 02/2010        | 07/2012           | 05/2010       | 12/2011          | 12%        | \$57,410,000 |           | -\$29,986,000  | 2009-10 | \$27,424,000      |           | AB900LR        |

Notes:

**Active Project:**

| Type | Cat | Phase | Project Name                     | Scope:                                                                                                                                                                                                                      |
|------|-----|-------|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | HC  | C     | 20 Bed Psychiatric Services Unit | Convert a 3,500 square foot wing of the institution's existing Support Care Unit to a 20 bed Psychiatric Care Unit-A new treatment modular building will be provided in addition to Small Management Yards-Coleman Project. |

Notes:

| Project Schedule: |                |                   |               |                  |            | Funding:    |         |                |         |                   |         |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|-------------|---------|----------------|---------|-------------------|---------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year    | Aug/ Reversion | Year    | Current Authority | Year    | Funding Source |
| P                 | 08/2007        | 06/2008           | 12/2008       | 05/2009          | 100%       | \$423,000   | 2007-08 | \$64,000       | 2008-09 | \$487,000         | 2008-09 | GF             |
| W                 | 11/2008        | 04/2009           | 05/2009       | 11/2009          | 100%       | \$683,000   | 2008-09 |                |         | \$683,000         | 2008-09 | GF             |
| C                 | 04/2010        | 04/2011           | 11/2009       | 12/2010          | 80%        | \$6,433,000 | 2009-10 |                |         | \$6,433,000       | 2009-10 | GF             |

Notes:

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA INSTITUTION FOR WOMEN (CIW)

#### Special Repair/Deferred Maintenance Projects

| Type | Project #  | Project Name                                                          | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-----------------------------------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0809-00068 | Bar Screen Sewer Screening System Upgrade                             | AC       | 2008-09 | \$376,000     | GF             |
| DM   | 0809-00062 | Education Building (P04)-Replace Roof                                 | PR       | 2010-11 | \$385,000     | GF             |
| DM   | 0809-00063 | Latham Housing-Replace Roof                                           | PR       | 2010-11 | \$416,000     | GF             |
| DM   | 0809-00069 | Administration Building-Replace Roof-Design                           | PR       | 2010-11 | \$55,000      | GF             |
| DM   | 0809-01073 | Housing Units- (6) Units & RC-Install HVACs                           | PR       | 2011-12 | \$2,000,000   | GF             |
| DM   | 0809-02228 | Education Building (P05) -Replace Roof                                | PR       | 2010-11 | \$510,000     | GF             |
| SRP  | 0809-00060 | Main Culinary-Repair/Replace Asphalt & Modify Back Dock               | PR       | 2010-11 | \$243,000     | GF             |
| SRP  | 0809-00064 | Perimeter Fence-Replace Inner Fence-Design                            | PR       | 2011-12 | \$50,000      | GF             |
| SRP  | 0809-00906 | Sandwich Room-Replace Terrazzo Floor                                  | PR       | 2010-11 | \$150,000     | GF             |
| SRP  | 0809-00981 | Site-Service Gate-Replace Maintenance Service Gate                    | PR       | 2010-11 | \$106,000     | GF             |
| SRP  | 0809-02132 | SPHU Housing-Repair Showers-C-Wing                                    | PR       | 2011-12 | \$2,870,000   | GF             |
| SRP  | 0809-02133 | OPHU-Replace Heating & Cooling System                                 | PR       | 2010-11 | \$2,812,000   | GF             |
| SRP  | 0809-02134 | Housing Units Replace Exterior Doors -Design                          | PR       | 2011-12 | \$25,000      | GF             |
| SRP  | 0809-02135 | Steam Plant- Install New Emergency Feedwater Tank                     | PR       | 2010-11 | \$97,000      | GF             |
| SRP  | 0809-02136 | Harris Wilson Housing Unit-Replace Steam & Condensation System-Design | PR       | 2011-12 | \$30,000      | GF             |
| SRP  | 0910-00389 | Steam Plant & Boilers New NOX Standards                               | PR       | 2010-11 | \$700,000     | GF             |
| SRP  | 0910-00572 | Electrical Substation- Upgrade Substation-Design                      | PR       | 2011-12 | \$90,000      | GF             |
| SRP  | 0910-00794 | Latham Housing-Replace Hot Water Tank-Emergency Repair                | PR       | 2010-11 | \$104,000     | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name | Project Costs | Date Completed | Funding Source |
|------|-----|--------------|---------------|----------------|----------------|
|      |     | NONE         |               |                |                |

# California Institution for Women (CIW)

Corona, CA

## Background Info

|                                 |                    |
|---------------------------------|--------------------|
| Original Construction Date      | 1952               |
| Design Bed Capacity             | 1,026              |
| Asset count                     | 112 (96 buildings) |
| Actual Building Square Feet     | 600,000 SF         |
| Replacement Value (Buildings):  | \$198,348,000      |
| Date of VFA Facility Assessment | January 1, 2008    |

## Existing Assets Summary

**The California Institution for Women** assessment data was collected and input into three Campuses : Main Campus-Inside Secured Fence; Main Campus-Outside Secured Fence and Main Campus-Site Infrastructure with an Institution-wide total building size of 600,000 SF.

**Main Campus-Inside Secured Fence**, 565,000 SF, is comprised of Administrations buildings, an Auditorium, Housing Dormitories, a learning Center, Maintenance Buildings and Storage/Warehouse assets. Most assets in this Campus range from 20-58 years old, and the campus has an overall FCI of 54%.

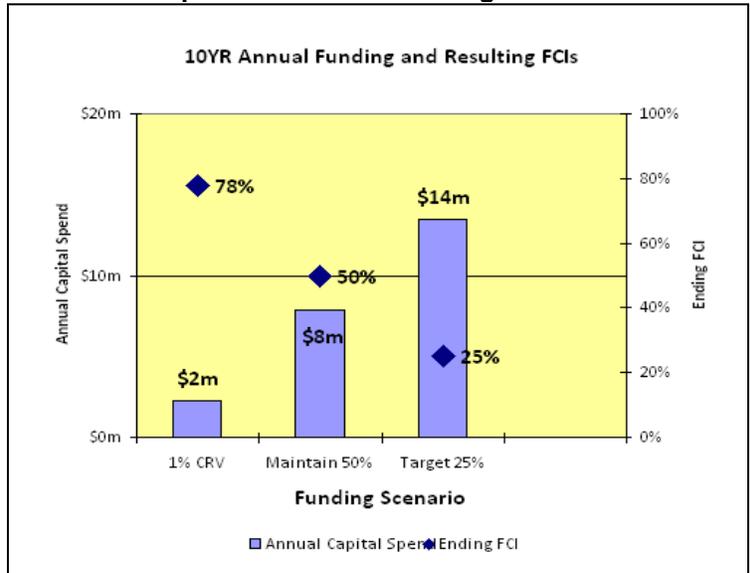
**The Main Campus-Outside Secured Fence**, 35,000 SF, consists of Security, Storage, Utility and Waste Treatment assets. These buildings, with a combined FCI of 16%, were built from 9 to 39 years ago with the oldest four buildings having a combined FCI of 79%.

**Main Campus-Site Infrastructure**, serving all campuses, includes assets ranging from 58-year-old Steam Distribution, Utility Tunnel, Roadways/Driveways, Domestic Water and Domestic Water Wells (FCI average of 65%) to 25 year old Site Electrical/Emergency Electrical Distribution and Gasoline Storage Tanks (FCI average of 12%).

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$      | 5YR FCI %  |
|-----------------------------------------|------------------------------|-------------------|------------|
| Structure & Foundations                 | 44,965k                      | 599k              | 1%         |
| Exterior Envelope                       | 23,442k                      | 6,577k            | 28%        |
| Roofing                                 | 7,575k                       | 4,579k            | 60%        |
| Interior Construction                   | 47,506k                      | 30,901k           | 65%        |
| Plumbing & Fixtures                     | 15,923k                      | 8,242k            | 52%        |
| Heating, Ventilating & Air Conditioning | 29,867k                      | 28,375k           | 95%        |
| Fire Protection Systems                 | 1,723k                       | 607k              | 35%        |
| Electrical Systems                      | 23,133k                      | 18,037k           | 78%        |
| Equipment                               | 4,495k                       | 2,682k            | 60%        |
| Site Infrastructure                     | 28,362k                      | 8,632k            | 30%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$226,991k</b>            | <b>\$109,231k</b> | <b>50%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# California Institution for Women (CIW) Corona, CA

## Major Issues

The Institutions' 6 Housing-Dormitories are 46-58 years old and several of the major buildings' systems need renovations or entire system replacement within the next 2-3 years. These buildings' 5 year funding needs alone are approximately \$38.9 mil.

Other buildings Inside Secured Fence that have systems beyond their useful life are Administration, Laundry and Clinic Walker with a combined 5year funding needs of \$23.77mil. With an average FCI of 60% most of these three buildings' mechanical systems and electrical systems are beyond their rated useful life, causing higher operating and repair costs and risking shut down in the event of total system failure.

Critical site infrastructure assets such as Steam Distribution and Domestic Water Distribution are well beyond their useful life with an average age of over 58 years.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$8m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$14m per year for the next 10 years would bring CIW's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index** ( FCI = 50% ) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                        | Asset - CRV  | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|-------------------------------------|--------------|---------------------|-----------------|
| Gardener's Shack                    | \$4,808      | \$6,601             | 137%            |
| Site Steam Distribution             | \$3,075,122  | \$3,843,903         | 125%            |
| Trailer - Abandoned (Brine Pond)    | \$318,745    | \$398,431           | 125%            |
| Well #1 Refill Station              | \$72,743     | \$76,055            | 105%            |
| Site Domestic Water Distribution    | \$1,277,940  | \$1,277,940         | 100%            |
| Storage Building (Reservoir 2)      | \$4,129      | \$4,081             | 99%             |
| Domestic Well #2 (Dead)             | \$19,602     | \$18,589            | 95%             |
| WAC Shack                           | \$20,654     | \$19,162            | 93%             |
| Reservoir 1 and Pump Room           | \$120,620    | \$104,577           | 87%             |
| Guard Tower 3                       | \$101,747    | \$81,549            | 80%             |
| Inmate Cottage - Latham             | \$10,141,668 | \$7,156,501         | 71%             |
| Inmate Cottage - Emmons             | \$9,918,703  | \$6,986,138         | 70%             |
| Mailroom                            | \$889,322    | \$621,538           | 70%             |
| Education - Learning Center (North) | \$5,075,104  | \$3,420,554         | 67%             |
| Education - Learning Center (South) | \$2,957,380  | \$1,980,660         | 67%             |
| Maintenance Shops                   | \$5,811,559  | \$3,891,806         | 67%             |
| Site Electrical Distribution        | \$2,378,562  | \$1,591,055         | 67%             |
| Inmate Cottage - Miller             | \$9,631,997  | \$6,425,346         | 67%             |
| Inmate Cottage - Wilson             | \$9,442,170  | \$6,271,253         | 66%             |
| Receiving Center - Housing Unit     | \$10,586,628 | \$6,946,111         | 66%             |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name                                  | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|-----------------------------------------------|--------------|-----------|---------------------------|
| Clinic-Walker-OPHU                            | \$15,441,125 | 59%       | \$9,081,145               |
| Administration                                | \$13,852,667 | 65%       | \$9,027,368               |
| Inmate Cottage - Latham                       | \$10,141,668 | 71%       | \$7,156,501               |
| Inmate Cottage - Emmons                       | \$9,918,703  | 70%       | \$6,986,138               |
| Receiving Center - Housing Unit               | \$10,586,628 | 66%       | \$6,946,111               |
| Inmate Cottage - Barneberg                    | \$10,013,282 | 64%       | \$6,447,012               |
| Inmate Cottage - Miller                       | \$9,631,997  | 67%       | \$6,425,346               |
| Inmate Cottage - Wilson                       | \$9,442,170  | 66%       | \$6,271,253               |
| Canteen-Warehouse-Laundry-Industry Building   | \$9,775,995  | 58%       | \$5,665,599               |
| Inmate Cottage - Harrison                     | \$9,110,654  | 62%       | \$5,623,566               |
| Village Cafeteria                             | \$9,404,443  | 60%       | \$5,611,779               |
| Support Care Unit                             | \$8,150,268  | 58%       | \$4,732,312               |
| Maintenance Shops                             | \$5,811,559  | 67%       | \$3,891,806               |
| Site Steam Distribution                       | \$3,075,122  | 125%      | \$3,843,903               |
| Education - Learning Center (North)           | \$5,075,104  | 67%       | \$3,420,554               |
| Receiving Center - Administration             | \$5,089,377  | 61%       | \$3,112,236               |
| SPHU                                          | \$9,263,625  | 32%       | \$2,988,000               |
| Education - Learning Center (South)           | \$2,957,380  | 67%       | \$1,980,660               |
| Inside Secure Fence - Grass and Dirt Surfaces | \$3,038,646  | 63%       | \$1,899,154               |
| Auditorium                                    | \$3,833,355  | 44%       | \$1,670,557               |



| Legend: Project Type by Color Code |                                    |
|------------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA)  | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI)  | Special Projects (SP)              |
| Special Repair Program (SRP)       | Energy Projects (E)                |

**CALIFORNIA MEN'S COLONY**

| Institution Overview                      |       | List Key                                       |                       |                                            |
|-------------------------------------------|-------|------------------------------------------------|-----------------------|--------------------------------------------|
| Year Built/Occupied:                      | 1954  | CDCR Category Code                             | Sub-Category Code     | Phase Code                                 |
|                                           |       | Infill (IN)                                    | Fire/Life/Safety (F)  | Acquisition (A) Study (S)                  |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)           | Preliminary Plans (P)                      |
| Design Bed Capacity                       | 3,838 | Mental Health (MH)                             | Health Care (HC)      | Working Drawings (W)                       |
| Overcrowding Capacity                     | 2,612 | Dental (D)                                     | Programs (P)          | Construction ( C)                          |
| Nontraditional Capacity                   | 40    | Re-Entry (RE)                                  | Security (S)          | Design Build (DB)                          |
| Total                                     | 6,490 | Farrell (FA)                                   | Support Services (SS) | All Phases (PWC)                           |
|                                           |       | Infrastructure (I)                             | Utilities (U)         |                                            |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                      |                       |                                            |
| Female                                    | 0     | <b>Project Type</b>                            |                       | <b>Project Status</b>                      |
| Reception                                 | 0     | Major (MA)                                     |                       | Active (AC) Portion or all Funded          |
| Level I                                   | 208   | Minor (MI)                                     |                       | Proposed (PR) Proposed for 11/12           |
| Level II                                  | 6,000 | Special Repair Project (SRP)                   |                       | Completed (CO) Funded & Completed in CY 10 |
| Level III                                 | 0     | Special Project (SP)                           |                       |                                            |
| Level IV                                  | 0     | Deferred Maintenance (DM)                      |                       |                                            |
| Total                                     | 6,208 | Energy Projects (E)                            |                       |                                            |
|                                           |       | <b>Funding Source</b>                          |                       |                                            |
| Proposed AB 900 Project Site:             | Yes   | General Fund (GF)                              |                       |                                            |
| Prison Industry Authority Site            | Yes   | Bonds (B)                                      |                       |                                            |
| Addiction & Recovery Services             | Yes   | Special Funds (SF)                             |                       |                                            |
| Administrative Segregation Unit           | Yes   | AB900 General Fund (AB900GF)                   |                       |                                            |
| Sensitive Needs Yard                      | No    | AB900 Lease Revenue (AB900LR)                  |                       |                                            |
| Small Management Yard                     | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |                                            |
| Wheelchair/Disabled Access                | Yes   |                                                |                       |                                            |

| Institution Infrastructure Overview               |                                   |                                           |    |               |             |
|---------------------------------------------------|-----------------------------------|-------------------------------------------|----|---------------|-------------|
| Water (On-site Wells, Municipal, Both):           | Both On-Site Wells and Municipal. |                                           |    |               |             |
| Wastewater Overusage:                             | No                                | Fines:                                    | No | Amount:       | \$          |
| Water Conservation Devices                        | Yes                               | If yes, what is the percentage reduction? |    |               | 21          |
| Special Repair Projects (Active & Proposed)       |                                   | # of Projects:                            | 4  | Amount:       | \$4,482,000 |
| Deferred Maintenance Projects (Active & Proposed) |                                   | # of Projects:                            | 3  | Amount:       | \$1,573,000 |
| VFA Assessment Facility Condition Index %         | 67%                               | 5 Yr Cost to Maintain Current FCI         |    | \$314,121,000 |             |

**CALIFORNIA MEN'S COLONY (CMC)**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                      | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|---------------------------------------------------|----------------|-------|
| 1              | MA           | O                  | SS                | Central Kitchen Replacement West                  | AC             | W     |
| 2              | MA           | MH                 | HC                | 50 Bed Mental Health Crisis Bed - Coleman Project | AC             | W     |
| 3              | MA           | I                  | U                 | WWTP Upgrade                                      | AC             | P     |
| 4              | MA           | I                  | S                 | Level II Fence Improvements West Facility         | AC             | PWC   |
| 5              | MI           | O                  | F                 | Main Support Warehouse/Rest Room & ADA Upgrades   | AC             | PWC   |
| 6              | MI           | O                  | S                 | Rooftop Security Platforms, A Quad                | AC             | PWC   |
| 7              | MI           | O                  | S                 | Rooftop Security Platforms, B Quad                | AC             | PWC   |
| 8              | MI           | O                  | S                 | Rooftop Security Platforms, C Quad                | AC             | PWC   |
| 9              | MI           | O                  | S                 | Rooftop Security Platforms, D Quad                | AC             | PWC   |
| 10             | MI           | MH                 | HC                | East Facility Mental Health Conversion Room A-157 | AC             | PWC   |
| 11             | SRP          | I                  | U                 | Install Water Conservation Devices                | AC             | PWC   |
| 12             | SRP          | O                  | U                 | Repair West Facility Perimeter Fence Lighting     | AC             | C     |
| 13             | DM           | O                  | F                 | Replace Roofs on Living Units #4, #7 & # 8        | AC             | C     |
| 14             | SRP          | I                  | U                 | Replace Underground Sewer Piping E Facility       | AC             | C     |
| 15             | SRP          | I                  | F                 | Replace Diner Floors in East Quad Bldg B          | AC             | C     |
| 16             | DM           | I                  | F                 | Building H Roof Replacement/Repair                | PR             | C     |
| 17             | DM           | I                  | U                 | Replace Boiler Switchboard and Motor Controls     | PR             | PWC   |
| 18             | MA           | I                  | U                 | W Facility Emergency Power Generation System      | PR             | PW    |
| 19             | MA           | O                  | F                 | Fire Alarm Suppression Upgrade E & W Facilities   | PR             | PW    |
| 20             | E            | I                  | U                 | Energy Efficient Boilers, Lighting and EMS        | PR             | C     |
| 21             | MA           | I                  | U                 | Potable Water Distribution System Upgrade         | CO             | C     |
| 22             | DM           | I                  | F                 | Roof Replacement Housing Units 1 & 6              | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA MEN'S COLONY (CMC)

#### Active Project:

| Type | Cat | Phase | Project Name                       | Scope:                                                                   |
|------|-----|-------|------------------------------------|--------------------------------------------------------------------------|
| MA   | O   | W     | Central Kitchen Replacement - West | Demolish existing kitchen & build 9600 square foot kitchen & dining room |

Notes:

#### Project Schedule:

| Project Schedule: |                |                   |               |                  |            | Funding:     |                        |                |           |                   |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|--------------|------------------------|----------------|-----------|-------------------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App          | Year                   | Aug/ Reversion | Year      | Current Authority | Funding Source |
| P                 | 10/1998        | 04/1998           | 10/1998       | 06/2000          | 100%       | \$273,000    | 1998/1999              |                |           | \$273,000         | GF             |
| W                 | 08/2008        | 05/2010           | 10/2008       | TBD              | 3%         | \$258,000    | 1998/1999              |                |           | \$258,000         | GF             |
|                   |                |                   |               |                  |            | \$992,000    | 2007/2008<br>2008/2009 |                |           | \$1,250,000       | LR             |
| C                 | 05/2010        | 11/2011           | TBD           | TBD              | 0%         | \$6,035,000  | 2000/2001              | \$-6,035,000   | 2001/2002 | \$14,271,000      | GF             |
|                   |                |                   |               |                  |            | \$10,264,000 | 2007/2008              | \$-10,264,000  | 2008/2009 |                   | GF             |
|                   |                |                   |               |                  |            | \$14,271,000 | 2008/2009              |                |           |                   | LR             |

Notes: Project has been suspended pursuant to Budget Letter 08-33

#### Active Project:

| Type | Cat | Phase | Project Name                          | Scope:                                                                                                                                                            |
|------|-----|-------|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | MH  | P     | 50 Bed MH Crisis Beds-Coleman Project | This project constructs a 50 bed licensed inpatient mental health crisis facility, consisting of housing, treatment & support as well as administration services. |

Notes: Bid Opening for Construction will begin on 12/07/2010

#### Project Schedule:

| Project Schedule: |                |                   |               |                  |            | Funding:     |      |                |         |                   |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|--------------|------|----------------|---------|-------------------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App          | Year | Aug/ Reversion | Year    | Current Authority | Funding Source |
| S                 |                |                   | 03/2008       | 08/2008          | 100%       |              |      |                |         |                   |                |
| P                 | 04/2009        | 07/2010           | 04/2009       | 02/2010          | 100%       | \$3,867,000  |      |                |         | \$3,867,000       | AB900LR        |
| W                 | 08/2010        | 01/2011           | 02/2010       | 09/2010          | 100%       | \$4,056,000  |      | -\$1,202,000   |         | \$2,854,000       | AB900LR        |
| C                 | 03/2011        | 03/2013           | 01/2011       | 08/2012          | 0%         | \$55,792,000 |      | -\$6,191,000   | 2009-10 | \$49,601,000      | AB900LR        |

Notes:

\*See LEGEND SHEET at beginning for LIST KEY explanation

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA MEN'S COLONY (CMC)

#### Active Project:

| Type | Cat | Phase | Project Name                       | Scope:                                                                                                                                         |
|------|-----|-------|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | PWC   | Wastewater Treatment Plant Upgrade | This project will improve, expand, or renovate infrastructure capacity at the WWTP at CMC for added capacity issues with increased population. |

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year    | Aug/ Reversion | Year    | Current Authority | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-------------|---------|----------------|---------|-------------------|----------------|
| P     | 12/2009        | 08/2010           | 09/2010       | 08/2011          | 5%         | \$594,000   | 2007-08 |                | 2007-08 | \$594,000         | AB900GF        |
| W     | 08/2010        | 01/2011           | 08/2011       | 02/2012          | 0%         | \$577,000   | 2007-08 |                | 2007-08 | \$577,000         | AB900GF        |
| C     | 03/2011        | 01/2012           | 05/2012       | 03/2013          | 0%         | \$7,462,000 | 2007-08 |                | 2007-08 | \$7,462,000       | AB900GF        |

Notes:

#### Active Project:

| Type | Cat | Phase | Project Name                              | Scope:                                                                                                                                                                                                                                                                                                                                                                                           |
|------|-----|-------|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | O   | PWC   | Level II West Facility Fence Improvements | This project would construct and upgrade the existing Level II perimeter fence at the West Facility and will add 1,000 lineal feet of 12' high fence. It will redirect inmate, visitor, and staff pedestrian route from the interior section of the two fences that currently comprise the portion of the perimeter fence that separates the Level I and Level II sections of the West Facility. |

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App       | Year    | Aug/ Reversion | Year | Current Authority | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-----------|---------|----------------|------|-------------------|----------------|
| PWC   |                |                   | TBD           | TBD              | 0%         | \$682,000 | 2010-11 |                |      | \$682,000         | GF             |

Notes:

#### Active Project:

| Type | Cat | Phase | Project Name                                     | Scope:                                                            |
|------|-----|-------|--------------------------------------------------|-------------------------------------------------------------------|
| MI   | O   | PWC   | Main Support Warehouse Rest Rooms ADA Compliance | Upgrade to meet ADA standards restrooms in Main Support Warehouse |

#### Funding:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App       | Year      | Aug/ Reversion | Year | Current Authority | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-----------|-----------|----------------|------|-------------------|----------------|
| PWC   | 09/2009        | 02/2010           | 09/2009       | 10/2010          | 99%        | \$346,000 | 2008/2009 |                |      | \$346,000         | GF             |

Notes:

\*See LEGEND SHEET at beginning for LIST KEY explanation

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA MEN'S COLONY (CMC)

#### Active Project:

| Type              | Cat            | Phase             | Project Name               | Scope:                                                    |            |           |           |                |      |                   |                |
|-------------------|----------------|-------------------|----------------------------|-----------------------------------------------------------|------------|-----------|-----------|----------------|------|-------------------|----------------|
| MI                | O              | PWC               | Rooftop Security Platforms | Construct roof to security platforms on Quads A, B, C & D |            |           |           |                |      |                   |                |
| Project Schedule: |                |                   |                            |                                                           |            | Funding:  |           |                |      |                   |                |
| Phase             | Original Start | Original Complete | Current Start              | Current Complete                                          | % Complete | App       | Year      | Aug/ Reversion | Year | Current Authority | Funding Source |
| Quad A            | 10/2009        | TBD               | 12/2009                    | 10/2010                                                   | 78%        | \$318,000 | 2008/2009 |                |      | \$318,000         | GF             |
| Quad B            | 11/2009        | TBD               | 01/2010                    | 11/2010                                                   | 78%        | \$150,000 | 2008/2009 |                |      | \$150,000         | GF             |
| Quad C            | 12/2009        | TBD               | 02/2010                    | 11/2010                                                   | 50%        | \$318,000 | 2008/2009 |                |      | \$318,000         | GF             |
| Quad D            | 12/2009        | TBD               | 03/2010                    | 12/2010                                                   | 50%        | \$282,000 | 2008/2009 |                |      | \$282,000         | GF             |

Notes:

#### Active Project:

| Type              | Cat            | Phase             | Project Name                                                                       | Scope:                                                                                                                                                                                                                                                   |            |          |           |                |         |                   |                |
|-------------------|----------------|-------------------|------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------|-----------|----------------|---------|-------------------|----------------|
| MI                | O              | PWC               | Conversion of East Facility-Room A-157 to MH Clinical Office Space-Coleman Project | This project will convert Room A-157 into needed Mental Health Clinical Office Space for Enhanced Outpatient Program in the East Facility. The project will construct 4 treatment rooms to provide the necessary program space to serve the Ad Seg Unit. |            |          |           |                |         |                   |                |
| Project Schedule: |                |                   |                                                                                    |                                                                                                                                                                                                                                                          |            | Funding: |           |                |         |                   |                |
| Phase             | Original Start | Original Complete | Current Start                                                                      | Current Complete                                                                                                                                                                                                                                         | % Complete | App      | Year      | Aug/ Reversion | Year    | Current Authority | Funding Source |
| PWC               | 01/2010        | 03/2011           | 01/2011                                                                            | 03/2011                                                                                                                                                                                                                                                  | 0%         | PWC      | \$397,000 |                | 2009-10 | \$367,000         | GF             |

Notes:

#### Proposed Project:

| Type              | Cat        | Phase | Project Name                                      | Scope:                                                                                                                                                                                                                                                      |  |                 |             |      |             |         |  |
|-------------------|------------|-------|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------|-------------|------|-------------|---------|--|
| MA                | O          | PW    | Fire Alarm & Suppression Upgrade E & W Facilities | CMC does not have a Central Control Fire System and is in violation of various codes. The State Fire Marshal (SFM) has cited CMC in two recent annual inspections. This is a critical infrastructure deficiency and creates a fire and life safety concern. |  |                 |             |      |             |         |  |
| Project Schedule: |            |       |                                                   |                                                                                                                                                                                                                                                             |  | Project Budget: |             |      |             |         |  |
| Phase             | Begin Date |       |                                                   |                                                                                                                                                                                                                                                             |  | Phase           | Budget      | Year | Total Costs | Funding |  |
| PW                | FY 11/12   |       |                                                   |                                                                                                                                                                                                                                                             |  | PW              | \$409,000   |      |             |         |  |
| C                 | FY 12/13   |       |                                                   |                                                                                                                                                                                                                                                             |  | C               | \$3,227,000 |      |             |         |  |

Notes: PW Funding being sought in FY 11/12

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA MEN'S COLONY (CMC)

#### Proposed Project:

| Type | Cat | Phase | Project Name                                 | Scope:                                                                                                                                                                                                                                                                |
|------|-----|-------|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | PW    | W Facility Emergency Power Generation System | This project would construct a block building to house the equipment, a new 12,000 volt, 1,000 kilowatt emergency diesel generator and switchgear to provide standby and emergency power for security lighting and to maintain normal operation during power outages. |

Notes:

#### Project Schedule:

| Phase | Begin Date | Phase | Budget      | Year | Total Costs | Funding |
|-------|------------|-------|-------------|------|-------------|---------|
| PW    | FY 11/12   | PW    | \$551,000   |      |             |         |
| C     | FY 12/13   | C     | \$3,888,000 |      |             |         |

Notes: PW Funding being sought in FY 11/12

#### Special Repair/Deferred Maintenance Projects

| Type | Project #             | Project Name                                  | AC or PR | Year    | Project Costs | Funding Source |
|------|-----------------------|-----------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0809-00856            | Water Conservation Project                    | AC       | 2008-09 | \$2,403,000   | GF             |
| SRP  | 0708-00006            | Repair W Facility Perimeter Fence Lighting    | AC       | 2007-08 | \$573,000     | GF             |
| DM   | 0809-00074<br>-00075- | Replace Roof-LU #4, #7 & #8                   | AC       | 2008-09 | \$990,000     | GF             |
| SRP  | 0809-00994            | Replace Underground Sewer Piping E Facility   | AC       | 2008-09 | \$528,000     | GF             |
| SRP  |                       | Replace Diner Floors in East Quad B           | AC       | 2007-08 | \$978,000     | GF             |
| DM   | 0809-00569            | Building H Roof Repair                        | PR       | 2009-10 | \$167,000     | GF             |
| DM   | 0910-00798            | Replace Boiler Switchboard and Motor Controls | PR       | 2010-11 | \$416,000     | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                              | Project Costs | Date Completed | Funding |
|------|-----|-------------------------------------------|---------------|----------------|---------|
| MA   | I   | Potable Water Distribution System Upgrade | \$36,339,000  | 06/2010        | GF      |
| DM   | I   | Roof Replacement Housing Units 1 & 6      | \$615,000     | 09/2010        | GF      |

\*See LEGEND SHEET at beginning for LIST KEY explanation

## California Men's Colony (CMC) - 50 MHC B Project

### Overview of Proposed Staffing

| Staffing Division | 100%<br>Design Bed Capacity<br>(DBC)<br>Package |
|-------------------|-------------------------------------------------|
| Custody           | 79.88                                           |
| Clinical Staff    | 80.80                                           |
| Support Staff     | 26.80                                           |
| <b>Total:</b>     | <b>187.48</b>                                   |

### Overview of Estimated Operating Costs

|                                                                   |                      |
|-------------------------------------------------------------------|----------------------|
| Estimated Start Up Costs                                          | \$ 27,000            |
| Projected Annual Operational Expenditures                         | \$ 176,000           |
| Staffing                                                          | \$ 17,856,000        |
| <b>Total First Year Operating Cost (including start up costs)</b> | <b>\$ 203,000</b>    |
| <b>Total Annual Ongoing Estimated Operating Cost</b>              | <b>\$ 18,032,000</b> |

Note - The above figures are summary estimates. Formal notification of project staffing and costs are provided by CDCR in the detailed 30-day letters to the Legislature required by statute. Copies of 30-day letters for approved projects can be found on the CD provided in Appendix A.

# California Men's Colony (CMC) San Louis Obispo, CA

## Background Info

Original Construction Date East 1954; West 1961  
 Design Bed Capacity 3,884  
 Asset count 324 (262 buildings)  
 Actual Building Square Feet 1,370,000 SF  
 Replacement Value (Buildings): \$494,300,000  
 Date of VFA Facility Assessment June 1, 2007

## Existing Assets Summary

**California Men's Colony's** data was input into two main campuses, East Campus and West Campus and an Infrastructure Campus serving all assets with 262 buildings totaling 1.37 million square feet.

**The East Campus** is comprised of 8 quad housing units, several PIA process buildings, utilities, storage sheds and security structures. Most assets in East Campus range from 35-50 years old, and the campus has an overall FCI of 70%.

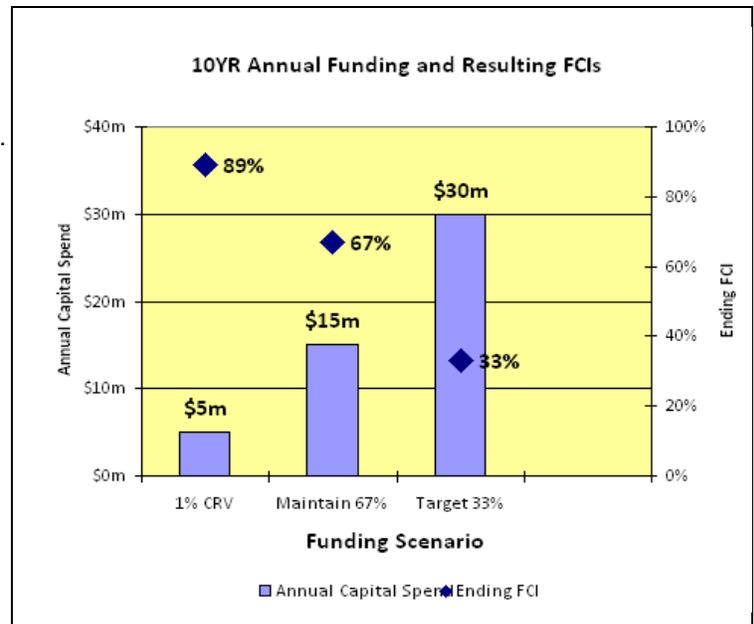
**The West Campus** is comprised of 33 dormitory / housing units that were built in the 1940s. Storage sheds, security structures, training facilities and maintenance buildings make up the remainder. The overall FCI of the buildings on the West Campus is 65%.

**Site Infrastructure** serving both campuses ranges from 2-year-old generators & enclosures to chlorination process structures, a dewatering plant, pump station buildings and site distribution systems for water, electricity, steam, gas and sanitary sewer that are between 25 and 60 years old. The average FCI of the site assets is 43%.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$      | 5YR FCI %  |
|-----------------------------------------|------------------------------|-------------------|------------|
| Structure & Foundations                 | 83,300k                      | 1,616k            | 2%         |
| Exterior Envelope                       | 57,613k                      | 35,633k           | 62%        |
| Roofing                                 | 11,078k                      | 7,175k            | 65%        |
| Interior Construction                   | 69,488k                      | 41,658k           | 60%        |
| Plumbing & Fixtures                     | 45,629k                      | 48,984k           | 107%       |
| Heating, Ventilating & Air Conditioning | 33,828k                      | 37,164k           | 110%       |
| Fire Protection Systems                 | 4,162k                       | 1,549k            | 37%        |
| Electrical Systems                      | 61,520k                      | 39,973k           | 65%        |
| Equipment                               | 61,770k                      | 72,298k           | 117%       |
| Site Infrastructure                     | 65,909k                      | 28,071k           | 43%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$494,297k</b>            | <b>\$314,121k</b> | <b>67%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# California Men’s Colony (CMC) San Louis Obispo, CA

## Major Issues

All dormitories & housing units are 50-70 years old and on the whole need major renovation.

Nearly all mechanical systems are beyond their rated useful life, causing higher operating and repair costs. For example, the dormitories & dining halls have HVAC systems that, although still running, are not operating correctly or efficiently.

Most of the buildings are over 40 years old, all with prevalent deterioration in interior & exterior architectural systems and a large portion of the Mechanical, Electrical & Plumbing systems as well

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$15m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$30m per year for the next 10 years would bring CMC’s condition in line with the average of other states’ correctional facilities.

The **Facility Condition Index** ( FCI = 67%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                                   | Asset - CRV  | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|------------------------------------------------|--------------|---------------------|-----------------|
| Signage                                        | \$5,252      | \$6,564             | 125%            |
| Boiler House Storage - Refrig Shop / Welding   | \$734        | \$917               | 125%            |
| Site Fences and Gates                          | \$1,270,347  | \$1,687,934         | 125%            |
| Site Fences and Gates                          | \$455,500    | \$569,375           | 125%            |
| Unit I Barber Shop                             | \$24,254     | \$27,278            | 112%            |
| Unit II Barber Shop                            | \$21,370     | \$23,783            | 111%            |
| Water Filtration Plant                         | \$16,608,818 | \$18,150,691        | 109%            |
| Unit III Work Card Holding                     | \$8,252      | \$8,725             | 106%            |
| Spray Booth                                    | \$201,131    | \$209,492           | 104%            |
| Unit III Dormitory 33                          | \$940,549    | \$973,015           | 103%            |
| Site Utility Tunnels                           | \$3,805,903  | \$3,827,336         | 101%            |
| Sanitary Sewer                                 | \$622,486    | \$622,486           | 100%            |
| Sanitary Sewer                                 | \$2,732,092  | \$2,732,092         | 100%            |
| Sanitary Sewer                                 | \$8,251,217  | \$8,251,217         | 100%            |
| Sanitary Sewer Grease Interceptors             | \$520,060    | \$520,060           | 100%            |
| Site Domestic Water Distribution-Area 400      | \$270,033    | \$270,033           | 100%            |
| Site Domestic Water Distribution-Water Treatri | \$2,114,700  | \$2,114,700         | 100%            |
| Site Domestic Water Distribution-West          | \$1,158,447  | \$1,158,447         | 100%            |
| Site Gas Distribution-Area 400                 | \$336,280    | \$336,280           | 100%            |
| Site Gas Distribution-East                     | \$311,780    | \$311,780           | 100%            |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name                                    | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|-------------------------------------------------|--------------|-----------|---------------------------|
| Water Filtration Plant                          | \$16,608,818 | 109%      | \$18,150,691              |
| 'A' Quad Housing Unit 1                         | \$19,574,866 | 88%       | \$17,144,538              |
| 'D' Quad Housing Unit 7                         | \$19,573,406 | 88%       | \$17,142,712              |
| 'C' Quad Housing Unit 6                         | \$19,566,236 | 88%       | \$17,133,750              |
| 'D' Quad Housing Unit 8                         | \$19,482,866 | 88%       | \$17,091,317              |
| 'B' Quad Housing Unit 4                         | \$19,459,928 | 88%       | \$17,086,305              |
| 'B' Quad Housing Unit 3                         | \$19,553,507 | 87%       | \$16,962,331              |
| 'A' Quad Housing Unit 2                         | \$19,471,835 | 87%       | \$16,881,887              |
| 'C' Quad Housing Unit 5                         | \$19,516,162 | 86%       | \$16,875,515              |
| Hospital and Administrative Segregation         | \$16,342,814 | 65%       | \$10,545,499              |
| Vocational Classroom and Maintenance Shops      | \$11,475,966 | 83%       | \$9,495,991               |
| Administration                                  | \$16,633,249 | 55%       | \$9,223,700               |
| Sanitary Sewer                                  | \$8,251,217  | 100%      | \$8,251,217               |
| Main Kitchen, Canteen, and Storage              | \$9,269,068  | 72%       | \$6,678,297               |
| P.I.A. Laundry                                  | \$12,160,220 | 52%       | \$6,338,482               |
| P.I.A., Quad D Offices, OT, Psych, & Dining     | \$8,619,675  | 56%       | \$4,818,370               |
| P.I.A., Shoe and Shirt Factories, Knitting Mill | \$8,694,317  | 53%       | \$4,644,217               |
| Clothing Dist., Quad C Offices, Psych, & Dinir  | \$8,536,760  | 53%       | \$4,546,269               |
| Boiler House                                    | \$4,866,562  | 93%       | \$4,506,211               |
| Auditorium and Gymnasium                        | \$7,087,216  | 61%       | \$4,349,203               |



**Legend: Project Type by Color Code**

Major Capitol Outlay Project (MA)

Minor Capitol Outlay Project (MI)

Special Repair Program (SRP)

Deferred Maintenance Program (DMP)

Special Projects (SP)

Energy Projects (E)

**CALIFORNIA MEDICAL FACILITY**

| Institution Overview                      |       | List Key                                       |                       |                                            |
|-------------------------------------------|-------|------------------------------------------------|-----------------------|--------------------------------------------|
| Year Built/Occupied:                      | 1955  | CDCR Category Code                             | Sub-Category Code     | Phase Code                                 |
|                                           |       | Infill (IN)                                    | Fire/Life/Safety (F)  | Acquisition (A) Study (S)                  |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)           | Preliminary Plans (P)                      |
| Design Bed Capacity                       | 2,297 | Mental Health (MH)                             | Health Care (HC)      | Working Drawings (W)                       |
| Overcrowding Capacity                     | 1,383 | Dental (D)                                     | Programs (P)          | Construction (C)                           |
| Nontraditional Capacity                   | 0     | Re-Entry (RE)                                  | Security (S)          | Design Build (DB)                          |
| Total                                     | 3,680 | Farrell (FA)                                   | Support Services (SS) | All Phases (PWC)                           |
|                                           |       | Infrastructure (I)                             | Utilities (U)         |                                            |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                      |                       |                                            |
| Female                                    | 0     | <b>Project Type</b>                            |                       | <b>Project Status</b>                      |
| Reception                                 | 0     | Major (MA)                                     |                       | Active (AC) Portion or all Funded          |
| Level I                                   | 62    | Minor (MI)                                     |                       | Proposed (PR) Proposed for 11/12           |
| Level II                                  | 201   | Special Repair Project (SRP)                   |                       | Completed (CO) Funded & Completed in CY 10 |
| Level III                                 | 2,310 | Special Project (SP)                           |                       |                                            |
| Level IV                                  | 0     | Deferred Maintenance (DM)                      |                       |                                            |
| Total                                     | 2,573 | Energy Projects (E)                            |                       |                                            |
|                                           |       | <b>Funding Source</b>                          |                       |                                            |
| Proposed Infill Bed Site:                 | No    | General Fund (GF)                              |                       |                                            |
| Prison Industry Authority Site            | No    | Bonds (B)                                      |                       |                                            |
| Addiction & Recovery Services             | No    | Special Funds (SF)                             |                       |                                            |
| Administrative Segregation Unit           | Yes   | AB900 General Fund (AB900GF)                   |                       |                                            |
| Sensitive Needs Yard                      | No    | AB900 Lease Revenue (AB900LR)                  |                       |                                            |
| Small Management Yard                     | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |                                            |
| Wheelchair/Disabled Access                | Yes   |                                                |                       |                                            |

| Institution Infrastructure Overview               |     |                                           |    |                     |
|---------------------------------------------------|-----|-------------------------------------------|----|---------------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |    | Municipal Only.     |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$          |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    | 21%                 |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 4  | Amount: \$3,310,474 |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 4  | Amount: \$2,831,474 |
| VFA Assessment Facility Condition Index %         | 47% | 5 Yr Cost to Maintain Current FCI         |    | \$154,973,000       |

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                                                                | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | O                  | S                 | Solid Cell Fronts                                                                                                           | AC             | C     |
| 2              | MA           | MH                 | HC                | Enhanced Outpatient Program, Treatment & Office Space                                                                       | AC             | W     |
| 3              | MA           | MH                 | HC                | 64 Bed Intermediate Care Mental Health Facility - Coleman Project                                                           | AC             | C     |
| 4              | MA           | MH                 | HC                | Acute Care Modifications in P-1 & P-2                                                                                       | AC             | C     |
| 5              | DM           | I                  | U                 | Main Site Electrical Power Upgrade: Purchase of two-each 5000kva transformers.                                              | AC             | PWC   |
| 6              | SRP          | MH                 | HC                | 124 Cell Renovations-Coleman Project (Q1, Q2, Q3, S1 & S2 Areas)                                                            | AC             | C     |
| 7              | MA           | I                  | U                 | Emergency Generator Capacity Upgrade                                                                                        | PR             | PW    |
| 8              | MI           | I                  | U                 | Reverse Osmosis System                                                                                                      | PR             | PWC   |
| 9              | DM           | I                  | F                 | Replace Roof , Gutters and Downspouts on In-Service Training Bldg A-52                                                      | PR             | PWC   |
| 10             | DM           | I                  | U                 | Wings A & B Cooling System Upgrade A1, A2 and B4                                                                            | PR             | PWC   |
| 11             | DM           | I                  | U                 | Main Site Electrical Power Upgrade: MV Electrical Switchgear. Emergency Contract: Labor only.                               | PR             | PWC   |
| 12             | SRP          | I                  | U                 | Main Site Electrical Power Upgrade: Installation of PG&E Temporary MV 2500kva Electrical Power Transformer & MV panelboard. | PR             | PWC   |
| 13             | SRP          | I                  | F                 | Upgrade Fan Room Equipment A1, A2 & B4                                                                                      | PR             | PWC   |
| 14             | MA           | MH                 | HC                | D Dorm Conversion to OHU                                                                                                    | CO             | PWC   |
| 15             | MI           | O                  | F                 | Fire Alarm System Buildings P2 & P3                                                                                         | CO             | PWC   |
| 16             | MI           | O                  | SS                | Additional Parking Lot                                                                                                      | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA MEDICAL FACILITY (CMF)

**Active Project:**

| Type | Cat | Phase | Project Name      | Scope:                                                                                      |
|------|-----|-------|-------------------|---------------------------------------------------------------------------------------------|
| MA   | O   | C     | Solid Cell Fronts | Replace existing barred cell front fronts/doors and update the locking mechanisms in Ad Seg |

Notes:

**Project Schedule:**

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year    | Aug/ Reversion | Year | Current Authority | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-------------|---------|----------------|------|-------------------|----------------|
| P     | 07/2005        | 06/2006           | 06/2006       | 12/2006          | 100%       | \$372,000   | 2005-06 |                |      | \$372,000         | GF             |
| W     | 12/2006        | 05/2007           | 12/2006       | 12/2007          | 100%       | \$387,000   | 2006-07 |                |      | \$387,000         | GF             |
| C     | 09/2008        | 01/2010           | 06/2009       | 12/2010          | 99%        | \$6,688,000 | 2008-09 |                |      | \$6,688,000       | GF             |

Notes: The installation of the temporary transformer to address the electrical needs of the Willis HU has been delayed until April 2011

**Active Project:**

| Type | Cat | Phase | Project Name                                          | Scope:                                                                                                                                                                                                                    |
|------|-----|-------|-------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | MH  | W     | Enhanced Outpatient Program, Treatment & Office Space | This project provides EOP treatment and office space to comply with <i>Coleman</i> Court order, to include a Group Therapy Room, Interdisciplinary Treatment Team Meeting Rm, 2 Custody Officer's Stations and Restrooms. |

Notes:

**Project Schedule:**

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App          | Year       | Aug/ Reversion | Year    | Current Authority | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|--------------|------------|----------------|---------|-------------------|----------------|
| P     | 05/2009        | 09/2010           | 07/2009       | 06/2010          | 100%       | \$3,341,000  |            | -\$876,000     | 2009-10 | \$2,465,000       | AB900LR        |
| W     | 09/2010        | 04/2011           | 07/2010       | 12/2010          | 70%        | \$3,485,000  |            | -\$1,159,000   | 2009-10 | \$2,326,000       | AB900LR        |
| C     | 07/2011        | 07/2013           | 03/2011       | 02/2013          |            | \$38,944,000 | -\$985,000 |                | 2009-10 | \$29,093,000      | AB900LR        |

Notes: This is an AB900 project and is part of the Health Care Improvement Program.

**Active Project:**

| Type | Cat | Phase | Project Name                                         | Scope:                                                                                                                                                                               |
|------|-----|-------|------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | MH  | C     | 64 Bed Intermediate Care Facility Mental Health Beds | Project provides inpatient non acute/intermediate care facility level of care as defined by the MHDS for the seriously mentally disordered inmate. This is a <i>Coleman</i> project. |

**Project Schedule:**

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App          | Year    | Aug/ Reversion | Year    | Current Authority | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|--------------|---------|----------------|---------|-------------------|----------------|
| P     | 08/2006        | 06/2007           | 05/2007       | 04/2009          | 100%       | \$3,914,000  | 2007-08 |                |         | \$3,914,000       | GF             |
| W     | 07/2009        | 01/2010           | 07/2009       | 01/2010          | 100%       | \$3,288,000  |         |                |         | \$3,288,000       | AB900LR        |
| C     | 04/2010        | 07/2012           | 04/2010       | 09/2011          | 28%        | \$48,911,000 |         | -\$22,422,000  | 2009-10 | \$26,489,000      | AB900LR        |

 Notes: This is an AB900 project and is part of the *Coleman* Court projects for MH improvements.

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA MEDICAL FACILITY (CMF)

#### Active Project:

| Type | Cat | Phase | Project Name                          | Scope:                                                                                                                                                                                                                                                                                                                  |
|------|-----|-------|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | MH  | C     | Acute Care Modifications in P-1 & P-2 | This project converts P-1 to an Acute Care Facility for inpatient mental health. The project consists of modifications in the corridor, cell modifications and new doors. A new fire alarm system, and in P-2 installation of new security window screens in the patient cells. This is a <i>Coleman Court</i> project. |

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App       | Year    | Aug/ Reversion | Year | Current Authority | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-----------|---------|----------------|------|-------------------|----------------|
| P     |                |                   | 05/2009       | 07/2009          | 100%       |           |         |                |      |                   |                |
| W     |                |                   | 07/2009       | 09/2009          | 100%       |           |         |                |      |                   |                |
| C     |                |                   | 01/2010       | 12/2010          | 99%        | \$745,000 | 2009-10 |                |      | \$745,000         | GF             |

Notes:

#### Proposed Project:

| Type | Cat | Phase | Project Name                         | Scope:                                                                                                                                                                                                                                              |
|------|-----|-------|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | O   | P     | Emergency Generator Capacity Upgrade | This project would upgrade the emergency power system by installing 3 new 2-megawatt emergency generator sets with associated transfer switch & switchgear to operate in conjunction with the existing 2-megawatt generator currently in operation. |

#### Project Schedule:

| Phase | Begin Date |  |  |  | Phase | Budget Costs | Total Costs | Funding |
|-------|------------|--|--|--|-------|--------------|-------------|---------|
| PW    | FY 11/12   |  |  |  | PW    | \$719,000    |             |         |
| C     | FY 12/13   |  |  |  | C     | \$4,344,000  |             |         |

Notes: Seeking funding consideration for PW in FY 11/12

#### Proposed Project:

| Type | Cat | Phase | Project Name           | Scope:                                                                                                                                                                                                                                                                                                                                                                                                                                |
|------|-----|-------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MI   | I   | PWC   | Reverse Osmosis System | This proposal requests funding to replace the existing water softening equipment at the California Medical Facility with two 80,000 gallon per day Reverse Osmosis Water Filtration Units. The installation and transition to a Reverse Osmosis Filtration System will reduce the water salinity levels at the institution and address the requirement by the City of Vacaville to conform to its Salinity Pollution Prevention Plan. |

#### Project Schedule:

| Phase | Begin Date |  |  |  | Phase | Budget Costs | Total Costs | Funding |
|-------|------------|--|--|--|-------|--------------|-------------|---------|
| PWC   | FY 11/12   |  |  |  | PWC   | \$496,000    |             |         |

Notes: Seeking funding consideration for PWC in FY 11/12

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA MEDICAL FACILITY (CMF)

#### Special Repair/Deferred Maintenance Projects

| Type | Project #                | Project Name                                                                                                                | AC or PR | Year    | Project Costs | Funding Source |
|------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0809-01200<br>0809-01653 | 124 Cell Renovations Q1, Q2, Q3, S1 & S2 Areas                                                                              | AC       | 2008-09 | \$1,075,000   | GF             |
| DM   | 0910-00580               | Main Site Electrical Power Upgrade: Purchase of two-each 5000kva transformers.                                              | AC       | 2009-10 | \$194,000     | GF             |
| DM   | 0809-00084               | Replace Roof , Gutters and Downspouts on In-Service Training Bldg A-52                                                      | PR       | 2010-11 | \$202,000     | GF             |
| DM   | 0809-00891               | Wings A & B Cooling System Upgrade A1, A2 and B4                                                                            | PR       | 2010-11 | \$1,985,474   | GF             |
| DM   | 0910-00823               | Main Site Electrical Power Upgrade: MV Electrical Switchgear. Emergency Contract: Labor only.                               | PR       | 2010-11 | \$450,000     | GF             |
| SRP  | 0910-01112               | Main Site Electrical Power Upgrade: Installation of PG&E Temporary MV 2500kva Electrical Power Transformer & MV panelboard. | PR       | 2010-11 | \$250,000     | GF             |
| SRP  | 0910-01162               | Upgrade Fan Room Equipment A1,A2 & B4                                                                                       | PR       | 2010-11 | \$1,985,474   | GF             |

#### Completed Projects:

| Type | Cat | Project Name                               | Project Costs | Date Completed | Funding Source |
|------|-----|--------------------------------------------|---------------|----------------|----------------|
| MA   | MH  | D Dorm Conversion to OHU                   | \$580,000     | 08/2010        | GF             |
| MI   | O   | Additional Parking Lot                     | \$255,000     | 10/2009        | GF             |
| MI   | O   | Fire Alarm System for P-Wing, Floors 2 & 3 | \$388,000     | 09/2010        | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

## California Medical Facility (CMF) - 64 Bed Intermediate Care Facility (ICF)

### Overview of Proposed Staffing

| Staffing Division                     | Staffing      | Total Annual Personal |
|---------------------------------------|---------------|-----------------------|
| Custody                               | 45.54         | total provided below  |
| Clinical                              | 76.16         | total provided below  |
| Non-custodial support service         | 41.35         | total provided below  |
| <b>SUBTOTALS BY AGENCY</b>            |               | total provided below  |
| Department of Mental Health positions | 105.87        | total provided below  |
| CDCR positions                        | 57.18         | total provided below  |
| <b>Total:</b>                         | <b>163.05</b> | <b>\$ 15,542,213</b>  |

### Overview of Estimated Operating Costs

|                                                                   |                      |
|-------------------------------------------------------------------|----------------------|
| Estimated Start Up Costs                                          | \$ 35,584            |
| Projected Annual Operational Expenditures                         | \$ 224,768           |
| Staffing                                                          | \$ 15,542,213        |
| <b>Total First Year Operating Cost (including start up costs)</b> | <b>\$ 15,802,565</b> |
| <b>Total Annual Ongoing Estimated Operating Cost</b>              | <b>\$ 15,766,981</b> |

Note - The above figures are summary estimates. Formal notification of project staffing and costs are provided by CDCR in the detailed 30-day letters to the Legislature required by statute. Copies of 30-day letters for approved projects can be found on the CD provided in Appendix A.

## California Medical Facility (CMF) - EOP Treatment and Office Space

### Overview of Proposed Staffing

| Staffing Division | Additional Staffing Required |
|-------------------|------------------------------|
| Custody           | 9.46                         |
| Mental Health     | 4.82                         |
| Support Staff     | 2.00                         |
| <b>Total:</b>     | <b>16.28</b>                 |

### Overview of Estimated Operating Costs

|                                                      |                     |
|------------------------------------------------------|---------------------|
| Projected Annual Operational Expenditures            | \$ 210,631          |
| Staffing                                             | \$ 957,762          |
| <b>Total Annual Ongoing Estimated Operating Cost</b> | <b>\$ 1,168,393</b> |

Note - The above figures are summary estimates. Formal notification of project staffing and costs are provided by CDCR in the detailed 30-day letters to the Legislature required by statute. Copies of 30-day letters for approved projects can be found on the CD provided in Appendix A.

# California Medical Facility (CMF) Vacaville, CA

## Background Info

|                                 |                    |
|---------------------------------|--------------------|
| Original Construction Date      | 1955               |
| Design Bed Capacity             | 2,315              |
| Asset count                     | 121 (98 buildings) |
| Actual Building Square Feet     | 845,000 SF         |
| Replacement Value (Buildings):  | \$325,573,000      |
| Date of VFA Facility Assessment | January 1, 2008    |

## Existing Assets Summary

**The California Medical Facility** assessment data was collected and input into three Campuses : Main Campus – Inside Secured Fence; Main Campus – Outside Secured Fence & Main Campus – Site Infrastructure with an Institution-wide total building size of 845,000 SF.

**Main Campus-Inside Secured Fence**, 760,000 SF, is comprised largely of Housing Dormitories/Cell Units, Dining Halls, Family Visiting Units, Kitchen Facilities and a new Mental Health Crisis Building. A large portion of these assets are 50-54 years old, and the campus has an overall FCI of 49%.

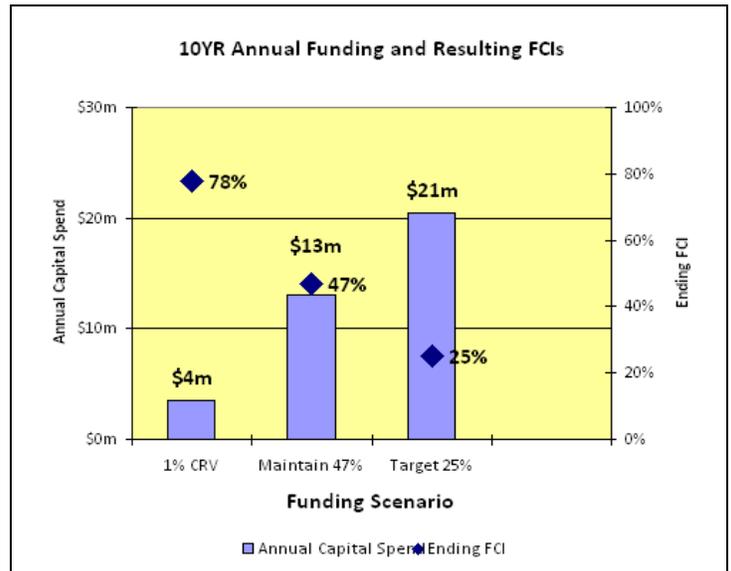
**The Main Campus-Outside Secured Fence**, 85,000 SF, contains Classrooms, Training, Security Guard Towers, Vehicle maintenance, Housing Dormitories & Kitchen Facilities. Of the existing 46 buildings, 21 are older than 50 years and 14 are greater than 25 years old. Collectively, this Campus has an FCI of 42%.

**Main Campus-Site Infrastructure**, serving all campuses, includes assets ranging from 50-year-old Domestic Water Distribution Systems, Natural Gas Distribution Systems, Parking Lots & Roadways to 25 year old Site Lighting, Fencing and Steam Piping. The average FCI of these Site Infrastructure Assets is approximately 23%.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$      | 5YR FCI %  |
|-----------------------------------------|------------------------------|-------------------|------------|
| Structure & Foundations                 | 45,570k                      | 40k               | 0%         |
| Exterior Envelope                       | 30,830k                      | 12,913k           | 42%        |
| Roofing                                 | 7,847k                       | 7,233k            | 92%        |
| Interior Construction                   | 109,288k                     | 64,764k           | 59%        |
| Plumbing & Fixtures                     | 31,522k                      | 6,020k            | 19%        |
| Heating, Ventilating & Air Conditioning | 35,990k                      | 34,305k           | 95%        |
| Fire Protection Systems                 | 2,722k                       | 233k              | 9%         |
| Electrical Systems                      | 52,073k                      | 20,847k           | 40%        |
| Equipment                               | 6,312k                       | 2,838k            | 45%        |
| Site Infrastructure                     | 25,290k                      | 5,781k            | 23%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$347,444k</b>            | <b>\$154,973k</b> | <b>47%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# California Medical Facility (CMF) Vacaville, CA

## Major Issues

The Institutions' Medical Hospital/Housing Cell Building is 54 years old with an FCI of 56% and 5 year funding need of \$101mil. Most of these Building "Wings" have critical operating systems that will need major renovations or entire system replacement within the next 1-3 years.

Approximately 61% of all the buildings on the site are at least 50 years old. Most of these buildings' mechanical, electrical and plumbing systems are beyond their rated useful life, causing higher operating and repair costs and risking shut down in the event of total system failure. These 61 buildings have a combined FCI of approximately 61%.

Site infrastructure assets such as underground Steam Distribution, Parking Lots and Roadways, at an average age of 35-40 years, are well beyond their useful life and indicate their 5 year funding needs to be at \$4.4mil.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$13m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$21m per year for the next 10 years would bring CMF's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index** ( FCI = 47%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                                     | Asset - CRV  | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|--------------------------------------------------|--------------|---------------------|-----------------|
| Fire School - Classroom                          | \$225,609    | \$285,328           | 126%            |
| Fire School - Smoke House                        | \$32,478     | \$40,598            | 125%            |
| Ranch Family Visiting Trailer 1                  | \$32,478     | \$40,598            | 125%            |
| Ranch Family Visiting Trailer 2                  | \$32,478     | \$40,598            | 125%            |
| Site - Parking Lot - 3                           | \$173,995    | \$206,068           | 118%            |
| Site - Parking Lot - 4 (Front of Gas Station/Dry | \$51,175     | \$59,964            | 117%            |
| Site - Distribution - Steam Piping to Solano     | \$1,029,200  | \$1,029,200         | 100%            |
| Fire House                                       | \$741,450    | \$679,938           | 92%             |
| Yard Shack - NRC - Unit IV                       | \$121,308    | \$106,059           | 87%             |
| Boiler House                                     | \$7,377,409  | \$6,422,578         | 87%             |
| Family Visiting Apartments 4 - 5                 | \$202,724    | \$163,475           | 81%             |
| Yard Shack - Main                                | \$157,381    | \$123,727           | 79%             |
| Fire School - Burn Pads with Liquid Recovery     | \$1,339,314  | \$1,046,117         | 78%             |
| Counseling Unit V - Quonset Hut                  | \$176,787    | \$135,731           | 77%             |
| Family Visiting Apartments 2 - 3                 | \$192,318    | \$144,622           | 75%             |
| Site - Parking Lot - 5 (between T-5 & T-6)       | \$441,891    | \$332,142           | 75%             |
| Site - Parking Lot - 2                           | \$360,661    | \$270,425           | 75%             |
| Site - Parking Lot - 4A at IST (Visitors Lot)    | \$389,904    | \$292,351           | 75%             |
| Site - Road - LaBar Lane                         | \$857,793    | \$638,124           | 74%             |
| Administration Bldg and Visitor Center           | \$16,896,166 | \$12,503,178        | 74%             |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name                                  | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|-----------------------------------------------|--------------|-----------|---------------------------|
| Administration Bldg and Visitor Center        | \$16,896,166 | 74%       | \$12,503,178              |
| Wing - W - Cell Housing - Admin. Seg - Willis | \$13,256,050 | 62%       | \$8,217,306               |
| Wing - A - DMH Psch Hospital - PTU Kitchen    | \$14,609,814 | 50%       | \$7,283,773               |
| Wing - B - OR / Pharmacy / Clinic / Labs      | \$14,784,593 | 48%       | \$7,061,687               |
| Wing - R - Occupational Therapy               | \$15,259,727 | 46%       | \$6,984,924               |
| Wing - J - Dorm Housing                       | \$10,996,552 | 61%       | \$6,656,740               |
| Boiler House                                  | \$7,377,409  | 87%       | \$6,422,578               |
| Wing - S - DMH Psch Hospital - DMH Kitchen    | \$10,725,504 | 58%       | \$6,246,797               |
| Main Line and South Corridors and Basements   | \$21,275,359 | 28%       | \$5,943,778               |
| Wing - T - Cell Housing                       | \$10,908,878 | 54%       | \$5,893,239               |
| Wing - Q - DMH Psch Hospital - Blind Project  | \$10,669,172 | 52%       | \$5,584,900               |
| Wing - U - Cell Housing                       | \$11,299,219 | 49%       | \$5,581,777               |
| Wing - V - Cell Housing                       | \$11,372,666 | 49%       | \$5,571,508               |
| Wing - M - Cell Housing                       | \$10,224,082 | 54%       | \$5,562,523               |
| Wing - G - Hospital                           | \$11,842,165 | 46%       | \$5,470,787               |
| Wing - P - Cell Housing                       | \$10,498,543 | 52%       | \$5,446,447               |
| Wing - N - Cell Housing                       | \$10,523,989 | 51%       | \$5,321,802               |
| Wing - I - Cell Housing                       | \$9,392,069  | 56%       | \$5,291,946               |
| Wing - L - Cell Housing                       | \$9,273,140  | 57%       | \$5,263,904               |
| Wing - H - Dorm & Cell Housing                | \$8,977,829  | 52%       | \$4,637,338               |

# 3, 4, & 6 Energy Projects - Institution wide

# 32 Armstrong DPW Bed Conv for ADA - Stwde



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Minor Capitol Outlay Project (MI)

Special Repair Program (SRP)

Deferred Maintenance Program (DMP)

Special Projects (SP)

Energy Projects (E)

CALIFORNIA STATE PRISON, CORCORAN

| Institution Overview                      |       | List Key                                       |                       |                                            |
|-------------------------------------------|-------|------------------------------------------------|-----------------------|--------------------------------------------|
| Year Built/Occupied:                      | 1988  | CDCR Category Code                             | Sub-Category Code     | Phase Code                                 |
|                                           |       | Infill (IN)                                    | Fire/Life/Safety (F)  | Acquisition (A) Study (S)                  |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)           | Preliminary Plans (P)                      |
| Design Bed Capacity                       | 3,116 | Mental Health (MH)                             | Health Care (HC)      | Working Drawings (W)                       |
| Overcrowding Capacity                     | 2,172 | Dental (D)                                     | Programs (P)          | Construction ( C)                          |
| Nontraditional Capacity                   | 535   | Re-Entry (RE)                                  | Security (S)          | Design Build (DB)                          |
| Total                                     | 5,823 | Farrell (FA)                                   | Support Services (SS) | All Phases (PWC)                           |
|                                           |       | Infrastructure (I)                             | Utilities (U)         |                                            |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                      |                       |                                            |
| Female                                    | 0     | Project Type                                   |                       | Project Status                             |
| Reception                                 | 0     | Major (MA)                                     |                       | Active (AC) Portion or all Funded          |
| Level I                                   | 541   | Minor (MI)                                     |                       | Proposed (PR) Proposed for 11/12           |
| Level II                                  | 0     | Special Repair Project (SRP)                   |                       | Completed (CO) Funded & Completed in CY 10 |
| Level III                                 | 2,628 | Special Project (SP)                           |                       |                                            |
| Level IV                                  | 517   | Deferred Maintenance (DM)                      |                       |                                            |
| Special                                   | 1,377 | Energy Projects (E)                            |                       |                                            |
| Total                                     | 5,063 | Funding Source                                 |                       |                                            |
|                                           |       | General Fund (GF)                              |                       |                                            |
| Proposed Infill Bed Site:                 | No    | Bonds (B)                                      |                       |                                            |
| Prison Industry Authority Site            | Yes   | Special Funds (SF)                             |                       |                                            |
| Addiction & Recovery Services             | Yes   | AB900 General Fund (AB900GF)                   |                       |                                            |
| Administrative Segregation Unit           | Yes   | AB900 Lease Revenue (AB900LR)                  |                       |                                            |
| Sensitive Needs Yard                      | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |                                            |
| Small Management Yard                     | Yes   |                                                |                       |                                            |
| Wheelchair/Disabled Access                | Yes   |                                                |                       |                                            |

| Institution Infrastructure Overview               |     |                                           |     |                      |
|---------------------------------------------------|-----|-------------------------------------------|-----|----------------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |     | Municipal Only.      |
| Wastewater Overusage:                             | No  | Fines:                                    | No  | Amount: \$           |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |     | 21%                  |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 11  | Amount: \$9,012,900  |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 14  | Amount: \$23,519,099 |
| VFA Assessments                                   | No  | Est. Date:                                | TBD | Phase: III           |

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                                                                             | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | O                  | S                 | Small Management Yards for SHU/PSU (1 of 6 institutions)                                                                                 | AC             | W     |
| 2              | MA           | IN                 | HC                | Ad Seg/EOP Treatment & Office Space - Coleman                                                                                            | AC             | P     |
| 3              | E            | I                  | U                 | Energy Management Control System                                                                                                         | AC             | C     |
| 4              | E            | I                  | U                 | Energy Efficiency Facility Wide Interior Lighting Retrofit                                                                               | AC             | C     |
| 5              | DM           | I                  | F                 | "Temporary" Emergency Roof Repairs Bldgs 4A (1-4) & 4B (2&4)                                                                             | AC             | PWC   |
| 6              | E            | I                  | U                 | Energy Management Control System Phase 2 Lighting Retrofit                                                                               | AC             | C     |
| 7              | DM           | I                  | F                 | Repair Fire Alarm and Sprinkler System                                                                                                   | PR             | PWC   |
| 8              | DM           | I                  | F                 | 180 Housing Unit Roofs 4B2/4B4 - Phase 3                                                                                                 | PR             | C     |
| 9              | DM           | I                  | F                 | 180 Housing Unit Roofs 4A3 & 4A4 - Phase 2                                                                                               | PR             | PWC   |
| 10             | DM           | I                  | F                 | 180 Housing Unit Roofs 4A1 & 4A2 - Phase 4                                                                                               | PR             | PWC   |
| 11             | DM           | I                  | S                 | Lethal Electrified Fence - Bird Netting Replacement (LEF = Phase 1)                                                                      | PR             | PWC   |
| 12             | DM           | I                  | S                 | Asphalt Road Repairs                                                                                                                     | PR             | PWC   |
| 13             | DM           | I                  | U                 | Replace Hot Water Piping - Hydronic Loop (design)                                                                                        | PR             | P     |
| 14             | DM           | I                  | U                 | Upgrade Main Electrical Switchgear (design)                                                                                              | PR             | P     |
| 15             | DM           | I                  | U                 | Upgrade Institution Electrical Switchgear (construction)                                                                                 | PR             | C     |
| 16             | DM           | I                  | F                 | Upgrade Fire Suppression System -Bldg 201 Support Warehouse                                                                              | PR             | PWC   |
| 17             | DM           | I                  | U                 | Replace Hot Water Piping - Hydronic Loop (construction)                                                                                  | PR             | C     |
| 18             | DM           | O                  | F                 | Replace Boiler Controls to Meet New NOx Emission Stds of 5ppmv - Oct-2008 SJVAPD Rule 4320                                               | PR             | PWC   |
| 19             | DM           | I                  | F                 | Emergency - IWL Roof Replacement 414A (4A4L&R)                                                                                           | PR             | PWC   |
| 20             | SRP          | I                  | U                 | Pond Liner Placement Pond A                                                                                                              | PR             | PWC   |
| 21             | SRP          | O                  | F                 | Replace Television Master Antenna System                                                                                                 | PR             | PWC   |
| 22             | SRP          | O                  | F                 | ADA Modifications - Facility 3B/Path of Travel and 3B/Cell Modifications, Acute Care Cell Modifications & 3A03/Ad-Seg Cell Modifications | PR             | PWC   |
| 23             | SRP          | I                  | U                 | Housing Unit Control Panel Upgrade - Doors, Grates, Cell Doors, Intercom, Lighting, Alarm Control Center                                 | PR             | PWC   |
| 24             | SRP          | I                  | F                 | Replace Control Booth Windows                                                                                                            | PR             | PWC   |
| 25             | SRP          | O                  | F                 | ADA Modify (23) Cells for DPW in ACH                                                                                                     | PR             | PWC   |
| 26             | SRP          | I                  | U                 | Toilet Back Flushing Repair at Facility 3A, 3B,and 3C                                                                                    | PR             | PWC   |
| 27             | SRP          | I                  | U                 | Repair Concrete Utility Vaults Inner Secured Perimeter Road                                                                              | PR             | PWC   |
| 28             | SRP          | I                  | F                 | Kitchen Floor - Level IV & Level 1Bldg. 411-B / Bldg. 108-H                                                                              | PR             | PWC   |
| 29             | SRP          | I                  | U                 | Kitchen Floor - Facility A ,B, C Bldgs. 307-A, 307-B, 308-C                                                                              | PR             | PWC   |
| 30             | SRP          | I                  | F                 | Main Kitchen Floor Repair Facility 3A - Bldg. 309A                                                                                       | PR             | PWC   |
| 31             | MA           | I                  | U                 | WWTP Improvements                                                                                                                        | CO             | PWC   |
| 32             | SRP          | HC                 | F                 | Armstrong DPW Bed Conversions for ADA - 4 Cells                                                                                          | CO             | PWC   |
| 33             | DM           | I                  | F                 | Living Unit Roofs 4B1/4B3 Phase I                                                                                                        | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA STATE PRISON, CORCORAN (COR)

#### Active Project:

| Type | Cat | Phase | Project Name                   | Scope:                                                                                                                                                                                                                                                                        |
|------|-----|-------|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | W     | Small Management Yards SHU/PSU | This project will construct SMY at 5 institutions in order to comply with California Code of Regulations, Title 15 regarding inmates housed in Segregated Program Housing Units allowing them out of cell time for exercise. This project will construct 49 SMYs at Corcoran. |

Notes:

#### Project Schedule:

#### Funding:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year    | Aug/ Reversion | Year | Current Authority | Year    | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-------------|---------|----------------|------|-------------------|---------|----------------|
| P     | 08/2009        | 11/2009           | 09/2009       | 01/2010          | 100%       | \$153,000   | 2009-10 |                |      | \$153,000         | 2009-10 | GF             |
| W     | 12/2009        | 04/2010           | 01/2010       | 05/2010          | 85%        | \$125,000   | 2009-10 |                |      | \$125,000         | 2009-10 | GF             |
| C     | 07/2010        | 06/2012           | 07/2010       | 06/2012          | 0%         | \$6,251,000 | 2010-11 |                |      | \$6,251,000       | 2010-11 | GF             |

Notes: Project Costs for Construction are based on 5 Institutions

#### Active Project:

| Type | Cat | Phase | Project Name                        | Scope:                                                                                                                                                                                                                                                       |
|------|-----|-------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | IN  | P     | Ad Seg EOP Treatment & Office Space | This is an AB900 Infill project that will design and add needed EOP treatment and office space for Ad Seg inmates at COR. The building will be apx 14,625 SF and include individual and group therapy rooms, classrooms and office space for clinical staff. |

#### Project Schedule:

#### Funding:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App          | Year | Aug/ Reversion | Year | Current Authority | Year    | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|--------------|------|----------------|------|-------------------|---------|----------------|
| P     | 02/2010        | 02/2011           | 02/2010       | 02/2011          | 10%        | \$1,086,000  |      |                |      | \$1,086,000       | 2007-08 | AB900LR        |
| W     | 02/2011        | 09/2011           | 02/2011       | 09/2011          | 0%         | \$1,031,000  |      |                |      | \$1,031,000       | 2007-08 | AB900LR        |
| C     | 11/2011        | 02/2013           | 11/2011       | 02/2013          | 0%         | \$15,553,000 |      |                |      | \$15,553,000      | 2007-08 | AB900LR        |

Notes: PWB approved scope, cost and schedule in 02/2010

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                                        | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|---------------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0910-00499 | "Temporary" Emergency Roof Repairs Bldgs 4A (1-4) & 4B (2&4)        | AC       | 2009-10 | \$549,000     | GF             |
| DM   | 0809-00086 | Repair Fire Alarm and Sprinkler System                              | PR       | 2011-12 | \$2,500,000   | GF             |
| DM   | 0809-00087 | 180 Housing Unit Roofs 4B2/4B4 - Phase 3                            | PR       | 2010-11 | \$1,445,000   | GF             |
| DM   | 0809-00088 | 180 Housing Unit Roofs 4A3 & 4A4 - Phase 2                          | PR       | 2010-11 | \$1,445,000   | GF             |
| DM   | 0809-00089 | 180 Housing Unit Roofs 4A1 & 4A2 - Phase 4                          | PR       | 2010-11 | \$1,445,000   | GF             |
| DM   | 0809-00482 | Lethal Electrified Fence - Bird Netting Replacement (LEF = Phase 1) | PR       | 2010-11 | \$618,081     | GF             |
| DM   | 0809-00875 | Asphalt Road Repairs                                                | PR       | 2011-12 | \$3,847,910   | GF             |
| DM   | 0809-01786 | Replace Hot Water Piping - Hydronic Loop (design)                   | PR       | 2010-11 | \$520,000     | GF             |
| DM   | 0809-01788 | Upgrade Main Electrical Switchgear (design)                         | PR       | 2011-12 | \$576,000     | GF             |
| DM   | 0809-01827 | Upgrade Institution Electrical Switchgear (construction)            | PR       | 2011-12 | \$4,374,000   | GF             |
| DM   | 0910-00028 | Upgrade Fire Suppression System - Bldg 201 Support Whse             | PR       | 2010-11 | \$328,268     | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA STATE PRISON, CORCORAN (COR)

#### Special Repair/Deferred Maintenance Projects (continued)

| Type | Project#   | Project Name                                                                                                                             | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|------------------------------------------------------------------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0910-00061 | Replace Hot Water Piping - Hydronic Loop (construction)                                                                                  | PR       | 2010-11 | \$4,470,840   | GF             |
| DM   | 0910-00576 | Replace Boiler Controls to Meet New NOx Emission Stds of 5ppmv - Oct-2008 SJVAPD Rule 4320                                               | PR       | 2010-11 | \$650,000     | GF             |
| DM   | 0910-00577 | Emergency - IWL Roof Replacement 414A (4A4L&R)                                                                                           | PR       | 2010-11 | \$750,000     | GF             |
| SRP  | 0809-00085 | Pond Liner Placement Pond A                                                                                                              | PR       | 2010-11 | \$1,080,000   | GF             |
| SRP  | 0809-00091 | Replace Television Master Antenna System                                                                                                 | PR       | 2011-12 | \$65,000      | GF             |
| SRP  | 0809-00869 | ADA Modifications - Facility 3B/Path of Travel and 3B/Cell Modifications, Acute Care Cell Modifications & 3A03/Ad-Seg Cell Modifications | PR       | 2011-12 | \$2,180,265   | GF             |
| SRP  | 0910-00062 | Housing Unit Control Panel Upgrade - Doors, Grates, Cell Doors, Intercom, Lighting, Alarm Control Center                                 | PR       | 2011-12 | \$1,884,307   | GF             |
| SRP  | 0910-00063 | Replace Control Booth Windows                                                                                                            | PR       | 2011-12 | \$978,340     | GF             |
| SRP  | 0910-00242 | ADA Modify (23) Cells for DPW in ACH                                                                                                     | PR       | 2011-12 | \$309,870     | GF             |
| SRP  | 0910-00820 | Toilet Back Flushing Repair at Facility 3A, 3B, and 3C.                                                                                  | PR       | 2011-12 | \$1,850,200   | GF             |
| SRP  | 0910-00885 | Repair Concrete Utility Vaults Inner Secured Perimeter Road                                                                              | PR       | 2010-11 | \$228,413     | GF             |
| SRP  | 0910-00886 | Kitchen Floor - Level IV & Level 1Bldg. 411-B / Bldg. 108-H                                                                              | PR       | 2011-12 | \$142,829     | GF             |
| SRP  | 0910-00887 | Kitchen Floor - Facility A, B, C Bldgs. 307-A, 307-B, 308-C                                                                              | PR       | 2011-12 | \$136,350     | GF             |
| SRP  | 0910-00888 | Main Kitchen Floor Repair Facility 3A - Bldg. 309A                                                                                       | PR       | 2011-12 | \$157,326     | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                                  | Project Costs           | Date Completed | Funding Source  |
|------|-----|-----------------------------------------------|-------------------------|----------------|-----------------|
| MA   | I   | Waste Water Treatment Plant Improvements      | \$6,643.00              | 03/2010        | PW-GF/C-AB900GF |
| SRP  | HC  | Armstrong DPW Bed Conversions for ADA-4 Cells | See STWD for Project \$ | 08/2010        | GF              |
| DM   | I   | Living Unit Roofs 4B1/4B3 Phase I             | \$808,000               | 05/2010        | GF              |

\* See LEGEND SHEET at beginning for LIST KEY explanation

## Corcoran State Prison (COR) EOP Office and Treatment Space

### Overview of Proposed Staffing

| Staffing Division | Proposed Additional Staffing |
|-------------------|------------------------------|
| Custody           | 11.12                        |
| Mental Health     | 14.82                        |
| Support Staff     | 2.00                         |
| <b>Total:</b>     | <b>27.94</b>                 |

Note - the 27.94 PYs shown above are in addition to 19.5 PYs already in place at COR's for the existing EOP ASU

### Overview of Estimated Operating Costs

|                                                      |                     |
|------------------------------------------------------|---------------------|
| Projected Annual Operational Expenditures            | \$ 64,776           |
| Staffing                                             | \$ 2,678,156        |
| <b>Total Annual Ongoing Estimated Operating Cost</b> | <b>\$ 2,742,932</b> |

Note - The above figures are summary estimates. Formal notification of project staffing and costs are provided by CDCR in the detailed 30-day letters to the Legislature required by statute. Copies of 30-day letters for approved projects can be found on the CD provided in Appendix A.



| Legend: Project Type by Color Code |                                    |
|------------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA)  | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI)  | Special Projects (SP)              |
| Special Repair Program (SRP)       | Energy Projects (E)                |

**CALIFORNIA REHABILITATION CENTER**

| Institution Overview                      |       | List Key                                       |                          |                                            |
|-------------------------------------------|-------|------------------------------------------------|--------------------------|--------------------------------------------|
| Year Built/Occupied:                      | 1962  | <b>CDCR Category Code</b>                      | <b>Sub-Category Code</b> | <b>Phase Code</b>                          |
|                                           |       | Infill (IN)                                    | Fire/Life/Safety (F)     | Acquisition (A) Study (S)                  |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)              | Preliminary Plans (P)                      |
| Design Bed Capacity                       | 2,491 | Mental Health (MH)                             | Health Care (HC)         | Working Drawings (W)                       |
| Overcrowding Capacity                     | 2,358 | Dental (D)                                     | Programs (P)             | Construction ( C)                          |
| Nontraditional Capacity                   | 196   | Re-Entry (RE)                                  | Security (S)             | Design Build (DB)                          |
| Total                                     | 5,045 | Farrell (FA)                                   | Support Services (SS)    | All Phases (PWC)                           |
|                                           |       | Infrastructure (I)                             | Utilities (U)            |                                            |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                      |                          |                                            |
| Female                                    | 0     | <b>Project Type</b>                            |                          | <b>Project Status</b>                      |
| Reception                                 | 0     | Major (MA)                                     |                          | Active (AC) Portion or all Funded          |
| Level I                                   | 70    | Minor (MI)                                     |                          | Proposed (PR) Proposed for 11/12           |
| Level II                                  | 4,172 | Special Repair Project (SRP)                   |                          | Completed (CO) Funded & Completed in CY 10 |
| Level III                                 | 0     | Special Project (SP)                           |                          |                                            |
| Level IV                                  | 0     | Deferred Maintenance (DM)                      |                          |                                            |
| Special                                   | 0     | Energy Projects (E)                            |                          |                                            |
| Total                                     | 4,242 | <b>Funding Source</b>                          |                          |                                            |
|                                           |       | General Fund (GF)                              |                          |                                            |
| Proposed Infill Bed Site:                 | No    | Bonds (B)                                      |                          |                                            |
| Prison Industry Authority Site            | No    | Special Funds (SF)                             |                          |                                            |
| Addiction & Recovery Services             | Yes   | AB900 General Fund (AB900GF)                   |                          |                                            |
| Administrative Segregation Unit           | No    | AB900 Lease Revenue (AB900LR)                  |                          |                                            |
| Sensitive Needs Yard                      | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                          |                                            |
| Small Management Yard                     | No    |                                                |                          |                                            |
| Wheelchair/Disabled Access                | Yes   |                                                |                          |                                            |

| Institution Infrastructure Overview               |                 |                                           |     |         |              |
|---------------------------------------------------|-----------------|-------------------------------------------|-----|---------|--------------|
| Water (On-site Wells, Municipal, Both):           | Municipal Only. |                                           |     |         |              |
| Wastewater Overusage:                             | No              | Fines:                                    | No  | Amount: | \$           |
| Water Conservation Devices                        | No              | If yes, what is the percentage reduction? |     |         |              |
| Special Repair Projects (Active & Proposed)       |                 | # of Projects:                            | 12  | Amount: | \$14,440,552 |
| Deferred Maintenance Projects (Active & Proposed) |                 | # of Projects:                            | 4   | Amount: | \$1,527,981  |
| VFA Assessments                                   | No              | Est. Date:                                | TBD | Phase:  | III          |

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                            | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | I                  | H                 | Replace Men's Dorms                                                     | AC             | WC    |
| 2              | MA           | I                  | U                 | Potable Water System Upgrade                                            | AC             | W     |
| 3              | E            | I                  | U                 | Energy Efficient Lighting, EMS                                          | AC             | C     |
| 4              | SRP          | I                  | F                 | Facility IV Kitchen Replace Fume Hood & Ventilation System              | AC             | PWC   |
| 5              | SRP          | I                  | F                 | Building 107 Renovate Restroom/Shower Phase III                         | AC             | PWC   |
| 6              | MA           | I                  | S                 | Construct Additional Guard Tower                                        | PR             | PW    |
| 7              | DM           | I                  | F                 | Building 320-Replace Roof - Construction                                | PR             | C     |
| 8              | DM           | I                  | F                 | Central Kitchen/Custody/Medical-Replace Roof - Construction             | PR             | C     |
| 9              | DM           | I                  | F                 | Reservoir #2-Replace Roof - Design                                      | PR             | P     |
| 10             | DM           | I                  | F                 | Electrical System-Replace Electrical System - Design                    | PR             | P     |
| 11             | SRP          | I                  | U                 | Steam Plant & Boilers-New Nox Standards                                 | PR             | PWC   |
| 12             | SRP          | I                  | U                 | Norco Hotel-Reroute Utility Services - Study                            | PR             | S     |
| 13             | SRP          | I                  | U                 | Perimeter Lighting-Replace Lighting System - Design                     | PR             | P     |
| 14             | SRP          | O                  | F                 | Security System-Replace Personal Alarm System - Design                  | PR             | P     |
| 15             | SRP          | I                  | F                 | Electrical System Infrastructure - Replace Existing System Construction | PR             | C     |
| 16             | SRP          | O                  | SS                | Main Culinary-Renovate Walk-in Freezer Boxes-Phase2 (Construction)      | PR             | C     |
| 17             | SRP          | O                  | SS                | Replace Landscape Irrigation System & Plant Material - Design           | PR             | P     |
| 18             | SRP          | I                  | H                 | Ingalls Hall (Army Reserve Center) Renovate Building - Design           | PR             | P     |
| 19             | SRP          | I                  | SS                | Sitewide-Repair Roads & Parking Lot - Design                            | PR             | P     |
| 20             | SRP          | I                  | U                 | Emergency Generator-Replace/Upgrade Generator Capacity - Design         | PR             | P     |
| 21             | SRP          | I                  | F                 | Replace Grease Interceptor Main Kitchen                                 | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA REHABILITATION CENTER (CRC)

**Active Project:**

| Type | Cat | Phase | Project Name        | Scope:                                                                                                          |
|------|-----|-------|---------------------|-----------------------------------------------------------------------------------------------------------------|
| MA   | I   | W     | Replace Men's Dorms | This is a multi phased project to replace 28 WWII era men's dorms' with 16 prototypical designed housing units. |

Notes:

**Project Schedule:**

| Project Schedule: |                |                   |               |                  |            | Funding:                   |                        |                   |           |                   |           |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|----------------------------|------------------------|-------------------|-----------|-------------------|-----------|----------------|
| Phase 0 &1        | Original Start | Original Complete | Current Start | Current Complete | % Complete | App                        | Year                   | Aug/<br>Reversion | Year      | Current Authority | Year      | Funding Source |
| P<br>All Phases   | 10/1998        | 03/1999           | 10/1998       | 09/2000          | 100%       | \$1,033,000                | 1998/1999              |                   |           | \$1,033,000       | 1998/1999 | GF             |
| W<br>Phase 0, I   | 06/1999        | 10/1999           | 09/2000       | 03/2002          | 100%       | \$494,000                  | 1998/1999<br>2000/2001 | 79,000+           | 2001/2002 | \$573,000         | 2000/2001 | GF             |
| C<br>Phase 0, 1   | 04/2000        | 07/2002           | 06/2002       | 01/2003          | 100%       | \$1,012,000<br>\$6,237,000 | 1998/1999<br>2000/2001 | -\$254,000        | 2006/2007 | \$6,995,000       | 2006/2007 | GF             |

Notes:

**Project Schedule:**

| Project Schedule: |                |                   |               |                  |            | Funding:     |           |                        |                        |                   |           |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|--------------|-----------|------------------------|------------------------|-------------------|-----------|----------------|
| Phase II          | Original Start | Original Complete | Current Start | Current Complete | % Complete | App          | Year      | Aug/<br>Reversion      | Year                   | Current Authority | Year      | Funding Source |
| W                 | 09/2000        | 06/2001           | 07/2002       | 08/2010          | 95%        | \$119,000    | 2000/2001 | \$155,000<br>\$254,000 | 2006/2007<br>2008/2009 | \$528,000         | 2008/2009 | GF             |
| C                 | 08/2008        | 06/2010           | TBD           | TBD              | 0%         | \$14,993,000 | 2008/2009 |                        |                        | \$14,993,000      | 2008/2009 | LR             |

Notes:

**Project Schedule:**

| Project Schedule: |                |                   |               |                  |            | Funding:     |           |                   |      |                   |           |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|--------------|-----------|-------------------|------|-------------------|-----------|----------------|
| Phase III         | Original Start | Original Complete | Current Start | Current Complete | % Complete | App          | Year      | Aug/<br>Reversion | Year | Current Authority | Year      | Funding Source |
| W                 | 08/2008        | 03/2009           | 12/2008       | 08/2010          | 95%        | \$343,000    | 2008/2009 |                   |      | \$343,000         | 2008/2009 | GF             |
| C                 | 04/2010        | 08/2012           | TBD           | TBD              | 0%         | \$14,950,000 | 2009/2010 |                   |      | \$14,950,000      | 2009/2010 | LR             |

Notes:

\* See LEGEND SHEET at beginning for LIST KEY explanation

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA REHABILITATION CENTER (CRC)

#### Active Project:

| Type | Cat | Phase | Project Name                  | Scope:                                                                                                                                                                                                                                                                             |
|------|-----|-------|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | W     | Potable Water System Upgrades | Project makes various improvements to the existing potable water distribution system. This will correct a portion of the water system deficiencies by installing & replacing fire hydrants, distribution pipeline & pressure valves, backflow improvements and storage facilities. |

Notes:

#### Project Schedule:

| Project Schedule: |                |                   |               |                  |            | Funding:                   |                        |                             |                        |                   |           |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|----------------------------|------------------------|-----------------------------|------------------------|-------------------|-----------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App                        | Year                   | Aug/<br>Reversion           | Year                   | Current Authority | Year      | Funding Source |
| P                 | 10/2001        | 05/2002           | 11/2001       | 06/2002          | 100%       | \$98,000                   | 2001/2002              |                             |                        | \$98,000          | 2001/2002 | GF             |
| W                 | 05/2002        | 09/2002           | 04/2010       | 02/2011          | 75%        | \$130,000<br>\$536,000     | 2001/2002<br>2007/2008 |                             |                        | \$666,000         | 2007/2008 | GF             |
| C                 | 01/2003        | 04/2004           | 12/2010       | 01/2013          | 0%         | \$1,845,000<br>\$3,308,000 | 2002/2003<br>2007/2008 | \$- 123,000<br>\$-1,722,000 | 2002/2003<br>2008/2009 | \$3,308,000       | 2008/2009 | AB900GF        |

Notes: In 01/2008 the City of Norco agreed to a no-fee water connection. It was determined that the existing WD appropriation is not sufficient to complete WD. Due to escalation of costs in the six years since the original appropriation, the existing construction appropriation was not sufficient either. DOF determined AB 900 GF appropriations would be utilized to complete this project.

#### Proposed Project:

| Type | Cat | Phase | Project Name                     | Scope:                                                                                                                                                                   |
|------|-----|-------|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | O   | PW    | Construct Additional Guard Tower | Project would design and construct a new perimeter tower to be located between the existing Towers 5 & 6, in order to improve the perimeter security of the institution. |

#### Project Schedule:

| Project Schedule: |            |  |  |  | Project Budget: |              |            |                |
|-------------------|------------|--|--|--|-----------------|--------------|------------|----------------|
| Phase             | Begin Date |  |  |  | Phase           | Budget Costs | Total Cost | Funding Source |
| PW                | FY 11/12   |  |  |  | PW              | \$307,000    |            |                |
| C                 | FY 12/13   |  |  |  | C               | \$1,862,000  |            |                |

Notes: Submitted for FY 11/12 PW Funding consideration

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA REHABILITATION CENTER (CRC)

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                                           | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|------------------------------------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0809-00092 | Facility IV Kitchen Replace Fume Hood & Ventilation System             | AC       | 2008-09 | \$135,000     | GF             |
| SRP  | 0809-01943 | Building 107 Renovate Restroom/Shower Phase III                        | AC       | 2008-09 | \$600,000     | GF             |
| DM   | 0809-00094 | Building 320-Replace Roof-Construction                                 | PR       | 2010-11 | \$360,000     | GF             |
| DM   | 0809-00097 | Central Kitchen/Custody/Medical-Replace Roof-Construction              | PR       | 2010-11 | \$998,000     | GF             |
| DM   | 0809-00100 | Reservoir #2-Replace Roof- Design                                      | PR       | 2011-12 | \$19,981      | GF             |
| DM   | 0809-02011 | Electrical System-Replace Electrical System-Design                     | PR       | 2011-12 | \$150,000     | GF             |
| SRP  | 0910-00390 | Steam Plant & Boilers-New Nox Standards                                | PR       | 2010-11 | \$700,000     | GF             |
| SRP  | 0910-00449 | Norco Hotel-Reroute Utility Services-Study                             | PR       | 2011-12 | \$55,000      | GF             |
| SRP  | 0910-00807 | Perimeter Lighting-Replace Lighting System-Design                      | PR       | 2012-13 | \$85,293      | GF             |
| SRP  | 0910-00808 | Security System-Replace Personal Alarm System-Design                   | PR       | 2012-13 | \$65,000      | GF             |
| SRP  | 0910-00809 | Electrical System Infrastructure -Replace Existing System Construction | PR       | 2012-13 | \$11,717,860  | GF             |
| SRP  | 0910-00810 | Main Culinary-Renovate Walk-in Freezer Boxes-Phase2 (Construction)     | PR       | 2010-11 | \$151,899     | GF             |
| SRP  | 0910-00811 | Replace Landscape Irrigation System & Plant Material-Design            | PR       | 2012-13 | \$45,500      | GF             |
| SRP  | 0910-00812 | Ingalls Hall (Army Reserve Center) Renovate Building-Design            | PR       | 2013-14 | \$700,000     | GF             |
| SRP  | 0910-00817 | Sitewide-Repair Roads & Parking Lot- Design                            | PR       | 2012-13 | \$35,000      | GF             |
| SRP  | 0910-00818 | Emergency Generator-Replace/Upgrade Generator Capacity-Design          | PR       | 2011-12 | \$150,000     | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                            | Project Costs | Date Completed | Funding Source |
|------|-----|-----------------------------------------|---------------|----------------|----------------|
| SRP  | I   | Replace Grease Interceptor Main Kitchen | \$119,000     | 02/2010        | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

# 2 & # 3 Energy Efficiency & Lighting - Institution wide

# 4 Toilet Replacement (phased) - Institution wide

# 12 Replace Cell Lighting Fixtures - North/Central



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Minor Capitol Outlay Project (MI)

Special Repair Program (SRP)

Deferred Maintenance Program (DMP)

Special Projects (SP)

Energy Projects (E)

**CORRECTIONAL TRAINING FACILITY**



# 2 & # 3 Energy Efficiency & Lighting - Institution wide

# 4 Toilet Replacement (phased) - Institution wide

| Legend: Project Type by Color Code |                                    |
|------------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA)  | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI)  | Special Projects (SP)              |
| Special Repair Program (SRP)       | Energy Projects (E)                |

**CORRECTIONAL TRAINING FACILITY**

| Institution Overview                      |       | List Key                                       |                                            |                           |
|-------------------------------------------|-------|------------------------------------------------|--------------------------------------------|---------------------------|
| Year Built/Occupied:                      | 1946  | <b>CDCR Category Code</b>                      | <b>Sub-Category Code</b>                   | <b>Phase Code</b>         |
|                                           |       | Infill (IN)                                    | Fire/Life/Safety (F)                       | Acquisition (A) Study (S) |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)                                | Preliminary Plans (P)     |
| Design Bed Capacity                       | 3,312 | Mental Health (MH)                             | Health Care (HC)                           | Working Drawings (W)      |
| Overcrowding Bed Capacity                 | 3,021 | Dental (D)                                     | Programs (P)                               | Construction ( C)         |
| Nontraditional Bed Capacity               | 500   | Re-Entry (RE)                                  | Security (S)                               | Design Build (DB)         |
| Total                                     | 6,833 | Farrell (FA)                                   | Support Services (SS)                      | All Phases (PWC)          |
|                                           |       | Infrastructure (I)                             | Utilities (U)                              |                           |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                      |                                            |                           |
| Female                                    | 0     | <b>Project Type</b>                            | <b>Project Status</b>                      |                           |
| Reception                                 | 0     | Major (MA)                                     | Active (AC) Portion or all Funded          |                           |
| Level I                                   | 938   | Minor (MI)                                     | Proposed (PR) Proposed for 11/12           |                           |
| Level II                                  | 2,756 | Special Repair Project (SRP)                   | Completed (CO) Funded & Completed in CY 10 |                           |
| Level III                                 | 2,725 | Special Project (SP)                           |                                            |                           |
| Level IV                                  | 0     | Deferred Maintenance (DM)                      |                                            |                           |
| Special                                   | 0     | Energy Projects (E)                            |                                            |                           |
| Total                                     | 6,419 | <b>Funding Source</b>                          |                                            |                           |
|                                           |       | General Fund (GF)                              |                                            |                           |
| Proposed Infill Bed Site:                 | No    | Bonds (B)                                      |                                            |                           |
| Prison Industry Authority Site            | Yes   | Special Funds (SF)                             |                                            |                           |
| Addiction & Recovery Services             | Yes   | AB900 General Fund (AB900GF)                   |                                            |                           |
| Administrative Segregation Unit           | Yes   | AB900 Lease Revenue (AB900LR)                  |                                            |                           |
| Sensitive Needs Yard                      | No    | AB900 Infrastructure Lease Revenue (AB900LR-I) |                                            |                           |
| Small Management Yard                     | Yes   |                                                |                                            |                           |
| Wheelchair/Disabled Access                | Yes   |                                                |                                            |                           |

| Institution Infrastructure Overview               |     |                                           |    |                     |
|---------------------------------------------------|-----|-------------------------------------------|----|---------------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |    | Municipal Only.     |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$          |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    | 21%                 |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 5  | Amount: \$5,164,771 |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 1  | Amount: \$246,000   |
| VFA Assessment Facility Condition Index %         | 46% | 5 Yr Cost to Maintain Current FCI         |    | \$215,602,000       |

## CORRECTIONAL TRAINING FACILITY (CTF)

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                 | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|------------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | O                  | S                 | Solid Cell Fronts                                                            | AC             | W     |
| 2              | E            | I                  | U                 | Motor Upgrades, Life Station VFD, Various Lighting Retrofit, Boiler Retrofit | AC             | PWC   |
| 3              | E            | I                  | U                 | Boiler Retrofit, Motors & Lighting                                           | AC             | C     |
| 4              | DM           | I                  | U                 | Toilet Replacement Phase 13 of 25                                            | AC             | C     |
| 5              | SRP          | I                  | U                 | Replace Boiler South Facility                                                | AC             | PWC   |
| 6              | SRP          | I                  | U                 | Boiler Replacement Construction, Central Facility Phase 3                    | PR             | C     |
| 7              | SRP          | I                  | F                 | Repair Asphalt on A & B Yards                                                | PR             | PWC   |
| 8              | SRP          | I                  | S                 | 19 Guard Tower Replace Roofs & Windows - Design Phase                        | PR             | P     |
| 9              | SRP          | I                  | S                 | Replace Towers 10 and 17                                                     | PR             | PWC   |
| 10             | MA           | I                  | S                 | Electrified Fence                                                            | PR             | P     |
| 11             | MI           | I                  | U                 | South Yard Lighting                                                          | CO             | PWC   |
| 12             | SRP          | I                  | U                 | Replacement of Cell Lighting Fixtures Phase 1 of 15                          | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### CORRECTIONAL TRAINING FACILITY (CTF)

#### Active Project:

| Type | Cat | Phase | Project Name      | Scope:                                                                             |
|------|-----|-------|-------------------|------------------------------------------------------------------------------------|
| MA   | O   | W     | Solid Cell Fronts | Replace existing barred cell front fronts/doors and update the locking mechanisms. |

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | Project Budget: |           |                |      |                   |           |                |
|-------|----------------|-------------------|---------------|------------------|------------|-----------------|-----------|----------------|------|-------------------|-----------|----------------|
|       |                |                   |               |                  |            | App             | Year      | Aug/ Reversion | Year | Current Authority | Year      | Funding Source |
| P     | 08/2007        | 06/2008           | 09/2007       | 04/2008          | 100%       | \$405,000       | 2007/2008 |                |      | \$405,000         | 2007/2008 | GF             |
| W     | 08/2008        | 04/2009           | 11/2008       | 11/2010          | 99%        | \$498,000       | 2008/2009 |                |      | \$498,000         | 2008/2009 | GF             |
| C     | FY 11/12       |                   |               |                  |            | \$6,595,000     |           |                |      |                   |           |                |

Notes: On Project List for C funding consideration in 11/12-WD phase close out postponed until the PWB submittal for C phase funding.

#### Proposed Project:

| Type | Cat | Phase | Project Name                    | Scope:                                                    |
|------|-----|-------|---------------------------------|-----------------------------------------------------------|
| MA   | O   | Phase | North/Central Electrified Fence | Install E-Fence at CTF to provide for a secure perimeter. |

#### Project Schedule:

| Phase | Begin Date |  |  |  | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|--|--|--|-------|--------------|------------|----------------|
|       |            |  |  |  |       |              |            |                |
| W     | FY 12/13   |  |  |  | W     | \$1,497,000  |            |                |
| C     | FY 13/14   |  |  |  | C     | \$17,677,000 |            |                |

Notes: On Project List for P Funding consideration in FY11/12.

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                              | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-----------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00944 | Toilet Replacement Phase 13 of 25                         | AC       | 2008-09 | \$246,000     | GF             |
| SRP  | 0708-00003 | Replace Boiler South Facility                             | AC       | 2008-09 | \$1,036,000   | GF             |
| SRP  | 0809-00111 | Boiler Replacement Construction, Central Facility Phase 3 | PR       | 2011-12 | \$2,108,000   | GF             |
| SRP  | 0910-00008 | Repair Asphalt on A & B Yards                             | PR       | 2011-12 | \$372,771     | GF             |
| SRP  | 0910-01178 | 19 Guard Tower Replace Roofs & Windows-Design Phase       | PR       | 2010-11 | \$48,000      | GF             |
| SRP  | 0910-01181 | Replace Towers 10 and 17                                  | PR       | 2010-11 | \$1,600,000   | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                                     | Project Costs | Date Completed | Funding Source |
|------|-----|--------------------------------------------------|---------------|----------------|----------------|
| MI   | I   | South Yard Lighting                              | \$148,000     | 08/2010        | GF             |
| SRP  | I   | Replacement of Cell Lighting Fixtures Ph 1 of 15 | \$240,000     | 07/2010        | GF             |

# Correctional Training Facility (CTF)

Soledad, CA

## Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1946                |
| Design Bed Capacity             | 3,281               |
| Asset count                     | 358 (310 buildings) |
| Actual Building Square Feet     | 1,447,000 SF        |
| Replacement Value (Buildings):  | \$436,119,000       |
| Date of VFA Facility Assessment | August 1, 2007      |

## Existing Assets Summary

**The Correctional Training Facility** assessment data was collected and input into seven Campuses : Central Campus-Outside Secured Fence, Central Campus-Inside Secured Fence, South Campus-Outside Secured Fence, South Campus-Inside Secured Fence, North Campus-Inside Secured Fence, North Campus-Outside Secured Fence and All Campuses-Site Infrastructure with an Institution-wide total building size of 1,447,000 SF.

**The Central Campus**, 794,000 SF, is comprised of Non-Inmate Housing, Fire Stations, Business Services/Administration Services, Housing Cells, Maintenance and Security buildings, a Gymnasium and several Guard Towers/Security structures. Approximately 75% of these assets are 63 years old, and the campus has an overall FCI of 50%.

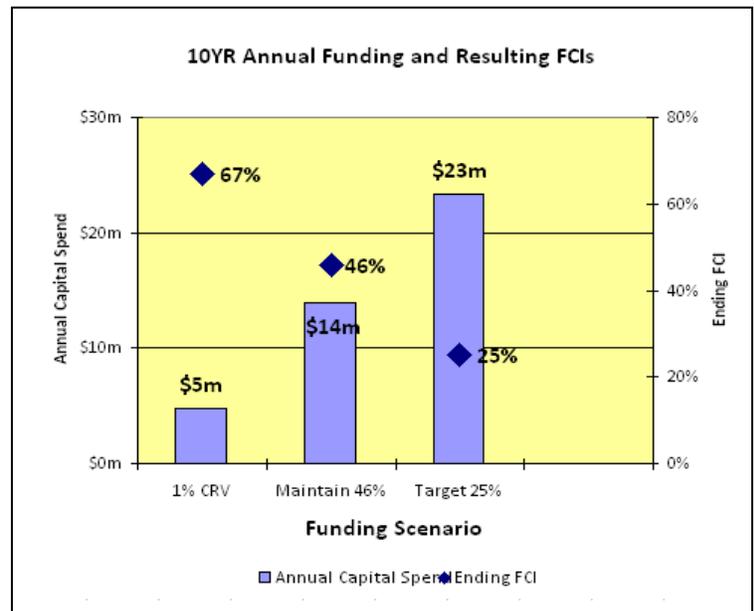
**The South Campus**, 340,000 SF, also includes Housing Dormitories, Administration services, a Gymnasium, Maintenance and Guard Towers along with several Storage buildings, Utilities buildings and Family Visiting services. 65% of these assets are between 55-63 years old and have a combined FCI of 55%.

**The North Campus**, 313,000 SF, includes Housing Dormitories, Administration services, Maintenance, Medical, Guard Towers along with several Classrooms, Dining Halls, Storage buildings, and Education services buildings. These assets range from 4 - 51 years old and have a combined FCI of 53%.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$      | 5YR FCI %  |
|-----------------------------------------|------------------------------|-------------------|------------|
| Structure & Foundations                 | 74,612k                      | 70k               | 0%         |
| Exterior Envelope                       | 55,892k                      | 22,159k           | 40%        |
| Roofing                                 | 18,917k                      | 15,486k           | 82%        |
| Interior Construction                   | 103,131k                     | 37,560k           | 36%        |
| Plumbing & Fixtures                     | 33,784k                      | 28,234k           | 84%        |
| Heating, Ventilating & Air Conditioning | 29,966k                      | 32,129k           | 107%       |
| Fire Protection Systems                 | 2,686k                       | 2,581k            | 96%        |
| Electrical Systems                      | 58,972k                      | 51,233k           | 87%        |
| Equipment                               | 54,164k                      | 2,634k            | 5%         |
| Site Infrastructure                     | 49,153k                      | 23,516k           | 48%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$481,277k</b>            | <b>\$215,602k</b> | <b>46%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# Correctional Training Facility (CTF) Soledad, CA

**All Campuses-Site Infrastructure**, includes assets ranging from 63-year-old Domestic Water Distribution systems, Site Hot Water Distribution, Site Lighting and Gas Distribution, Steam Distribution and Storm Drainage to 35 year old Electrical Distribution and 14 year old select Telecom Distribution systems (Quonset Housing & Staff Housing). Parking Lots, Roadways, Driveways, Walkways & Site Fencing all have an age of over 50 years with a combined FCI of 48%.

## Major Issues

The Institutions' dormitories & housing units are 45-71 years old and several of the major mechanical systems need major renovations or entire system replacement within the next 2-3 years.

Approximately 45% of all the buildings on the site are 45 years old, or older. Most of these buildings' mechanical systems and electrical systems are beyond their rated useful life, causing higher operating and repair costs and risking shut down in the event of total system failure. The 10 assets with the highest 5 year funding needs costs combine for a total of \$67.1mil.

Critical site infrastructure assets such as Hot Water Distribution, Steam Distribution and Roadways/Parking Lots are well beyond their useful life with an average age of over 65 years and 5 year funding needs of \$6.6mil.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$14m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$23m per year for the next 10 years would bring CTF's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index** ( FCI = 46% ) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

Table 3. Top 20 Buildings by 5YR FCI %

| Asset - Name                                      | Asset - CRV | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|---------------------------------------------------|-------------|---------------------|-----------------|
| Storage Shed - S-229                              | \$1,857     | \$2,321             | 125%            |
| Fences and Gates                                  | \$307,855   | \$384,819           | 125%            |
| Site Heating Hot Water Distribution-Condensate    | \$262,742   | \$328,428           | 125%            |
| Site Steam Distribution                           | \$382,811   | \$478,513           | 125%            |
| Sanitary Sewer-Quonset Housing Area               | \$202,742   | \$253,428           | 125%            |
| Sanitary Sewer                                    | \$630,667   | \$788,334           | 125%            |
| Site Electrical Distribution-Central-Trailer Park | \$205,853   | \$257,316           | 125%            |
| Site Lighting Distribution-Central-Quonset Hou    | \$18,043    | \$22,554            | 125%            |
| Site Telecommunications Distribution-Trailer P    | \$60,002    | \$75,003            | 125%            |
| Plumbing Shop Storage                             | \$154,608   | \$189,057           | 122%            |
| Pest Control                                      | \$100,410   | \$122,263           | 122%            |
| Boiler Room                                       | \$2,151,028 | \$2,613,523         | 122%            |
| Family Visiting Trailer                           | \$96,842    | \$113,815           | 118%            |
| Plant Operations Annex                            | \$74,220    | \$86,741            | 117%            |
| Green House #2                                    | \$48,249    | \$56,146            | 116%            |
| Storage Building QQ-1                             | \$33,533    | \$38,651            | 115%            |
| Garage #13                                        | \$40,273    | \$45,525            | 113%            |
| Garage #14                                        | \$40,273    | \$45,525            | 113%            |
| Garage #15                                        | \$40,273    | \$45,525            | 113%            |
| Garage #16                                        | \$40,273    | \$45,525            | 113%            |

Table 4. Top 20 Buildings by 5YR Needs \$

| Asset - Name                                   | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|------------------------------------------------|--------------|-----------|---------------------------|
| Culinary                                       | \$14,258,271 | 57%       | \$8,101,818               |
| Housing Unit, Lassen Hall                      | \$26,860,053 | 29%       | \$7,718,140               |
| Housing Unit, Whitney Hall                     | \$26,864,379 | 29%       | \$7,669,099               |
| Housing Unit, Rainer Hall                      | \$27,067,994 | 28%       | \$7,668,130               |
| Administration Building                        | \$13,149,686 | 57%       | \$7,478,805               |
| Housing Unit, Shasta Hall                      | \$26,863,446 | 28%       | \$7,440,826               |
| Culinary/ Dinning Hall, Gym Dorm, Sculleries   | \$11,137,866 | 65%       | \$7,242,750               |
| Administrative Seg.                            | \$8,703,288  | 56%       | \$4,879,913               |
| Voc. Elect. Appl Rep, Uphol, Text, Maint Pair  | \$4,669,983  | 95%       | \$4,456,842               |
| Health Care Services/Dentistry/Critical Care W | \$7,796,987  | 57%       | \$4,445,380               |
| Library, Education, Canteen, Clothing Rm.      | \$4,771,511  | 82%       | \$3,925,665               |
| Central Main Corridor                          | \$8,520,823  | 46%       | \$3,912,519               |
| Procurement Warehouse                          | \$5,761,743  | 66%       | \$3,776,226               |
| Dry Clean, Mach, SM Eng. Rep., Auto Mechs      | \$3,638,576  | 98%       | \$3,573,772               |
| Administration Building                        | \$3,931,277  | 83%       | \$3,280,551               |
| Ind. Wood Products                             | \$4,439,505  | 74%       | \$3,269,146               |
| Education and Vocation                         | \$5,503,508  | 59%       | \$3,268,812               |
| Roads and Drives-Central                       | \$4,187,566  | 78%       | \$3,246,829               |
| Ind. Wood Products and Culinary                | \$8,504,020  | 38%       | \$3,225,586               |
| Roads and Drives                               | \$6,552,319  | 48%       | \$3,140,987               |



**Legend: Project Type by Color Code**

Major Capitol Outlay Project (MA)

Deferred Maintenance Program (DMP)

Minor Capitol Outlay Project (MI)

Special Projects (SP)

Special Repair Program (SRP)

Energy Projects (E)

**CHUCKAWALLA VALLEY STATE PRISON**

| Institution Overview                      |       | List Key                                       |                                            |                           |
|-------------------------------------------|-------|------------------------------------------------|--------------------------------------------|---------------------------|
| Year Built/Occupied:                      | 1988  | <b>CDCR Category Code</b>                      | <b>Sub-Category Code</b>                   | <b>Phase Code</b>         |
|                                           |       | Infill (IN)                                    | Fire/Life/Safety (F)                       | Acquisition (A) Study (S) |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)                                | Preliminary Plans (P)     |
| Design Bed Capacity                       | 1,738 | Mental Health (MH)                             | Health Care (HC)                           | Working Drawings (W)      |
| Overcrowding Bed Capacity                 | 1,705 | Dental (D)                                     | Programs (P)                               | Construction (C)          |
| Nontraditional Bed Capacity               | 455   | Re-Entry (RE)                                  | Security (S)                               | Design Build (DB)         |
| Total                                     | 3,898 | Farrell (FA)                                   | Support Services (SS)                      | All Phases (PWC)          |
|                                           |       | Infrastructure (I)                             | Utilities (U)                              |                           |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                      |                                            |                           |
| Female                                    | 0     | <b>Project Type</b>                            | <b>Project Status</b>                      |                           |
| Reception                                 | 0     | Major (MA)                                     | Active (AC) Portion or all Funded          |                           |
| Level I                                   | 239   | Minor (MI)                                     | Proposed (PR) Proposed for 11/12           |                           |
| Level II                                  | 2,944 | Special Repair Project (SRP)                   | Completed (CO) Funded & Completed in CY 10 |                           |
| Level III                                 | 0     | Special Project (SP)                           |                                            |                           |
| Level IV                                  | 0     | Deferred Maintenance (DM)                      |                                            |                           |
| Special                                   | 0     | Energy Projects (E)                            |                                            |                           |
| Total                                     | 3,183 | <b>Funding Source</b>                          |                                            |                           |
|                                           |       | General Fund (GF)                              |                                            |                           |
| Proposed Infill Bed Site:                 | No    | Bonds (B)                                      |                                            |                           |
| Prison Industry Authority Site            | Yes   | Special Funds (SF)                             |                                            |                           |
| Addiction & Recovery Services             | Yes   | AB900 General Fund (AB900GF)                   |                                            |                           |
| Administrative Segregation Unit           | Yes   | AB900 Lease Revenue (AB900LR)                  |                                            |                           |
| Sensitive Needs Yard                      | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                                            |                           |
| Small Management Yard                     | Yes   |                                                |                                            |                           |
| Wheelchair/Disabled Access                | No    |                                                |                                            |                           |

| Institution Infrastructure Overview               |     |                                                          |    |                     |
|---------------------------------------------------|-----|----------------------------------------------------------|----|---------------------|
| Water (On-site Wells, Municipal, Both):           |     | On-Site Well(s) only. Shared with Ironwood State Prison. |    |                     |
| Wastewater Overusage:                             | No  | Fines:                                                   | No | Amount: \$          |
| Water Conservation Devices                        | No  | If yes, what is the percentage reduction?                |    |                     |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                                           | 5  | Amount: \$1,658,760 |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                                           | 1  | Amount: \$112,640   |
| VFA Assessment Facility Condition Index %         | 20% | 5 Yr Cost to Maintain Current FCI                        |    | \$77,085,000        |

**CHUCKAWALLA VALLEY STATE PRISON (CVSP)**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                     | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|------------------------------------------------------------------|----------------|-------|
| 1              | MA           | I                  | U                 | Wastewater Treatment Plant Improvements                          | AC             | C     |
| 2              | MA           | I                  | U                 | Provide Emergency Power to WTP                                   | PR             | PW    |
| 3              | DM           | I                  | S                 | Repair Replace Institutional Road                                | PR             | PWC   |
| 4              | SRP          | I                  | S                 | Interior Security Fence Repair, Phase 1 and 2                    | PR             | PWC   |
| 5              | SRP          | I                  | U                 | Replace Control Panel in ASU (Trans From Cap)                    | PR             | PWC   |
| 6              | SRP          | I                  | U                 | Repair Leak in the Elevated Water Tower                          | PR             | PWC   |
| 7              | SRP          | I                  | SS                | RASP BLDG. Repair steel structure support. Install trench drains | PR             | PWC   |
| 8              | SRP          | I                  | SS                | Repair/Replace Pads for Satellite Kitchen & RASP                 | PR             | PWC   |
| 9              | SRP          | I                  | U                 | Well Replacement Engineering Fees (Well #4 & #5)                 | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### CHUCKAWALLA VALLEY STATE PRISON (CVSP)

#### Active Project:

| Type | Cat | Phase | Project Name                            | Scope:                                                                                                                 |
|------|-----|-------|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | C     | Wastewater Treatment Plant Improvements | Modify the existing trickling filters to construct a new oxidation treatment system at the wastewater treatment plant. |

Notes:

#### Project Schedule:

| Project Schedule: |                |                   |               |                  |            | Funding:     |           |                       |                        |                   |           |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|--------------|-----------|-----------------------|------------------------|-------------------|-----------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App          | Year      | Aug/ Reversion        | Year                   | Current Authority | Year      | Funding Source |
| P                 | 08/2006        | 06/2007           | 03/2007       | 03/2008          | 100%       | \$455,000    | 2006/2007 |                       |                        |                   |           |                |
| P                 |                |                   |               |                  |            | \$550,000    | 2007/2008 |                       |                        | \$1,005,000       | 2006/2007 | GF             |
| W                 | 01/2008        | 07/2008           | 03/2008       | 05/2010          | 100%       | \$724,000    | 2007/2008 | \$69,000<br>\$209,000 | 2007/2008<br>2008/2009 | \$1,002,000       | 2007/2008 | GF             |
| C                 | 01/2009        | 01/2011           | 10/2010       | 10/2012          | 0%         | \$25,331,000 | 2008/2009 |                       |                        | \$25,331,000      | 2008/2009 | LR             |

Notes:

#### Proposed Project:

| Type | Cat | Phase | Project Name                   | Scope:                                                                                                                                                                                                                |
|------|-----|-------|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | PW    | Provide Emergency Power to WTP | This project would provide emergency power to the institution's Centralized Water and WWTP that services both CVSP and ISP during power outages and in compliance with the newest provisions of the operating permit. |

#### Project Schedule:

| Project Schedule: |            |  | Project Budget: |              |            |                |
|-------------------|------------|--|-----------------|--------------|------------|----------------|
| Phase             | Begin Date |  | Phase           | Budget Costs | Total Cost | Funding Source |
| PW                | FY 11/12   |  | PW              | \$456,000    |            |                |
| C                 | FY 12/13   |  | C               | \$2,580,000  |            |                |

Note: PW Funding consideration for FY 11/12

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                                     | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|------------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0910-00078 | Repair Replace Institutional Road                                | PR       | 2010-11 | \$112,640     | GF             |
| SRP  | 0809-00114 | Interior Security Fence Repair, Phase 1 and 2                    | PR       | 2010-11 | \$1,079,000   | GF             |
| SRP  | 0809-01765 | Replace Control Panel in ASU (Trans From Cap)                    | PR       | 2010-11 | \$135,000     | GF             |
| SRP  | 0910-00416 | Repair Leak in the Elevated Water Tower                          | PR       | 2010-11 | \$211,200     | GF             |
| SRP  | 0910-00787 | RASP BLDG. Repair steel structure support. Install trench drains | PR       | 2010-11 | \$32,560      | GF             |
| SRP  | 0809-00115 | Repair/Replace Pads for Satellite Kitchen & RASP                 | PR       | 2009-10 | \$201,000     | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                                    | Project Costs | Date Completed | Funding Source |
|------|-----|-------------------------------------------------|---------------|----------------|----------------|
| SRP  | I   | Well Replacement Engineering Fees (Well #4 & 5) | \$25,000      | 05/2010        | GF             |

# Chuckawalla Valley State Prison (CVSP)

Blythe, CA

## Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1988                |
| Design Bed Capacity             | 1,738               |
| Asset count                     | 239 (208 buildings) |
| Actual Building Square Feet     | 1,460,000 SF        |
| Replacement Value (Buildings):  | \$330,318,000       |
| Date of VFA Facility Assessment | January 1, 2008     |

## Existing Assets Summary

**The Chuckawalla Valley State Prison** assessment data was collected and input into seven Campuses : F Yard Campus-Inside Secured Fence; F Yard Campus-Outside Secured Fence; F Yard Campus-Site Infrastructure; Main Campus-Inside Secured Fence; Main Campus-Outside Secured Fence; Main Campus-Site Infrastructure and Turf Growing Site. with an Institution-wide total building size of 1,460,000 SF.

**The F-Yard Campus** is comprised of 10 buildings totaling 59,000 SF and associated Site Infrastructure assets such as Water & Gas Distribution, Sanitary Sewer Distribution and Roads, Parking Lots and Driveways. These campus building assets are all 15 years old with an FCI of 28%

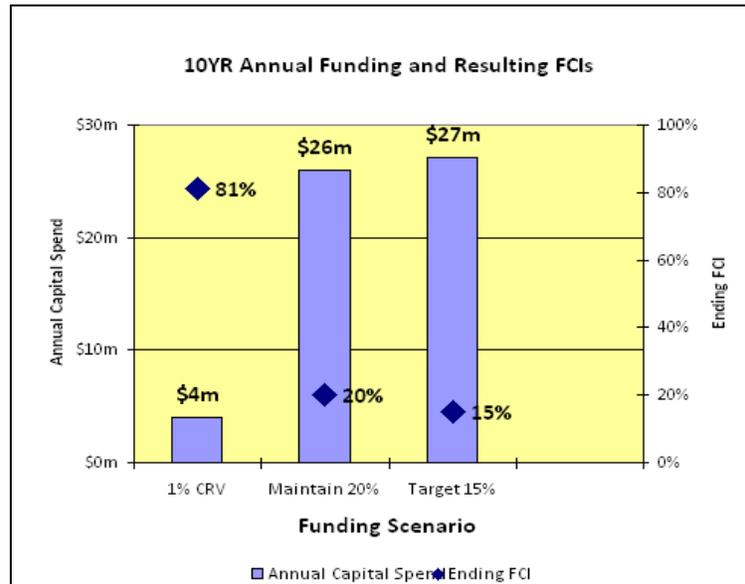
**The Main Campus-Inside Secured Fence**, 787,000 SF, is comprised of the Institutions' Maintenance Facilities; Housing Units; Visiting Units; Facility Program Services, the Central Kitchen, Health building and Laundry Boiler Building. A large majority of these buildings were constructed in 1988 with an overall existing FCI of 23%.

**The Main Campus-Outside Secured Fence** has an FCI of 18% representing 614,000 SF. Building uses in this Campus range from Central Administration, Chiller Plant, Fire House to Rifle Range, Storage Containers, Cooling Towers and Vehicle Maintenance Shops. These buildings are predominately 21 years old with most of the Utility type buildings having been built during 1994/1995. The average FCI of all these Outside Secured Fence assets is 18%.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$     | 5YR FCI %  |
|-----------------------------------------|------------------------------|------------------|------------|
| Structure & Foundations                 | 39,927k                      | 7k               | 0%         |
| Exterior Envelope                       | 31,806k                      | 1,368k           | 4%         |
| Roofing                                 | 11,480k                      | 1,474k           | 13%        |
| Interior Construction                   | 42,567k                      | 10,406k          | 24%        |
| Plumbing & Fixtures                     | 74,496k                      | 10,975k          | 15%        |
| Heating, Ventilating & Air Conditioning | 47,207k                      | 16,478k          | 35%        |
| Fire Protection Systems                 | 3,622k                       | 0k               | 0%         |
| Electrical Systems                      | 72,363k                      | 21,814k          | 30%        |
| Equipment                               | 19,229k                      | 3,908k           | 20%        |
| Site Infrastructure                     | 53,970k                      | 10,655k          | 20%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$396,667k</b>            | <b>\$77,085k</b> | <b>20%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# Chuckawalla Valley State Prison (CVSP) Blythe, CA

**The Main Campus Site Infrastructure** assets, built at the same time as the entire Institution, 1988, are comprised of Water Distribution, Site Electrical Distribution and Electrified Fence and Site Parking Lots/Driveways along with their associated Lighting structures.

## Major Issues

Several buildings related to the treatment, cooling and distribution of water are high on the lists of funding needs for this Institution as the Cooling Towers, Pumps and Plate Coolers each have an FCI over 54%. The 11 Housing-Dormitory buildings have a five-year FCI funding need of over \$1.5 mil. with an average FCI of 24%.

Outside Secured Fence assets include four buildings with a combined five year need of \$11.6mil and an average FCI of 35% (Central Administration, General Warehouse, PIA Warehouse and Weapons Training Building).

A large majority of the 21 year old Roadways, Sidewalks, Entrance Road, Service Roads and Bituminous Parking Lots have an FCI of 60% with a combined five year funding need of \$8.8mil.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$26m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$27m per year for the next 10 years would bring Chuckawalla's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index** ( FCI = 20% ) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                                    | Asset - CRV | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|-------------------------------------------------|-------------|---------------------|-----------------|
| WT Tube Shell Cooler #2 (ZB-WT-16)              | \$139,517   | \$172,943           | 124%            |
| WT Holding Pond and Pumps, 1994 (ZB-WT-2)       | \$334,371   | \$379,832           | 114%            |
| WT Holding Pond and Pumps, 1988 (ZB-WT-2)       | \$298,513   | \$329,252           | 110%            |
| Well #5, Infrastructure (ZC-W5)                 | \$1,361,755 | \$1,381,239         | 101%            |
| R.A.S.P Building (Recycle and Salvage)          | \$1,497,910 | \$1,475,253         | 98%             |
| WT Cooling Towers #2 Sand Filters (ZB-WT-14)    | \$5,646     | \$4,569             | 81%             |
| WWT Booster Pump Station #2 (U-17)              | \$191,210   | \$143,005           | 75%             |
| WT Cooling Towers #2 Circulation Pumps (ZB-     | \$81,272    | \$59,513            | 73%             |
| WT Cooling Tower U-14 Sand Filters (ZB-WT-0     | \$7,684     | \$5,482             | 71%             |
| Weapons Training Building (S-05)                | \$393,682   | \$258,177           | 66%             |
| Site Pedestrian Walkways - Bituminous           | \$1,470,356 | \$918,973           | 63%             |
| Site Roads and Drives - Main Entrance Road      | \$3,324,630 | \$2,077,894         | 63%             |
| Site Roads and Drives - Secure Service Roads    | \$2,645,158 | \$1,653,223         | 63%             |
| Site Parking Lots - Bituminous - Inside Secure  | \$2,392,361 | \$1,495,226         | 63%             |
| Site Roads and Drives - Facility Surveillance R | \$2,204,866 | \$1,377,916         | 62%             |
| Locksmith/Armory (S-07)                         | \$633,096   | \$345,169           | 55%             |
| WT AAU Plate Cooler (ZB-WT-12)                  | \$439,535   | \$239,149           | 54%             |
| Vocational Yard C Greenhouse (ZA-CVY-01)        | \$61,632    | \$32,241            | 52%             |
| ASU Guard Tower (ZA-AYD-03)                     | \$208,665   | \$107,905           | 52%             |
| Guard Tower #1 (S-03)                           | \$323,447   | \$166,112           | 51%             |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name                                  | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|-----------------------------------------------|--------------|-----------|---------------------------|
| WT Water Treatment Control Building (U-01)    | \$10,370,256 | 41%       | \$4,206,142               |
| Central Administration (A-01)                 | \$9,225,244  | 35%       | \$3,205,468               |
| Administrative Segregation Unit, ASU (H-12)   | \$11,369,772 | 25%       | \$2,798,745               |
| Site Roads and Drives - Main Entrance Road    | \$3,324,630  | 63%       | \$2,077,894               |
| PIA Furniture Factory (H-02)                  | \$7,936,707  | 25%       | \$2,004,759               |
| PIA Central Laundry (H-01)                    | \$5,773,045  | 35%       | \$1,998,520               |
| Central Operations and Control (S-01)         | \$4,349,082  | 45%       | \$1,972,308               |
| Site Parking Lots - Bituminous - Outside Secu | \$3,908,183  | 50%       | \$1,946,618               |
| Facility Programs & Services B (P-10)         | \$6,883,821  | 27%       | \$1,825,098               |
| Facility Programs and Services C (P-11)       | \$6,887,831  | 26%       | \$1,822,868               |
| Facility Programs and Services D (P-12)       | \$6,882,018  | 26%       | \$1,817,252               |
| Facility Programs & Services A (P-09)         | \$6,996,516  | 26%       | \$1,812,308               |
| General Warehouse (W-05)                      | \$9,452,796  | 19%       | \$1,757,714               |
| Site Roads and Drives - Secure Service Roads  | \$2,645,158  | 63%       | \$1,653,223               |
| Housing Unit B5 (H-05)                        | \$6,594,762  | 23%       | \$1,518,709               |
| Housing Unit C6 (H-06)                        | \$6,606,127  | 23%       | \$1,506,824               |
| Housing Unit A1 (H-01)                        | \$6,597,212  | 23%       | \$1,505,959               |
| Housing Unit B3 (H-03)                        | \$6,589,412  | 23%       | \$1,505,270               |
| Housing Unit C8 (H-08)                        | \$6,586,534  | 23%       | \$1,504,836               |
| Housing Unit A2 (H-02)                        | \$6,590,138  | 23%       | \$1,503,091               |

# 3 Groundwater Treatment/Non-Potable Distribution System - Institution wide



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Minor Capitol Outlay Project (MI)

Special Repair Program (SRP)

Deferred Maintenance Program (DMP)

Special Projects (SP)

Energy Projects (E)

DEUEL VOCATIONAL INSTITUTION

| Institution Overview                      |       | List Key                                       |                                            |                           |
|-------------------------------------------|-------|------------------------------------------------|--------------------------------------------|---------------------------|
| Year Built/Occupied:                      | 1953  | CDCR Category Code                             | Sub-Category Code                          | Phase Code                |
|                                           |       | Infill (IN)                                    | Fire/Life/Safety (F)                       | Acquisition (A) Study (S) |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)                                | Preliminary Plans (P)     |
| Design Bed Capacity                       | 1,681 | Mental Health (MH)                             | Health Care (HC)                           | Working Drawings (W)      |
| Overcrowding Bed Capacity                 | 1,372 | Dental (D)                                     | Programs (P)                               | Construction (C)          |
| Nontraditional Bed Capacity               | 0     | Re-Entry (RE)                                  | Security (S)                               | Design Build (DB)         |
| Total                                     | 3,053 | Farrell (FA)                                   | Support Services (SS)                      | All Phases (PWC)          |
|                                           |       | Infrastructure (I)                             | Utilities (U)                              |                           |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                      |                                            |                           |
| Female                                    | 0     | Project Type                                   |                                            | Project Status            |
| Reception                                 | 3,122 | Major (MA)                                     | Active (AC) Portion or all Funded          |                           |
| Level I                                   | 334   | Minor (MI)                                     | Proposed (PR) Proposed for 11/12           |                           |
| Level II                                  | 346   | Special Repair Project (SRP)                   | Completed (CO) Funded & Completed in CY 10 |                           |
| Level III                                 | 0     | Special Project (SP)                           |                                            |                           |
| Level IV                                  | 0     | Deferred Maintenance (DM)                      |                                            |                           |
| Special                                   | 0     | Energy Projects (E)                            |                                            |                           |
| Total                                     | 3,802 | Funding Source                                 |                                            |                           |
|                                           |       | General Fund (GF)                              |                                            |                           |
| Proposed Infill Bed Site:                 | Yes   | Bonds (B)                                      |                                            |                           |
| Prison Industry Authority Site            | Yes   | Special Funds (SF)                             |                                            |                           |
| Addiction & Recovery Services             | No    | AB900 General Fund (AB900GF)                   |                                            |                           |
| Administrative Segregation Unit           | Yes   | AB900 Lease Revenue (AB900LR)                  |                                            |                           |
| Sensitive Needs Yard                      | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                                            |                           |
| Small Management Yard                     | Yes   |                                                |                                            |                           |
| Wheelchair/Disabled Access                | Yes   |                                                |                                            |                           |

| Institution Infrastructure Overview               |     |                                           |    |                     |
|---------------------------------------------------|-----|-------------------------------------------|----|---------------------|
| Water (On-site Wells, Municipal, Both):           |     | On-Site Well(s) only.                     |    |                     |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$          |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    | 21%                 |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 4  | Amount: \$4,639,685 |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 3  | Amount: \$519,000   |
| VFA Assessment Facility Condition Index %         | 36% | 5 Yr Cost to Maintain Current FCI         |    | \$83,508,000        |

**DEUEL VOCATIONAL INSTITUTION (DVI)**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                           | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | I                  | SS                | New Minimum Support Dining Facility                                    | AC             | C     |
| 2              | MA           | I                  | U                 | Wastewater Treatment Plant                                             | AC             | C     |
| 3              | MA           | I                  | U                 | Groundwater/Non-potable Water Distribution System                      | AC             | C     |
| 4              | MA           | O                  | S                 | Solid Cell Fronts                                                      | AC             | P     |
| 5              | MA           | MH                 | HC                | Reception Center Enhanced Outpatient Program Treatment Space - Coleman | AC             | P     |
| 6              | MI           | I                  | U                 | Academic Wing HVAC                                                     | PR             | C     |
| 7              | DM           | I                  | U                 | Y HU Alternative Heating Source                                        | PR             | PWC   |
| 8              | DM           | I                  | F                 | E Dining Roof Replacement                                              | PR             | PWC   |
| 9              | DM           | I                  | U                 | Electrical Switchgear Replacement                                      | PR             | PWC   |
| 10             | SRP          | O                  | F                 | Dairy Road Power Pole Replacement                                      | PR             | PWC   |
| 11             | SRP          | I                  | F                 | Infirmery Roof/Gutter Replacement                                      | PR             | PWC   |
| 12             | SRP          | O                  | SS                | Asphalt Road Repair/Replacement                                        | PR             | PWC   |
| 13             | SRP          | I                  | U                 | Reverse Osmosis Water Production Plant Repair                          | PR             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### DEUEL VOCATIONAL INSTITUTION (DVI)

**Active Project:**

| Type | Cat | Phase | Project Name                        | Scope:                                                                                                                                                                   |
|------|-----|-------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | C     | New Minimum Support Dining Facility | Project will tear down and remove existing modular building and replace kitchen/dining facility with a permanent building designed for heavy-duty commercial dining use. |

Notes:

**Project Schedule:**

| Project Schedule: |          |          |         |         |      | Funding:  |         |      |      |           |         |         |
|-------------------|----------|----------|---------|---------|------|-----------|---------|------|------|-----------|---------|---------|
| Phase             | Original | Original | Current | Current | %    | App       | Year    | Aug/ | Year | Current   | Year    | Funding |
| P                 |          |          |         | 10/2009 | 100% |           |         |      |      |           |         |         |
| W                 |          |          |         | 10/2009 | 100% |           |         |      |      |           |         |         |
| C                 | 01/2010  | 06/2010  | 04/2010 | 12/2010 | 45%  | \$750,000 | 2009-10 |      |      | \$750,000 | 2009-10 | GF      |

Notes:

**Active Project:**

| Type | Cat | Phase | Project Name                   | Scope:                                                                            |
|------|-----|-------|--------------------------------|-----------------------------------------------------------------------------------|
| MA   | I   | C     | New Wastewater Treatment Plant | Construction of a new wastewater treatment plant to meet all permit requirements. |

Notes:

**Project Schedule:**

| Project Schedule: |                |                   |               |                  |            | Funding:     |           |                |           |                   |           |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|--------------|-----------|----------------|-----------|-------------------|-----------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App          | Year      | Aug/ Reversion | Year      | Current Authority | Year      | Funding Source |
| P                 | 07/2005        | 07/2006           | 07/2005       | 07/2006          | 100%       | \$1,530,000  | 2005/2006 |                |           | \$1,530,000       | 2005/2006 | GF             |
| W                 | 08/2006        | 02/2007           | 07/2006       | 04/2007          | 100%       | \$1,521,000  | 2006/2007 |                |           | \$1,521,000       | 2006/2007 | GF             |
| C                 | 08/2007        | 03/2009           | 02/2007       | 11/2010          | 99%        | \$25,139,000 | 2006/2007 | -\$25,139,000  | 2006/2007 |                   | 2006/2007 | GF             |
|                   |                |                   |               |                  |            | \$36,955,000 | 2007/2008 |                |           | \$36,955,000      | 2007/2008 | LR             |

Notes:

**Active Project:**

| Type | Cat | Phase | Project Name                                                 | Scope:                                                                                                                                                                                                                                                                                            |
|------|-----|-------|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | C     | Groundwater Treatment/ Non-potable Water Distribution System | This project will build a reverse osmosis water treatment system to bring the institution's domestic water supply into compliance with Title 22 regulations and a non-potable water distribution system to separate the treated water from water used for landscaping, dairy, and industrial use. |

Notes:

**Project Schedule:**

| Project Schedule: |                |                   |               |                  |            | Funding:     |         |                          |                    |                   |         |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|--------------|---------|--------------------------|--------------------|-------------------|---------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App          | Year    | Aug/ Reversion           | Year               | Current Authority | Year    | Funding Source |
| P                 | 07/2004        | 03/2005           | 10/2004       | 07/2005          | 100%       | \$570,000    | 2004-05 | \$54,000                 | 2004-05            | \$624,000         | 2004-05 | GF             |
| W                 | 07/2005        | 07/2006           | 07/2005       | 07/2006          | 100%       | \$1,088,000  | 2005-06 | \$220,000                | 2005-06            | \$1,308,000       | 2005-06 | GF             |
| C                 | 09/2006        | 05/2008           | 02/2007       | 05/2011          | 99%        | \$27,123,000 | 2006-07 | \$3,534,000<br>\$369,000 | 2006-07<br>2007-08 | \$31,026,000      | 2007-08 | GF             |

Notes: The brine ponds have developed leaks & the vapor compressor in the brine concentrator system has failed, it is being investigated as to the failure and rebuilding of the compressor may take up to 6 months.

## INSTITUTION PROJECT STATUS REPORT

### DEUEL VOCATIONAL INSTITUTION (DVI)

**Active Project:**

| Type | Cat | Phase | Project Name      | Scope:                                                                                                      |
|------|-----|-------|-------------------|-------------------------------------------------------------------------------------------------------------|
| MA   | O   | P     | Solid Cell Fronts | Replace existing barred cell fronts/doors with solid cell fronts/doors and updating the locking mechanisms. |

Notes:

**Project Schedule:**
**Funding:**

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App       | Year      | Aug/ Reversion | Year | Current Authority | Year      | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-----------|-----------|----------------|------|-------------------|-----------|----------------|
| P     | 08/2007        | 06/2008           | 10/2007       | 06/2008          | 100%       | \$405,000 | 2007/2008 |                |      | \$405,000         | 2007/2008 | GF             |
| W     |                |                   |               |                  |            |           |           |                |      |                   |           |                |
| C     |                |                   |               |                  |            |           |           |                |      |                   |           |                |

Notes: W Funding consideration for FY11/12

**Active Project:**

| Type | Cat | Phase | Project Name                         | Scope:                                                                                                                                                                                                 |
|------|-----|-------|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | P     | Reception Center EOP Treatment Space | This project converts existing institutional space into Mental Health treatment and office space at DVI Reception Center for the Enhanced Outpatient Program. This is part of the Coleman court order. |

**Project Schedule:**
**Funding:**

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year | Aug/ Reversion | Year | Current Authority | Year | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-------------|------|----------------|------|-------------------|------|----------------|
| P     | FY 10-11       |                   |               |                  |            | \$608,000   |      |                |      |                   |      |                |
| W     | FY 11-12       |                   |               |                  |            | \$357,000   |      |                |      |                   |      |                |
| C     | FY 12-13       |                   |               |                  |            | \$5,037,000 |      |                |      |                   |      |                |

Notes: P Phase on Project List for Funding consideration in FY10/11

**Proposed Project:**

| Type | Cat | Phase | Project Name       | Scope:                                        |
|------|-----|-------|--------------------|-----------------------------------------------|
| MI   | I   | PWC   | Academic Wing HVAC | Replace existing HVAC system in Academic Wing |

**Project Schedule:**
**Project Budget:**

| Phase | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|-------|--------------|------------|----------------|
| PWC   | FY 11/12   | PWC   | \$537,000    |            |                |

Notes: Minor Funding consideration being sought in FY 11/12

**Special Repair/Deferred Maintenance Projects**

| Type | Project#   | Project Name                                  | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-----------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-01768 | Y HU Alternative Heating Source               | PR       | 2010-11 | \$300,000     | GF             |
| DM   | 0910-00497 | E Dining Roof Replacement                     | PR       | 2010-11 | \$69,000      | GF             |
| DM   | 0910-01189 | Electrical Switchgear Replacement             | PR       | 2010-11 | \$150,000     | GF             |
| SRP  | 0910-00477 | Dairy Road Power Pole Replacement             | PR       | 2011-12 | \$275,551     | GF             |
| SRP  | 0910-01188 | Infirmary Roof/Gutter Replacement             | PR       | 2011-12 | \$120,147     | GF             |
| SRP  | 0910-01195 | Asphalt Road Repair/Replacement               | PR       | 2011-12 | \$3,743,987   | GF             |
| SRP  | 0910-01202 | Reverse Osmosis Water Production Plant Repair | PR       | 2010-11 | \$500,000     | GF             |

**Completed Projects:**

| Type | Cat | Project Name | Project Costs | Date Completed | Funding Source |
|------|-----|--------------|---------------|----------------|----------------|
|      |     | NONE         |               |                |                |

# Deuel Vocational Institution (DVI) Tracy, CA

## Background Info

|                                |                     |
|--------------------------------|---------------------|
| Original Construction Date     | 1953                |
| Design Bed Capacity            | 1,787               |
| Asset count                    | 282 (242 buildings) |
| Actual Building Square Feet    | 1,140,000 SF        |
| Replacement Value (Buildings): | \$216,891,000       |
| Date of VFA Assessment         | December 1, 2008    |

## Existing Assets Summary

**The Deuel Vocational Institution** assessment data was collected and input into six Campuses: Main Campus-Inside Security Fence, Main Campus-Outside Security Fence, Minimum Support Campus-Outside Security Fence, All Campuses-Site Infrastructure, Dairy Farm and Residences with an Institution-wide total building size of 1,140,000 SF.

**The Main Campus-Inside Security Fence**, 808,000 SF, is comprised of Housing, Administration, Medical/Dental Clinic, Plant Operations, Warehouse and several Guard Towers/Security structures. Most assets in the Main Campus-Inside Security Fence range from 12-56 years old, and the campus has an overall FCI of 37%.

**The Main Campus-Outside Security Fence**, 144,000 SF, is comprised of Maintenance, Support, Utility, Storage and Security Tower facilities, ranging from 7-56 years old. The overall FCI of these assets in the Main Campus-Outside Security Fence is 15%.

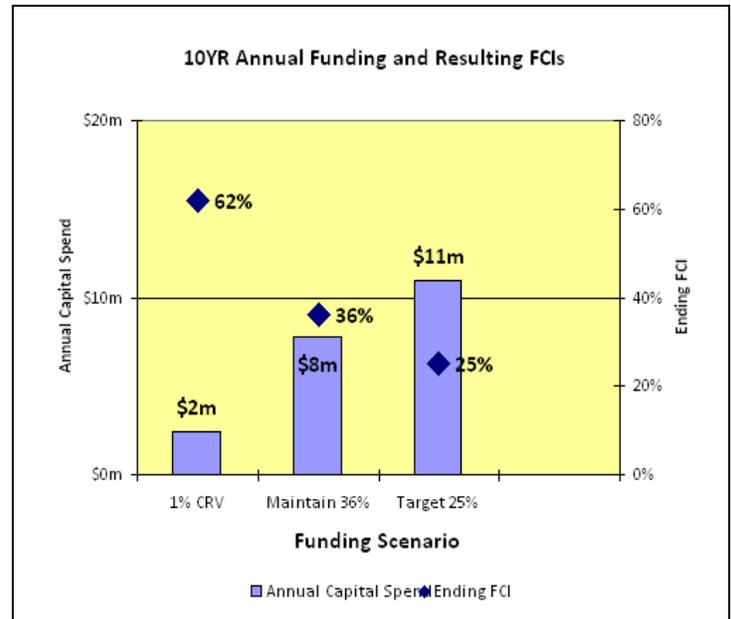
**The Minimum Support Campus-Outside Security Fence**, with 15 buildings, has an FCI of 49% representing 34,000 SF. The majority of the facilities are 27 years old and are used for Housing/Dormitories, Maintenance, Inmate Services (Laundry & Visiting).

**Main Campus-Site Infrastructure**, serving all campuses, includes assets ranging from 55-year-old Steam and Condensate, Domestic Water, Sanitary Sewer, Gas Distribution and Storm Drainage to 9 to 15 year old Site Electrical Distribution, Site Lighting and Security Fencing Assets. The average FCI of these Site Infrastructure Assets is 7%.

Table 1. 5YR Facility Condition Index by Major

| System                                  | Assessment Replacement Value | 5YR Needs \$     | 5YR FCI %  |
|-----------------------------------------|------------------------------|------------------|------------|
| Structure & Foundations                 | 43,424k                      | 118k             | 0%         |
| Exterior Envelope                       | 23,931k                      | 9,819k           | 41%        |
| Roofing                                 | 5,423k                       | 5,218k           | 96%        |
| Interior Construction                   | 42,426k                      | 12,089k          | 28%        |
| Plumbing & Fixtures                     | 46,694k                      | 22,728k          | 49%        |
| Heating, Ventilating & Air Conditioning | 10,606k                      | 4,892k           | 46%        |
| Fire Protection Systems                 | 660k                         | 411k             | 62%        |
| Electrical Systems                      | 45,775k                      | 24,448k          | 53%        |
| Equipment                               | 12,546k                      | 3,659k           | 29%        |
| Site Infrastructure                     | 1,800k                       | 125k             | 7%         |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$233,285k</b>            | <b>\$83,508k</b> | <b>36%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# Deuel Vocational Institution (DVI) Tracy, CA

**The Dairy Farm Campus** consists of 33 assets, 112,000 SF, including animal, equipment and utility facilities that support the farm operations. The majority of the facilities are 55 to 58 years of age. The average FCI for the Dairy Farm Campus is 37%.

**The Residences Campus**, at 42,000 SF, includes employee residences and storage facilities, the majority of which are 55-57 years old. The overall FCI for the Residence Campus is 66%.

## Major Issues

The Institutions' housing units are 41-56 years old and several of the major systems including Electrical, Plumbing and Exterior Envelope need major renovations or entire system replacement within the next 2-3 years.

Approximately 63% of all the buildings for this Institution are 41 years old, or older. Most of these buildings' exterior envelope and electrical systems are beyond their rated useful life, causing higher operating and repair costs and risking shut down in the event of total system failure.

Critical site infrastructure assets such as Domestic Water, Steam and Condensate and Sanitary Sewer assets are well beyond their useful life with an average age of over 55 years.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$8m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$11m per year for the next 10 years would bring DVI's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index (FCI = 36%)** is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                                  | Asset - CRV | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|-----------------------------------------------|-------------|---------------------|-----------------|
| Storage Container SC-3                        | \$5,506     | \$6,882             | 125%            |
| Storage Container SC-9                        | \$5,506     | \$6,882             | 125%            |
| Storage Container SC-10                       | \$7,569     | \$9,462             | 125%            |
| Storage Container SC-11                       | \$7,569     | \$9,462             | 125%            |
| Storage Container SC-4                        | \$7,569     | \$9,462             | 125%            |
| Storage Container SC-5                        | \$7,569     | \$9,462             | 125%            |
| Storage Container SC-6                        | \$7,569     | \$9,462             | 125%            |
| Storage Container SC-7                        | \$7,569     | \$9,462             | 125%            |
| Storage Container SC-8                        | \$7,569     | \$9,462             | 125%            |
| *Generator on Roof of Main Culinary           | \$22,008    | \$27,510            | 125%            |
| Water Tower                                   | \$405,713   | \$507,141           | 125%            |
| Lean to for Herd Shed                         | \$8,786     | \$10,982            | 125%            |
| Horseshoe Pits                                | \$1,398     | \$1,747             | 125%            |
| Car Storage and Service Station               | \$1,040,902 | \$1,216,365         | 117%            |
| *A/C Equipment Room                           | \$215,135   | \$247,435           | 115%            |
| Storage Container SC-2                        | \$8,387     | \$9,462             | 113%            |
| Storm Drainage                                | \$2,286,611 | \$2,561,005         | 112%            |
| Natural Gas supply                            | \$1,420,743 | \$1,591,232         | 112%            |
| Sanitary Sewer                                | \$6,180,909 | \$6,922,619         | 112%            |
| **PIA Storage Container (North of Warehouse # | \$8,464     | \$9,462             | 112%            |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name                                 | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|----------------------------------------------|--------------|-----------|---------------------------|
| Sanitary Sewer                               | \$6,180,909  | 112%      | \$6,922,619               |
| *Vocational Shops and Mail Room              | \$11,962,888 | 52%       | \$6,170,507               |
| *Main Culinary                               | \$10,344,018 | 46%       | \$4,734,358               |
| **Housing L-Wing                             | \$8,305,382  | 47%       | \$3,886,813               |
| Domestic Water                               | \$3,187,798  | 103%      | \$3,268,087               |
| Storm Drainage                               | \$2,286,611  | 112%      | \$2,561,005               |
| **Y & Z Dorm Fieldhouse and Yard Canteen     | \$4,606,428  | 53%       | \$2,430,030               |
| *Administration Building                     | \$5,888,154  | 35%       | \$2,088,177               |
| **Housing K-Wing                             | \$5,839,199  | 34%       | \$1,997,365               |
| *East, Center, West and North Tunnels and Ce | \$4,261,429  | 45%       | \$1,936,029               |
| **PIA Metal Shop                             | \$2,307,646  | 79%       | \$1,826,270               |
| **West Hall Housing and Culinary             | \$6,382,793  | 28%       | \$1,793,000               |
| **East Hall Housing and Culinary             | \$6,378,225  | 28%       | \$1,778,721               |
| Boiler House                                 | \$4,172,325  | 42%       | \$1,737,811               |
| Natural Gas supply                           | \$1,420,743  | 112%      | \$1,591,232               |
| *Infirmary                                   | \$4,644,987  | 33%       | \$1,533,274               |
| **Housing F-Wing                             | \$5,181,250  | 29%       | \$1,484,362               |
| *Housing C-Wing                              | \$5,164,575  | 28%       | \$1,471,463               |
| **Housing J-Wing                             | \$5,329,536  | 27%       | \$1,451,330               |
| **Housing E-Wing                             | \$5,251,416  | 27%       | \$1,442,112               |

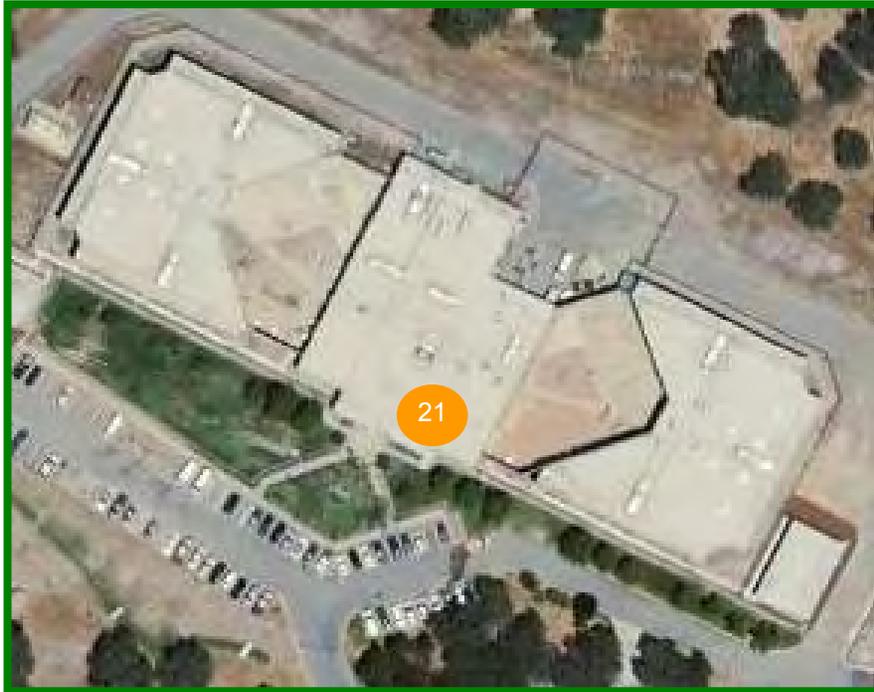


# 3 Potable Water System Upgrade

Legend: Project Type by Color Code

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**FOLSOM STATE PRISON**



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Deferred Maintenance Program (DMP)

Minor Capitol Outlay Project (MI)

Special Projects (SP)

Special Repair Program (SRP)

Energy Projects (E)

**FOLSOM STATE PRISON**

| Institution Overview                      |       | List Key                                       |                          |                                            |
|-------------------------------------------|-------|------------------------------------------------|--------------------------|--------------------------------------------|
| Year Built/Occupied:                      | 1880  | <b>CDCR Category Code</b>                      | <b>Sub-Category Code</b> | <b>Phase Code</b>                          |
|                                           |       | Infill (IN)                                    | Fire/Life/Safety (F)     | Acquisition (A) Study (S)                  |
| Staffed Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)              | Preliminary Plans (P)                      |
| Design Bed Capacity                       | 2,469 | Mental Health (MH)                             | Health Care (HC)         | Working Drawings (W)                       |
| Overcrowding Bed Capacity                 | 1,853 | Dental (D)                                     | Programs (P)             | Construction ( C )                         |
| Nontraditional Bed Capacity               | 0     | Re-Entry (RE)                                  | Security (S)             | Design Build (DB)                          |
| Total                                     | 4,322 | Farrell (FA)                                   | Support Services (SS)    | All Phases (PWC)                           |
|                                           |       | Infrastructure (I)                             | Utilities (U)            |                                            |
| Operational Capacity as of 10/31/2010     |       | Other (O)                                      |                          |                                            |
| Female                                    | 0     | <b>Project Type</b>                            |                          | <b>Project Status</b>                      |
| Reception                                 | 0     | Major (MA)                                     |                          | Active (AC) Portion or all Funded          |
| Level I                                   | 314   | Minor (MI)                                     |                          | Proposed (PR) Proposed for 11/12           |
| Level II                                  | 2,202 | Special Repair Project (SRP)                   |                          | Completed (CO) Funded & Completed in CY 10 |
| Level III                                 | 1,006 | Special Project (SP)                           |                          |                                            |
| Level IV                                  | 0     | Deferred Maintenance (DM)                      |                          |                                            |
| Special                                   | 0     | Energy Projects (E)                            |                          |                                            |
| Total                                     | 3,522 | <b>Funding Source</b>                          |                          |                                            |
|                                           |       | General Fund (GF)                              |                          |                                            |
| Proposed Infill Bed Site:                 | No    | Bonds (B)                                      |                          |                                            |
| Prison Industry Authority Site            | Yes   | Special Funds (SF)                             |                          |                                            |
| Addiction & Recovery Services             | Yes   | AB900 General Fund (AB900GF)                   |                          |                                            |
| Administrative Segregation Unit           | Yes   | AB900 Lease Revenue (AB900LR)                  |                          |                                            |
| Sensitive Needs Yard                      | No    | AB900 Infrastructure Lease Revenue (AB900LR-I) |                          |                                            |
| Small Management Yard                     | Yes   |                                                |                          |                                            |
| Wheelchair/Disabled Access                | Yes   |                                                |                          |                                            |

| Institution Infrastructure Overview               |     |                                           |    |                      |
|---------------------------------------------------|-----|-------------------------------------------|----|----------------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |    | Municipal Only.      |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$           |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    | TBD                  |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 10 | Amount: \$13,704,542 |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 3  | Amount: \$3,618,681  |
| VFA Assessment Facility Condition Index %         | 33% | 5 Yr Cost to Maintain Current FCI         |    | \$148,817,000        |

## FOLSOM STATE PRISON (FSP)

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                               | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|----------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | O                  | SS                | Convert Officer's & Guard's Building to Office Space                       | AC             | C     |
| 2              | MA           | I                  | F                 | Renovate Branch Circuit Wiring in Building #5                              | AC             | C     |
| 3              | MI           | I                  | U                 | Potable Water System Upgrades                                              | AC             | PWC   |
| 4              | MA           | I                  | U                 | Water Filtration Plant Emergency Generator                                 | PR             | PW    |
| 5              | MA           | I                  | F                 | Building #5 Fire/Life/Safety Upgrades                                      | PR             | P     |
| 6              | MA           | O                  | S                 | First Floor Building #4 Solid Cell Fronts                                  | PR             | P     |
| 7              | MA           | I                  | F                 | Adm Building-Modernization                                                 | PR             | P     |
| 8              | DM           | I                  | F                 | Roof Replacement PIA License Plate Factory Voc. Ed                         | PR             | PWC   |
| 9              | DM           | I                  | F                 | Roof Replacement - Housing Unit #1                                         | PR             | PWC   |
| 10             | DM           | I                  | F                 | Clean Supply Air & Exhaust Systems - Cell Block #3                         | PR             | PWC   |
| 11             | SRP          | I                  | S                 | Renovate Guard Towers 1, 2, 5, 14, 15, 20 and 23 (Phase 1)                 | PR             | P     |
| 12             | SRP          | I                  | F                 | Replace Steam Condensate Pipes Main Facility                               | PR             | PWC   |
| 13             | SRP          | I                  | F                 | Replace Hot/Cold Water Lines, Sewer/Steam Pipes - Bldg #1                  | PR             | PWC   |
| 14             | SRP          | I                  | F                 | Replace Windows Building #1                                                | PR             | PWC   |
| 15             | SRP          | I                  | F                 | Cellblock 3 - Replace Hot and Cold Water Pipes                             | PR             | PWC   |
| 16             | SRP          | I                  | F                 | Cellblock 5 - Replace Hot and Cold Water Pipes                             | PR             | PWC   |
| 17             | SRP          | I                  | U                 | Upsize Emergency Generator-Prison Grounds                                  | PR             | PWC   |
| 18             | SRP          | I                  | S                 | Install Tier Railings- Cellblock #1, #2 and #3                             | PR             | PWC   |
| 19             | SRP          | I                  | S                 | Renovate Guard Towers 3, 8, 13, 17, 19 and 21 (Phase 2)                    | PR             | PW    |
| 20             | SRP          | I                  | F                 | Modernization Control/Clinic Elevator                                      | PR             | PWC   |
| 21             | SRP          | O                  | F                 | ADA Compliance Transitional Treatment Facility, Dorm B, & Support Facility | CO             | C     |
| 22             | DM           | I                  | U                 | Steam Line Replacement (Re-Allocation 07/08)                               | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### FOLSOM STATE PRISON (FSP)

#### Active Project:

| Type | Cat | Phase | Project Name                                      | Scope:                                                                                                                                                                                 |
|------|-----|-------|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | O   | C     | Convert Officer & Guards Building to Office Space | Renovate the officers & guards building at FSP to provide additional office, program and storage space for administration staff, inmate records, custody functions & counseling staff. |

Notes:

#### Project Schedule:

| Project Schedule: |                |                   |               |                  |            | Funding:    |           |                |           |                   |           |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|-------------|-----------|----------------|-----------|-------------------|-----------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year      | Aug/ Reversion | Year      | Current Authority | Year      | Funding Source |
| P                 | 08/2006        | 06/2007           | 08/2006       | 07/2007          | 100%       | \$410,000   | 2006/2007 |                |           | \$410,000         | 2006/2007 | GF             |
| W                 | 08/2007        | 12/2007           | 10/2007       | 10/2009          | 100%       | \$370,000   | 2007/2008 | \$255,000      | 2008/2009 | \$625,000         | 2008/2009 | GF             |
| C                 | 11/2008        | 11/2010           | 02/2010       | 07/2011          | 15%        | \$6,768,000 | 2008/2009 |                |           | \$6,768,000       | 2008/2009 | LR             |

Notes:

#### Active Project:

| Type | Cat | Phase | Project Name                               | Scope:                                                                                                                                                |
|------|-----|-------|--------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | O   | C     | Renovate Branch Circuit Wiring Building #5 | Upgrade the branch circuit wiring system and interior lights throughout Building #5 including cells, offices, storage, and other miscellaneous areas. |

Notes:

#### Project Schedule:

| Project Schedule: |                |                   |               |                  |            | Funding:              |                        |                |           |                   |           |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|-----------------------|------------------------|----------------|-----------|-------------------|-----------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App                   | Year                   | Aug/ Reversion | Year      | Current Authority | Year      | Funding Source |
| P                 | 08/1999        | 02/2000           | 10/1999       | 05/2000          | 100%       | \$33,000              | 1999/2000              | \$2,000        | 1999/2000 | \$35,000          | 2003/2004 | GF             |
| W                 | 08/2008        | 12/2008           | 12/2008       | 08/2009          | 100%       | \$28,000<br>\$158,000 | 1999/2000<br>2008/2009 |                |           | \$186,000         | 2008/2009 | GF             |
| C                 | 02/2009        | 10/2009           | 12/2009       | 03/2011          | 44%        | \$1,718,000           | 2008/2009              |                |           | \$1,718,000       | 2008/2009 | GF             |

Notes:

#### Active Project:

| Type | Cat | Phase | Project Name                 | Scope:                                                                     |
|------|-----|-------|------------------------------|----------------------------------------------------------------------------|
| MI   | I   | PWC   | Potable Water System Upgrade | This project will repair & replace potable water lines and upgrade system. |

Notes:

#### Project Schedule:

| Project Schedule: |                |                   |               |                  |            | Funding:  |         |                |      |                   |         |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|-----------|---------|----------------|------|-------------------|---------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App       | Year    | Aug/ Reversion | Year | Current Authority | Year    | Funding Source |
| PWC               |                |                   | 09/2010       | 11/2010          | 40%        | \$300,000 | 2009-10 |                |      | \$300,000         | 2009-10 | GF             |

Notes: Procurement of materials 40% complete, construction pending long lead procurement items.

## INSTITUTION PROJECT STATUS REPORT

### FOLSOM STATE PRISON (FSP)

#### Proposed Project:

| Type | Cat | Phase | Project Name                               | Scope:                                                                                                                                          |
|------|-----|-------|--------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | P     | Water Filtration Plant Emergency Generator | This project would design and install a dedicated emergency generator to support the Water Treatment Plant during the loss of electrical power. |

#### Project Schedule:

| Phase | Begin Date |  |  |  | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|--|--|--|-------|--------------|------------|----------------|
| PW    | FY 11/12   |  |  |  | PW    | \$212,000    |            |                |
| C     | FY 12/13   |  |  |  | C     | \$792,000    |            |                |

Notes: Project on Project Priority for PW funding consideration in FY 11/12

#### Proposed Project:

| Type | Cat | Phase | Project Name                          | Scope:                                                                                                                                                                                                                                                                                                                                                                    |
|------|-----|-------|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | P     | Building #5 Fire/Life/Safety Upgrades | The proposed project will complete fire, life & safety upgrades to Building 5 which will include the installation of fire sprinklers in each of the 328 cells, overhead fire sprinklers in the east end of the building beneath the roof's wood decking, exhaust fans for smoke removal in the event of a fire & a centrally located fire alarm & smoke detection system. |

#### Project Schedule:

| Phase | Begin Date |  |  |  | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|--|--|--|-------|--------------|------------|----------------|
| PW    | FY 11/12   |  |  |  | PW    | \$329,000    |            |                |
| C     | FY 12/13   |  |  |  | C     | \$1,952,000  |            |                |

Notes: Project on Project Priority for PW funding consideration in FY 11/12

#### Proposed Project:

| Type | Cat | Phase | Project Name                              | Scope:                                                                                                                                                                                                                                                                                          |
|------|-----|-------|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | O   | P     | First Floor Building #4 Solid Cell Fronts | This project will provide critical improvements to the ASU to enhance staff & inmate safety, including solid cell fronts and related ventilation improvements. Because this project also includes suicide prevention measures in the Ad Seg cells, it is monitored by the <i>Coleman</i> court. |

#### Project Schedule:

| Phase | Begin Date |  |  |  | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|--|--|--|-------|--------------|------------|----------------|
| P     | FY 11/12   |  |  |  | P     | \$226,000    |            |                |
| W     | FY 12/13   |  |  |  | W     | \$289,000    |            |                |
| C     | FY 13/14   |  |  |  | C     | \$4,196,000  |            |                |

Notes: Project on Project Priority for P funding consideration in FY 11/12

\* See LEGEND SHEET at beginning for LIST KEY explanation

## INSTITUTION PROJECT STATUS REPORT

### FOLSOM STATE PRISON (FSP)

#### Proposed Project:

| Type | Cat | Phase | Project Name               | Scope:                                                                                                                                                                                                                  |
|------|-----|-------|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | P     | Adm Building-Modernization | Remove & replace the branch circuit wiring systems and interior lights throughout administration building including offices, storage and other miscellaneous areas. Install new HVAC system and upgrade all fire codes. |

#### Project Schedule:

| Phase | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|-------|--------------|------------|----------------|
| P     | FY 11/12   | P     | \$1,143,000  |            |                |
| W     | FY 12/13   | W     | \$1,040,000  |            |                |
| C     | FY 13/14   | C     | \$14,682,000 |            |                |

Notes: Project on Project Priority for P funding consideration in FY 11/12

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                               | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00126 | Roof Replacement PIA License Plate Factory Voc. Ed         | PR       | 2010-11 | \$752,000     | GF             |
| DM   | 0809-00132 | Roof Replacement - Housing Unit #1                         | PR       | 2010-11 | \$2,120,000   | GF             |
| DM   | 0809-01112 | Clean Supply Air & Exhaust Systems - Cell Block #3         | PR       | 2010-11 | \$746,681     | GF             |
| SRP  | 0809-00124 | Renovate Guard Towers 1, 2, 5, 14, 15, 20 and 23 (Phase 1) | PR       | 2010-11 | \$1,750,000   | GF             |
| SRP  | 0809-00125 | Replace Steam Condensate Pipes Main Facility               | PR       | 2010-11 | \$505,000     | GF             |
| SRP  | 0809-00127 | Replace Hot/Cold Water Lines, Sewer/Steam Pipes - Bldg #1  | PR       | 2010-11 | \$3,209,472   | GF             |
| SRP  | 0809-00128 | Replace Windows Building #1                                | PR       | 2010-11 | \$2,117,342   | GF             |
| SRP  | 0809-00130 | Cellblock 3 - Replace Hot and Cold Water Pipes             | PR       | 2010-11 | \$336,034     | GF             |
| SRP  | 0809-00131 | Cellblock 5 - Replace Hot and Cold Water Pipes             | PR       | 2010-11 | \$2,698,711   | GF             |
| SRP  | 0910-00523 | Upsize Emergency Generator-Prison Grounds                  | PR       | 2011-12 | \$843,150     | GF             |
| SRP  | 0910-00524 | Install Tier Railings- Cellblock #1, #2 and #3             | PR       | 2011-12 | \$644,833     | GF             |
| SRP  | 0910-01205 | Renovate Guard Towers 3, 8, 13, 17, 19 and 21 (Phase 2)    | PR       | 2011-12 | \$1,500,000   | GF             |
| SRP  | 1011-00003 | Modernization Control/Clinic Elevator                      | PR       | 2011-12 | \$100,000     | GF             |

Notes:

#### Completed Projects

| Type | Cat | Project Name                                                              | Project Costs | Date Completed | Funding Source |
|------|-----|---------------------------------------------------------------------------|---------------|----------------|----------------|
| DM   | I   | Steam Line Replacement (Re-Allocation 07/08)                              | \$96,000      | 04/2010        | GF             |
| SRP  | O   | ADA Compliance Transitional Treatment Facility, Dorm B & Support Facility | \$198,000     | 03/2010        | GF             |

# Folsom State Prison (FOL)

## Represa, CA

### Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1880                |
| Design Bed Capacity             | 2,072               |
| Asset count                     | 449 (321 buildings) |
| Actual Building Square Feet     | 1,188,000 SF        |
| Replacement Value (Buildings):  | \$314,054,000       |
| Date of VFA Facility Assessment | March 1, 2009       |

### Existing Assets Summary

**The Folsom State Prison** assessment data was collected and the buildings information was input into three main campuses : Inside Secured Fence, Outside Secured Fence & Outside Secured Fence-North with an Institution-wide total building size of 1,188,000 SF.

**Inside Secured Fence** campus, 778,000 SF, is comprised of 130 Buildings including Administration, Housing/Cells, Inmate Services, Food Services, Storage, Guard Towers & Vehicle Maintenance. Assets in this campus range from 4-130 years old, and the campus has an overall FCI of 48%.

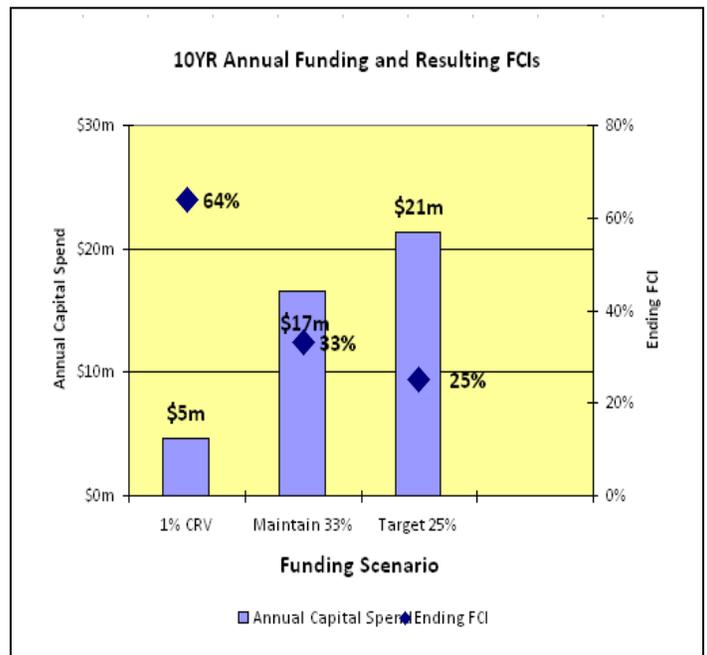
**Outside Secured Fence**, with 111 buildings and 107,000 SF, is comprised mainly of Non-Inmate Housing, Guard Towers and several small accessory buildings. A large majority of these buildings are 70 years old which accounts for the average Residence structures depicting an FCI of 39%.

**Outside Secured Fence-North** campus, 215,000 SF, is comprised of 77 Buildings, ranging in age from 4 to 89 years old. Uses range from Administration, Housing/Dormitories and Religious to Storage, Instructional and Food Services. The campus exhibits an overall FCI of 37%.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$ | 5YR FCI % |
|-----------------------------------------|------------------------------|--------------|-----------|
| Structure & Foundations                 | 77,920k                      | 7,833k       | 14%       |
| Exterior Envelope                       | 99,986k                      | 13,645k      | 14%       |
| Roofing                                 | 18,040k                      | 8,193k       | 45%       |
| Interior Construction                   | 73,515k                      | 9,173k       | 12%       |
| Plumbing & Fixtures                     | 41,303k                      | 35,092k      | 85%       |
| Heating, Ventilating & Air Conditioning | 18,151k                      | 12,488k      | 69%       |
| Fire Protection Systems                 | 2,840k                       | 442k         | 16%       |
| Electrical Systems                      | 35,370k                      | 10,864k      | 31%       |
| Equipment                               | 36,306k                      | 30,297k      | 83%       |
| Site Infrastructure                     | 54,201k                      | 20,790k      | 38%       |
| ALL SYSTEMS TOTALS                      | \$457,632k                   | \$148,817k   | 33%       |

Table 2. Comparison of 10YR Funding Scenarios



# Folsom State Prison (FOL)

## Represa, CA

### Major Issues

As shown in the accompanying chart, the 5 main Cellblocks, which are between 75 and 100 years old, make up \$74.1mil of 5 year needs for this Institution. This is also evident in the Major Systems chart which shows very high FCI for the major Mechanical, Electrical, Plumbing and Equipment systems. Most of these systems are well beyond their useful lifecycles and need major renovations or entire system replacement within the next 2-3 years.

Site infrastructure assets such as Domestic Water Distribution, Site Electrical Distribution, Site Lighting, Natural Gas Distribution and Sanitary Sewer Distribution are also well beyond their useful life with an average age of over 65 years.

### Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$17m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$21m per year for the next 10 years would bring FOL's FCI down to 25%.

The **Facility Condition Index** ( FCI= 33%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                           | Asset - CRV  | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|----------------------------------------|--------------|---------------------|-----------------|
| Post 3 Warehouse Fencing               | \$25,153     | \$31,441            | 125%            |
| IDL Fencing                            | \$152,449    | \$190,562           | 125%            |
| Recycling Area Fencing                 | \$68,828     | \$86,035            | 125%            |
| FTTP Dorm Fencing                      | \$96,050     | \$120,062           | 125%            |
| Site Telecommunications Distribution   | \$172,966    | \$216,208           | 125%            |
| Site Domestic/Fire Water Distribution  | \$7,555,174  | \$9,269,317         | 123%            |
| Old Water Pump Station                 | \$117,398    | \$140,855           | 120%            |
| LPG Blender Station                    | \$353,597    | \$411,741           | 116%            |
| Toilet Shed                            | \$9,764      | \$11,238            | 115%            |
| Tower 20a                              | \$24,061     | \$27,491            | 114%            |
| Transformer Building                   | \$158,892    | \$181,204           | 114%            |
| Site Irrigation - China Hill           | \$373,978    | \$420,725           | 113%            |
| Tower 14                               | \$23,036     | \$25,196            | 109%            |
| Tower 2                                | \$30,891     | \$33,351            | 108%            |
| Valley Trades 6                        | \$183,238    | \$196,569           | 107%            |
| Tower 20b                              | \$9,586      | \$10,003            | 104%            |
| Site Storm Drainage                    | \$3,279,951  | \$3,386,763         | 103%            |
| Water Treatment Pump House - Abandoned | \$375,922    | \$379,926           | 101%            |
| Folsom Water Power Plant - Abandoned   | \$36,522,168 | \$36,597,655        | 100%            |
| Stone Structure Abandoned              | \$79,701     | \$79,701            | 100%            |

**Table 4. Top 20 Buildings by 5YR Needs \$**

| Asset - Name                          | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|---------------------------------------|--------------|-----------|---------------------------|
| Folsom Water Power Plant - Abandoned  | \$36,522,168 | 100%      | \$36,597,655              |
| Cellblock One                         | \$34,772,647 | 74%       | \$25,863,930              |
| Cellblock Three                       | \$23,401,691 | 76%       | \$17,697,083              |
| Cellblock Two                         | \$18,294,636 | 76%       | \$13,951,945              |
| Cellblock Five                        | \$32,096,895 | 38%       | \$12,097,784              |
| Site Domestic/Fire Water Distribution | \$7,555,174  | 123%      | \$9,269,317               |
| Administration/Medical                | \$21,312,750 | 28%       | \$5,931,195               |
| Cellblock Four                        | \$13,319,659 | 37%       | \$4,925,447               |
| Maintenance Hanger                    | \$6,311,150  | 68%       | \$4,317,424               |
| Site Steam Distribution System        | \$4,047,172  | 100%      | \$4,047,172               |
| PIA License Plate Factory             | \$9,536,317  | 41%       | \$3,930,884               |
| Site Storm Drainage                   | \$3,279,951  | 103%      | \$3,386,763               |
| FTTF Administration                   | \$6,736,885  | 49%       | \$3,293,314               |
| Lower Dorm Min Security               | \$4,793,634  | 61%       | \$2,915,104               |
| Site Roads and Drives                 | \$3,851,707  | 63%       | \$2,407,317               |
| PIA Metal Fabrication                 | \$4,626,800  | 48%       | \$2,208,171               |
| FTTF B Dorm                           | \$6,631,768  | 31%       | \$2,083,244               |
| FTTF A Dorm                           | \$6,917,116  | 30%       | \$2,078,201               |
| Main Kitchen                          | \$3,819,328  | 52%       | \$1,999,324               |
| PIA Warehouse                         | \$7,240,562  | 28%       | \$1,996,500               |



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Deferred Maintenance Program (DMP)

Minor Capitol Outlay Project (MI)

Special Projects (SP)

Special Repair Program (SRP)

Energy Projects (E)

**HIGH DESERT STATE PRISON**

| Institution Overview                        |       | List Key                                       |                                            |                           |
|---------------------------------------------|-------|------------------------------------------------|--------------------------------------------|---------------------------|
| Year Built/Occupied:                        | 1995  | <b>CDCR Category Code</b>                      | <b>Sub-Category Code</b>                   | <b>Phase Code</b>         |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)                       | Acquisition (A) Study (S) |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)                                | Preliminary Plans (P)     |
| Design Bed Capacity                         | 2,324 | Mental Health (MH)                             | Health Care (HC)                           | Working Drawings (W)      |
| Overcrowding Bed Capacity                   | 2,026 | Dental (D)                                     | Programs (P)                               | Construction (C)          |
| Nontraditional Bed Capacity                 | 240   | Re-Entry (RE)                                  | Security (S)                               | Design Build (DB)         |
| Total                                       | 4,590 | Farrell (FA)                                   | Support Services (SS)                      | All Phases (PWC)          |
|                                             |       | Infrastructure (I)                             | Utilities (U)                              |                           |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                                            |                           |
| Female                                      | 0     | <b>Project Type</b>                            |                                            | <b>Project Status</b>     |
| Reception                                   | 701   | Major (MA)                                     | Active (AC) Portion or all Funded          |                           |
| Level I                                     | 219   | Minor (MI)                                     | Proposed (PR) Proposed for 11/12           |                           |
| Level II                                    | 109   | Special Repair Project (SRP)                   | Completed (CO) Funded & Completed in CY 10 |                           |
| Level III                                   | 329   | Special Project (SP)                           |                                            |                           |
| Level IV                                    | 2,895 | Deferred Maintenance (DM)                      |                                            |                           |
| Special                                     | 0     | Energy Projects (E)                            |                                            |                           |
| Total                                       | 4,253 | <b>Funding Source</b>                          |                                            |                           |
|                                             |       | General Fund (GF)                              |                                            |                           |
| Proposed Infill Bed Site:                   | No    | Bonds (B)                                      |                                            |                           |
| Prison Industry Authority Site              | No    | Special Funds (SF)                             |                                            |                           |
| Addiction & Recovery Services               | No    | AB900 General Fund (AB900GF)                   |                                            |                           |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                                            |                           |
| Sensitive Needs Yard                        | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                                            |                           |
| Small Management Yard                       | Yes   |                                                |                                            |                           |
| Wheelchair/Disabled Access                  | Yes   |                                                |                                            |                           |

| Institution Infrastructure Overview               |     |                                           |    |              |
|---------------------------------------------------|-----|-------------------------------------------|----|--------------|
| Water (On-site Wells, Municipal, Both):           |     | On-Site Well(s) only.                     |    |              |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$0  |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    | 21%          |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 0  | Amount: \$0  |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 0  | Amount: \$0  |
| VFA Assessment Facility Condition Index %         | 17% | 5 Yr Cost to Maintain Current FCI         |    | \$79,560,000 |

## HIGH DESERT STATE PRISON (HDSP)

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                            | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|---------------------------------------------------------|----------------|-------|
| 1              | MI           | I                  | U                 | Well House Buildings #217 & #218                        | AC             | C     |
| 2              | MA           | I                  | U                 | Upgrade Emergency Circuit Transformer & Transfer Switch | PR             | PW    |

## INSTITUTION PROJECT STATUS REPORT

### HIGH DESERT STATE PRISON (HDSP)

#### Active Project:

| Type | Cat | Phase | Project Name                     | Scope:                                  |
|------|-----|-------|----------------------------------|-----------------------------------------|
| MI   | I   | PWC   | Well House Buildings #217 & #218 | Construct buildings for wells 217 & 218 |

Notes:

#### Project Schedule:

| Project Schedule: |                |                   |               |                  |            | Funding:  |           |                |      |                   |           |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|-----------|-----------|----------------|------|-------------------|-----------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App       | Year      | Aug/ Reversion | Year | Current Authority | Year      | Funding Source |
| PWC               |                |                   | 10/2010       | 02/2011          | 0%         | \$260,000 | 2008/2009 |                |      | \$260,000         | 2008/2009 | GF             |

Notes: Material procurement is 54% complete - Project delay is attributed to the procurement of remaining materials

#### Proposed Project:

| Type | Cat | Phase | Project Name                              | Scope:                                                                                                         |
|------|-----|-------|-------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| MA   | I   | PW    | Upgrade Emergency Circuit/Transfer Switch | Upgrade emergency circuit transformer and transfer switch to cover emergency power when the main power is off. |

#### Project Schedule:

| Project Schedule: |            |  |  |  | Project Budget: |              |            |                |
|-------------------|------------|--|--|--|-----------------|--------------|------------|----------------|
| Phase             | Begin Date |  |  |  | Phase           | Budget Costs | Total Cost | Funding Source |
| PW                | FY 11/12   |  |  |  | PW              | \$201,000    |            |                |
| C                 | FY 12/13   |  |  |  | C               | \$997,000    |            |                |

Note: Project submitted for PW funding consideration in 11/12

#### Special Repair/Deferred Maintenance Projects

| Type                              | Project# | Project Name | AC or PR | Year | Project Costs | Funding Source |
|-----------------------------------|----------|--------------|----------|------|---------------|----------------|
| No Proposed Projects at this time |          |              |          |      |               |                |

#### Completed Projects:

| Type | Cat | Project Name | Project Costs | Date Completed | Funding Source |
|------|-----|--------------|---------------|----------------|----------------|
| NONE |     |              |               |                |                |

# High Desert State Prison (HDSP)

Susanville, CA

## Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1995                |
| Design Bed Capacity             | 2,224               |
| Asset count                     | 149 (128 buildings) |
| Actual Building Square Feet     | 1,224,000 SF        |
| Replacement Value (Buildings):  | \$435,557,000       |
| Date of VFA Facility Assessment | January 1, 2008     |

## Existing Assets Summary

**The High Desert State Prison** assessment data was collected and input into three Campuses: Main Campus-Inside Secured Fence, Main Campus-Outside Secured Fence and Main Campus-Site Infrastructure, with an Institution-wide total building size of 1,224,000 SF.

**The Main Campus-Inside Secured Fence**, 1,037,000 SF, is comprised of Housing, Gymnasium, Food Services, Education, Support Storage and several Guard Towers/Security structures. Most assets in the Main Campus-Inside Secured Fence are 14 years old, and the campus has an overall FCI of 17%.

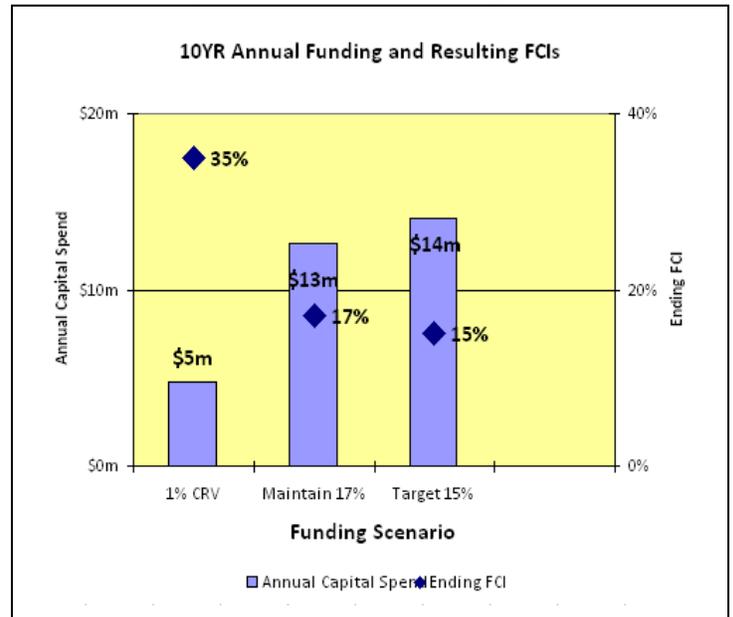
**The Main Campus-Outside Secured Fence**, 187,000 SF, is comprised of Administration, Utility, Storage and Security Tower facilities, of which the majority of assets are 14 years old based on date of construction. Some Storage assets are 29 years old. The overall FCI of these assets in the Main Campus-Outside Secured Fence is 28%.

**Main Campus-Site Infrastructure**, serving all campuses, includes Heating Hot Water, Natural Gas, Domestic Water Wells, Pump Houses and Distribution, Sanitary Sewer, Storm Water, Electrical Distribution and Lighting, Perimeter Electrified Fences, Telecommunication, Roadways, Parking Lots and Pedestrian Paving. All site infrastructure assets are 14 years old. The average FCI of these Site Infrastructure Assets is 3%.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$     | 5YR FCI %  |
|-----------------------------------------|------------------------------|------------------|------------|
| Structure & Foundations                 | 74,228k                      | 0k               | 0%         |
| Exterior Envelope                       | 53,667k                      | 3k               | 0%         |
| Roofing                                 | 11,985k                      | 7,542k           | 63%        |
| Interior Construction                   | 91,371k                      | 5,309k           | 6%         |
| Plumbing & Fixtures                     | 35,751k                      | 4,737k           | 13%        |
| Heating, Ventilating & Air Conditioning | 50,031k                      | 13,374k          | 27%        |
| Fire Protection Systems                 | 8,919k                       | 99k              | 1%         |
| Electrical Systems                      | 91,315k                      | 47,006k          | 51%        |
| Equipment                               | 22,844k                      | 362k             | 2%         |
| Site Infrastructure                     | 41,105k                      | 1,129k           | 3%         |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$481,216k</b>            | <b>\$79,560k</b> | <b>17%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# High Desert State Prison (HDSP)

Susanville, CA

## Major Issues

The majority of the Institutions' facilities are 14 years old and based on expected useful life of systems, the following systems will be coming due for major repair or renewal within the next 2 to 5 years: security, emergency power & lighting systems, roofing and terminal and packaged unit systems.

Many interior floor & wall finishes will be coming due based on their useful lifetimes of 10 to 20 years.

Critical site infrastructure assets such as Roadways and Parking Lots will be coming due for major repair or renewal within the next 2 to 5 years based on their current age of 14 years old.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$13m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$14m per year for the next 10 years would bring HDSP's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index (FCI = 17%)** is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI**

| Asset - Name                    | Asset - CRV  | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|---------------------------------|--------------|---------------------|-----------------|
| Generator Building              | \$8,995,888  | \$8,990,355         | 100%            |
| Site Roadway and Parking Lot    | \$1,806,445  | \$1,800,141         | 100%            |
| PABX                            | \$1,017,795  | \$952,483           | 94%             |
| Gatehouse                       | \$60,851     | \$52,668            | 87%             |
| Weapons Training Class          | \$196,466    | \$67,638            | 34%             |
| Central Health Services         | \$13,139,892 | \$4,059,045         | 31%             |
| Laundry A - 486                 | \$6,630,177  | \$1,806,650         | 27%             |
| Control / Visiting C&D          | \$6,788,944  | \$1,589,765         | 23%             |
| Control and Visiting A&B        | \$6,837,633  | \$1,591,292         | 23%             |
| Food Service Satellite A        | \$4,650,077  | \$1,061,411         | 23%             |
| Support Level 1 - 904           | \$1,946,779  | \$439,304           | 23%             |
| Yard Gun Post C - 443           | \$58,771     | \$13,032            | 22%             |
| Yard Gun Post C - 444           | \$58,771     | \$13,032            | 22%             |
| Yard Gun Post D - 453           | \$58,850     | \$13,032            | 22%             |
| Yard Gun Post D - 454           | \$58,997     | \$13,032            | 22%             |
| Visitor/Staff Processing        | \$1,109,987  | \$242,510           | 22%             |
| Program and Support Level 1-903 | \$5,402,959  | \$1,153,471         | 21%             |
| Work Change Bldg C - 563        | \$105,239    | \$20,830            | 20%             |
| Program and Support Bldg A      | \$5,260,765  | \$1,021,135         | 19%             |
| Program and Support Bldg D      | \$5,260,765  | \$1,019,698         | 19%             |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name              | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|---------------------------|--------------|-----------|---------------------------|
| Generator Building        | \$8,995,888  | 100%      | \$8,990,355               |
| Central Health Services   | \$13,139,892 | 31%       | \$4,059,045               |
| 180 Housing Level 4 - 354 | \$17,567,140 | 16%       | \$2,827,302               |
| 180 Housing Level 4 - 352 | \$17,285,391 | 16%       | \$2,826,212               |
| 180 Housing Level 4 - 353 | \$17,285,391 | 16%       | \$2,826,212               |
| 180 Housing Level 4 - 342 | \$17,147,160 | 15%       | \$2,597,365               |
| 180 Housing level 4 - 343 | \$17,147,160 | 15%       | \$2,597,365               |
| 180 Housing Level 4 - 341 | \$17,099,767 | 15%       | \$2,597,322               |
| 180 Housing Level 4 - 344 | \$17,147,160 | 15%       | \$2,594,746               |
| 180 Housing Level 4 - 351 | \$17,098,593 | 15%       | \$2,591,423               |
| 270 Housing Level 3 - 325 | \$11,341,899 | 17%       | \$1,914,192               |
| 270 Housing Level 3 - 323 | \$10,376,561 | 18%       | \$1,905,685               |
| 270 Housing Level 3 - 327 | \$11,261,922 | 17%       | \$1,890,533               |
| 270 Housing Level 3 - 326 | \$10,770,514 | 17%       | \$1,874,529               |
| 270 Housing Level 3 - 321 | \$10,376,561 | 18%       | \$1,874,529               |
| 270 Housing Level 3 - 322 | \$10,376,561 | 18%       | \$1,874,529               |
| 270 Housing Level 3 - 329 | \$10,376,561 | 18%       | \$1,872,294               |
| 270 Housing Level 3 - 330 | \$10,376,561 | 18%       | \$1,872,132               |
| 270 Housing Level 3 - 324 | \$10,376,561 | 18%       | \$1,869,453               |
| 270 Housing Level 3 - 328 | \$10,376,561 | 18%       | \$1,869,453               |

# 1 HVAC System - Institution wide

# 2 Energy Efficiency Housing Unit Fan Variable Frequency Drives (VFDS) - Housing



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Deferred Maintenance Program (DMP)

Minor Capitol Outlay Project (MI)

Special Projects (SP)

Special Repair Program (SRP)

Energy Projects (E)

IRONWOOD STATE PRISON

| Institution Overview                        |       | List Key                                       |                          |                                            |
|---------------------------------------------|-------|------------------------------------------------|--------------------------|--------------------------------------------|
| Year Built/Occupied:                        | 1994  | <b>CDCR Category Code</b>                      | <b>Sub-Category Code</b> | <b>Phase Code</b>                          |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)     | Acquisition (A) Study (S)                  |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)              | Preliminary Plans (P)                      |
| Design Bed Capacity                         | 2,200 | Mental Health (MH)                             | Health Care (HC)         | Working Drawings (W)                       |
| Overcrowding Bed Capacity                   | 1,985 | Dental (D)                                     | Programs (P)             | Construction (C)                           |
| Nontraditional Bed Capacity                 | 1,284 | Re-Entry (RE)                                  | Security (S)             | Design Build (DB)                          |
| Total                                       | 5,469 | Farrell (FA)                                   | Support Services (SS)    | All Phases (PWC)                           |
|                                             |       | Infrastructure (I)                             | Utilities (U)            |                                            |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                          |                                            |
| Female                                      | 0     | <b>Project Type</b>                            |                          | <b>Project Status</b>                      |
| Reception                                   | 0     | Major (MA)                                     |                          | Active (AC) Portion or all Funded          |
| Level I                                     | 193   | Minor (MI)                                     |                          | Proposed (PR) Proposed for 11/12           |
| Level II                                    | 0     | Special Repair Project (SRP)                   |                          | Completed (CO) Funded & Completed in CY 10 |
| Level III                                   | 3,783 | Special Project (SP)                           |                          |                                            |
| Level IV                                    | 0     | Deferred Maintenance (DM)                      |                          |                                            |
| Special                                     | 0     | Energy Projects (E)                            |                          |                                            |
| Total                                       | 3,976 | <b>Funding Source</b>                          |                          |                                            |
|                                             |       | General Fund (GF)                              |                          |                                            |
| Proposed Infill Bed Site:                   | No    | Bonds (B)                                      |                          |                                            |
| Prison Industry Authority Site              | No    | Special Funds (SF)                             |                          |                                            |
| Addiction & Recovery Services               | No    | AB900 General Fund (AB900GF)                   |                          |                                            |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                          |                                            |
| Sensitive Needs Yard                        | No    | AB900 Infrastructure Lease Revenue (AB900LR-I) |                          |                                            |
| Small Management Yard                       | Yes   |                                                |                          |                                            |
| Wheelchair/Disabled Access                  | Yes   |                                                |                          |                                            |

| Institution Infrastructure Overview               |     |                                           |    |                       |
|---------------------------------------------------|-----|-------------------------------------------|----|-----------------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |    | On-Site Well(s) only. |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$0           |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    | 21%                   |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 1  | Amount: \$1,432,000   |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 0  | Amount: \$0           |
| VFA Assessment Facility Condition Index %         | 23% | 5 Yr Cost to Maintain Current FCI         |    | \$108,793,000         |

## IRONWOOD STATE PRISON (ISP)

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                        | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|---------------------------------------------------------------------|----------------|-------|
| 1              | MA           | I                  | P                 | Heating, Ventilation & Air Conditioning System                      | AC             | P     |
| 2              | E            | I                  | U                 | Energy Efficiency Housing Unit Fan Variable Frequency Drives (VFDS) | AC             | PWC   |
| 3              | SRP          | O                  | U                 | Replacement of Erosion Control & Storm Water Conveyance System      | PR             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### IRONWOOD STATE PRISON (ISP)

#### Active Project:

| Type | Cat | Phase | Project Name                                   | Scope:                                                                                                                                                            |
|------|-----|-------|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | P     | Heating, Ventilation & Air Conditioning System | Upgrade ISP's HVAC systems for all housing units and support facilities and install new energy efficient (green) roofing membrane over additional new insulation. |

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year      | Aug/ Reversion | Year | Current Authority | Year      | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-------------|-----------|----------------|------|-------------------|-----------|----------------|
| P     | 08/2008        | 04/2009           | 08/2009       | 11/2010          | 99%        | \$5,758,000 | 2008/2009 |                |      | \$5,758,000       | 2008/2009 | GF             |
| W     | 07/2011        | 09/2012           |               |                  |            |             |           |                |      |                   |           |                |
| C     | 10/2012        | 06/2015           |               |                  |            |             |           |                |      |                   |           |                |

Notes: Requesting WD in FY 11/12 in the amount of \$6,100,000

#### Proposed Project:

| Type  | Cat | Phase | Project Name | Scope: |
|-------|-----|-------|--------------|--------|
| MA/MI |     |       | None         |        |

#### Project Schedule:

| Phase | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|-------|--------------|------------|----------------|
| PW    |            | PW    |              |            |                |
| C     |            | C     |              |            |                |

Note:

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                    | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-------------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0809-01880 | Erosion Control & Storm Water Conveyance System | PR       | 2010-11 | \$1,432,000   | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name | Project Costs | Date Completed | Funding Source |
|------|-----|--------------|---------------|----------------|----------------|
|      |     | NONE         |               |                |                |

# Ironwood State Prison (ISP)

Blythe, CA

## Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1994                |
| Design Bed Capacity             | 2,200               |
| Asset count                     | 150 (127 buildings) |
| Actual Building Square Feet     | 1,120,000 SF        |
| Replacement Value (Buildings):  | \$420,565,000       |
| Date of VFA Facility Assessment | January 1, 2008     |

## Existing Assets Summary

**The Ironwood State Prison** assessment data was collected and input into three Campuses: Main Campus-Inside Secured Fence, Main Campus-Outside Secured Fence and Main Campus-Site Infrastructure, with an Institution-wide total building size of 1,120,000 SF.

**The Main Campus-Inside Secured Fence**, 940,000 SF, is comprised of Housing, Gymnasium, Food Services, Education, Support Storage and several Guard Towers/Security structures. The majority of the assets in the Main Campus-Inside Secured Fence are 15 years old, and the campus has an overall FCI of 22%.

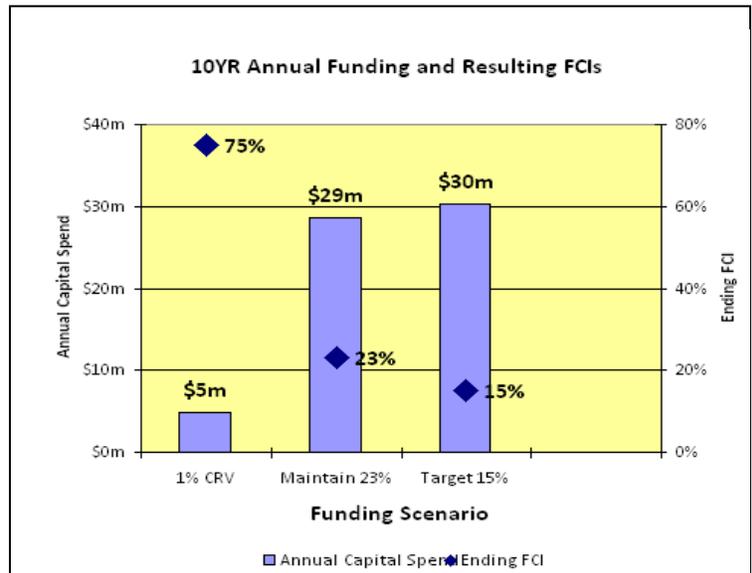
**The Main Campus-Outside Secured Fence**, 180,000 SF, is comprised of Administration, Utility, Employee Housing, Storage and Security Tower facilities, of which the majority of assets are 15 years old based on date of construction. The overall FCI of these assets in the Main Campus-Outside Secured Fence is 35%.

**Main Campus-Site Infrastructure**, serving all campuses, includes Natural Gas, Domestic Water, Pump Lift Stations, Sanitary Sewer, Storm Water, Electrical Distribution and Lighting, Perimeter Security Fences, Telecommunication, Roadways, Parking Lots and Pedestrian Paving. All site infrastructure assets are 15 years old. The average FCI of these Site Infrastructure Assets is 28%.

Table 1. 5YR Facility Condition Index by Major

| System                                  | Assessment Replacement Value | 5YR Needs \$      | 5YR FCI %  |
|-----------------------------------------|------------------------------|-------------------|------------|
| Structure & Foundations                 | 61,079k                      | 0k                | 0%         |
| Exterior Envelope                       | 54,357k                      | 678k              | 1%         |
| Roofing                                 | 12,302k                      | 10,478k           | 85%        |
| Interior Construction                   | 99,634k                      | 14,957k           | 15%        |
| Plumbing & Fixtures                     | 45,878k                      | 1,879k            | 4%         |
| Heating, Ventilating & Air Conditioning | 40,337k                      | 28,114k           | 70%        |
| Fire Protection Systems                 | 6,191k                       | 98k               | 2%         |
| Electrical Systems                      | 82,597k                      | 36,702k           | 44%        |
| Equipment                               | 28,060k                      | 3,245k            | 12%        |
| Site Infrastructure                     | 45,684k                      | 12,642k           | 28%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$476,119k</b>            | <b>\$108,793k</b> | <b>23%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# Ironwood State Prison (ISP)

Blythe, CA

## Major Issues

The majority of the Institutions' facilities are 15 years old and based on expected useful life of systems, the following systems will be coming due for major repair or renewal within the next 2 to 5 years: security, emergency power & lighting systems, fire alarm, roofing and terminal and packaged unit systems.

Many interior floor & wall finishes will be coming due based on their useful lifetimes of 10 to 20 years.

Critical site infrastructure assets such as Emergency Power, Security, Fences and Gates, Roadways and Parking Lots will be coming due for major repair or renewal within the next 2 to 5 years based on their current age of 15 years old.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$29m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$30m per year for the next 10 years would bring ISP's condition in line with the average of other states' correctional facilities.

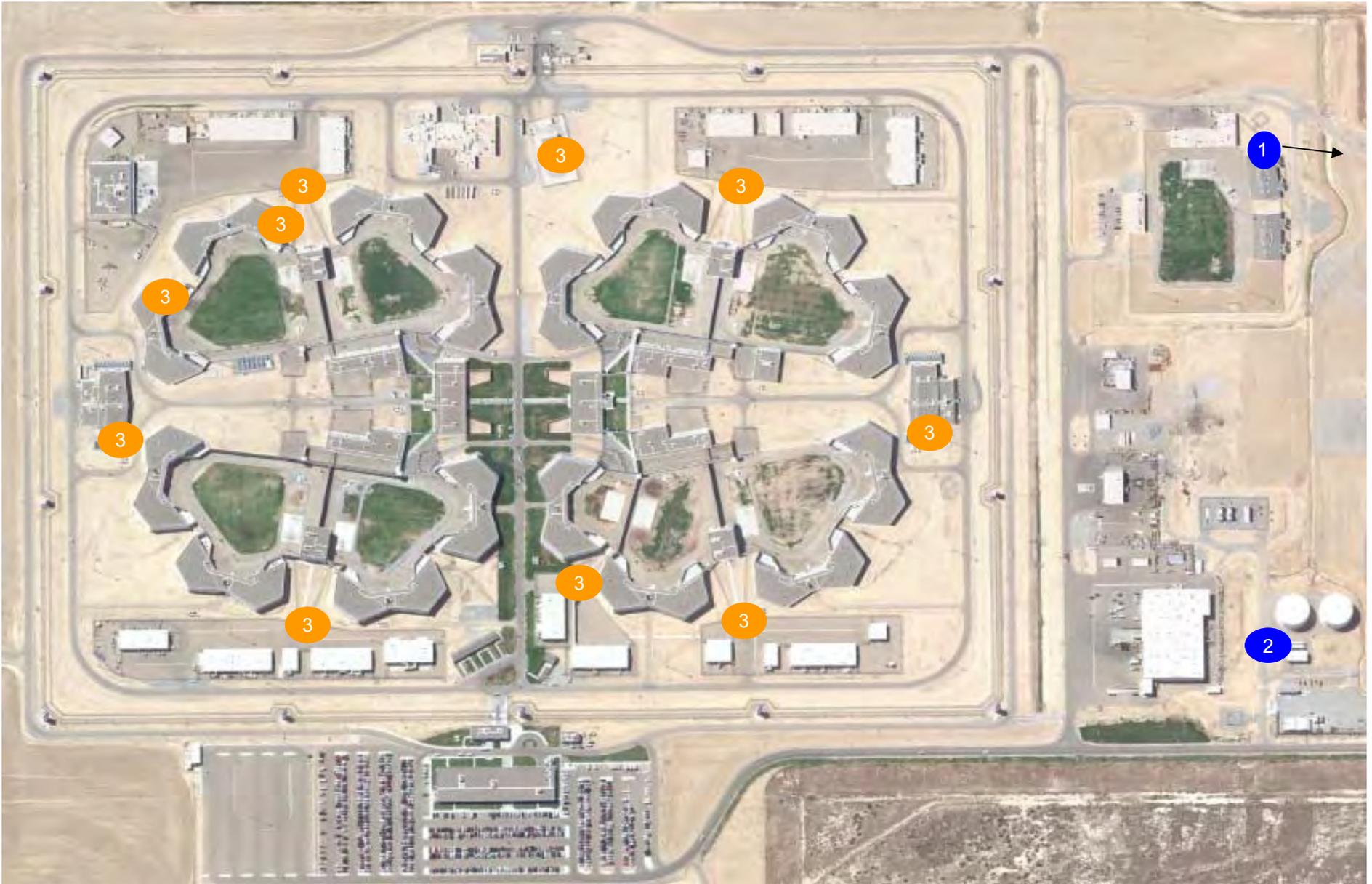
The **Facility Condition Index** (FCI = 23%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI**

| Asset - Name                                  | Asset - CRV | 5-YR FCI Needs \$ | ** 5YR FCI % ** |
|-----------------------------------------------|-------------|-------------------|-----------------|
| Site Fences and Gates                         | \$3,440,061 | \$4,300,077       | 125%            |
| C-Facility Central Health Generator Enclosure | \$641,129   | \$683,892         | 107%            |
| PABX                                          | \$903,938   | \$728,761         | 81%             |
| Warehouse Volatile Storage Building           | \$113,266   | \$90,619          | 80%             |
| Generator Building                            | \$4,033,634 | \$2,673,411       | 66%             |
| Site Parking Lots                             | \$4,519,634 | \$2,824,771       | 63%             |
| Site Roads and Drives                         | \$6,934,148 | \$4,333,843       | 63%             |
| A-Facility Steam Generator Building           | \$917,479   | \$523,703         | 57%             |
| B-Facility Volatile Storage Building          | \$24,027    | \$13,140          | 55%             |
| C-Facility Volatile Storage Building          | \$24,027    | \$13,140          | 55%             |
| A-Facility Volatile Storage Building          | \$24,838    | \$13,140          | 53%             |
| D-Facility Volatile Storage Building          | \$24,838    | \$13,140          | 53%             |
| Central Administration                        | \$8,724,280 | \$4,517,757       | 52%             |
| Lift Station                                  | \$2,167,176 | \$1,044,284       | 48%             |
| A-Facility Central Kitchen                    | \$7,881,912 | \$3,672,311       | 47%             |
| C-Facility Food Services Satellite            | \$5,580,586 | \$2,524,229       | 45%             |
| A-Facility Food Services Satellite            | \$5,593,760 | \$2,437,194       | 44%             |
| B-Facility Food Services Satellite            | \$5,604,433 | \$2,439,803       | 44%             |
| D-Facility Food Services Satellite            | \$5,593,502 | \$2,384,101       | 43%             |
| Visitor Processing/Staff Entrance-Sally Port  | \$881,968   | \$367,448         | 42%             |

**Table 4. Top 20 Buildings by 5YR Needs \$**

| Asset - Name                           | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$ ** |
|----------------------------------------|--------------|-----------|-------------------------|
| Central Administration                 | \$8,724,280  | 52%       | \$4,517,757             |
| Site Roads and Drives                  | \$6,934,148  | 63%       | \$4,333,843             |
| Site Fences and Gates                  | \$3,440,061  | 125%      | \$4,300,077             |
| A-Facility Central Kitchen             | \$7,881,912  | 47%       | \$3,672,311             |
| Site Parking Lots                      | \$4,519,634  | 63%       | \$2,824,771             |
| A-Facility Programs and Services       | \$8,890,878  | 31%       | \$2,731,013             |
| B-Facility Programs and Services       | \$8,860,474  | 31%       | \$2,731,013             |
| C-Facility Programs and Services       | \$8,857,740  | 31%       | \$2,726,454             |
| D-Facility Programs and Services       | \$8,857,740  | 31%       | \$2,725,547             |
| Generator Building                     | \$4,033,634  | 66%       | \$2,673,411             |
| C-Facility Food Services Satellite     | \$5,580,586  | 45%       | \$2,524,229             |
| B-Facility Food Services Satellite     | \$5,604,433  | 44%       | \$2,439,803             |
| A-Facility Food Services Satellite     | \$5,593,760  | 44%       | \$2,437,194             |
| Visiting/Board of Prison Terms/Control | \$7,423,369  | 33%       | \$2,435,994             |
| Visiting/Board of Prison Terms/Control | \$7,425,086  | 33%       | \$2,435,677             |
| D-Facility Food Services Satellite     | \$5,593,502  | 43%       | \$2,384,101             |
| A-Facility - ADSEG                     | \$12,152,305 | 17%       | \$2,084,786             |
| B-Facility - Level III Housing         | \$11,901,106 | 17%       | \$2,070,160             |
| A-Facility - Level III Housing         | \$11,901,106 | 17%       | \$2,004,408             |
| A-Facility - Level III Housing         | \$11,901,106 | 17%       | \$2,004,408             |



**Legend: Project Type by Color Code**

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**KERN VALLEY STATE PRISON**



| Legend: Project Type by Color Code |                                    |
|------------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA)  | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI)  | Special Projects (SP)              |
| Special Repair Program (SRP)       | Energy Projects (E)                |

**KERN VALLEY STATE PRISON**

| Institution Overview                        |       | List Key                                       |                       |                                            |
|---------------------------------------------|-------|------------------------------------------------|-----------------------|--------------------------------------------|
| Year Built/Occupied:                        | 2005  | CDCR Category Code                             | Sub-Category Code     | Phase Code                                 |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)  | Acquisition (A) Study (S)                  |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)           | Preliminary Plans (P)                      |
| Design Bed Capacity                         | 2,448 | Mental Health (MH)                             | Health Care (HC)      | Working Drawings (W)                       |
| Overcrowding Bed Capacity                   | 2,052 | Dental (D)                                     | Programs (P)          | Construction (C)                           |
| Nontraditional Bed Capacity                 | 100   | Re-Entry (RE)                                  | Security (S)          | Design Build (DB)                          |
| Total                                       | 4,600 | Farrell (FA)                                   | Support Services (SS) | All Phases (PWC)                           |
|                                             |       | Infrastructure (I)                             | Utilities (U)         |                                            |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                       |                                            |
| Female                                      | 0     | Project Type                                   |                       | Project Status                             |
| Reception                                   | 0     | Major (MA)                                     |                       | Active (AC) Portion or all Funded          |
| Level I                                     | 254   | Minor (MI)                                     |                       | Proposed (PR) Proposed for 11/12           |
| Level II                                    | 0     | Special Repair Project (SRP)                   |                       | Completed (CO) Funded & Completed in CY 10 |
| Level III                                   | 0     | Special Project (SP)                           |                       |                                            |
| Level IV                                    | 4,408 | Deferred Maintenance (DM)                      |                       |                                            |
| Special                                     | 0     | Energy Projects (E)                            |                       |                                            |
| Total                                       | 4,662 | Funding Source                                 |                       |                                            |
|                                             |       | General Fund (GF)                              |                       |                                            |
| Proposed Infill Bed Site:                   | Yes   | Bonds (B)                                      |                       |                                            |
| Prison Industry Authority Site              | No    | Special Funds (SF)                             |                       |                                            |
| Addiction & Recovery Services               | Yes   | AB900 General Fund (AB900GF)                   |                       |                                            |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                       |                                            |
| Sensitive Needs Yard                        | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |                                            |
| Small Management Yard                       | Yes   |                                                |                       |                                            |
| Wheelchair/Disabled Access                  | Yes   |                                                |                       |                                            |

| Institution Infrastructure Overview               |     |                                           |    |                       |             |
|---------------------------------------------------|-----|-------------------------------------------|----|-----------------------|-------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |    | On-Site Well(s) only. |             |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount:               | \$0         |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    |                       | 21%         |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 5  | Amount:               | \$1,397,259 |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 1  | Amount:               | \$954,379   |
| VFA Assessment Facility Condition Index %         | 1%  | 5 Yr Cost to Maintain Current FCI         |    | \$645,000             |             |

## KERN VALLEY STATE PRISON (KVSP)

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                         | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|--------------------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | IN                 | H                 | 500 Design Bed Capacity Level IV Infill Facility                                     | AC             | P     |
| 2              | MA           | I                  | U                 | Arsenic Removal Water Treatment                                                      | AC             | W     |
| 3              | SRP          | O                  | F                 | ADA DPW Inmate Search Stations                                                       | AC             | PWC   |
| 4              | DM           | I                  | F                 | Fire Alarm System Repairs - Sitewide All Inmate Housing Units                        | PR             | PWC   |
| 5              | SRP          | I                  | F                 | ADA Modifications Showers, urinals, DF, Light Switches, Path of Travel               | PR             | PWC   |
| 6              | SRP          | I                  | F                 | Enhanced Outpatient Cell Conversion 180 Degree Inmate Housing Units                  | PR             | PWC   |
| 7              | SRP          | I                  | F                 | ADA Cell Conversion - Facility B, Bldg. 1 (4) 180 Housing cells - 101, 112, 123, 132 | PR             | PWC   |
| 8              | SRP          | I                  | F                 | ADA Exercise Equipment - Facility Yards A,B,C,D                                      | PR             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### KERN VALLEY STATE PRISON (KVSP)

#### Active Project:

| Type | Cat | Phase | Project Name                                    | Scope:                                                                                                                                                                                                                                                                                                                                                                |
|------|-----|-------|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | IN  | P     | 500 Design Bed Level IV Infill Housing Facility | Design and construction of a semi-autonomous Level IV housing facility, including support facilities and rehabilitative program facilities. The facility would contain 5 100 design bed capacity 270 housing units. One housing unit will be split 50/50 to house both Level IV & Administrative Segregation inmates. The facility will house a total of 930 inmates. |

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App           | Year | Aug/ Reversion | Year    | Current Authority | Year | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|---------------|------|----------------|---------|-------------------|------|----------------|
| S     |                |                   | 11/2007       | 08/2008          | 100%       | \$2,543,078   |      | -\$136,946     | 2008-09 | \$2,406,132       |      | AB900 GF       |
| P     |                |                   | 10/2010       | 07/2011          | 0%         | \$10,688,252  |      |                |         |                   |      | AB900GF        |
| W     | 09/2011        | 03/2012           |               |                  |            | \$11,916,748  |      |                |         |                   |      | AB900GF        |
| C     | 06/2012        | 07/2014           |               |                  |            | \$256,281,000 |      |                |         |                   |      | AB900GF        |

Notes: Pending PWB approval of Scope, Schedule & Cost

#### Active Project:

| Type | Cat | Phase | Project Name                    | Scope:                                                                                                                                                                                                                                                          |
|------|-----|-------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | W     | Arsenic Removal Water Treatment | This project will design and construct a modular water treatment system that uses a precipitation process to remove arsenic from the water supply system. The design and construction will allow for future expansion of the water supply and treatment system. |

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App                                       | Year                          | Aug/ Reversion               | Year               | Current Authority | Year    | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-------------------------------------------|-------------------------------|------------------------------|--------------------|-------------------|---------|----------------|
| P     | 07/2005        | 11/2005           | 07/2005       | 01/2007          | 100%       | \$260,000                                 | 2005-06                       |                              |                    | \$260,000         | 2005-06 | GF             |
| W     | 11/2005        | 03/2006           | 10/2009       | 10/2010          | 99%        | \$240,000                                 | 2005-06                       |                              |                    | \$240,000         | 2005-06 | GF             |
| C     | 03/2010        | 03/2011           | 02/2011       | 12/2011          | 0%         | \$1,878,000<br>\$2,477,000<br>\$8,010,000 | 2005-06<br>2006-07<br>2007-08 | -\$1,878,000<br>-\$2,453,930 | 2006-07<br>2008-09 | \$8,033,069       | 2007-08 | AB900GF        |

Notes:

## INSTITUTION PROJECT STATUS REPORT

### KERN VALLEY STATE PRISON (KVSP)

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                                                            | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-----------------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0910-00452 | ADA DPW Inmate Search Stations                                                          | AC       | 2009-10 | \$15,000      | GF             |
| DM   | 0910-00884 | Fire Alarm System Repairs - Sitewide All Inmate Housing Units                           | PR       | 2010-11 | \$954,379     | GF             |
| SRP  | 0910-00245 | ADA Modifications Showers, urinals, DF, Light Switches, Path of Travel                  | PR       | 2011-12 | \$956,712     | GF             |
| SRP  | 0910-00881 | Enhanced Outpatient Cell Conversion 180 Degree Inmate Housing Units                     | PR       | 2011-12 | \$126,676     | GF             |
| SRP  | 0910-00882 | ADA Cell Conversion - Facility B, Bldg. 1<br>(4) 180 Housing cells - 101, 112, 123, 132 | PR       | 2011-12 | \$228,265     | GF             |
| SRP  | 0910-01172 | ADA Exercise Equipment - Facility Yards A,B,C,D                                         | PR       | 2010-11 | \$70,606      | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name | Project Costs | Date Completed | Funding Source |
|------|-----|--------------|---------------|----------------|----------------|
|      |     | NONE         |               |                |                |

# Kern Valley State Prison (KVSP)

## Delano, CA

### Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 2005                |
| Design Bed Capacity             | 5,120               |
| Asset count                     | 191 (140 buildings) |
| Actual Building Square Feet     | 1,435,000 SF        |
| Replacement Value (Buildings):  | \$538,500,000       |
| Date of VFA Facility Assessment | January 1, 2009     |

### Existing Assets Summary

**The Kern Valley State Prison** assessment data was collected and input into three Campuses: Main Campus-Inside Secured Fence, Main Campus-Outside Secured Fence and Main Campus-Site Infrastructure, with an Institution-wide total building size of 1,435,000 SF.

**The Main Campus-Inside Secured Fence**, 1,248,000 SF, is comprised of Housing, Gymnasium, Food Services, Education, Support Storage and several Guard Towers/Security structures. All assets in the Main Campus-Inside Secured Fence are 4 years old, and the campus has an overall FCI of 0%.

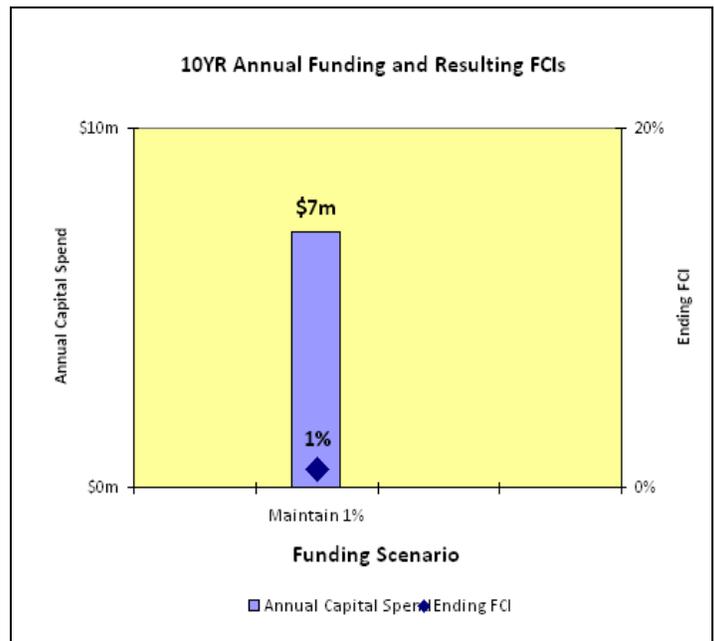
**The Main Campus-Outside Secured Fence**, 187,000 SF, is comprised of Administration, Utility, Employee Housing, Storage, Waste Water Treatment Plant and Security Tower facilities, of which all are 4 years old based on date of construction. The overall FCI of these assets in the Main Campus-Outside Secured Fence is 1%.

**Main Campus-Site Infrastructure**, serving all campuses, includes Natural Gas, Domestic Water Distribution and Wells, Sanitary Sewer, Storm Water, Irrigation, Electrical Distribution and Lighting, Perimeter Security Fences and Concrete Walls, Telecommunication, Roadways, Parking Lots and Pedestrian Paving. All site infrastructure assets are 4 years old. The average FCI of these Site Infrastructure Assets is approximately 0%.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$  | 5YR FCI % |
|-----------------------------------------|------------------------------|---------------|-----------|
| Structure & Foundations                 | 103,298k                     | 5k            | 0%        |
| Exterior Envelope                       | 94,442k                      | 1k            | 0%        |
| Roofing                                 | 27,173k                      | 9k            | 0%        |
| Interior Construction                   | 109,253k                     | 345k          | 0%        |
| Plumbing & Fixtures                     | 49,207k                      | 3k            | 0%        |
| Heating, Ventilating & Air Conditioning | 29,382k                      | 172k          | 1%        |
| Fire Protection Systems                 | 12,193k                      | 0k            | 0%        |
| Electrical Systems                      | 107,466k                     | 106k          | 0%        |
| Equipment                               | 28,381k                      | 3k            | 0%        |
| Site Infrastructure                     | 79,471k                      | 0k            | 0%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$640,266k</b>            | <b>\$645k</b> | <b>1%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# Kern Valley State Prison (KVSP)

Delano, CA

## Major Issues

The majority of the Institutions' facilities are 4 years old and overall in excellent condition based on age and observation. As the facilities age, based on expected useful life of systems, the following systems will be coming due for major repair or renewal within the next 5-6 years: floor and wall finishes, security, emergency power & lighting systems, fire alarm, terminal and packaged unit systems.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$7m per year for each of the next 10 years to maintain the current condition level.

The **Facility Condition Index** (FCI = 1.0%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI**

| Asset - Name                                  | Asset - CRV  | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|-----------------------------------------------|--------------|---------------------|-----------------|
| IST Trailers                                  | \$1,336,979  | \$307,919           | 23%             |
| Friends Outside Trailer                       | \$254,284    | \$46,502            | 18%             |
| Vehicle Sallyport Officers Station            | \$64,884     | \$1,127             | 2%              |
| Weapons Training Classroom                    | \$224,090    | \$2,813             | 1%              |
| Wastewater Treatment Plant Control Building   | \$765,247    | \$7,739             | 1%              |
| Work Change - Facility A                      | \$268,577    | \$2,563             | 1%              |
| Visitor/Staff Processing                      | \$1,115,656  | \$9,888             | 1%              |
| Family Visiting - 1 Unit (YOP)                | \$217,160    | \$1,664             | 1%              |
| Administration                                | \$10,406,948 | \$69,029            | 1%              |
| Central Services - Facility A & B             | \$7,760,765  | \$46,607            | 1%              |
| Vocational Education - Facility A             | \$2,402,581  | \$13,100            | 1%              |
| Work Change - Facility C                      | \$268,258    | \$1,127             | 0%              |
| Work Change - Facility B                      | \$269,048    | \$1,127             | 0%              |
| Work Change - Facility D                      | \$269,048    | \$1,127             | 0%              |
| Work Change - Facility YOP                    | \$269,048    | \$1,127             | 0%              |
| Central Services - Facility C & D             | \$7,305,372  | \$28,181            | 0%              |
| Work Zone Food Service Satellite - Facility A | \$746,630    | \$2,829             | 0%              |
| Wastewater Treatment Plant                    | \$9,418,150  | \$33,192            | 0%              |
| Vocational Education - Facility A             | \$3,241,083  | \$9,981             | 0%              |
| Central Building Maintenance                  | \$2,156,130  | \$6,479             | 0%              |

**Table 4. Top 20 Buildings by 5YR Needs \$**

| Asset - Name                           | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|----------------------------------------|--------------|-----------|---------------------------|
| IST Trailers                           | \$1,336,979  | 23%       | \$307,919                 |
| Administration                         | \$10,406,948 | 1%        | \$69,029                  |
| 180 Housing Units Facility B - 331     | \$19,586,165 | 0%        | \$53,137                  |
| 180 Housing Units Facility B - 332     | \$19,586,165 | 0%        | \$53,137                  |
| 180 Housing Units Facility B - 333     | \$19,600,296 | 0%        | \$53,137                  |
| 180 Housing Units Facility B - 334     | \$19,586,165 | 0%        | \$53,137                  |
| 180 Housing Units Facility C - 341     | \$19,586,165 | 0%        | \$53,137                  |
| 180 Housing Units Facility C - 342     | \$19,586,165 | 0%        | \$53,137                  |
| 180 Housing Units Facility C - 343     | \$19,586,165 | 0%        | \$53,137                  |
| 180 Housing Units Facility C - 344 EOP | \$19,586,165 | 0%        | \$53,137                  |
| 180 Housing Units Facility D - 351     | \$19,586,165 | 0%        | \$53,137                  |
| 180 Housing Units Facility D - 352     | \$19,586,165 | 0%        | \$53,137                  |
| 180 Housing Units Facility D - 353     | \$19,586,165 | 0%        | \$53,137                  |
| 180 Housing Units Facility YOP         | \$19,586,165 | 0%        | \$53,137                  |
| 180 Housing Units Facility A - 323     | \$19,581,269 | 0%        | \$48,978                  |
| 180 Housing Units Facility A - 324     | \$19,581,269 | 0%        | \$48,978                  |
| 180 Housing Units Facility A - 322     | \$19,581,269 | 0%        | \$46,835                  |
| Central Services - Facility A & B      | \$7,760,765  | 1%        | \$46,607                  |
| Friends Outside Trailer                | \$254,284    | 18%       | \$46,502                  |
| 180 Housing Units Facility A - 321     | \$19,581,269 | 0%        | \$44,852                  |

# 2 & # 3 Energy Efficiency Projects - Institution wide

# 14 ADA Modifications - Cells, Showers, Restrooms - Housing Units - Institution wide



**Legend: Project Type by Color Code**

Major Capitol Outlay Project (MA)

Deferred Maintenance Program (DMP)

Minor Capitol Outlay Project (MI)

Special Projects (SP)

Special Repair Program (SRP)

Energy Projects (E)

**CALIFORNIA STATE PRISON, LOS ANGELES COUNTY**

| Institution Overview                        |       | List Key                                       |                       |                                            |
|---------------------------------------------|-------|------------------------------------------------|-----------------------|--------------------------------------------|
| Year Built/Occupied:                        | 1993  | CDCR Category Code                             | Sub-Category Code     | Phase Code                                 |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)  | Acquisition (A) Study (S)                  |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)           | Preliminary Plans (P)                      |
| Design Bed Capacity                         | 2,300 | Mental Health (MH)                             | Health Care (HC)      | Working Drawings (W)                       |
| Overcrowding Bed Capacity                   | 1,850 | Dental (D)                                     | Programs (P)          | Construction (C)                           |
| Nontraditional Bed Capacity                 | 210   | Re-Entry (RE)                                  | Security (S)          | Design Build (DB)                          |
| Total                                       | 4,360 | Farrell (FA)                                   | Support Services (SS) | All Phases (PWC)                           |
|                                             |       | Infrastructure (I)                             | Utilities (U)         |                                            |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                       |                                            |
| Female                                      | 0     | Project Type                                   |                       | Project Status                             |
| Reception                                   | 1,907 | Major (MA)                                     |                       | Active (AC) Portion or all Funded          |
| Level I                                     | 233   | Minor (MI)                                     |                       | Proposed (PR) Proposed for 11/12           |
| Level II                                    | 0     | Special Repair Project (SRP)                   |                       | Completed (CO) Funded & Completed in CY 10 |
| Level III                                   | 2,334 | Special Project (SP)                           |                       |                                            |
| Level IV                                    | 0     | Deferred Maintenance (DM)                      |                       |                                            |
| Special                                     | 0     | Energy Projects (E)                            |                       |                                            |
| Total                                       | 4,474 | Funding Source                                 |                       |                                            |
|                                             |       | General Fund (GF)                              |                       |                                            |
| Proposed Infill Bed Site:                   | No    | Bonds (B)                                      |                       |                                            |
| Prison Industry Authority Site              | Yes   | Special Funds (SF)                             |                       |                                            |
| Addiction & Recovery Services               | No    | AB900 General Fund (AB900GF)                   |                       |                                            |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                       |                                            |
| Sensitive Needs Yard                        | No    | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |                                            |
| Small Management Yard                       | Yes   |                                                |                       |                                            |
| Wheelchair/Disabled Access                  | Yes   |                                                |                       |                                            |

| Institution Infrastructure Overview               |     |                                           |    |                     |
|---------------------------------------------------|-----|-------------------------------------------|----|---------------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |    | Municipal only.     |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$0         |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    | 21%                 |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 7  | Amount: \$7,589,038 |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 1  | Amount: \$175,000   |
| VFA Assessment Facility Condition Index %         | 13% | 5 Yr Cost to Maintain Current FCI         |    | \$69,185,000        |

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                        | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-------------------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | MH                 | HC                | Enhanced Outpatient, Treatment & Program Space-Coleman                              | AC             | W     |
| 2              | E            | I                  | U                 | Energy Efficient Refrigeration Controls, Various Lighting Retrofits & HVAC Controls | AC             | PWC   |
| 3              | E            | I                  | U                 | Energy Efficient Interior Lighting Retrofit - Institution Wide                      | AC             | PWC   |
| 4              | DM           | I                  | F                 | Replace Fire Alarm System-Design                                                    | PR             | P     |
| 5              | SRP          | O                  | SS                | Central Kitchen - Replace Freezer & Refrigerator Doors                              | PR             | PWC   |
| 6              | SRP          | I                  | U                 | (2) Hydro-Pneumatic Water Tanks - Interior Surface Recoated & Rep                   | PR             | PWC   |
| 7              | SRP          | I                  | U                 | Potable Water Tanks-Interior Surface Recoated & Repaired                            | PR             | PWC   |
| 8              | SRP          | I                  | SS                | Roads Asphalt Repair/Replacement                                                    | PR             | PWC   |
| 9              | SRP          | I                  | U                 | Central Kitchen-Replace Air Handler Units-Design                                    | PR             | P     |
| 10             | SRP          | I                  | U                 | Central Kitchen-Replace Refrigeration Rack System                                   | PR             | PWC   |
| 11             | SRP          | I                  | U                 | ASU-Replace Hot Water Tank                                                          | PR             | PWC   |
| 12             | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV)                                           | PR             | PWC   |
| 13             | E            | I                  | U                 | Energy Efficient Light, Motors, EMS                                                 | PR             | PWC   |
| 14             | SRP          | O                  | F                 | ADA Modifications Cells, Restrooms & Showers                                        | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA STATE PRISON - LOS ANGELES COUNTY (LAC)

#### Active Project:

| Type | Cat | Phase | Project Name                                         | Scope:                                                                                                                                                                                                                                                                                          |
|------|-----|-------|------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | MH  | W     | Enhanced Outpatient Patient Treatment & Office Space | This project would construct a 13,000 sq ft building that will provide office and treatment space to accommodate administration, treatment, and custody services required to support an additional 150 Enhanced Outpatient Program inmate-patients in compliance with the <i>Coleman</i> court. |

#### Project Schedule:

| Phase | Original Start     | Original Complete  | Current Start      | Current Complete   | % Complete | App                    | Year        | Aug/ Reversion | Year    | Current Authority      | Year    | Funding Source |
|-------|--------------------|--------------------|--------------------|--------------------|------------|------------------------|-------------|----------------|---------|------------------------|---------|----------------|
| P     | 08/2006<br>10/2009 | 06/2007<br>07/2010 | 08/2006<br>07/2009 | 03/2007<br>07/2010 | 100%       | \$250,000<br>\$689,000 | 2006-07     |                |         | \$250,000<br>\$689,000 | 2007-08 | GF<br>AB900/LR |
| W     | 07/2010            | 01/2011            | 07/2010            | 01/2011            | 95%        | \$588,000              | \$139,000   |                | 2009-10 | \$727,000              | 2009-10 | AB900/LR       |
| C     | 04/2011            | 07/2012            | 04/2011            | 07/2012            |            | \$10,430,000           | \$3,250,000 |                | 2009-10 | \$13,680,000           | 2009-10 | AB900/LR       |

Notes: PWB approved Scope, Schedule & Cost in July 2010

#### Proposed Project:

| Type  | Cat | Phase | Project Name | Scope: |
|-------|-----|-------|--------------|--------|
| MA/MI |     |       | None         |        |

#### Project Schedule:

| Phase | Begin Date |  |  |  | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|--|--|--|-------|--------------|------------|----------------|
| PW    |            |  |  |  | PW    |              |            |                |
| C     |            |  |  |  | C     |              |            |                |

Notes:

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                                      | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-------------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-02206 | Replace Fire Alarm System-Design                                  | PR       | 2011-12 | \$175,000     | GF             |
| SRP  | 0809-00138 | Central Kitchen - Replace Freezer & Refrigerator Doors            | PR       | 2010-11 | \$110,000     | GF             |
| SRP  | 0809-01805 | (2) Hydro-Pneumatic Water Tanks - Interior Surface Recoated & Rep | PR       | 2010-11 | \$312,400     | GF             |
| SRP  | 0809-02017 | Potable Water Tanks-Interior Surface Recoated & Repaired          | PR       | 2010-11 | \$312,400     | GF             |
| SRP  | 0809-02023 | Roads Asphalt Repair/Replacement                                  | PR       | 2011-12 | \$6,523,718   | GF             |
| SRP  | 0809-02207 | Central Kitchen-Replace Air Handler Units-Design                  | PR       | 2011-12 | \$85,000      | GF             |
| SRP  | 0910-00792 | Central Kitchen-Replace Refrigeration Rack System                 | PR       | 2011-12 | \$190,520     | GF             |
| SRP  | 1011-00006 | ASU-Replace Hot Water Tank                                        | PR       | 2010-11 | \$55,000      | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                                | Project Costs | Date Completed | Funding Source |
|------|-----|---------------------------------------------|---------------|----------------|----------------|
| SRP  |     | ADA Revisions to Cells, Restrooms & Showers | \$786,000     | 04/2010        | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

## Los Angeles County (LAC) EOP Office and Treatment Space

### Overview of Proposed Staffing

| Staffing Division | 150%<br>Housing Occupancy<br>Capacity (HOC)<br>Package |
|-------------------|--------------------------------------------------------|
| Custody           | 11.82                                                  |
| Mental Health     | 52.00                                                  |
| Support Staff     | 2.00                                                   |
| <b>Total:</b>     | <b>65.82</b>                                           |

### Overview of Estimated Operating Costs

|                                                      |                     |
|------------------------------------------------------|---------------------|
| Projected Annual Operational Expenditures            | \$ 39,758           |
| Staffing                                             | \$ 6,736,138        |
| <b>Total Annual Ongoing Estimated Operating Cost</b> | <b>\$ 6,775,896</b> |

Note - The above figures are summary estimates. Formal notification of project staffing and costs are provided by CDCR in the detailed 30-day letters to the Legislature required by statute. Copies of 30-day letters for approved projects can be found on the CD provided in Appendix A.

# California State Prison, Los Angeles County (LAC) Lancaster, CA

## Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1993                |
| Design Bed Capacity             | 2,200               |
| Asset count                     | 246 (196 buildings) |
| Actual Building Square Feet     | 1,196,000 SF        |
| Replacement Value (Buildings):  | \$453,837,000       |
| Date of VFA Facility Assessment | April 1, 2009       |

## Existing Assets Summary

**The California State Prison, Los Angeles County** assessment data was collected and input into three main campuses : Inside Secured Fence, Outside Secured Fence and Site Infrastructure with an Institution-wide total building size of 1,196,000 SF.

**Inside Secured Fence** campus, 1,054,000 SF, is comprised of 94 Buildings with a wide range of uses : Administration, Housing/Cells, Inmate Services, Food Services, Storage, Medical and Laundry. A large majority of buildings in this campus were built in 1993 and the relatively young age of these assets is witnessed by an overall FCI of 17%.

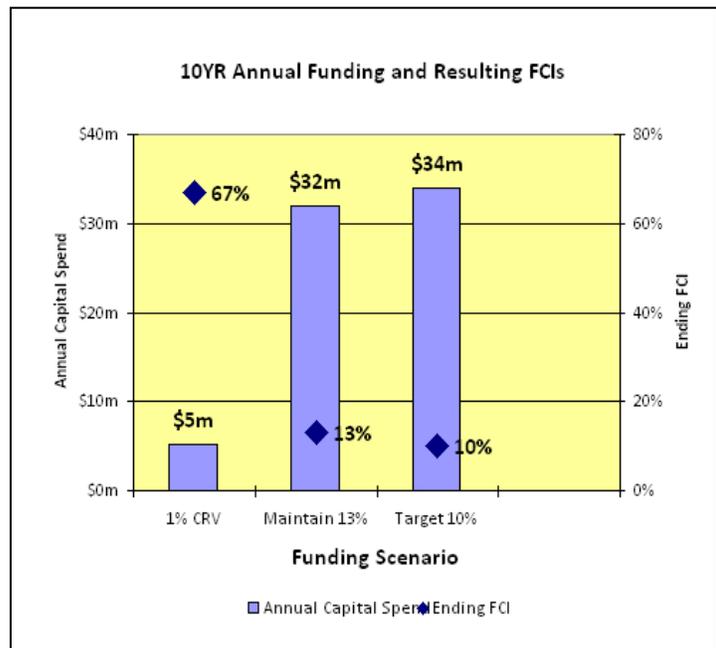
**Outside Secured Fence** campus, 172,000 SF, is made up of 103 Buildings including uses such as : Administration, Instructional, Housing-Dormitory, Storage, Guard Towers and Vehicle Maintenance. All the buildings in this campus were also built in 1993 but these assets carry an overall FCI of 31%.

**Site Infrastructure** campus is comprised of varied assets such as Site Telecommunications system, Site Storm Drainage system, Site Sanitary Sewer Distribution, Site Natural Gas Distribution and Site Parking Lots. Most of these Site Infrastructure systems are in relatively good condition with low FCI, with the exception of the Site Fences & Gates which have an FCI of 24%.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$     | 5YR FCI %  |
|-----------------------------------------|------------------------------|------------------|------------|
| Structure & Foundations                 | 67,629k                      | 0k               | 0%         |
| Exterior Envelope                       | 62,045k                      | 537k             | 1%         |
| Roofing                                 | 16,441k                      | 4,930k           | 30%        |
| Interior Construction                   | 103,513k                     | 8,424k           | 8%         |
| Plumbing & Fixtures                     | 48,620k                      | 2,347k           | 5%         |
| Heating, Ventilating & Air Conditioning | 42,730k                      | 8,620k           | 20%        |
| Fire Protection Systems                 | 8,135k                       | 105k             | 1%         |
| Electrical Systems                      | 86,331k                      | 41,172k          | 48%        |
| Equipment                               | 26,085k                      | 1,014k           | 4%         |
| Site Infrastructure                     | 60,847k                      | 2,036k           | 3%         |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$522,376k</b>            | <b>\$69,185k</b> | <b>13%</b> |

Table 2. Comparison of 10YR Funding Scenarios



**California State Prison,  
Los Angeles County (LAC)  
Lancaster, CA**

**Major Issues**

The Institutions' Housing Units, with an average FCI of 18%, contain systems that are nearing the end of their useful life. 12 of these Housing Units alone account for approximately 38% of the 5 year needs of \$69.2M.

**Funding Needs**

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$32m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$34m per year for the next 10 years would bring LAC's FCI down to 10%.

The **Facility Condition Index** (FCI=13%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                              | Asset - CRV | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|-------------------------------------------|-------------|---------------------|-----------------|
| Propane Vaporizer                         | \$185,925   | \$178,500           | 96%             |
| Sewer Lift Station                        | \$826,713   | \$675,320           | 82%             |
| Generator Building                        | \$6,080,829 | \$4,160,214         | 68%             |
| Firing Range Canopy (Pistol)              | \$170,008   | \$105,727           | 62%             |
| Warehouse Volatile Storage                | \$68,479    | \$30,974            | 45%             |
| A & B Visitation / Central Operations     | \$6,498,214 | \$2,421,524         | 37%             |
| C & D Visitation / Central Operations     | \$6,147,791 | \$2,225,509         | 36%             |
| Firing Range Canopy (Rifle)               | \$466,899   | \$167,751           | 36%             |
| Guard Tower 07                            | \$338,878   | \$116,634           | 34%             |
| Facility D - Building Maintenance         | \$412,033   | \$139,674           | 34%             |
| Guard Tower 01                            | \$332,038   | \$107,961           | 33%             |
| Facility C - AD-SEG Exercise Yard (South) | \$468,782   | \$147,237           | 31%             |
| Facility C - AD-SEG Exercise Yard (North) | \$468,782   | \$147,237           | 31%             |
| Guard Tower 12                            | \$270,176   | \$77,556            | 29%             |
| Guard Tower 06                            | \$270,376   | \$77,556            | 29%             |
| Guard Tower 11                            | \$270,556   | \$77,556            | 29%             |
| Guard Tower 05                            | \$270,556   | \$77,556            | 29%             |
| Guard Tower 04                            | \$270,556   | \$77,556            | 29%             |
| Guard Tower 03                            | \$270,556   | \$77,556            | 29%             |
| Guard Tower 10                            | \$270,556   | \$77,556            | 29%             |

**Table 4. Top 20 Buildings by 5YR Needs \$**

| Asset - Name                          | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|---------------------------------------|--------------|-----------|---------------------------|
| Generator Building                    | \$6,080,829  | 68%       | \$4,160,214               |
| A & B Visitation / Central Operations | \$6,498,214  | 37%       | \$2,421,524               |
| Facility A - Housing Unit (A-4) ADSEG | \$12,423,819 | 19%       | \$2,301,513               |
| C & D Visitation / Central Operations | \$6,147,791  | 36%       | \$2,225,509               |
| Facility B - Housing Unit (B-4)       | \$12,289,342 | 18%       | \$2,224,988               |
| Facility B - Housing Unit (B-2)       | \$12,289,342 | 18%       | \$2,224,988               |
| Facility B - Housing Unit (B-1)       | \$12,289,342 | 18%       | \$2,224,988               |
| Facility A - Housing Unit (A-5)       | \$12,289,342 | 18%       | \$2,224,988               |
| Facility A - Housing Unit (A-2)       | \$12,289,342 | 18%       | \$2,224,988               |
| Facility C - Housing Unit (C-2)       | \$12,289,342 | 18%       | \$2,224,988               |
| Facility B - Housing Unit (B-5)       | \$12,289,342 | 18%       | \$2,224,988               |
| Facility A - Housing Unit (A-1)       | \$12,289,342 | 18%       | \$2,188,344               |
| Facility C - Housing Unit (C-1)       | \$12,289,342 | 18%       | \$2,182,746               |
| Facility B - Housing Unit (B-3)       | \$12,289,342 | 18%       | \$2,182,746               |
| Facility A - Housing Unit (A-3)       | \$12,289,342 | 18%       | \$2,182,746               |
| General and PIA Warehouse             | \$9,730,905  | 22%       | \$1,923,117               |
| Central Administration                | \$7,212,175  | 23%       | \$1,668,232               |
| Facility D - Housing Unit (D-5)       | \$12,289,342 | 13%       | \$1,597,951               |
| Facility D - Housing Unit (D-4)       | \$12,289,342 | 13%       | \$1,597,951               |
| Facility D - Housing Unit (D-1)       | \$12,289,342 | 13%       | \$1,597,951               |

#3 Energy Efficiency Housing Unit Fan Variable Frequency Drives (VFDS) - Housing Units

#4 Energy Efficient Facility Wide Interior Lighting Retrofit



Legend: Project Type by Color Code

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**MULE CREEK STATE PRISON**

| Institution Overview                        |       | List Key                                       |                       |                                            |
|---------------------------------------------|-------|------------------------------------------------|-----------------------|--------------------------------------------|
| Year Built/Occupied:                        | 1987  | CDCR Category Code                             | Sub-Category Code     | Phase Code                                 |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)  | Acquisition (A) Study (S)                  |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)           | Preliminary Plans (P)                      |
| Design Bed Capacity                         | 1,700 | Mental Health (MH)                             | Health Care (HC)      | Working Drawings (W)                       |
| Overcrowding Capacity                       | 1,438 | Dental (D)                                     | Programs (P)          | Construction ( C)                          |
| Nontraditional Capacity                     | 120   | Re-Entry (RE)                                  | Security (S)          | Design Build (DB)                          |
| Total                                       | 3,258 | Farrell (FA)                                   | Support Services (SS) | All Phases (PWC)                           |
|                                             |       | Infrastructure (I)                             | Utilities (U)         |                                            |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                       |                                            |
| Female                                      | 0     | Project Type                                   |                       | Project Status                             |
| Reception                                   | 0     | Major (MA)                                     |                       | Active (AC) Portion or all Funded          |
| Level I                                     | 293   | Minor (MI)                                     |                       | Proposed (PR) Proposed for 11/12           |
| Level II                                    | 0     | Special Repair Project (SRP)                   |                       | Completed (CO) Funded & Completed in CY 10 |
| Level III                                   | 2,389 | Special Project (SP)                           |                       |                                            |
| Level IV                                    | 986   | Deferred Maintenance (DM)                      |                       |                                            |
| Special                                     | 0     | Energy Projects (E)                            |                       |                                            |
| Total                                       | 3,668 | Funding Source                                 |                       |                                            |
|                                             |       | General Fund (GF)                              |                       |                                            |
| Proposed Infill Bed Site:                   | No    | Bonds (B)                                      |                       |                                            |
| Prison Industry Authority Site              | Yes   | Special Funds (SF)                             |                       |                                            |
| Addiction & Recovery Services               | No    | AB900 General Fund (AB900GF)                   |                       |                                            |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                       |                                            |
| Sensitive Needs Yard                        | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |                                            |
| Small Management Yard                       | Yes   |                                                |                       |                                            |
| Wheelchair/Disabled Access                  | Yes   |                                                |                       |                                            |

| Institution Infrastructure Overview               |     |                                           |    |         |                 |
|---------------------------------------------------|-----|-------------------------------------------|----|---------|-----------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |    |         | Municipal only. |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: | \$0             |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    |         | 21%             |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 5  | Amount: | \$1,756,292     |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 17 | Amount: | \$20,693,527    |
| VFA Assessment Facility Condition Index %         | 33% | 5 Yr Cost to Maintain                     |    |         | \$117,811,000   |

**MULE CREEK STATE PRISON (MCSP)**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                                                                                     | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | I                  | U                 | Wastewater Treatment Plant Upgrades                                                                                                              | AC             | C     |
| 2              | MI           | O                  | SS                | Bridge Over Mule Creek                                                                                                                           | AC             | PWC   |
| 3              | E            | I                  | U                 | Energy Efficient Housing Unit Fan Variable Frequency Drives                                                                                      | AC             | PWC   |
| 4              | E            | I                  | U                 | Energy Efficient Facility Wide Interior Lighting Retrofit                                                                                        | AC             | PWC   |
| 5              | MA           | I                  | U                 | Electrical System Upgrade                                                                                                                        | PR             | PWC   |
| 6              | MA           | I                  | U                 | Alternate Water Supply                                                                                                                           | PR             | PWC   |
| 7              | DM           | I                  | F                 | Replace Roofs on: Firehouse Bldg. (H1 & H2), Level One Program Bldg. (G1), General Visiting (G3), Level One Family Visiting Unit (G4), & PABX E3 | PR             | PWC   |
| 8              | DM           | I                  | U                 | Facility A, B, C - Gymnasium Ventilation Improvement                                                                                             | PR             | PWC   |
| 9              | DM           | I                  | U                 | Housing Unit - FACP & Control Digitizer Replacement                                                                                              | PR             | PWC   |
| 10             | DM           | I                  | F                 | Replace Inner Perimeter Road                                                                                                                     | PR             | PWC   |
| 11             | DM           | I                  | U                 | Replace Leaking Hot Water Loop System                                                                                                            | PR             | PWC   |
| 12             | DM           | I                  | F                 | Replace Roof and AHU on Housing Unit (12)                                                                                                        | PR             | PWC   |
| 13             | DM           | I                  | F                 | Replace Roof and AHU on Housing Units (13)                                                                                                       | PR             | PWC   |
| 14             | DM           | I                  | F                 | Replace Roof and AHU on Housing Units (5)                                                                                                        | PR             | PWC   |
| 15             | DM           | I                  | F                 | Replace Roof and AHU on Housing Units (6)                                                                                                        | PR             | PWC   |
| 16             | DM           | I                  | F                 | Replace Roof and AHU on Housing Units (7)                                                                                                        | PR             | PWC   |
| 17             | DM           | I                  | U                 | Replace 2 (ea) Trane 40-Ton Package Units E2 (const)                                                                                             | PR             | C     |
| 18             | DM           | I                  | U                 | Replace 2 (ea) Trane 40-Ton Package Units D1 (const)                                                                                             | PR             | C     |
| 19             | DM           | I                  | U                 | Replace 5 (ea) Trane 40-Ton Package Units E2, D1, B3 (design)                                                                                    | PR             | P     |
| 20             | DM           | I                  | F                 | Install Roof Walkway Mats - All HUs and Facility A, B, and C                                                                                     | PR             | PWC   |
| 21             | DM           | I                  | U                 | Replace Eight (8) Air Handling Units G1, G2.1 and G2.2                                                                                           | PR             | PWC   |
| 22             | DM           | I                  | U                 | High Voltage Power Pole Replacement (emergency)                                                                                                  | PR             | PWC   |
| 23             | DM           | I                  | U                 | Site-Wide- Replace Existing Overhead Power System with Underground Feeds (study)                                                                 | PR             | S     |
| 24             | SRP          | I                  | SS                | Replacement of Floor Covering Throughout the CTC                                                                                                 | PR             | PWC   |
| 25             | SRP          | I                  | SS                | Replacement of Existing Walk-in Boxes in A,B,C, Satellite Kitchen                                                                                | PR             | PWC   |
| 26             | SRP          | I                  | F                 | Roof Hatch Replacement - Institution Wide                                                                                                        | PR             | PWC   |
| 27             | SRP          | I                  | F                 | Replace Exterior Safety Windows - Housing Unit Control Booths                                                                                    | PR             | PWC   |
| 28             | SRP          | I                  | F                 | Co-Gen Plant, Major Overhaul on Four (4) Natural Gas Engines                                                                                     | PR             | PWC   |
| 29             | MI           | I                  | SS                | Additional Walk-In Freezers                                                                                                                      | CO             | C     |
| 30             | SRP          | I                  | U                 | 270 Shower Modification Facility A                                                                                                               | CO             | PWC   |
| 31             | SRP          | I                  | U                 | PBX Upgrade/Repair                                                                                                                               | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### MULE CREEK STATE PRISON (MCSP)

#### Active Project:

| Type | Cat | Phase | Project Name                            | Scope:                                                                                                                                                                    |
|------|-----|-------|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | C     | Wastewater Treatment Plant Improvements | Construct a secondary clarifier for redundancy, mixed liquor spitterbox, chlorine contact basin, disinfected secondary effluent pump station and electrical improvements. |

Notes:

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year    | Aug/ Reversion | Year | Current Authority | Year    | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-------------|---------|----------------|------|-------------------|---------|----------------|
| P     | 08/2007        | 06/2008           | 07/2008       | 01/2009          | 100%       | \$390,000   | 2007-08 |                |      | \$390,000         | 2007-08 | GF             |
| W     | 08/2008        | 01/2009           | 07/2009       | 04/2010          | 100%       | \$542,000   | 2008-09 | \$84,000       | 2008 | \$626,000         | 2008-09 | GF             |
| C     | 11/2009        | 03/2011           | 03/2011       | 09/2012          | 0%         | \$6,149,000 | 2007-08 |                |      | \$6,149,000       | 2007-08 | AB900GF        |

Notes: .

#### Active Project:

| Type | Cat | Phase | Project Name                   | Scope:                                         |
|------|-----|-------|--------------------------------|------------------------------------------------|
| MI   | O   | PWC   | Bridge Crossing for Mule Creek | Project will build new bridge over Mule Creek. |

Notes:

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App       | Year    | Aug/ Reversion | Year | Current Authority | Year    | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-----------|---------|----------------|------|-------------------|---------|----------------|
| PWC   | 05/2011        | 08/2011           | 05/2011       | 08/2011          | 0%         | \$348,000 | 2009-10 |                |      | \$348,000         | 2009-10 | GF             |

Notes:

#### Proposed Project:

| Type | Cat | Phase | Project Name              | Scope:                                                                                                                                                                                                                                             |
|------|-----|-------|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | P     | Electrical System Upgrade | This project would construct a 60,000 volt substation, the installation of a 2-Megawatt emergency electrical generators with switchgear, the replacement of specific primary electrical cabling, and the de-activation of the co-generation plant. |

#### Project Schedule:

| Phase | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|-------|--------------|------------|----------------|
| P     | FY 11/12   | P     | \$887,000    |            |                |
| W     | FY 12/13   | W     | \$1,043,000  |            |                |
| C     | FY 13/14   | C     | \$13,542,000 |            |                |

Notes: Project submitted for P funding consideration in FY 11/12

## INSTITUTION PROJECT STATUS REPORT

### MULE CREEK STATE PRISON (MCSP)

#### Proposed Project:

| Type | Cat | Phase | Project Name           | Scope:                                                                                                                                                                                                                                                                                   |
|------|-----|-------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | PW    | Alternate Water Supply | This project will design and construct water storage tanks with supporting booster pumping station and connecting water lines at MCSP. If the current primary source of potable water should fail, there is no existing back up supply for fire fighting capabilities and potable water. |

#### Project Schedule:

| Phase | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|-------|--------------|------------|----------------|
| PW    | FY 11/12   | PW    | \$774,000    |            |                |
| C     | FY 12/13   | C     | \$5,735,000  |            |                |

Notes: Project submitted for PW funding consideration in FY 11/12

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                                                                                                                     | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00145 | Replace Roofs on: Firehouse Bldg. (H1 & H2), Level One Program Bldg. (G1), General Visiting (G3), Level One Family Visiting Unit (G4), & PABX E3 | PR       | 2011-12 | \$261,415     | GF             |
| DM   | 0809-00147 | Facility A, B, C - Gymnasium Ventilation Improvement                                                                                             | PR       | 2011-12 | \$111,000     | GF             |
| DM   | 0809-00539 | Housing Unit- FACP & Control Digitizer Replacement                                                                                               | PR       | 2010-11 | \$2,883,649   | GF             |
| DM   | 0809-00541 | Replace Inner Perimeter Road                                                                                                                     | PR       | 2011-12 | \$2,455,267   | GF             |
| DM   | 0809-00546 | Replace Leaking Hot Water Loop System                                                                                                            | PR       | 2010-11 | \$8,817,796   | GF             |
| DM   | 0809-01692 | Replace Roof and AHU on Housing Unit (12)                                                                                                        | PR       | 2010-11 | \$800,000     | GF             |
| DM   | 0809-01693 | Replace Roof and AHU on Housing Units (13)                                                                                                       | PR       | 2010-11 | \$800,000     | GF             |
| DM   | 0809-01694 | Replace Roof and AHU on Housing Units (5)                                                                                                        | PR       | 2010-11 | \$800,000     | GF             |
| DM   | 0809-01695 | Replace Roof and AHU on Housing Units (6)                                                                                                        | PR       | 2010-11 | \$800,000     | GF             |
| DM   | 0809-01696 | Replace Roof and AHU on Housing Units (7)                                                                                                        | PR       | 2011-12 | \$800,000     | GF             |
| DM   | 0809-01915 | Replace 2 (ea) Trane 40-Ton Package Units E2 (const)                                                                                             | PR       | 2010-11 | \$375,000     | GF             |
| DM   | 0809-01916 | Replace 2 (ea) Trane 40-Ton Package Units D1 (const)                                                                                             | PR       | 2011-12 | \$375,000     | GF             |
| DM   | 0809-01918 | Replace 5 (ea) Trane 40-Ton Package Units E2, D1, B3 (design)                                                                                    | PR       | 2011-12 | \$150,000     | GF             |
| DM   | 0809-01922 | Install Roof Walkway Mats -All HUs and Facility A, B, and C                                                                                      | PR       | 2010-11 | \$427,000     | GF             |
| DM   | 0809-02018 | Replace Eight (8) Air Handling Units G1, G2.1 and G2.2                                                                                           | PR       | 2010-11 | \$597,400     | GF             |
| DM   | 0910-00493 | High Voltage Power Pole Replacement (emergency)                                                                                                  | PR       | 2010-11 | \$190,000     | GF             |
| DM   | 0910-00828 | Site-Wide- Replace Existing Overhead Power System with Underground Feeds (study)                                                                 | PR       | 2010-11 | \$50,000      | GF             |
| SRP  | 0809-00146 | Replacement of Floor Covering Throughout the CTC                                                                                                 | PR       | 2010-11 | \$164,000     | GF             |
| SRP  | 0809-00148 | Replacement of Existing Walk-in Boxes in A,B,C, Satellite Kitchen                                                                                | PR       | 2011-12 | \$256,000     | GF             |
| SRP  | 0809-01919 | Roof Hatch Replacement - Institution Wide                                                                                                        | PR       | 2011-12 | \$306,293     | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

## INSTITUTION PROJECT STATUS REPORT

### MULE CREEK STATE PRISON (MCSP)

#### Special Repair/Deferred Maintenance Projects (continued)

| Type | Project#   | Project Name                                                 | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|--------------------------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0809-01920 | Replace Exterior Safety Windows-Housing Unit Control Booths  | PR       | 2010-11 | \$97,639      | GF             |
| SRP  | 0910-00613 | Co-Gen Plant, Major Overhaul on Four (4) Natural Gas Engines | PR       | 2011-12 | \$932,360     | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                       | Project Costs | Date Completed | Funding Source |
|------|-----|------------------------------------|---------------|----------------|----------------|
| MI   | O   | Additional Walk-In Freezers        | \$236,000     | 08/2010        | GF             |
| SRP  | I   | 270 Shower Modification Facility A | \$396,000     | 07/2010        | GF             |
| SRP  | O   | PBX Upgrade/Repair                 | \$530,109     | 05/2010        | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

# Mule Creek State Prison (MCSP)

Ione, CA

## Background Info

|                                 |                    |
|---------------------------------|--------------------|
| Original Construction Date      | 1987               |
| Design Bed Capacity             | 1,700              |
| Asset count                     | 111 (96 buildings) |
| Actual Building Square Feet     | 1,084,000 SF       |
| Replacement Value (Buildings):  | \$354,129,000      |
| Date of VFA Facility Assessment | September 1, 2007  |

## Existing Assets Summary

**The Mule Creek State Prison** assessment data was collected and input into three Campuses: Main Campus-Inside Secured Fence, Main Campus-Outside Secured Fence and Main Campus-Site Infrastructure, with an Institution-wide total building size of 1,084,000 SF.

**The Main Campus-Inside Secured Fence**, 856,000 SF, is comprised of Housing, Gymnasium, Food Services, Education, Support Services, Co-Generation, Storage and several Guard Towers/Security structures. The majority of the assets in the Main Campus-Inside Secured Fence are 22 years old, with an overall FCI of 30%.

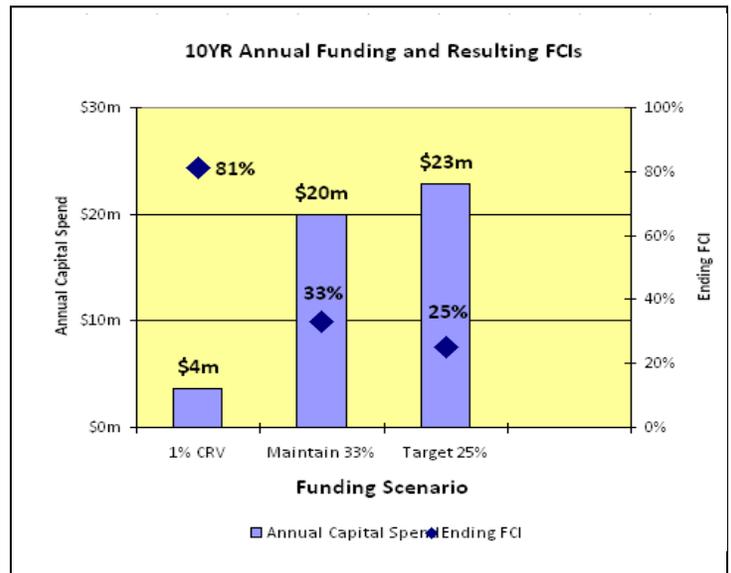
**The Main Campus-Outside Secured Fence**, 228,000 SF, is comprised of Administration, Utility, Storage and Security Tower facilities, of which the majority of assets are 22 years old based on date of construction. The overall FCI of these assets in the Main Campus-Outside Secured Fence is 40%.

**Main Campus-Site Infrastructure**, serving all campuses, includes Heating Hot Water, Natural Gas, Domestic Water Distribution, Sanitary Sewer, Storm Water, Electrical Distribution and Lighting, Perimeter Security Fences, Telecommunication, Roadways, Parking Lots and Pedestrian Paving. The majority of the infrastructure assets are 22 years old. The average FCI of these Site Infrastructure Assets is 72%.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$      | 5YR FCI %  |
|-----------------------------------------|------------------------------|-------------------|------------|
| Structure & Foundations                 | 44,164k                      | 26k               | 0%         |
| Exterior Envelope                       | 39,515k                      | 1,346k            | 3%         |
| Roofing                                 | 17,166k                      | 11,277k           | 66%        |
| Interior Construction                   | 95,228k                      | 16,996k           | 18%        |
| Plumbing & Fixtures                     | 29,020k                      | 2,214k            | 8%         |
| Heating, Ventilating & Air Conditioning | 37,203k                      | 34,425k           | 93%        |
| Fire Protection Systems                 | 9,764k                       | 330k              | 3%         |
| Electrical Systems                      | 58,695k                      | 32,142k           | 55%        |
| Equipment                               | 21,297k                      | 3,700k            | 17%        |
| Site Infrastructure                     | 21,415k                      | 15,355k           | 72%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$373,467k</b>            | <b>\$117,811k</b> | <b>33%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# Mule Creek State Prison (MCSP)

lone, CA

## Major Issues

The majority of the Institutions' facilities are 22 years old and several of the major building systems require major repair or renewal in the next 2-5 years. Some of the critical systems include: roofing, HVAC terminal and packaged units, security and detection systems and emergency power and lighting systems.

On average, 61% of the entire Institutions all in value is coming due for major repair or renewal in the next 5 years. A large portion of the 61% dollar needs is being contributed to building electrical systems and site security fencing.

Critical site infrastructure assets such as Security Electrified Fencing, Parking Lots and Roadways and both overhead and underground Power Distribution are approaching or have reached the end or their expected useful service life. Integrity of these systems is critical to the operations of the Institution.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$20m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$23m per year for the next 10 years would bring MCSP's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index (FCI = 33%)** is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

Table 3. Top 20 Buildings by 5YR FCI

| Asset - Name                                  | Asset - CRV | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|-----------------------------------------------|-------------|---------------------|-----------------|
| Site Electrified Fence                        | \$6,761,906 | \$8,452,382         | 125%            |
| Site Fencing and Gates                        | \$2,122,332 | \$2,652,915         | 125%            |
| Site Electrical Distribution                  | \$760,156   | \$676,895           | 89%             |
| Site Emergency Power Distribution             | \$764,998   | \$677,410           | 89%             |
| Roof Tower- OBB                               | \$102,302   | \$89,732            | 88%             |
| PAEX Building                                 | \$415,474   | \$328,189           | 79%             |
| MSF Program Services                          | \$1,718,883 | \$1,235,421         | 72%             |
| Screening and Pump Station                    | \$642,324   | \$443,521           | 69%             |
| Family Visiting Units D6 - D7                 | \$255,174   | \$164,526           | 64%             |
| Nursery                                       | \$106,877   | \$66,872            | 63%             |
| Program Services - Dining Hall/Food Prep - A1 | \$7,362,931 | \$4,525,962         | 61%             |
| Site Parking Infrastructure                   | \$1,173,818 | \$717,865           | 61%             |
| Family Visiting Units D4 - D5                 | \$278,102   | \$170,032           | 61%             |
| Inmate Services                               | \$740,320   | \$452,592           | 61%             |
| Administration Building, East / West Wings    | \$7,062,484 | \$4,312,705         | 61%             |
| MCC-Main Kitchen C1-3                         | \$6,076,430 | \$3,655,213         | 60%             |
| Firing Range Building                         | \$242,391   | \$144,670           | 60%             |
| All Facility "C" Program Services - C1-2      | \$7,645,880 | \$4,539,832         | 59%             |
| Armory/Lock Shop                              | \$223,638   | \$127,619           | 57%             |
| Fire House Bays                               | \$213,606   | \$116,783           | 55%             |

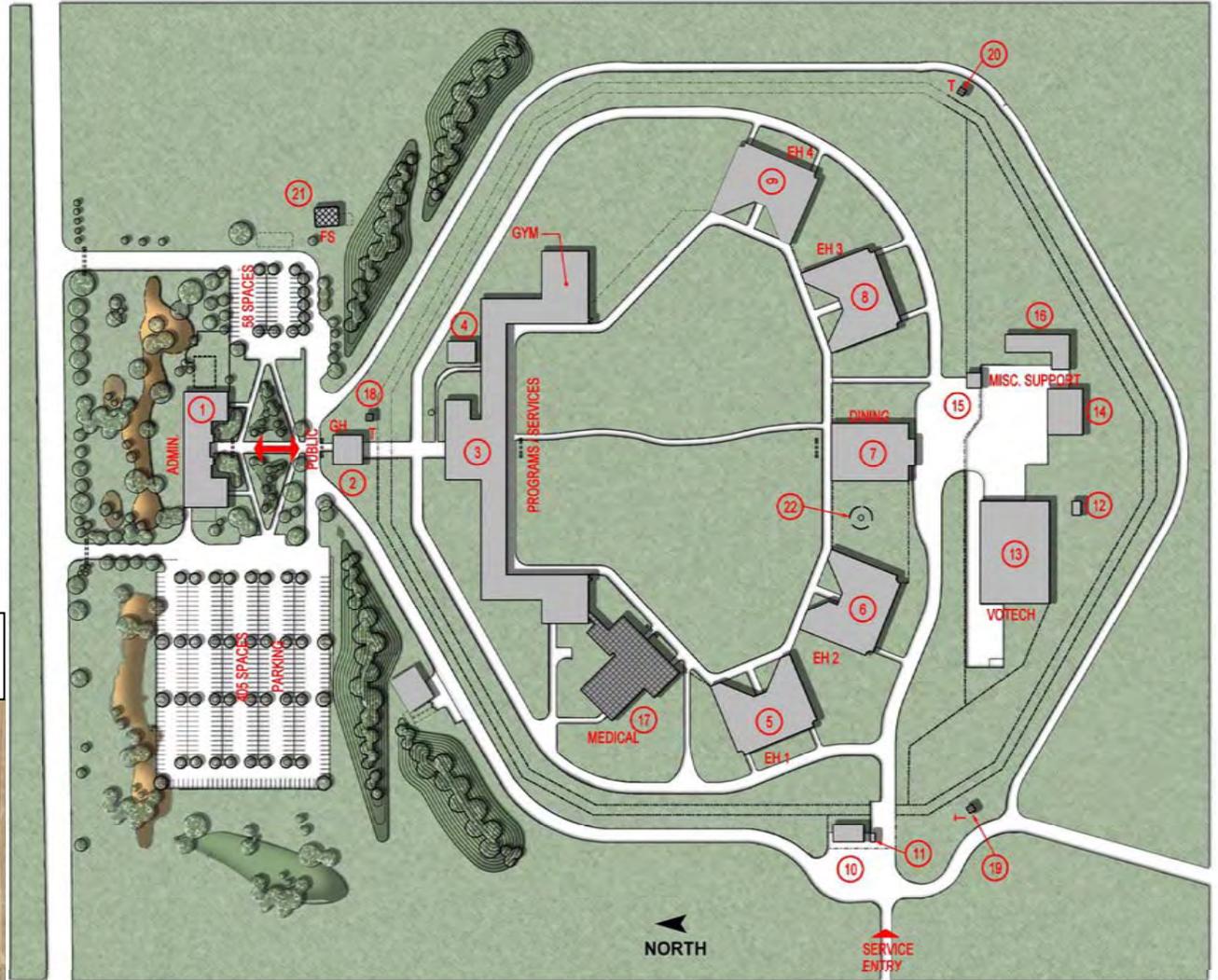
Table 4. Top 20 Buildings by 5YR Needs \$\$

| Asset - Name                                   | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|------------------------------------------------|--------------|-----------|---------------------------|
| Site Electrified Fence                         | \$6,761,906  | 125%      | \$8,452,382               |
| All Facility "C" Program Services - C1-2       | \$7,645,880  | 59%       | \$4,539,832               |
| Program Services - Dining Hall/Food Prep - A1  | \$7,362,931  | 61%       | \$4,525,962               |
| Program Services/Dining/Gym                    | \$13,504,670 | 33%       | \$4,522,965               |
| Administration Building, East / West Wings     | \$7,062,484  | 61%       | \$4,312,705               |
| P.I.A. and General Warehouse                   | \$12,532,821 | 33%       | \$4,132,224               |
| MCC-Main Kitchen C1-3                          | \$6,076,430  | 60%       | \$3,655,213               |
| Voc./PIA/Plant Ops Satellite - A2-1            | \$8,843,513  | 39%       | \$3,475,903               |
| Voc./PIA - A2-2                                | \$8,823,867  | 36%       | \$3,190,294               |
| Housing Unit - Y12                             | \$11,937,839 | 26%       | \$3,107,316               |
| Program Services - C1-1                        | \$6,657,015  | 45%       | \$3,006,505               |
| Program Services - A1-1                        | \$7,261,087  | 41%       | \$2,963,073               |
| Voc. Mill & Cab/Bldg. Maint./A-C/Pre-Voc./Voc. | \$16,584,584 | 18%       | \$2,925,067               |
| Housing Unit - Y11                             | \$11,621,174 | 25%       | \$2,887,581               |
| Housing Unit - Y14                             | \$11,605,466 | 25%       | \$2,886,751               |
| Housing Unit - Y15                             | \$11,601,737 | 25%       | \$2,886,751               |
| Housing Unit - Y6                              | \$11,606,838 | 25%       | \$2,886,751               |
| Housing Unit - Y13                             | \$11,576,913 | 25%       | \$2,856,414               |
| Housing Unit - Y2                              | \$11,599,715 | 25%       | \$2,854,184               |
| Housing Unit - Y10                             | \$11,618,753 | 25%       | \$2,854,184               |

| Building Square Footage |                                |                |
|-------------------------|--------------------------------|----------------|
| Tag No.                 | Building Name                  | GSF            |
| 1                       | Administration                 | 13,010         |
| 2                       | Entrance Building              | 2,700          |
| 3                       | Programs and Services          | 55,060         |
| 4                       | Family Visiting                | 1,860          |
| 5                       | Housing Unit 1                 | 24,900         |
| 6                       |                                | 24,900         |
| 7                       | Receiving and Release / Dining | 14,340         |
| 8                       | Housing Unit 2                 | 24,900         |
| 9                       | Housing Unit 3                 | 24,900         |
| 10                      | Armory                         | 1,620          |
| 11                      | Guardhouse                     | 120            |
| 12                      | Emergency Power                | 375            |
| 13                      | Vocational (Existing Laundry)  | 22,050         |
| 14                      | Electronics                    | 5,010          |
| 15                      | Work Change                    | 700            |
| 16                      | Maintenance                    | 4,500          |
| 17                      | Proposed Medical Building      | 16,110         |
| 18                      | Proposed Guard Tower           | 336            |
| 19                      | Proposed Guard Tower           | 336            |
| 20                      | Proposed Guard Tower           | 336            |
| 21                      | Proposed Family Services       | 1,260          |
| 22                      | Sweat Lodge Area               | ---            |
| <b>Total:</b>           |                                | <b>239,323</b> |

-  - EXISTING STRUCTURE
-  - PROPOSED STRUCTURE

Satellite photo of the closed Northern California Women's Facility



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Deferred Maintenance Program (DMP)

Minor Capitol Outlay Project (MI)

Special Projects (SP)

Special Repair Program (SRP)

Energy Projects (E)

**NORTHERN CALIFORNIA REENTRY FACILITY**

## INSTITUTION PROJECT STATUS REPORT

### Northern California Reentry Facility (NCRF)

NCRF contains four existing 270 housing units (100-bed units) inside the security perimeter, which can be modified to better serve the needs of the reentry population. The housing units will require renovation to bring them to current ADA guidelines and State Building Code Requirements. The facility will provide inmate programs, health care services, support services, and facility administration. Additionally health care services will be located in a new building. Additional central services will be located outside the security perimeter. These functions include visitor/staff processing, locksmith, administrative/staff support services, and warehouse. In addition, this project will include the installation of a lethal electrified fence around the perimeter.

#### Active Project:

| Type | Cat | Phase | Project Name                         | Scope:                                                                                                                                                                                                                                                                                                                   |
|------|-----|-------|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | RE  | P     | Northern California Reentry Facility | Current four 270 housing units (100-bed units) inside the secure perimeter will be modified to better serve the needs of the reentry population. The HU will require renovations to bring them to current ADA guidelines and SBC. The facility will provide programs, health care services, and facility administration. |

Notes: PWB approved Scope, Schedule & Cost in September 2010

#### Project Schedule:

#### Funding:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App           | Year | Aug/ Reversion | Year | Current Authority | Year    | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|---------------|------|----------------|------|-------------------|---------|----------------|
| S     |                |                   | 02/2008       | 04/2008          | 100%       | \$1,650,000   |      |                |      | \$1,650,000       | 2007-08 | Support        |
| P     |                |                   | 11/2010       | 07/2011          |            | \$5,010,000   |      |                |      | \$5,010,000       |         | AB900LR        |
| W     |                |                   | 07/2011       | 10/2011          |            | \$5,555,000   |      |                |      | \$5,555,000       |         | AB900LR        |
| C     |                |                   | 01/2012       | 12/2012          |            | \$104,596,000 |      |                |      | \$104,596,000     |         | AB900LR        |

Notes:

## Northern California Reentry Facility (NCRF) - Reentry Facility

### Overview of Proposed Staffing

| Staffing Division  | 500 Bed Maximum Capacity Package |
|--------------------|----------------------------------|
| Administration     | 11.00                            |
| Business Services  | 48.60                            |
| Medical Services   | 173.03                           |
| Central Operations | 48.82                            |
| Housing            | 68.32                            |
| <b>Total:</b>      | <b>349.77</b>                    |

### Overview of Estimated Operating Costs

|                                                                   |                      |
|-------------------------------------------------------------------|----------------------|
| Estimated Start Up Costs                                          | \$ 589,750           |
| Projected Annual Operational Expenditures                         | \$ 1,848,000         |
| Staffing                                                          | \$ 33,082,356        |
| Rehabilitative Programs                                           | \$ 9,895,459         |
| Rehabilitative Programs First Year One-Time Start-Up Costs        | \$ 3,634,994         |
| Staffing Cost Offset                                              | \$ (10,276,000)      |
| <b>Total First Year Operating Cost (including start up costs)</b> | <b>\$ 38,774,559</b> |
| <b>Total Annual Ongoing Estimated Operating Cost</b>              | <b>\$ 34,549,815</b> |

Note - The above figures are summary estimates. Formal notification of project staffing and costs are provided by CDCR in the detailed 30-day letters to the Legislature required by statute. Copies of 30-day letters for approved projects can be found on the CD provided in Appendix A.



#1 Energy Efficient Lighting - Institution wide

18

2

1

**Legend: Project Type by Color Code**

Major Capitol Outlay Project (MA)

Deferred Maintenance Program (DMP)

Minor Capitol Outlay Project (MI)

Special Projects (SP)

Special Repair Program (SRP)

Energy Projects (E)

**NORTH KERN STATE PRISON**

| Institution Overview                        |       | List Key                                       |                          |                                            |
|---------------------------------------------|-------|------------------------------------------------|--------------------------|--------------------------------------------|
| Year Built/Occupied:                        | 1993  | <b>CDCR Category Code</b>                      | <b>Sub-Category Code</b> | <b>Phase Code</b>                          |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)     | Acquisition (A) Study (S)                  |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)              | Preliminary Plans (P)                      |
| Design Bed Capacity                         | 2,694 | Mental Health (MH)                             | Health Care (HC)         | Working Drawings (W)                       |
| Overcrowding Capacity                       | 2,499 | Dental (D)                                     | Programs (P)             | Construction ( C)                          |
| Nontraditional Capacity                     | 0     | Re-Entry (RE)                                  | Security (S)             | Design Build (DB)                          |
| Total                                       | 5,193 | Farrell (FA)                                   | Support Services (SS)    | All Phases (PWC)                           |
|                                             |       | Infrastructure (I)                             | Utilities (U)            |                                            |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                          |                                            |
| Female                                      | 0     | <b>Project Type</b>                            |                          | <b>Project Status</b>                      |
| Reception                                   | 4,860 | Major (MA)                                     |                          | Active (AC) Portion or all Funded          |
| Level I                                     | 103   | Minor (MI)                                     |                          | Proposed (PR) Proposed for 11/12           |
| Level II                                    | 0     | Special Repair Project (SRP)                   |                          | Completed (CO) Funded & Completed in CY 10 |
| Level III                                   | 354   | Special Project (SP)                           |                          |                                            |
| Level IV                                    | 0     | Deferred Maintenance (DM)                      |                          |                                            |
| Special                                     | 0     | Energy Projects (E)                            |                          |                                            |
| Total                                       | 5,317 | <b>Funding Source</b>                          |                          |                                            |
|                                             |       | General Fund (GF)                              |                          |                                            |
| Proposed AB 900 Project Site:               | No    | Bonds (B)                                      |                          |                                            |
| Prison Industry Authority Site              | No    | Special Funds (SF)                             |                          |                                            |
| Addiction & Recovery Services               | Yes   | AB900 General Fund (AB900GF)                   |                          |                                            |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                          |                                            |
| Sensitive Needs Yard                        | No    | AB900 Infrastructure Lease Revenue (AB900LR-I) |                          |                                            |
| Small Management Yard                       | Yes   |                                                |                          |                                            |
| Wheelchair/Disabled Access                  | Yes   |                                                |                          |                                            |

| Institution Infrastructure Overview               |     |                                           |    |         |                 |
|---------------------------------------------------|-----|-------------------------------------------|----|---------|-----------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |    |         | Municipal only. |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: | \$0             |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    |         | 21%             |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 8  | Amount: | \$2,802,326     |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 4  | Amount: | \$1,075,346     |
| VFA Assessment Facility Condition Index %         | 22% | 5 Yr Cost to Maintain Current FCI         |    |         | \$90,882,000    |

## NORTH KERN STATE PRISON (NKSP)

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                                   | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|------------------------------------------------------------------------------------------------|----------------|-------|
| 1              | E            | I                  | U                 | Energy Efficient Retrofit Interior Lighting                                                    | AC             | C     |
| 2              | MI           | I                  | SS                | Retherm Kitchen Remodel                                                                        | AC             | PWC   |
| 3              | MA           | I                  | U                 | Adminstration Building Electrical Upgrade                                                      | PR             | PW    |
| 4              | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV)                                                      | PR             | PWC   |
| 5              | E            | I                  | U                 | Energy Efficient Lighting, Motors, EMS Projects                                                | PR             | PWC   |
| 6              | DM           | I                  | U                 | Replacement of Three Evaporative Coolers                                                       | PR             | PWC   |
| 7              | DM           | O                  | S                 | Netting Replacement Project - (LEF) Phase 1                                                    | PR             | PWC   |
| 8              | DM           | I                  | U                 | HVAC Replacement - Bldg. 701 Receiving & Release                                               | PR             | PWC   |
| 9              | DM           | I                  | F                 | Roof Replacement - Level 1 / Facility M Bldg. 903 (Program) & 904 (Visiting)                   | PR             | PWC   |
| 10             | SRP          | I                  | F                 | ADA Path of Travel - Five Facilities (A,B,C,D,M)                                               | PR             | PWC   |
| 11             | SRP          | I                  | F                 | ADA Accessible Cells & Showers Modifications Facility B - Bldg 3 (SNY)<br>(4 cells = Phase 1)  | PR             | PWC   |
| 12             | SRP          | O                  | SS                | Roadway Repairs & Resurfacing (All Asphalt Roads at Institution)                               | PR             | PWC   |
| 13             | SRP          | O                  | SS                | Concrete Walkways - D Yard/Facility D (Front Entry Walks All Bldgs.)                           | PR             | PWC   |
| 14             | SRP          | I                  | SS                | Expoxy Floor Coating to Replace Tile Flooring All Kitchens & Shower                            | PR             | PWC   |
| 15             | SRP          | I                  | S                 | Ad-Seg Door Replacement A-4 & D-6 = 100 Doors                                                  | PR             | PWC   |
| 16             | SRP          | I                  | U                 | ADA Accessible Cells & Showers Modifications Facility D - Bldg. 4 (SNY)                        | PR             | PWC   |
| 17             | SRP          | I                  | U                 | ADA Accessible Cells & Showers Modifications Facility B - Bldg. 3 (SNY)<br>(4 cells = Phase 2) | PR             | PWC   |
| 18             | MI           | I                  | U                 | Bar Rake & Washer Compactor Upgrade                                                            | CO             | PWC   |
| 19             | SRP          | I                  | F                 | Gymnasium/Housing ADA Bathroom Modifications                                                   | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### NORTH KERN STATE PRISON (NKSP)

#### Active Project:

| Type | Cat | Phase | Project Name            | Scope:                                               |
|------|-----|-------|-------------------------|------------------------------------------------------|
| MI   | I   | PWC   | Retherm Kitchen Remodel | Upgrade of kitchen to include new scullery equipment |

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App       | Year      | Aug/ Reversion | Year | Current Authority | Year      | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-----------|-----------|----------------|------|-------------------|-----------|----------------|
| PWC   |                |                   | 08/2010       | 11/2010          | 72%        | \$275,000 | 2008/2009 |                |      | \$275,000         | 2008/2009 | GF             |

#### Funding:

#### Proposed Project:

| Type | Cat | Phase | Project Name                               | Scope:                                                                                                                                                                                        |
|------|-----|-------|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | U     | Administration Building Electrical Upgrade | This project would replace the Admin Building's transformer with an upgraded system that will provide for sufficient & reliable electrical power to meet the institution's electrical demand. |

#### Project Schedule:

| Phase | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|-------|--------------|------------|----------------|
| PW    | FY 11/12   | PW    | \$364,000    |            |                |
| C     | FY 12/13   | C     | \$2,287,000  |            |                |

#### Project Budget:

Notes: PW Phase on Project List for Funding Consideration in 11/12

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                                                                | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|---------------------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00149 | Replacement of Three Evaporative Coolers                                                    | PR       | 2011-12 | \$236,000     | GF             |
| DM   | 0809-00484 | Netting Replacement Project - (LEF) Phase 1                                                 | PR       | 2010-11 | \$435,298     | GF             |
| DM   | 0910-00268 | HVAC Replacement - Bldg. 701 Receiving & Release                                            | PR       | 2011-12 | \$41,932      | GF             |
| DM   | 0910-00274 | Roof Replacement - Level 1 / Facility M Bldg. 903 (Program) & 904 (Visiting)                | PR       | 2010-11 | \$362,116     | GF             |
| SRP  | 0910-00269 | ADA Path of Travel - Five Facilities (A,B,C,D,M)                                            | PR       | 2011-12 | \$250,000     | GF             |
| SRP  | 0910-00270 | ADA Accessible Cells & Showers Modifications Facility B - Bldg. 3 (SNY) (4 cells = Phase 1) | PR       | 2011-12 | \$270,819     | GF             |
| SRP  | 0910-00271 | Roadway Repairs & Resurfacing (all asphalt roads at institution)                            | PR       | 2011-12 | \$731,720     | GF             |
| SRP  | 0910-00272 | Concrete Walkways - D Yard/Facility D (front entry walks all bldgs)                         | PR       | 2011-12 | \$88,634      | GF             |
| SRP  | 0910-00273 | Epoxy Floor Coating to Replace Tile Flooring All Kitchens & Shower                          | PR       | 2010-11 | \$665,334     | GF             |
| SRP  | 0910-00275 | Ad-Seg Door Replacement A-4 & D-6 = 100 Doors                                               | PR       | 2011-12 | \$300,000     | GF             |
| SRP  | 0910-00276 | ADA Accessible Cells & Showers Modifications Facility D - Bldg. 4 (SNY)                     | PR       | 2011-12 | \$225,000     | GF             |
| SRP  | 0910-00862 | ADA Accessible Cells & Showers Modifications Facility B - Bldg. 3 (SNY) (4 cells = Phase 2) | PR       | 2011-12 | \$270,819     | GF             |

#### Completed Projects:

| Type | Cat | Project Name                                 | Project Costs | Date Completed | Funding Source |
|------|-----|----------------------------------------------|---------------|----------------|----------------|
| MI   | I   | Bar Rake & Washer Compactor Upgrade          | \$399,000     | 08/2010        | GF             |
| SRP  | O   | Gymnasium/Housing ADA Bathroom Modifications | \$77,000      | 05/2010        | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

# North Kern State Prison (NKSP) Delano, CA

## Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1993                |
| Design Bed Capacity             | 2,692               |
| Asset count                     | 146 (116 buildings) |
| Actual Building Square Feet     | 883,000 SF          |
| Replacement Value (Buildings):  | \$342,650,000       |
| Date of VFA Facility Assessment | December 1, 2009    |

## Existing Assets Summary

**The North Kern State Prison** assessment data was collected and input into three Campuses: Main Campus-Inside Secured Fence, Main Campus-Outside Secured Fence and Main Campus-Site Infrastructure, with an Institution-wide total building size of 883,000 SF.

**The Main Campus-Inside Secured Fence**, 58 Facilities totaling 701,000 SF, is comprised of Housing, Food Services, Education, Support Storage and several Guard Towers/Security structures. Most assets in the Main Campus-Inside Secured Fence are 18 years old with some storage assets at 29 years old. The Main Campus-Inside Secured Fence has an overall FCI of 22%.

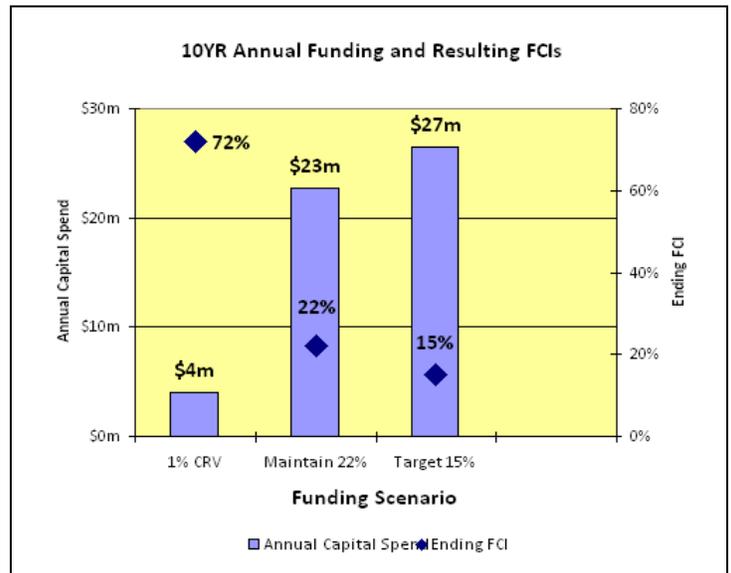
**The Main Campus-Outside Secured Fence**, 182,000 SF, is comprised of Administration, Utility, Storage and Security Tower facilities, of which the assets range in age from 3-29 years old, with the majority of the assets at 18 years old. The overall FCI of these assets in the Main Campus-Outside Secured Fence is 23%.

**Main Campus-Site Infrastructure**, serving all campuses, includes Irrigation, Natural Gas, Domestic Water Wells, Pump Houses and Distribution, Sanitary Sewer, Storm Water, Electrical Distribution and Lighting, Perimeter Security Fences and Walls, Telecommunication, Roadways, Parking Lots and Pedestrian Paving. All site infrastructure assets are 18 years old. The average FCI of these Site Infrastructure Assets is 41%.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$     | 5YR FCI %  |
|-----------------------------------------|------------------------------|------------------|------------|
| Structure & Foundations                 | 56,445k                      | 0k               | 0%         |
| Exterior Envelope                       | 47,008k                      | 484k             | 1%         |
| Roofing                                 | 11,532k                      | 7,549k           | 65%        |
| Interior Construction                   | 76,811k                      | 8,044k           | 10%        |
| Plumbing & Fixtures                     | 42,057k                      | 4,354k           | 10%        |
| Heating, Ventilating & Air Conditioning | 27,485k                      | 19,486k          | 71%        |
| Fire Protection Systems                 | 7,675k                       | 32k              | 0%         |
| Electrical Systems                      | 69,592k                      | 31,894k          | 46%        |
| Equipment                               | 26,703k                      | 2,836k           | 11%        |
| Site Infrastructure                     | 39,490k                      | 16,203k          | 41%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$404,798k</b>            | <b>\$90,882k</b> | <b>22%</b> |

Table 2. Comparison of 10YR Funding Scenarios



**North Kern State Prison (NKSP)**  
**Delano, CA**

**Major Issues**

The majority of the Institutions' facilities are 18 years old and based on expected useful life of systems, several systems are due or will be coming due for major repair or renewal within the next 2 to 3 years: security, emergency power & lighting systems, roofing, HVAC cooling generation and terminal and packaged unit systems.

A large portion, approximately \$50m of the repair and renewal needs for the next 5 years identified at the Institution are for the Housing Units, Central Control and Operations and Food Service facilities.

Critical site infrastructure assets such as Security Fences and Gates, Roadways and Parking Lots will be coming due for major repair or renewal within the next 2 to 5 years based on their current age of 18 years old.

**Funding Needs**

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$23m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$27m per year for the next 10 years would bring NKSP's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index** (FCI = 22%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI**

| Asset - Name                            | Asset - CRV | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|-----------------------------------------|-------------|---------------------|-----------------|
| Site Fencing                            | \$6,835,175 | \$8,070,418         | 118%            |
| Service Yard Gate - 613                 | \$84,906    | \$65,720            | 77%             |
| Facility D Ad-Seg Guard Post - 417E     | \$311,076   | \$236,788           | 76%             |
| Facility B Yard Guard Post - 417B       | \$254,766   | \$167,129           | 66%             |
| Facility C Yard Guard Post - 417C       | \$255,238   | \$166,948           | 65%             |
| Facility D Yard Guard Post - 417D       | \$255,592   | \$167,129           | 65%             |
| Parking Lot                             | \$4,148,908 | \$2,593,068         | 63%             |
| Roads                                   | \$8,732,134 | \$5,457,584         | 63%             |
| Electrical Switchgear                   | \$4,328,657 | \$2,514,216         | 58%             |
| Central Kitchen - 306                   | \$9,975,207 | \$4,253,117         | 43%             |
| Level 1 Program Services - 903          | \$5,117,927 | \$2,157,777         | 42%             |
| Perimeter Tower 5 Vehicle Sallyport     | \$403,064   | \$165,487           | 41%             |
| Family Visiting Level III - 803         | \$668,819   | \$248,667           | 37%             |
| Level 1 Support Services - 904          | \$1,848,623 | \$678,885           | 37%             |
| Food Service Satellite - 307            | \$7,198,350 | \$2,486,812         | 35%             |
| PABX                                    | \$924,790   | \$315,617           | 34%             |
| Firehouse Shed                          | \$6,294     | \$2,036             | 32%             |
| Perimeter Tower 1 Pedestrian Sally port | \$519,423   | \$154,925           | 30%             |
| Volatile Storage - 504                  | \$28,166    | \$8,041             | 29%             |
| Level 1 Housing, E-1 - 901              | \$3,698,807 | \$1,052,908         | 28%             |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name                            | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|-----------------------------------------|--------------|-----------|---------------------------|
| Site Fencing                            | \$6,835,175  | 118%      | \$8,070,418               |
| Roads                                   | \$8,732,134  | 63%       | \$5,457,584               |
| Central Kitchen - 306                   | \$9,975,207  | 43%       | \$4,253,117               |
| Reception Center Services -701          | \$11,905,473 | 24%       | \$2,864,906               |
| Central Control and Operations - 309    | \$11,355,417 | 24%       | \$2,762,011               |
| Parking Lot                             | \$4,148,908  | 63%       | \$2,593,068               |
| Electrical Switchgear                   | \$4,328,657  | 58%       | \$2,514,216               |
| Food Service Satellite - 307            | \$7,198,350  | 35%       | \$2,486,812               |
| RC Support & Complex Control            | \$12,335,146 | 20%       | \$2,433,101               |
| Reception Center Housing D6 - 406       | \$10,812,469 | 21%       | \$2,300,131               |
| Level 1 Program Services -903           | \$5,117,927  | 42%       | \$2,157,777               |
| Level III Housing A2 - 302              | \$11,052,251 | 19%       | \$2,126,528               |
| Level III Housing A5 - 305              | \$10,863,862 | 19%       | \$2,085,333               |
| Level III Housing A3 - 303              | \$10,837,682 | 19%       | \$2,084,213               |
| Level III Housing (and Ad Seg) A4 - 304 | \$11,489,962 | 18%       | \$2,074,080               |
| Level III Housing A1 - 301              | \$11,048,104 | 18%       | \$2,030,019               |
| Reception Center Housing D1 - 401       | \$10,307,288 | 20%       | \$2,023,097               |
| Reception Center Housing D4 - 404       | \$10,299,308 | 20%       | \$2,020,916               |
| Reception Center Housing D3 - 403       | \$10,223,777 | 20%       | \$2,020,916               |
| Level III Program Support - 308         | \$8,762,070  | 23%       | \$2,020,738               |

# 17 Hydronic Water Loop Replacement - Institution wide

# 18 & 19 Housing Units Backflushing Repairs Phases I & 2



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Deferred Maintenance Program (DMP)

Minor Capitol Outlay Project (MI)

Special Projects (SP)

Special Repair Program (SRP)

Energy Projects (E)

**PELICAN BAY STATE PRISON**

| Institution Overview                        |       | List Key                                       |                                            |                           |
|---------------------------------------------|-------|------------------------------------------------|--------------------------------------------|---------------------------|
| Year Built/Occupied:                        | 1989  | <b>CDCR Category Code</b>                      | <b>Sub-Category Code</b>                   | <b>Phase Code</b>         |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)                       | Acquisition (A) Study (S) |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)                                | Preliminary Plans (P)     |
| Design Bed Capacity                         | 2,380 | Mental Health (MH)                             | Health Care (HC)                           | Working Drawings (W)      |
| Overcrowding Capacity                       | 1,046 | Dental (D)                                     | Programs (P)                               | Construction ( C)         |
| Nontraditional Capacity                     | 40    | Re-Entry (RE)                                  | Security (S)                               | Design Build (DB)         |
| Total                                       | 3,466 | Farrell (FA)                                   | Support Services (SS)                      | All Phases (PWC)          |
|                                             |       | Infrastructure (I)                             | Utilities (U)                              |                           |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                                            |                           |
| Female                                      | 0     | <b>Project Type</b>                            | <b>Project Status</b>                      |                           |
| Reception                                   | 0     | Major (MA)                                     | Active (AC) Portion or all Funded          |                           |
| Level I                                     | 188   | Minor (MI)                                     | Proposed (PR) Proposed for 11/12           |                           |
| Level II                                    | 0     | Special Repair Project (SRP)                   | Completed (CO) Funded & Completed in CY 10 |                           |
| Level III                                   | 0     | Special Project (SP)                           |                                            |                           |
| Level IV                                    | 1,924 | Deferred Maintenance (DM)                      |                                            |                           |
| Special                                     | 1,108 | Energy Projects (E)                            |                                            |                           |
| Total                                       | 3,220 | <b>Funding Source</b>                          |                                            |                           |
|                                             |       | General Fund (GF)                              |                                            |                           |
| Proposed Infill Bed Site:                   | No    | Bonds (B)                                      |                                            |                           |
| Prison Industry Authority Site              | Yes   | Special Funds (SF)                             |                                            |                           |
| Addiction & Recovery Services               | No    | AB900 General Fund (AB900GF)                   |                                            |                           |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                                            |                           |
| Sensitive Needs Yard                        | No    | AB900 Infrastructure Lease Revenue (AB900LR-I) |                                            |                           |
| Small Management Yard                       | Yes   |                                                |                                            |                           |
| Wheelchair/Disabled Access                  | Yes   |                                                |                                            |                           |

| Institution Infrastructure Overview               |     |                                           |    |         |                 |
|---------------------------------------------------|-----|-------------------------------------------|----|---------|-----------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |    |         | Municipal only. |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: | \$0             |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    |         | 21%             |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 9  | Amount: | \$25,651,290    |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 5  | Amount: | \$3,417,000     |
| VFA Assessment Facility Condition Index %         | 27% | 5 Yr Cost to Maintain Current FCI         |    |         | \$107,184,000   |

**PELICAN BAY STATE PRISON (PBSP)**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-----------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | O                  | S                 | Small Management Yards for Psychiatric Services Unit/Security Housing Units | AC             | PW    |
| 2              | MI           | O                  | S                 | B-1-B-2 Kitchen/Dining Room Conversion to Mental Health Delivery            | AC             | PWC   |
| 3              | DM           | I                  | F                 | Repair/Replace Fire Alarm Control System                                    | PR             | PWC   |
| 4              | DM           | I                  | S                 | Repair/Overlay the Asphalt Roads in Yards A & B                             | PR             | PWC   |
| 5              | DM           | I                  | S                 | Exterior Perimeter Roadway Repairs                                          | PR             | PWC   |
| 6              | DM           | I                  | F                 | Replace Roof on Housing Unit "B"                                            | PR             | PWC   |
| 7              | DM           | I                  | F                 | Replace Roof on Housing Unit "A"                                            | PR             | PWC   |
| 8              | SRP          | I                  | F                 | Repair/Replace Delaminating Security Glass                                  | PR             | PWC   |
| 9              | SRP          | I                  | U                 | Replace SHU Hot and Cold Waterlines (Construction)                          | PR             | C     |
| 10             | SRP          | O                  | F                 | Building Intercom System - Replacement (#1)                                 | PR             | PWC   |
| 11             | SRP          | O                  | F                 | Site Intercom System (#2)                                                   | PR             | PWC   |
| 12             | SRP          | I                  | S                 | Security Housing Unit Kitchen Floor                                         | PR             | PWC   |
| 13             | SRP          | I                  | F                 | Repair/Replace Admin. Bldg. Roof/Siding/Windows                             | PR             | PWC   |
| 14             | SRP          | I                  | F                 | Replace Windows and Walkway in the SHU                                      | PR             | PWC   |
| 15             | SRP          | O                  | F                 | Repair/Replace Fuel Oil Delivery and Leak Detection System                  | PR             | PWC   |
| 16             | SRP          | I                  | F                 | Fire suppression Exhaust Hood system upgrade for Kitchen brand Ansul UL300  | PR             | PWC   |
| 17             | SRP          | I                  | U                 | Hydronic Water Loop Augmentation                                            | CO             | PWC   |
| 18             | DM           | I                  | U                 | HU Toilet Back Flushing Repair Phase I                                      | CO             | PWC   |
| 19             | DM           | I                  | U                 | HU Toilet Back Flushing Repair Phase II                                     | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### PELICAN BAY STATE PRISON (PBSP)

#### Active Project:

| Type | Cat | Phase | Project Name                                                                | Scope:                                                                                                                                                                                                                                                                      |
|------|-----|-------|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | O   | PW    | Small Management Yards for Psychiatric Services Unit/Security Housing Units | This project will construct SMYs at 5 institutions in order to comply with California Code of Regulations, Title 15 regarding inmates housed in Segregated Program Housing Units allowing them out of cell time for exercise. This is a project will build 10 SMYs at PBSP. |

Notes:

#### Project Schedule:

#### Funding:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App       | Year    | Aug/ Reversion | Year | Current Authority | Year    | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-----------|---------|----------------|------|-------------------|---------|----------------|
| P     | 08/2009        | 11/2009           | 09/2009       | 01/2010          | 100%       | \$153,000 | 2009-10 |                |      | \$153,000         | 2009-10 | GF             |
| W     | 11/2009        | 04/2010           | 01/2010       | 05/2010          | 100%       | \$125,000 | 2009-10 |                |      | \$125,000         | 2009-10 | GF             |
| C     |                |                   |               |                  |            |           |         |                |      |                   |         |                |

Notes: PP & WD for SMYs at 5 prisons; C Funding for PBSP proposed for FY 11/12.

#### Active Project:

| Type | Cat | Phase | Project Name                                                     | Scope:                                                                                                                                      |
|------|-----|-------|------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| MI   | I   | PWC   | B-1-B-2 Kitchen/Dining Room Conversion to Mental Health Delivery | This project will expand the existing temporary Mental Health Care delivery area located in the Psychiatric Service Unit on the B Facility. |

Notes:

#### Project Schedule:

#### Funding:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App       | Year    | Aug/ Reversion | Year | Current Authority | Year    | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-----------|---------|----------------|------|-------------------|---------|----------------|
| PWC   | TBD            | TBD               |               |                  | 0          | \$565,000 | 2010-11 |                |      | \$565,000         | 2010-11 | GF             |

Notes:

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                               | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00155 | Repair/Replace Fire Alarm Control System                   | PR       | 2010-11 | \$424,000     | GF             |
| DM   | 0809-00158 | Repair/Overlay the Asphalt Roads in Yards A & B            | PR       | 2010-11 | \$200,000     | GF             |
| DM   | 0809-00162 | Exterior Perimeter Roadway Repairs                         | PR       | 2010-11 | \$1,031,000   | GF             |
| DM   | 0809-00163 | Replace Roof on Housing Unit "B"                           | PR       | 2010-11 | \$881,000     | GF             |
| DM   | 0809-01942 | Replace Roof on Housing Unit "A"                           | PR       | 2010-11 | \$881,000     | GF             |
| SRP  | 0809-00152 | Repair/Replace Delaminating Security Glass                 | PR       | 2010-11 | \$1,400,000   | GF             |
| SRP  | 0809-00153 | Replace SHU Hot and Cold Waterlines (Construction)         | PR       | 2010-11 | \$21,000,000  | GF             |
| SRP  | 0809-00154 | Building Intercom System - Replacement (#1)                | PR       | 2010-11 | \$597,700     | GF             |
| SRP  | 0809-00156 | Site Intercom System (#2)                                  | PR       | 2010-11 | \$236,000     | GF             |
| SRP  | 0809-00159 | Security Housing Unit Kitchen Floor                        | PR       | 2010-11 | \$372,000     | GF             |
| SRP  | 0809-00160 | Repair/Replace Admin. Bldg. Roof/Siding/Windows            | PR       | 2010-11 | \$495,000     | GF             |
| SRP  | 0809-00161 | Replace Windows and Walkway in the SHU                     | PR       | 2010-11 | \$865,000     | GF             |
| SRP  | 0809-00863 | Repair/Replace Fuel Oil Delivery and Leak Detection System | PR       | 2010-11 | \$598,590     | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

## INSTITUTION PROJECT STATUS REPORT

### PELICAN BAY STATE PRISON (PBSP)

#### Special Repair/Deferred Maintenance Projects (continued)

| Type | Project#   | Project Name                                                               | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|----------------------------------------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 1011-00014 | Fire suppression Exhaust Hood system upgrade for Kitchen brand Ansul UL300 | PR       | 2010-11 | \$87,000      | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                            | Project Costs | Date Completed | Funding Source |
|------|-----|-----------------------------------------|---------------|----------------|----------------|
| SRP  | I   | Repair Hydronic Water Loop              | \$1,700,000   | 07/2010        | GF             |
| DM   | I   | HU Toilet Back Flushing Repair Phase I  | \$531,000     | 07/2009        | GF             |
| DM   | I   | HU Toilet Back Flushing Repair Phase II | \$192,000     | 08/2009        | GF             |

# Pelican Bay State Prison (PBSP)

Crescent City, CA

## Background Info

|                                 |                   |
|---------------------------------|-------------------|
| Original Construction Date      | 1989              |
| Design Bed Capacity             | 2,280             |
| Asset count                     | 94 (84 buildings) |
| Actual Building Square Feet     | 1,226,000 SF      |
| Replacement Value (Buildings):  | \$471,133,000     |
| Date of VFA Facility Assessment | July 1, 2007      |

## Existing Assets Summary

**The Pelican Bay State Prison** assessment data was collected and input into three Campuses: Main Campus-Inside Secured Fence, Main Campus-Outside Secured Fence and Main Campus-Site Infrastructure, with an Institution-wide total building size of 1,226,000 SF.

**The Main Campus-Inside Secured Fence**, 38 Facilities totaling 997,000 SF, is comprised of Housing, Food Services, Education, Support Storage and several Guard Towers/Security structures. Facilities range from 9 to 20 years old with the majority at 20 years. The Main Campus-Inside Secured Fence has an overall FCI of 26%.

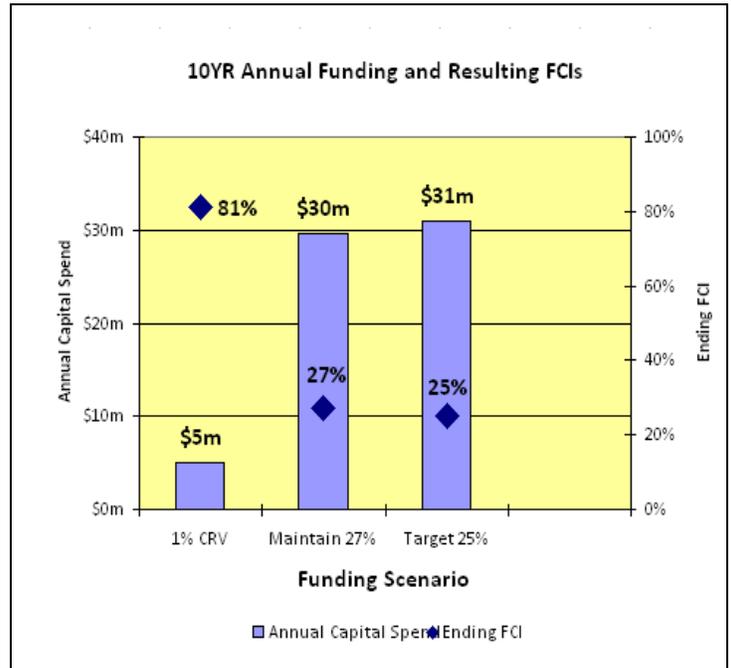
**The Main Campus-Outside Secured Fence**, 47 Facilities totaling 229,000 SF, is comprised of Administration, Utility, Storage and Security Tower facilities which are 20 years old. The overall FCI of these assets in the Main Campus-Outside Secured Fence is 27%.

**Main Campus-Site Infrastructure**, serving all campuses, includes Heating Hot Water, Domestic Water Wells, Pump Houses and Distribution, Electrical Distribution and Lighting, Perimeter Security Fences and Walls, Telecommunication, Roadways, Parking Lots and Pedestrian Paving. The majority of the Site Infrastructure assets are 20 years old with an average FCI of 8%.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$      | 5YR FCI %  |
|-----------------------------------------|------------------------------|-------------------|------------|
| Structure & Foundations                 | 64,480k                      | 6k                | 0%         |
| Exterior Envelope                       | 59,767k                      | 1,848k            | 3%         |
| Roofing                                 | 18,219k                      | 12,959k           | 71%        |
| Interior Construction                   | 133,728k                     | 12,694k           | 9%         |
| Plumbing & Fixtures                     | 37,050k                      | 3,426k            | 9%         |
| Heating, Ventilating & Air Conditioning | 48,303k                      | 16,840k           | 35%        |
| Fire Protection Systems                 | 5,076k                       | 44k               | 1%         |
| Electrical Systems                      | 77,578k                      | 49,476k           | 64%        |
| Equipment                               | 24,023k                      | 7,742k            | 32%        |
| Site Infrastructure                     | 27,336k                      | 2,149k            | 8%         |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$495,560k</b>            | <b>\$107,184k</b> | <b>27%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# Pelican Bay State Prison (PBSP)

## Crescent City, CA

### Major Issues

The majority of the Institutions' facilities are 20 years old and based on their expected useful life, several systems are due or will be coming due for major repair or renewal within the next 2 to 3 years: Fire alarm, security, emergency power & lighting systems, roofing and HVAC terminal and packaged unit systems.

There are \$11.3m of repair and renewal needs within the next 5 years for Roofing systems within the Main Campus-Insided Secured Fence and \$1.6m for the facilities in the Main Campus-Outside Secured Fence. Approximately \$10.7m of repair and renewal needs within the next 5 years is for Security and Detection Systems for the Institution.

Critical site infrastructure assets such as Security Fences and Gates, Heating Hot Water distribution, Roadways and Parking Lots are coming due for major repair or renewal within the next 1-3 years based on their current condition and age of 20 years old.

### Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$30m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$31m per year for the next 10 years would bring PBSP's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index** (FCI = 27%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI**

| Asset - Name                            | Asset - CRV | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|-----------------------------------------|-------------|---------------------|-----------------|
| WATER PUMP STATION GENERATOR            | \$242,629   | \$190,542           | 79%             |
| IN-SERVICE TRAINING                     | \$1,034,931 | \$807,341           | 78%             |
| FIRING RANGE CLASSROOM                  | \$331,114   | \$251,741           | 76%             |
| LEVEL I FAMILY VISITING                 | \$159,610   | \$106,757           | 67%             |
| FIRING RANGE PLATFORM                   | \$32,992    | \$21,670            | 66%             |
| CENTRAL ADMINISTRATION                  | \$6,233,432 | \$3,633,883         | 58%             |
| FOOD SERVICE                            | \$2,561,336 | \$1,480,006         | 58%             |
| BOILER HOUSE                            | \$5,587,043 | \$2,858,309         | 51%             |
| EMERGENCY GENERATOR / SWITCHGEAR        | \$1,401,415 | \$705,235           | 50%             |
| FACILITY A CENTRAL KITCHEN              | \$7,608,627 | \$3,819,627         | 50%             |
| LEVEL I PROGRAM SERVICES                | \$1,697,786 | \$840,186           | 49%             |
| PABX                                    | \$325,288   | \$157,576           | 48%             |
| GP FAMILY VISITING                      | \$816,001   | \$353,734           | 43%             |
| PIA KITCHEN                             | \$2,757,273 | \$1,161,203         | 42%             |
| LEVEL 1 SUPPORT BLDG                    | \$3,180,233 | \$1,250,758         | 39%             |
| SHU ENTRANCE/VISITING                   | \$720,416   | \$264,210           | 37%             |
| VEHICLE SALLYPORT BUILDING              | \$83,381    | \$30,120            | 36%             |
| FACILITY A SUPPORT SERVICES             | \$9,158,227 | \$3,121,045         | 34%             |
| CENTRAL CONTROL/CENTRAL SERVICES/G      | \$9,410,974 | \$3,193,572         | 34%             |
| FACILITY B EDUCATION / GP ADMIN. OFFICE | \$1,584,323 | \$515,083           | 33%             |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name                         | Asset - CRV   | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|--------------------------------------|---------------|-----------|---------------------------|
| SECURITY HOUSING UNIT                | \$157,896,076 | 25%       | \$38,782,313              |
| A1 AND A2 HOUSING UNITS              | \$19,841,782  | 28%       | \$5,476,909               |
| B1 AND B2 HOUSING UNITS (PSU HOUSING | \$19,810,316  | 27%       | \$5,414,837               |
| B3 AND B4 HOUSING UNITS              | \$19,690,524  | 27%       | \$5,403,050               |
| A3 AND A4 HOUSING UNITS              | \$19,690,524  | 27%       | \$5,401,242               |
| A5 AND A6 HOUSING UNITS              | \$19,690,524  | 27%       | \$5,401,242               |
| A7 AND A8 HOUSING UNITS              | \$19,690,524  | 27%       | \$5,401,242               |
| B5 AND B6 HOUSING UNITS              | \$19,690,524  | 27%       | \$5,401,242               |
| B7 AND B8 HOUSING UNITS              | \$19,690,524  | 27%       | \$5,401,242               |
| FACILITY A CENTRAL KITCHEN           | \$7,608,627   | 50%       | \$3,819,627               |
| CENTRAL ADMINISTRATION               | \$6,233,432   | 58%       | \$3,633,883               |
| CENTRAL CONTROL/CENTRAL SERVICES/G   | \$9,410,974   | 34%       | \$3,193,572               |
| FACILITY A SUPPORT SERVICES          | \$9,158,227   | 34%       | \$3,121,045               |
| BOILER HOUSE                         | \$5,587,043   | 51%       | \$2,858,309               |
| FACILITY B SUPPORT SERVICES          | \$8,916,710   | 30%       | \$2,709,874               |
| Site Fences and Gates                | \$9,468,578   | 23%       | \$2,149,024               |
| Roads and Drives                     | \$6,174,958   | 29%       | \$1,770,733               |
| FACILITY B HEALTH CARE SUPPORT/PIA S | \$7,010,546   | 22%       | \$1,561,289               |
| FACILITY A PIA LAUNDRY / PIA OPTICAL | \$8,467,885   | 18%       | \$1,511,112               |
| FOOD SERVICE                         | \$2,561,336   | 58%       | \$1,480,006               |



**Legend: Project Type by Color Code**

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**PLEASANT VALLEY STATE PRISON**

| Institution Overview                        |       | List Key                                       |                          |                                            |
|---------------------------------------------|-------|------------------------------------------------|--------------------------|--------------------------------------------|
| Year Built/Occupied:                        | 1994  | <b>CDCR Category Code</b>                      | <b>Sub-Category Code</b> | <b>Phase Code</b>                          |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)     | Acquisition (A) Study (S)                  |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)              | Preliminary Plans (P)                      |
| Design Bed Capacity                         | 2,308 | Mental Health (MH)                             | Health Care (HC)         | Working Drawings (W)                       |
| Overcrowding Capacity                       | 2,060 | Dental (D)                                     | Programs (P)             | Construction (C)                           |
| Nontraditional Capacity                     | 600   | Re-Entry (RE)                                  | Security (S)             | Design Build (DB)                          |
| Total                                       | 4,968 | Farrell (FA)                                   | Support Services (SS)    | All Phases (PWC)                           |
|                                             |       | Infrastructure (I)                             | Utilities (U)            |                                            |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                          |                                            |
| Female                                      | 0     | <b>Project Type</b>                            |                          | <b>Project Status</b>                      |
| Reception                                   | 0     | Major (MA)                                     |                          | Active (AC) Portion or all Funded          |
| Level I                                     | 207   | Minor (MI)                                     |                          | Proposed (PR) Proposed for 11/12           |
| Level II                                    | 0     | Special Repair Project (SRP)                   |                          | Completed (CO) Funded & Completed in CY 10 |
| Level III                                   | 4,386 | Special Project (SP)                           |                          |                                            |
| Level IV                                    | 0     | Deferred Maintenance (DM)                      |                          |                                            |
| Special                                     | 0     | Energy Projects (E)                            |                          |                                            |
| Total                                       | 4,593 | <b>Funding Source</b>                          |                          |                                            |
|                                             |       | General Fund (GF)                              |                          |                                            |
| Proposed Infill Bed Site:                   | No    | Bonds (B)                                      |                          |                                            |
| Prison Industry Authority Site              | No    | Special Funds (SF)                             |                          |                                            |
| Addiction & Recovery Services               | Yes   | AB900 General Fund (AB900GF)                   |                          |                                            |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                          |                                            |
| Sensitive Needs Yard                        | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                          |                                            |
| Small Management Yard                       | Yes   |                                                |                          |                                            |
| Wheelchair/Disabled Access                  | Yes   |                                                |                          |                                            |

| Institution Infrastructure Overview               |     |                                           |     |                     |
|---------------------------------------------------|-----|-------------------------------------------|-----|---------------------|
| Water (On-site, Municipal, Both):                 |     |                                           |     | Municipal only.     |
| Wastewater Overusage:                             | No  | Fines:                                    | No  | Amount: \$0         |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |     | 21%                 |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 5   | Amount: \$1,916,373 |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 8   | Amount: \$9,686,210 |
| VFA Assessments                                   | No  | Est. Date:                                | TBD | Phase: III          |

**PLEASANT VALLEY STATE PRISON (PVSP)**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                                                                                  | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | I                  | U                 | Bar Screen, Pre-lift Station                                                                                                                  | AC             | C     |
| 2              | MI           | MH                 | HC                | Remodel Mental Health Group Therapy Room #188 Facility A                                                                                      | AC             | PWC   |
| 3              | MI           | MH                 | HC                | Remodel Mental Health Group Therapy Room #188 Facility B                                                                                      | AC             | PWC   |
| 4              | MI           | MH                 | HC                | Remodel Mental Health Group Therapy Room #188 Facility C                                                                                      | AC             | PWC   |
| 5              | MI           | MH                 | HC                | Remodel Mental Health Group Therapy Room #188 Facility D                                                                                      | AC             | PWC   |
| 6              | E            | I                  | U                 | Energy Efficient WWTP Aerator Improvements, Motor Controls & Lighting Retrofits                                                               | AC             | PWC   |
| 7              | MI           | I                  | SS                | Waste Water Treatment Plant Operations Building Expansion                                                                                     | PR             | PWC   |
| 8              | DM           | O                  | S                 | Lethal Electrified Fence - Bird Netting Replacement (LEF = Phase 2)                                                                           | PR             | PWC   |
| 9              | DM           | I                  | U                 | Replace Air Handlers (4) at MSF Dorms, (2) Buildings 901 and 902                                                                              | PR             | PWC   |
| 10             | DM           | I                  | U                 | Replace Air Handlers (2) at Vocational Shops B & D Facilities, Buildings 523 & 527                                                            | PR             | PWC   |
| 11             | DM           | I                  | F                 | Roof Replacement Project A/B/C/D Program Support, Gym & Food Services                                                                         | PR             | PWC   |
| 12             | DM           | O                  | SS                | Asphalt Pavement Repairs - 900,000 SF site wide                                                                                               | PR             | PWC   |
| 13             | DM           | I                  | F                 | IRC-3 Fire Alarm System Upgrade                                                                                                               | PR             | PWC   |
| 14             | DM           | I                  | S                 | Replace AHU's at Gyms                                                                                                                         | PR             | PWC   |
| 15             | DM           | I                  | F                 | Roof Replacement Bldgs; 421, 433, & 451                                                                                                       | PR             | PWC   |
| 16             | SRP          | O                  | U                 | Replace Hobart Flight Dishwashers (5) at Main Kitchen and Satellite Kitchens on A, B, C and D Facilities Buildings 421, 431, 437, 441 and 447 | PR             | PWC   |
| 17             | SRP          | I                  | U                 | Replace Underground Storage Tank (UST) with New Above Ground Fuel Tank = (Phase I) Garage Vehicle Fueling Station                             | PR             | PWC   |
| 18             | SRP          | I                  | U                 | Replace Underground Storage Tank (UST) with New Above Ground Fuel Tank = (Phase II) CTC Generators                                            | PR             | PWC   |
| 19             | SRP          | I                  | U                 | Scissor Lift Docks (6) Satellite Kitchens & ASU1                                                                                              | PR             | PWC   |
| 20             | SRP          | O                  | U                 | Replace Underground Storage Tank (UST) with New Above Ground Fuel Tank = (Phase III) Stand-by Generators (Emer. & Norm Pwr)                   | PR             | PWC   |
| 21             | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV)                                                                                                     | PR             | PWC   |
| 22             | DM           | I                  | F                 | Emergency Roof Repairs Program Buildings A, B, C & D                                                                                          | CO             | PWC   |
| 23             | DM           | I                  | F                 | Roof Level I HU, Bldgs 901 & 902                                                                                                              | CO             | PWC   |
| 24             | DM           | I                  | F                 | Replace (2) Emergency Circuit Transformers                                                                                                    | CO             | PWC   |
| 25             | SRP          | O                  | F                 | Correct Soil Erosion                                                                                                                          | CO             | PWC   |
| 26             | SRP          | I                  | U                 | WTP Pond Basin #2 Repair Phase #1                                                                                                             | CO             | PWC   |
| 27             | SRP          | O                  | U                 | Upgrade PBX System                                                                                                                            | CO             | PWC   |
| 28             | SRP          | HC                 | F                 | Armstrong DPW Bed Conversions for ADA-10 Cells (HU D-1, D-2, D-3, D-5, ASU D-4 2 Cells each)                                                  | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### PLEASANT VALLEY STATE PRISON (PVSP)

#### Active Project:

| Type | Cat | Phase | Project Name                 | Scope:                                                                                                                          |
|------|-----|-------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | C     | Bar Screen, Pre-lift Station | Install additional bar screen and trash compactor system to reduce normal wear and tear to existing wastewater treatment plant. |

Notes:

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App                      | Year                   | Aug/ Reversion | Year      | Current Authority | Year      | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|--------------------------|------------------------|----------------|-----------|-------------------|-----------|----------------|
| P     | 08/2001        | 01/2002           | 12/2001       | 05/2002          | 100%       | \$84,000                 | 2001/2002              |                |           | \$84,000          | 2001/2002 | GF             |
| W     | 02/2002        | 07/2002           | 02/2003       | 06/2003          | 100%       | \$88,000                 | 2001/2002              | -\$68,719      | 2004/2005 | \$19,281          | 2004/2005 | GF             |
| C     | 09/2006        | 03/2007           | 03/2008       | 09/2010          | 76%        | \$925,000<br>\$1,491,000 | 2005/2006<br>2006/2007 | \$- 925,000    | 2005/2006 | \$1,491,000       | 2006/2007 | B<br>B         |

Notes: IWL Construction schedule provided based on STO restoration of project funding.

#### Active Project:

| Type | Cat | Phase | Project Name                     | Scope:                                                                                                       |
|------|-----|-------|----------------------------------|--------------------------------------------------------------------------------------------------------------|
| MI   | MH  | PWC   | Remodel Mental Health Rooms #188 | In compliance with Coleman Court remodel Mental Health Rooms for Group Therapy Rooms in Facility A, B, C & D |

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App       | Year      | Aug/ Reversion | Year | Current Authority | Year      | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-----------|-----------|----------------|------|-------------------|-----------|----------------|
| Fac A | 06/2009        | 02/2010           | 10/2009       | 12/2010          | 98%        | \$252,000 | 2008/2009 |                |      | \$252,000         | 2008/2009 | GF             |
| Fac B | 06/2009        | 02/2010           | 02/2010       | 12/2010          | 98%        | \$252,000 | 2008/2009 |                |      | \$252,000         | 2008/2009 | GF             |
| Fac C | 06/2009        | 02/2010           | 05/2010       | 12/2010          | 98%        | \$252,000 | 2008/2009 |                |      | \$252,000         | 2008/2009 | GF             |
| Fac D | 06/2009        | 02/2010           | 08/2010       | 12/2010          | 89%        | \$252,000 | 2008/2009 |                |      | \$252,000         | 2008/2009 | GF             |

Notes: Project was funded as 4 Minor projects-Plans completed 06/2009

#### Proposed Project:

| Type | Cat | Phase | Project Name                                | Scope:                                                                    |
|------|-----|-------|---------------------------------------------|---------------------------------------------------------------------------|
| MI   | I   | PWC   | Wastewater Treatment Plant Office Expansion | This project will expand the office for the Wastewater Treatment Facility |

#### Project Schedule:

| Phase | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|-------|--------------|------------|----------------|
| PWC   | FY 11/12   | PWC   | \$565,000    |            |                |

Notes: Requesting Funding in FY 11/12 Budget

## INSTITUTION PROJECT STATUS REPORT

### PLEASANT VALLEY STATE PRISON (PVSP)

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                                                                                                                  | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00486 | Lethal Electrified Fence - Bird Netting Replacement (LEF = Phase 2)                                                                           | PR       | 2011-12 | \$570,134     | GF             |
| DM   | 0809-00552 | Replace Air Handlers (4) at MSF Dorms, (2) Buildings 901 and 902                                                                              | PR       | 2011-12 | \$225,000     | GF             |
| DM   | 0809-00553 | Replace Air Handlers (2) at Vocational Shops B & D Facilities, Buildings 523 & 527                                                            | PR       | 2011-12 | \$150,000     | GF             |
| DM   | 0809-00555 | Roof Replacement Project A/B/C/D Program Support, Gym & Food Services                                                                         | PR       | 2011-12 | \$3,000,000   | GF             |
| DM   | 0910-00248 | Asphalt Pavement Repairs - 900,000 SF site wide                                                                                               | PR       | 2011-12 | \$1,930,215   | GF             |
| DM   | 0910-00250 | IRC-3 Fire Alarm System Upgrade                                                                                                               | PR       | 2010-11 | \$2,445,677   | GF             |
| DM   | 0910-00596 | Replace AHUs at Gyms                                                                                                                          | PR       | 2011-12 | \$399,380     | GF             |
| DM   | 0910-00597 | Roof Replacement Bldgs; 421, 433, & 451                                                                                                       | PR       | 2010-11 | \$965,804     | GF             |
| SRP  | 0809-00557 | Replace Hobart Flight Dishwashers (5) at Main Kitchen and Satellite Kitchens on A, B, C and D Facilities Buildings 421, 431, 437, 441 and 447 | PR       | 2011-12 | \$750,000     | GF             |
| SRP  | 0809-00559 | Replace Underground Storage Tank (UST) with New Above Ground Fuel Tank = (Phase I) Garage Vehicle Fueling Station                             | PR       | 2011-12 | \$297,219     | GF             |
| SRP  | 0910-00246 | Replace Underground Storage Tank (UST) with New Above Ground Fuel Tank = (Phase II) CTC Generators                                            | PR       | 2012-13 | \$318,172     | GF             |
| SRP  | 0910-00598 | Scissor Lift Docks (6) Satellite Kitchens & ASU1                                                                                              | PR       | 2011-12 | \$200,573     | GF             |
| SRP  | 0910-01145 | Replace Underground Storage Tank (UST) with New Above Ground Fuel Tank = (Phase III) Stand-by Generators (Emer. & Norm Pwr)                   | PR       | 2013-14 | \$350,409     | GF             |

#### Completed Projects:

| Type | Cat | Project Name                                                                                 | Project Costs           | Date Completed | Funding Source |
|------|-----|----------------------------------------------------------------------------------------------|-------------------------|----------------|----------------|
| DM   | I   | Emergency Roof Repairs Program Buildings A, B, C & D                                         | \$390,000               | 05/2010        | GF             |
| DM   | I   | Roof Level I HU, Bldgs 901 & 902                                                             | \$123,000               | 06/2010        | GF             |
| DM   | I   | Replace (2) Emergency Circuit Transformers                                                   | \$49,000                | 03/2009        | GF             |
| SRP  | O   | Correct Soil Erosion                                                                         | \$300,000               | 03/2010        | GF             |
| SRP  | I   | Water Treatment Pond Basin #2 Repair                                                         | \$893,000               | 12/2009        | GF             |
| SRP  | I   | Upgrade PBX System                                                                           | \$513,000               | 04/2010        | GF             |
| SRP  | HC  | Armstrong DPW Bed Conversions for ADA-10 Cells (HU D-1, D-2, D-3, D-5, ASU D-4 2 Cells each) | See STWD for Project \$ | 08/2010        | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation



**Legend: Project Type by Color Code**

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**R. J. DONOVAN CORRECTIONAL FACILITY**

| Institution Overview                        |       | List Key                                       |                       |                                            |
|---------------------------------------------|-------|------------------------------------------------|-----------------------|--------------------------------------------|
| Year Built/Occupied:                        | 1987  | CDCR Category Code                             | Sub-Category Code     | Phase Code                                 |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)  | Acquisition (A) Study (S)                  |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)           | Preliminary Plans (P)                      |
| Design Bed Capacity                         | 2,200 | Mental Health (MH)                             | Health Care (HC)      | Working Drawings (W)                       |
| Overcrowding Capacity                       | 1,827 | Dental (D)                                     | Programs (P)          | Construction (C)                           |
| Nontraditional Capacity                     | 144   | Re-Entry (RE)                                  | Security (S)          | Design Build (DB)                          |
| Total                                       | 4,171 | Farrell (FA)                                   | Support Services (SS) | All Phases (PWC)                           |
|                                             |       | Infrastructure (I)                             | Utilities (U)         |                                            |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                       |                                            |
| Female                                      | 0     | Project Type                                   |                       | Project Status                             |
| Reception                                   | 1,990 | Major (MA)                                     |                       | Active (AC) Portion or all Funded          |
| Level I                                     | 265   | Minor (MI)                                     |                       | Proposed (PR) Proposed for 11/12           |
| Level II                                    | 0     | Special Repair Project (SRP)                   |                       | Completed (CO) Funded & Completed in CY 10 |
| Level III                                   | 1,426 | Special Project (SP)                           |                       |                                            |
| Level IV                                    | 737   | Deferred Maintenance (DM)                      |                       |                                            |
| Special                                     | 0     | Energy Projects (E)                            |                       |                                            |
| Total                                       | 4,418 | Funding Source                                 |                       |                                            |
|                                             |       | General Fund (GF)                              |                       |                                            |
| Proposed Infill Bed Site:                   | No    | Bonds (B)                                      |                       |                                            |
| Prison Industry Authority Site              | Yes   | Special Funds (SF)                             |                       |                                            |
| Addiction & Recovery Services               | Yes   | AB900 General Fund (AB900GF)                   |                       |                                            |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                       |                                            |
| Sensitive Needs Yard                        | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |                                            |
| Small Management Yard                       | Yes   |                                                |                       |                                            |
| Wheelchair/Disabled Access                  | Yes   |                                                |                       |                                            |

| Institution Infrastructure Overview               |     |                                           |    |                     |
|---------------------------------------------------|-----|-------------------------------------------|----|---------------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |    | Municipal only.     |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$0         |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    | 21%                 |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 3  | Amount: \$2,416,339 |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 2  | Amount: \$860,000   |
| VFA Assessment Facility Condition Index %         | 17% | 5 Yr Cost to Maintain Current FCI         |    | \$73,389,000        |

**R J DONOVAN CORRECTIONAL FACILITY (RJD)**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                                                      | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-------------------------------------------------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | I                  | U                 | Upgrade Sewer Grinder System                                                                                      | AC             | C     |
| 2              | E            | I                  | U                 | Laundry Upgrades, Various Lighting Retrofits                                                                      | AC             | PWC   |
| 3              | DM           | I                  | I                 | Replace Roof Housing Units 4 & 5                                                                                  | AC             | PWC   |
| 4              | SRP          | O                  | F                 | ADA Modifcations Facilities 2 & 3                                                                                 | AC             | PWC   |
| 5              | DM           | O                  | U                 | Repair High Voltage Cabling                                                                                       | PR             | PWC   |
| 6              | SRP          | O                  | S                 | Perimeter Fence-Repair Fence                                                                                      | PR             | PWC   |
| 7              | SRP          | I                  | U                 | Facility 2 Gym-Repair Shower Room Walls                                                                           | PR             | PWC   |
| 8              | E            | I                  | U                 | Energy Efficient Lighting, EMS, Cogen                                                                             | PR             | C     |
| 9              | SRP          | HC                 | HC                | Armstrong DPW Bed Conversions ADA 24 Cells (Facility 1-HU1, HU 4, HU 5, Facility 2- HU 6, HU 9, Facility 3-HU 11) | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### R. J. DONOVAN CORRECTIONAL FACILITY (RJD)

#### Active Project:

| Type | Cat | Phase | Project Name                 | Scope:                                                                                                                                                                                                                                                                        |
|------|-----|-------|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | C     | Upgrade Sewer Grinder System | Upgrade the Sewage Grinder System to the wastewater system at RJD. The project consists of the installation of a new sewage grinding system (auger monsters) to bring the facility into compliance with the City of San Diego's industrial wastewater discharge requirements. |

Notes:

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year      | Aug/ Reversion | Year      | Current Authority | Year      | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-------------|-----------|----------------|-----------|-------------------|-----------|----------------|
| P     | 09/2008        | 12/2008           | 09/2008       | 12/2008          | 100%       | \$183,000   | 2007/2008 |                |           | \$183,000         | 2007/2008 | AB900GF        |
| W     | 03/2009        | 06/2009           | 03/2009       | 06/2009          | 100%       | \$100,000   | 2007/2008 |                |           | \$100,000         | 2008/2009 | AB900GF        |
| C     | 06/2009        | 03/2010           | 08/2009       | 10/2010          | 90%        | \$1,954,000 | 2007/2008 | \$78,000       | 2007/2008 | \$2,032,000       | 2008/2009 | AB900GF        |

Notes:

#### Proposed Project:

| Type  | Cat | Phase | Project Name | Scope: |
|-------|-----|-------|--------------|--------|
| MI/MA |     |       | NONE         |        |

#### Project Schedule:

| Phase | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|-------|--------------|------------|----------------|
| PWC   |            |       |              |            |                |

Notes:

#### Special Repair/Deferred Maintenance Projects

| Type | Project#                 | Project Name                            | AC or PR | Year    | Project Costs | Funding Source |
|------|--------------------------|-----------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0809-00166               | ADA Modifications Facility 2 & 3        | AC       | 2008-09 | \$2,200,000   | GF             |
| DM   | 0809-00168<br>0809-00169 | Replace Roof Housing Units 4 & 5        | AC       | 2008-09 | \$840,000     | GF             |
| DM   | 0910-00413               | Repair High Voltage Cabling             | PR       | 2010-11 | \$20,000      | GF             |
| SRP  | 0910-01168               | Perimeter Fence-Repair Fence            | PR       | 2011-12 | \$189,000     | GF             |
| SRP  | 1011-00007               | Facility 2 Gym-Repair Shower Room Walls | PR       | 2011-12 | \$27,339      | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                                                                                                      | Project Costs | Date Completed | Funding Source |
|------|-----|-------------------------------------------------------------------------------------------------------------------|---------------|----------------|----------------|
| SRP  | HC  | Armstrong DPW Bed Conversions ADA 24 Cells (Facility 1-HU1, HU 4, HU 5, Facility 2- HU 6, HU 9, Facility 3-HU 11) | \$1,900,000   | 09/2010        | GF             |

# R. J. Donovan Correctional Facility (RJD) San Diego, CA

## Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1987                |
| Design Bed Capacity             | 2,200               |
| Asset count                     | 226 (180 buildings) |
| Actual Building Square Feet     | 1,319,000 SF        |
| Replacement Value (Buildings):  | \$350,969,000       |
| Date of VFA Facility Assessment | April 1, 2009       |

## Existing Assets Summary

**The R. J. Correctional Facility** assessment data was collected and input into three main campuses : Inside Secured Fence, Outside Secured Fence and Site Infrastructure with an Institution-wide total building size of 1,319,000 SF.

**Inside Secured Fence** campus, 1,054,000 SF, is comprised of 111 Buildings with a wide range of uses : Administration, Utility Plants, Housing/Cells (including temporary), Inmate Services, Food Services, Storage, and Medical. A large majority of buildings in this campus were built in 1987 and the relatively young age of these assets is witnessed by an overall FCI of 25%.

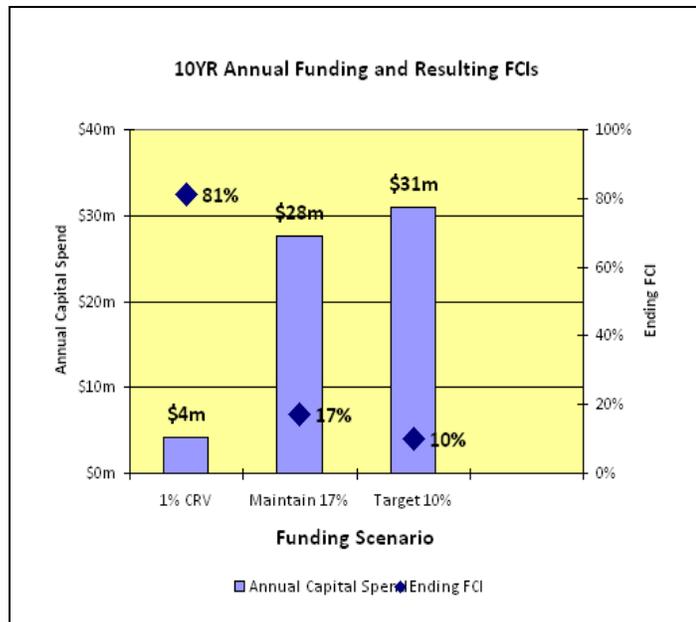
**Outside Secured Fence** campus, 239,000 SF, is made up of 61 Buildings including uses such as : Administration, Instructional, Storage & Guard Towers. A large majority of buildings in this campus were also built in 1987 but these assets carry an overall FCI of 36%.

**Site Infrastructure** campus is comprised of varied assets such as Site Irrigation system with an FCI of 67% at 23 years old, Site Natural Gas Piping system with an FCI of 112% also at 22 years old and a Electrical Service and Distribution with an FCI of 19% at 11 years old.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$     | 5YR FCI %  |
|-----------------------------------------|------------------------------|------------------|------------|
| Structure & Foundations                 | 52,370k                      | 28k              | 0%         |
| Exterior Envelope                       | 41,080k                      | 1,936k           | 5%         |
| Roofing                                 | 13,780k                      | 11,290k          | 82%        |
| Interior Construction                   | 87,426k                      | 12,000k          | 14%        |
| Plumbing & Fixtures                     | 23,985k                      | 1,386k           | 6%         |
| Heating, Ventilating & Air Conditioning | 25,160k                      | 26,410k          | 105%       |
| Fire Protection Systems                 | 5,804k                       | 28k              | 0%         |
| Electrical Systems                      | 101,306k                     | 15,603k          | 15%        |
| Equipment                               | 23,815k                      | 3,634k           | 15%        |
| Site Infrastructure                     | 47,620k                      | 1,074k           | 2%         |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$422,346k</b>            | <b>\$73,389k</b> | <b>17%</b> |

Table 2. Comparison of 10YR Funding Scenarios



**R. J. Donovan Correctional Facility (RJD)**  
**San Diego, CA**

**Major Issues**

This Institution has approximately \$73M in needs over the next five years. Nearly 88% of those needs relate to the following systems: Roofing systems (\$11M), Electrical systems (\$15.6M), HVAC systems (\$26M) & Interior Construction systems (\$12M).

These critical building systems represent the parts & components of several of the Institutions' buildings' systems that are at, or near, the end of their rated useful life and will need to be replaced within the next five years.

**Funding Needs**

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$28m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$31m per year for the next 10 years would bring RJD's FCI down to 10%.

The **Facility Condition Index** ( FCI=17% ) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                                | Asset - CRV | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|---------------------------------------------|-------------|---------------------|-----------------|
| Catholic Protection and Power Factor Corre  | \$1,888,829 | \$2,361,036         | 125%            |
| Storage Container SC-4 (South of Minimum    | \$8,481     | \$10,601            | 125%            |
| Walk-In Refrigerator WI-01 (East of CTC)    | \$84,034    | \$104,491           | 124%            |
| Storage Container SC-12 (F1 Yard Storage)   | \$8,193     | \$9,947             | 121%            |
| Site Natural Gas Piping                     | \$658,595   | \$737,627           | 112%            |
| Storage Container SC-6 (West of Central Ind | \$74,734    | \$77,300            | 103%            |
| Central Energy Plant Turbine                | \$2,503,316 | \$2,470,000         | 99%             |
| Recycling Outside Storage and Compactor     | \$39,740    | \$38,349            | 96%             |
| Shed 4 (South of Minimum Administration)    | \$2,840     | \$2,613             | 92%             |
| Spray Booth at Bridging                     | \$58,965    | \$42,519            | 72%             |
| East Vehicle Sallyport / Guard Station      | \$281,619   | \$192,560           | 68%             |
| Fire Station Training Trailer               | \$135,160   | \$92,250            | 68%             |
| Site Irrigation System                      | \$88,164    | \$68,759            | 67%             |
| F4 Medical Trailer A (Psychiatric)          | \$609,596   | \$398,425           | 65%             |
| Gatehouse                                   | \$71,630    | \$45,961            | 64%             |
| Gravel Parking - Main Parking Lot Addition  | \$117,080   | \$73,175            | 63%             |
| Gravel Service Yard - Central Energy Plant  | \$40,451    | \$25,282            | 63%             |
| Bituminous Paved Service Yards - Outside F  | \$1,169,811 | \$731,132           | 62%             |
| Firing Range Storage Trailer                | \$116,543   | \$68,258            | 59%             |
| Central Energy Plant                        | \$1,802,933 | \$1,049,697         | 58%             |

**Table 4. Top 20 Buildings by 5YR Needs \$**

| Asset - Name                               | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|--------------------------------------------|--------------|-----------|---------------------------|
| PIA Shoe Factory                           | \$13,896,024 | 40%       | \$5,529,126               |
| Central Administration                     | \$7,106,271  | 48%       | \$3,425,544               |
| Minimum Administration Office Complex      | \$5,548,541  | 57%       | \$3,180,253               |
| Central Kitchen                            | \$5,723,023  | 52%       | \$2,996,739               |
| Central Energy Plant Turbine               | \$2,503,316  | 99%       | \$2,470,000               |
| Catholic Protection and Power Factor Corre | \$1,888,829  | 125%      | \$2,361,036               |
| F1 Support Services                        | \$7,114,244  | 31%       | \$2,219,725               |
| Correctional Treatment Center (CTC)        | \$7,034,724  | 30%       | \$2,118,841               |
| Vocational Shops and Storage               | \$6,975,734  | 29%       | \$2,006,304               |
| F2 Support Services                        | \$4,584,235  | 43%       | \$1,959,594               |
| F4 Support Services                        | \$4,569,092  | 43%       | \$1,944,414               |
| F1 Control and Central Services            | \$4,954,037  | 37%       | \$1,845,817               |
| F3 Gym (Temporary Housing)                 | \$3,209,813  | 57%       | \$1,814,141               |
| F2 Gym (Temporary Housing)                 | \$3,550,783  | 48%       | \$1,713,472               |
| Housing Unit 6 (ADSEC)                     | \$9,004,582  | 19%       | \$1,708,227               |
| F4 Gym (Temporary Housing)                 | \$3,423,299  | 49%       | \$1,682,371               |
| Housing Unit 10                            | \$8,436,814  | 20%       | \$1,667,600               |
| Housing Unit 7 (ADSEC)                     | \$8,626,757  | 19%       | \$1,665,512               |
| Housing Unit 9                             | \$8,443,158  | 20%       | \$1,647,848               |
| Housing Unit 20                            | \$8,436,814  | 20%       | \$1,647,848               |



# 6 Steam Line Replacement - Institution wide

**Legend: Project Type by Color Code**

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**CALIFORNIA STATE PRISON, SACRAMENTO**

| Institution Overview                        |       | List Key                                       |                          |                                         |
|---------------------------------------------|-------|------------------------------------------------|--------------------------|-----------------------------------------|
| Year Built/Occupied:                        | 1987  | <b>CDCR Category Code</b>                      | <b>Sub-Category Code</b> | <b>Phase Code</b>                       |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)     | Acquisition (A) Study (S)               |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)              | Preliminary Plans (P)                   |
| Design Bed Capacity                         | 1,828 | Mental Health (MH)                             | Health Care (HC)         | Working Drawings (W)                    |
| Overcrowding Capacity                       | 1,192 | Dental (D)                                     | Programs (P)             | Construction ( C)                       |
| Nontraditional Capacity                     | 210   | Re-Entry (RE)                                  | Security (S)             | Design Build (DB)                       |
| Total                                       | 3,230 | Farrell (FA)                                   | Support Services (SS)    | All Phases (PWC)                        |
|                                             |       | Infrastructure (I)                             | Utilities (U)            |                                         |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                          |                                         |
| Female                                      | 0     | <b>Project Type</b>                            |                          | <b>Project Status</b>                   |
| Reception                                   | 0     | Major (MA)                                     |                          | Active (AC) Portion or all Funded       |
| Level I                                     | 250   | Minor (MI)                                     |                          | Proposed (PR) Proposed for 11/12        |
| Level II                                    | 0     | Special Repair Project (SRP)                   |                          | Completed (CO) Funded & Completed in CY |
| Level III                                   | 0     | Special Project (SP)                           |                          |                                         |
| Level IV                                    | 2,419 | Deferred Maintenance (DM)                      |                          |                                         |
| Special                                     | 286   | Energy Projects (E)                            |                          |                                         |
| Total                                       | 2,955 | <b>Funding Source</b>                          |                          |                                         |
|                                             |       | General Fund (GF)                              |                          |                                         |
| Proposed Infill Bed Site:                   | No    | Bonds (B)                                      |                          |                                         |
| Prison Industry Authority Site              | Yes   | Special Funds (SF)                             |                          |                                         |
| Addiction & Recovery Services               | No    | AB900 General Fund (AB900GF)                   |                          |                                         |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                          |                                         |
| Sensitive Needs Yard                        | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                          |                                         |
| Small Management Yard                       | Yes   |                                                |                          |                                         |
| Wheelchair/Disabled Access                  | Yes   |                                                |                          |                                         |

| Institution Infrastructure Overview               |     |                                           |    |                   |
|---------------------------------------------------|-----|-------------------------------------------|----|-------------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |    | Municipal only.   |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$0       |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    | 21%               |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 0  | Amount: \$0       |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 1  | Amount: \$809,000 |
| VFA Assessment Facility Condition Index %         | 23% | 5 Yr Cost to Maintain Current FCI         |    | \$62,802,000      |

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                              | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-----------------------------------------------------------|----------------|-------|
| 1              | MA           | MH                 | HC                | 192 Enhanced Outpatient, Treatment & Office Space-Coleman | AC             | W     |
| 2              | MA           | MH                 | HC                | Psychiatric Services Unit Office & Treatment Space        | AC             | P     |
| 3              | MA           | O                  | S                 | Small Management Yards SHU/PSU                            | AC             | W     |
| 4              | DM           | O                  | S                 | Netting Replacement Multiple Institutions                 | PR             | PWC   |
| 5              | SRP          | MH                 | HC                | Convert B-1 HU to MH Crisis Beds Coleman                  | CO             | PWC   |
| 6              | SRP          | I                  | U                 | Steam Line Replacement (Re-Allocation) Design             | CO             | PWC   |
| 7              | SRP          | I                  | U                 | Boiler Retrofit Phase III                                 | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA STATE PRISON - SACRAMENTO (SAC)

#### Active Project:

| Type | Cat | Phase | Project Name                                          | Scope:                                                                                                                                                                                                                                                              |
|------|-----|-------|-------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | MH  | C     | Enhanced Outpatient Program, Treatment & Office Space | This proposal is the result of a new budget package and will renovate existing unused warehouse space in Facility B for treatment needs of the EOP patients. It will provide necessary program, treatment, and office space to serve the existing 192 EOP patients. |

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App                      | Year                   | Aug/ Reversion | Year    | Current Authority | Year      | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|--------------------------|------------------------|----------------|---------|-------------------|-----------|----------------|
| P     | 08/2006        | 09/2007           | 12/2008       | 07/2009          | 100%       | \$250,000<br>\$1,168,000 | 2006/2007<br>2008/2009 |                |         | \$1,418,000       | 2008/2009 | GF<br>GF       |
| W     | 07/2009        | 12/2009           | 07/2009       | 12/2009          | 100%       | \$876,000                | 2009/2010              | -\$62,000      | 2009-10 | \$814,000         | 2009/2010 | GF             |
| C     | 11/2010        | 12/2011           | 01/2011       | 02/2012          |            | \$12,445,000             | 2010/2011              | -\$2,250,000   | 2010-11 | \$10,195,000      | 2010/2011 | GF             |

Notes: C Phase Funding received in 2010/11 budget

#### Active Project:

| Type | Cat | Phase | Project Name                                       | Scope:                                                                                                                                                                                                     |
|------|-----|-------|----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | MH  | P     | Psychiatric Services Unit Office & Treatment Space | Provide mental health treatment & office space to provide psychiatric services to SAC inmates; it will contain office space for clinicians providing therapy, as well as individual & group therapy rooms. |

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App          | Year | Aug/ Reversion | Year | Current Authority | Year | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|--------------|------|----------------|------|-------------------|------|----------------|
| S     | 08/2009        | 02/2010           | 08/2009       | 02/2010          | 100%       |              |      |                |      |                   |      |                |
| P     | 05/2010        | 03/2011           | 08/2010       | 03/2011          | 3%         | \$1,153,000  |      |                |      | \$1,153,000       |      | AB900LR        |
| W     | 03/2011        | 09/2011           |               |                  |            | \$1,073,000  |      |                |      | \$1,073,000       |      | AB900LR        |
| C     | 12/2011        | 03/2013           |               |                  |            | \$15,919,000 |      |                |      | \$15,919,000      |      | AB900LR        |

Notes:

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA STATE PRISON - SACRAMENTO (SAC)

#### Active Project:

| Type | Cat | Phase | Project Name                   | Scope:                                                                                                                                                                                                                                                                     |
|------|-----|-------|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | W     | Small Management Yards SHU/PSU | This project will construct SMYs at 5 institutions in order to comply with California Code of Regulations, Title 15 regarding inmates housed in Segregated Program Housing Units allowing them out of cell time for exercise. This project will construct 14 SMYs at SAC . |

Notes: See Statewide Project for funding information

#### Project Schedule:

#### Funding:

| Phase | Original Start | Original Start | Current Start | Current Complete | % Complete | App       | Year    | Aug/ Reversion | Year | Current Authority | Year    | Funding Source |
|-------|----------------|----------------|---------------|------------------|------------|-----------|---------|----------------|------|-------------------|---------|----------------|
| P     | 08/2009        | 11/2009        | 09/2009       | 01/2010          | 100%       | \$153,000 | 2009/10 |                |      | \$153,000         | 2009/10 | GF             |
| W     | 12/2009        | 11/2009        | 01/2010       | 06/2010          | 85%        | \$125,000 | 2009/10 |                |      | \$125,000         | 2009/10 | GF             |
| C     | 08/2010        | 07/2010        | 07/2010       | 06/2012          | 0%         |           |         |                |      |                   |         |                |

Notes: C Funds for 5 Institutions being sought in FY 11/12 Budget

#### Proposed Project:

| Type  | Cat | Phase | Project Name | Scope: |
|-------|-----|-------|--------------|--------|
| MI/MA |     |       | NONE         |        |

#### Project Schedule:

#### Project Budget:

| Phase  | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|--------|------------|-------|--------------|------------|----------------|
| PWC    |            |       |              |            |                |
| Notes: |            |       |              |            |                |

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                 | AC or PR | Year      | Project Costs | Funding Source |
|------|------------|------------------------------|----------|-----------|---------------|----------------|
| DM   | 0809-00487 | Netting Replacement Phase II | PR       | 2010/2011 | \$809,000     |                |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                                      | Project Costs | Date Completed | Funding Source |
|------|-----|---------------------------------------------------|---------------|----------------|----------------|
| SRP  | MH  | Convert B-1 HU to MH Crisis Beds - <i>Coleman</i> | \$131,000     | 06/2010        | GF             |
| SRP  |     | Steam Line Replacement (Re-Allocation) Design     | \$120,000     | 05/2010        | GF             |
| SRP  | I   | Boiler Retrofit Phase III                         | \$471,000     | 05/2010        | GF             |

## California State Prison Sacramento (SAC) - PSU Office and Treatment Space

### Overview of Proposed Staffing

| Staffing Division | Proposed Staffing* |
|-------------------|--------------------|
| Mental Health     | 65.21              |
| Custody           | 43.71              |
| Support Staff     | 6.00               |
| <b>Total:</b>     | <b>114.92</b>      |

\*This is in addition to the 34.42 existing PYs already at SAC's PSU

### Overview of Estimated Operating Costs

|                                                      |           |                   |
|------------------------------------------------------|-----------|-------------------|
| Projected Annual Operational Expenditures            | \$        | 55,211            |
| Staffing                                             | \$        | 10,821,002        |
| <b>Total Annual Ongoing Estimated Operating Cost</b> | <b>\$</b> | <b>10,876,213</b> |

Note - The above figures are summary estimates. Formal notification of project staffing and costs are provided by CDCR in the detailed 30-day letters to the Legislature required by statute. Copies of 30-day letters for approved projects can be found on the CD provided in Appendix A.

# California State Prison Sacramento (SAC) Represa, CA

## Background Info

|                                 |                    |
|---------------------------------|--------------------|
| Original Construction Date      | 1986               |
| Design Bed Capacity             | 1,728              |
| Asset count                     | 108 (65 buildings) |
| Actual Building Square Feet     | 1,303,000 SF       |
| Replacement Value (Buildings):  | \$238,392,000      |
| Date of VFA Facility Assessment | March 1, 2009      |

## Existing Assets Summary

**The California State Prison Sacramento** consists of three campuses: Inside Secured Fence, Outside Secured Fence, and Infrastructure with an Institution wide area of all buildings totaling approximately 1,303,000 SF.

**The Inside Secured Fence** campus is comprised of 41 assets (Housing Cells, Inmate Services, and Multi-use) that account for the majority of the replacement value of the Institution (\$203.6mil). This campus, with 1,069mil SF of buildings, has an overall average FCI of 21% and the majority of its assets are 23 years old with the exception of ASU (Housing- Cell) that is only 4 years old.

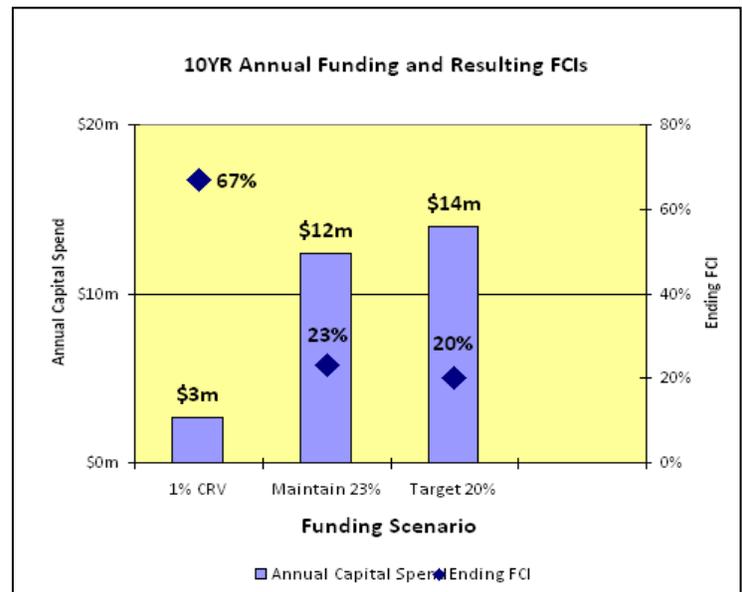
**The Outside Secured Fence** campus consists of Security guard towers, Housing, Storage, and Administration assets; all buildings totaling 233,600 SF, with an average age of 23 years. This section of the Institution has an average FCI of 30%.

**The Infrastructure Campus** includes assets such as the Site Electrified Perimeter Fence, Roads and Drives, Parking Lot, and the Site Natural Gas Distribution System. All assets combined account for an overall Infrastructure Campus average FCI of 22%.

Table 1. 5YR Facility Condition Index by Major

| System                                  | Assessment Replacement Value | 5YR Needs \$     | 5YR FCI %  |
|-----------------------------------------|------------------------------|------------------|------------|
| Structure & Foundations                 | 48,427k                      | 21k              | 0%         |
| Exterior Envelope                       | 34,068k                      | 1,381k           | 4%         |
| Roofing                                 | 7,643k                       | 6,939k           | 91%        |
| Interior Construction                   | 45,431k                      | 7,071k           | 16%        |
| Plumbing & Fixtures                     | 22,080k                      | 651k             | 3%         |
| Heating, Ventilating & Air Conditioning | 25,962k                      | 13,320k          | 51%        |
| Fire Protection Systems                 | 5,001k                       | 0k               | 0%         |
| Electrical Systems                      | 40,788k                      | 25,993k          | 64%        |
| Equipment                               | 11,563k                      | 1,385k           | 12%        |
| Site Infrastructure                     | 27,681k                      | 6,041k           | 22%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$268,644k</b>            | <b>\$62,802k</b> | <b>23%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# California State Prison Sacramento (SAC) Represa, CA

## Major Issues

Nearly 64% of the funding \$\$ needed over the next 5 years are related to the Electrical Systems (\$26M) across the institution. The following systems also contribute to high needs over the same period: HVAC (\$13.3M), Interior Construction (\$7M), Roofing (\$6.9M), and Site Infrastructure (\$6M).

Analyzing the assets with the highest FCIs, the Site Perimeter Fence is at the top of the conditional needs, followed by Sally Ports C and AB, and the Roads and Parking Lot. Notably the majority of these assets are related to site infrastructure.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$12m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$14m per year for the next 10 years would bring SAC's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index** (FCI = 23%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                        | 5YR FCI | Asset - CRV | 5-YR FCI \$\$ |
|-------------------------------------|---------|-------------|---------------|
| Site Electrified Perimeter Fence    | 125%    | \$2,683,296 | \$3,354,120   |
| C Sally Port                        | 75%     | \$262,122   | \$197,572     |
| AB Sally Port                       | 71%     | \$308,680   | \$218,855     |
| Roads and Drives                    | 65%     | \$4,771,421 | \$3,078,911   |
| Parking Lot                         | 63%     | \$1,749,900 | \$1,093,688   |
| Min Support Services Shed           | 58%     | \$9,070     | \$5,258       |
| Min Fac Support Service A55 P70 P69 | 51%     | \$3,610,083 | \$1,828,568   |
| Site Steam Distribution System      | 50%     | \$1,936,402 | \$968,201     |
| Landscape Office B                  | 47%     | \$79,844    | \$37,148      |
| Guard Tower 32                      | 44%     | \$211,152   | \$93,803      |
| Guard Tower 34                      | 44%     | \$211,780   | \$93,803      |
| Greenhouse                          | 43%     | \$98,553    | \$41,922      |
| Guard Tower 31                      | 40%     | \$153,624   | \$60,847      |
| Guard Tower 35                      | 40%     | \$153,624   | \$60,847      |
| Guard Tower 36                      | 40%     | \$153,624   | \$60,847      |
| Guard Tower 37                      | 40%     | \$153,624   | \$60,847      |
| Guard Tower 38                      | 40%     | \$153,624   | \$60,847      |
| Guard Tower 39                      | 40%     | \$153,624   | \$60,847      |
| Guard Tower 40                      | 40%     | \$153,624   | \$60,847      |
| Guard Tower 41                      | 40%     | \$153,624   | \$60,847      |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name                     | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|----------------------------------|--------------|-----------|---------------------------|
| C Work Center I53 P68 C67        | \$15,093,109 | 23%       | \$3,498,415               |
| Site Electrified Perimeter Fence | \$2,683,296  | 125%      | \$3,354,120               |
| Central Administration           | \$8,984,936  | 35%       | \$3,110,895               |
| Roads and Drives                 | \$4,771,421  | 65%       | \$3,078,911               |
| B Work Center I52 P67            | \$9,927,262  | 30%       | \$2,941,316               |
| A Facility Housing A5A6          | \$10,385,703 | 23%       | \$2,362,543               |
| C Facility Housing C7C8          | \$10,272,385 | 22%       | \$2,260,136               |
| C Facility Housing C5C6          | \$10,275,643 | 22%       | \$2,260,136               |
| A Facility Housing A7A8          | \$10,263,420 | 22%       | \$2,250,802               |
| B Facility Housing B5B6          | \$10,272,385 | 22%       | \$2,249,811               |
| C Facility Housing C1C2          | \$10,272,385 | 22%       | \$2,249,811               |
| C Facility Housing C3C4          | \$10,272,385 | 22%       | \$2,249,811               |
| B Facility Housing B3B4          | \$10,249,972 | 22%       | \$2,249,811               |
| B Facility Housing B1B2          | \$10,235,837 | 22%       | \$2,249,811               |
| A Facility Housing A1A2          | \$10,313,268 | 22%       | \$2,249,811               |
| A Facility Housing A3A4          | \$10,269,858 | 22%       | \$2,249,811               |
| B Facility Housing B7B8          | \$10,269,858 | 22%       | \$2,249,811               |
| A Work Center CTC1 S65           | \$12,342,841 | 18%       | \$2,195,536               |
| Receiving-PIA Warehouse          | \$7,553,495  | 27%       | \$2,023,143               |
| A Fac Admin Bldg A52 A10 I51 P51 | \$9,922,760  | 20%       | \$1,948,933               |



**Legend: Project Type by Color Code**

Major Capitol Outlay Project (MA)

Deferred Maintenance Program (DMP)

Minor Capitol Outlay Project (MI)

Special Projects (SP)

Special Repair Program (SRP)

Energy Projects (E)

**SUBSTANCE ABUSE TREATMENT FACILITY**

| Institution Overview                        |       | List Key                                       |                          |                                            |
|---------------------------------------------|-------|------------------------------------------------|--------------------------|--------------------------------------------|
| Year Built/Occupied:                        | 1997  | <b>CDCR Category Code</b>                      | <b>Sub-Category Code</b> | <b>Phase Code</b>                          |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)     | Acquisition (A) Study (S)                  |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)              | Preliminary Plans (P)                      |
| Design Bed Capacity                         | 3,424 | Mental Health (MH)                             | Health Care (HC)         | Working Drawings (W)                       |
| Overcrowding Capacity                       | 3,211 | Dental (D)                                     | Programs (P)             | Construction ( C)                          |
| Nontraditional Capacity                     | 449   | Re-Entry (RE)                                  | Security (S)             | Design Build (DB)                          |
| Total                                       | 7,084 | Farrell (FA)                                   | Support Services (SS)    | All Phases (PWC)                           |
|                                             |       | Infrastructure (I)                             | Utilities (U)            |                                            |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                          |                                            |
| Female                                      | 0     | <b>Project Type</b>                            |                          | <b>Project Status</b>                      |
| Reception                                   | 0     | Major (MA)                                     |                          | Active (AC) Portion or all Funded          |
| Level I                                     | 0     | Minor (MI)                                     |                          | Proposed (PR) Proposed for 11/12           |
| Level II                                    | 3,184 | Special Repair Project (SRP)                   |                          | Completed (CO) Funded & Completed in CY 10 |
| Level III                                   | 1,205 | Special Project (SP)                           |                          |                                            |
| Level IV                                    | 2,013 | Deferred Maintenance (DM)                      |                          |                                            |
| Special                                     | 0     | Energy Projects (E)                            |                          |                                            |
| Total                                       | 6,402 | <b>Funding Source</b>                          |                          |                                            |
|                                             |       | General Fund (GF)                              |                          |                                            |
| Proposed AB 900 Project Site:               | No    | Bonds (B)                                      |                          |                                            |
| Prison Industry Authority Site              | No    | Special Funds (SF)                             |                          |                                            |
| Addiction & Recovery Services               | Yes   | AB900 General Fund (AB900GF)                   |                          |                                            |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                          |                                            |
| Sensitive Needs Yard                        | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                          |                                            |
| Small Management Yard                       | Yes   |                                                |                          |                                            |
| Wheelchair/Disabled Access                  | Yes   |                                                |                          |                                            |

| Institution Infrastructure Overview               |     |                                           |     |         |                 |
|---------------------------------------------------|-----|-------------------------------------------|-----|---------|-----------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |     |         | Municipal only. |
| Wastewater Overusage:                             | No  | Fines:                                    | No  | Amount: | \$0             |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |     |         | 21%             |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 6   | Amount: | \$3,305,285     |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 6   | Amount: | \$2,313,414     |
| VFA Assessments                                   | No  | Est. Date:                                | TBD | Phase:  | IV              |

## SUBSTANCE ABUSE TREATMENT FACILITY (SATF)

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                                   | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|------------------------------------------------------------------------------------------------|----------------|-------|
| 1              | DM           | I                  | S                 | Lethal Electrified Fence - Bird Netting Replacement (LEF = Phase 1)                            | PR             | P     |
| 2              | DM           | O                  | F                 | Replace Paging System - Sitewide                                                               | PR             | PWC   |
| 3              | DM           | I                  | U                 | Upgrade Programming for Heating and Cooling System                                             | PR             | PWC   |
| 4              | DM           | I                  | U                 | Air Conditioning for all Law Libraries                                                         | PR             | PWC   |
| 5              | DM           | I                  | F                 | IST and AISA Trailer Siding & Roofing (Trans From Cap)                                         | PR             | PWC   |
| 6              | DM           | I                  | F                 | Roof Repairs - Membranes at Parapet Walls A,B,D,E, Programs & Complex Controls I & III         | PR             | PWC   |
| 7              | SRP          | I                  | F                 | Epoxy Floor Install Project - CTC Medical Clinics Bldgs. 421, 431, 441, 448, 451, 461,471, 481 | PR             | PWC   |
| 8              | SRP          | I                  | F                 | Restroom Floor Reseal - A & B Housing Units (Upper Tier)                                       | PR             | PWC   |
| 9              | SRP          | O                  | S                 | Video Conferencing System Replacement Admin, BTP & CTC Bldgs.                                  | PR             | PWC   |
| 10             | SRP          | O                  | S                 | Institution Telephone System (head end equip)                                                  | PR             | PWC   |
| 11             | SRP          | I                  | F                 | New Stairwell Enclosure                                                                        | PR             | PWC   |
| 12             | SRP          | O                  | F                 | Stabilize Soil at Lethal Electrified Fence                                                     | PR             | PWC   |
| 13             | MI           | I                  | S                 | Security Fencing Fac F & G Coleman                                                             | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA SUBSTANCE ABUSE TREATMENT FACILITY (SATF)

#### Active Project:

| Type  | Cat | Phase | Project Name | Scope: |
|-------|-----|-------|--------------|--------|
| MA/MI |     |       | NONE         |        |

Notes:

#### Project Schedule:

| Project Schedule: |                |                   |               |                  |            | Funding: |      |                |      |                   |      |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|----------|------|----------------|------|-------------------|------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App      | Year | Aug/ Reversion | Year | Current Authority | Year | Funding Source |
| PWC               |                |                   |               |                  |            |          |      |                |      |                   |      |                |

Notes:

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                                                                   | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|------------------------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00483 | Lethal Electrified Fence - Bird Netting Replacement (LEF = Phase 1)                            | PR       | 2010-11 | \$1,047,012   | GF             |
| DM   | 0809-00561 | Replace Paging System - Sitewide                                                               | PR       | 2011-12 | \$234,300     | GF             |
| DM   | 0809-00564 | Upgrade Programming for Heating and Cooling System                                             | PR       | 2011-12 | \$191,160     | GF             |
| DM   | 0809-00566 | Air Conditioning for all Law Libraries                                                         | PR       | 2011-12 | \$547,286     | GF             |
| DM   | 0809-01777 | IST and AISA Trailer Siding & Roofing (Trans From Cap)                                         | PR       | 2011-12 | \$106,216     | GF             |
| DM   | 0910-00285 | Roof Repairs - Membranes at Parapet Walls A,B,D,E, Programs & Complex Controls I & III         | PR       | 2010-11 | \$187,440     | GF             |
| SRP  | 0910-00283 | Epoxy Floor Install Project - CTC Medical Clinics Bldgs. 421, 431, 441, 448, 451, 461,471, 481 | PR       | 2011-12 | \$1,601,050   | GF             |
| SRP  | 0910-00284 | Restroom Floor Reseal - A & B Housing Units (Upper Tier)                                       | PR       | 2011-12 | \$124,960     | GF             |
| SRP  | 0910-00286 | Video Conferencing System Replacement Admin, BTP & CTC Bldgs.                                  | PR       | 2011-12 | \$234,300     | GF             |
| SRP  | 0910-00289 | Institution Telephone System (head end equip)                                                  | PR       | 2010-11 | \$503,314     | GF             |
| SRP  | 0910-00801 | New Stairwell Enclosure                                                                        | PR       | 2011-12 | \$172,535     | GF             |
| SRP  | 0910-00803 | Stabilize Soil at Lethal Electrified Fence                                                     | PR       | 2011-12 | \$669,126     | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                       | Project Costs | Date Completed | Funding Source |
|------|-----|------------------------------------|---------------|----------------|----------------|
| MI   | I   | Security Fencing Fac F & G Coleman | \$256,000     | 08/2010        | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Minor Capitol Outlay Project (MI)

Special Repair Program (SRP)

Deferred Maintenance Program (DMP)

Special Projects (SP)

Energy Projects (E)

SIERRA CONSERVATION CENTER

| Institution Overview                        |       | List Key                                       |                       |                                            |
|---------------------------------------------|-------|------------------------------------------------|-----------------------|--------------------------------------------|
| Year Built/Occupied:                        | 1965  | CDCR Category Code                             | Sub-Category Code     | Phase Code                                 |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)  | Acquisition (A) Study (S)                  |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)           | Preliminary Plans (P)                      |
| Design Bed Capacity                         | 3,736 | Mental Health (MH)                             | Health Care (HC)      | Working Drawings (W)                       |
| Overcrowding Capacity                       | 1,651 | Dental (D)                                     | Programs (P)          | Construction (C)                           |
| Nontraditional Capacity                     | 738   | Re-Entry (RE)                                  | Security (S)          | Design Build (DB)                          |
| Total                                       | 6,125 | Farrell (FA)                                   | Support Services (SS) | All Phases (PWC)                           |
|                                             |       | Infrastructure (I)                             | Utilities (U)         |                                            |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                       |                                            |
| Female                                      | 0     | Project Type                                   |                       | Project Status                             |
| Reception                                   | 0     | Major (MA)                                     |                       | Active (AC) Portion or all Funded          |
| Level I                                     | 3,143 | Minor (MI)                                     |                       | Proposed (PR) Proposed for 11/12           |
| Level II                                    | 1,196 | Special Repair Project (SRP)                   |                       | Completed (CO) Funded & Completed in CY 10 |
| Level III                                   | 1,077 | Special Project (SP)                           |                       |                                            |
| Level IV                                    | 0     | Deferred Maintenance (DM)                      |                       |                                            |
| Special                                     | 0     | Energy Projects (E)                            |                       |                                            |
| Total                                       | 5,416 | Funding Source                                 |                       |                                            |
|                                             |       | General Fund (GF)                              |                       |                                            |
| Proposed Infill Bed Site:                   | No    | Bonds (B)                                      |                       |                                            |
| Prison Industry Authority Site              | Yes   | Special Funds (SF)                             |                       |                                            |
| Addiction & Recovery Services               | Yes   | AB900 General Fund (AB900GF)                   |                       |                                            |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                       |                                            |
| Sensitive Needs Yard                        | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |                                            |
| Small Management Yard                       | Yes   |                                                |                       |                                            |
| Wheelchair/Disabled Access                  | Yes   |                                                |                       |                                            |

| Institution Infrastructure Overview               |                                              |                                           |              |             |
|---------------------------------------------------|----------------------------------------------|-------------------------------------------|--------------|-------------|
| Water (On-site Wells, Municipal, Both, Other):    | Other. SCC draws water from the nearby lake. |                                           |              |             |
| Wastewater Overusage:                             | No                                           | Fines:                                    | No           | Amount: \$0 |
| Water Conservation Devices                        | Yes                                          | If yes, what is the percentage reduction? |              | 21%         |
| Special Repair Projects (Active & Proposed)       | # of Projects:                               | 1                                         | Amount:      | \$4,160,000 |
| Deferred Maintenance Projects (Active & Proposed) | # of Projects:                               | 3                                         | Amount:      | \$2,529,000 |
| VFA Assessment Facility Condition Index %         | 29%                                          | 5 Yr Cost to Maintain Current FCI         | \$97,237,000 |             |

## SIERRA CONSERVATION CENTER (SCC)

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                          | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-------------------------------------------------------|----------------|-------|
| 1              | MA           | I                  | U                 | Filtration/Sedimentation Structure                    | AC             | C     |
| 2              | MA           | I                  | S                 | Firing Range Improvements                             | PR             | PW    |
| 3              | DM           | I                  | F                 | Roof Replacement on Tuolumne Yard, Living Units 3 & 4 | PR             | PWC   |
| 4              | DM           | I                  | F                 | Roof Replacement on Tuolumne Yard, Living Units 1 & 5 | PR             | PWC   |
| 5              | DM           | I                  | U                 | Effluent Pond #5 & #6 Repairs (emergency)             | PR             | PWC   |
| 6              | SRP          | I                  | F                 | Mariposa-Calaveras Dorm Renovation (Design)           | PR             | P     |
| 7              | MA           | I                  | U                 | Effluent Disposal Pipeline                            | CO             | PWC   |
| 8              | SRP          | I                  | F                 | Roof Replacement Tuolumne Bldg 2                      | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### SIERRA CONSERVATION CENTER (SCC)

#### Active Project:

| Type | Cat | Phase | Project Name                       | Scope:                                                                                                                                                               |
|------|-----|-------|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | C     | Filtration/Sedimentation Structure | Construct a new filtration/ sedimentation structure for the water treatment plant to increase the processing capacity of the current domestic water treatment plant. |

Notes:

#### Project Schedule:

| Project Schedule: |                |                   |               |                  |            | Funding:    |           |                |      |                   |           |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|-------------|-----------|----------------|------|-------------------|-----------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year      | Aug/ Reversion | Year | Current Authority | Year      | Funding Source |
| P                 | 08/2006        | 06/2007           | 03/2007       | 07/2007          | 100%       | \$151,000   | 2006/2007 |                |      | \$151,000         | 2006/2007 | GF             |
| W                 | 10/2007        | 02/2008           | 06/2008       | 12/2008          | 100%       | \$162,000   | 2007/2008 |                |      | \$162,000         | 2007/2008 | GF             |
| C                 | 09/2008        | 05/2009           | 02/2010       | 12/2010          | 85%        | \$2,579,000 | 2008/2009 |                |      | \$2,579,000       | 2008/2009 | GF             |

Notes:

#### Proposed Project:

| Type | Cat | Phase | Project Name              | Scope:                                                                                                                                                                                                                                                                                   |
|------|-----|-------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | I   | P     | Firing Range Improvements | This project requests funding to design & construct physical improvements to the existing firing range at SCC. In order to address concerns regarding stray bullets entering adjacent residential properties to the north-west of the institution during normal firing range operations. |

#### Project Schedule:

| Project Schedule: |            |  | Project Budget: |              |            |                |
|-------------------|------------|--|-----------------|--------------|------------|----------------|
| Phase             | Begin Date |  | Phase           | Budget Costs | Total Cost | Funding Source |
| PW                | FY 11/12   |  | PW              | \$323,000    |            | TBD            |
| C                 | FY 12/13   |  | C               | \$2,225,000  |            |                |

Notes:

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                          | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00176 | Roof Replacement on Tuolumne Yard, Living Units 3 & 4 | PR       | 2010-11 | \$1,047,000   | GF             |
| DM   | 0809-01941 | Roof Replacement on Tuolumne Yard, Living Units 1 & 5 | PR       | 2010-11 | \$1,047,000   | GF             |
| DM   | 0910-00824 | Effluent Pond #5 & #6 Repairs (emergency)             | PR       | 2010-11 | \$435,000     | GF             |
| SRP  | 0809-01813 | Mariposa-Calaveras Dorm Renovation (Design)           | PR       | 2010-11 | \$4,160,000   | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                     | Project Costs | Date Completed | Funding Source |
|------|-----|----------------------------------|---------------|----------------|----------------|
| MA   | I   | Effluent Disposal Pipeline       | \$29,611,000  | 05/2010        | GF/AB900GF     |
| SRP  | I   | Roof Replacement Tuolumne Bldg 2 | \$451,000     | 07/2010        | GF             |

# Sierra Conservation Center (SCC)

Jamestown, CA

## Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1965                |
| Design Bed Capacity             | 3,926               |
| Asset count                     | 214 (177 buildings) |
| Actual Building Square Feet     | 530,000 SF          |
| Replacement Value (Buildings):  | \$245,980,000       |
| Date of VFA Facility Assessment | December 1, 2008    |

## Existing Assets Summary

**The Sierra Conservation Center (SCC)** Institution consists of five campuses: Main Campus - Inside Secured Fence, Main Campus - Outside Secured Fence, Site Infrastructure, Tuolumne – Inside Secured Fence, and Tuolumne – Outside Secured Fence; all buildings totaling approximately 530,000 SF.

**The Main Campus - Inside Secured Fence** campus is comprised of 30 assets, with building assets accounting for 286,000 SF. Campus wide asset ages range between 9 – 44 years, and have an overall FCI of 30%.

**The Main Campus - Outside Secured Fence** consists Administration, Storage, Instructional, Maintenance & Utility buildings (163,000 SF). The majority of assets on this Campus were built in 1965.

**The Site Infrastructure Campus** has 28 assets with and average age of 31 years. This correlates to systems that are reaching the end of their useful life, specifically assets with the highest FCI : Visitor & Staff Parking, Roadways and Sanitary Sewer Distribution.

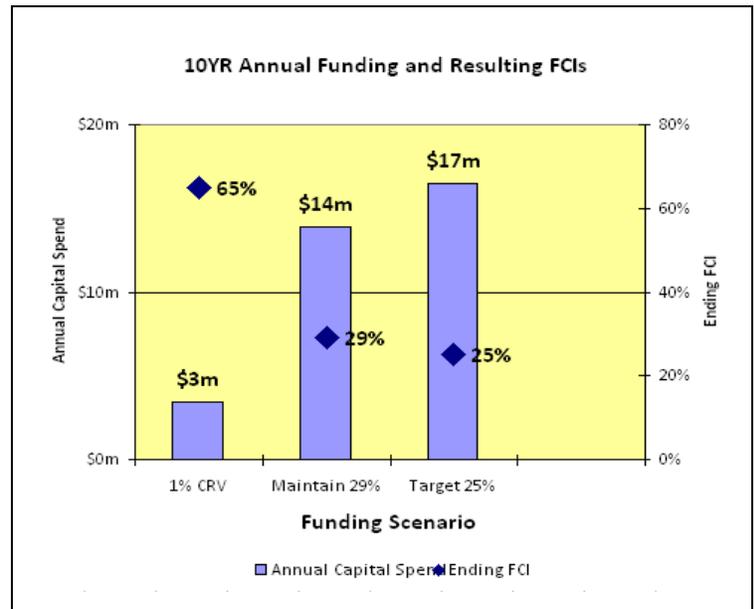
**The Tuolumne - Inside Secured Fence Campus** consists of 26 assets, averaging 20 years old, and made up of Housing, Instructional, Security, Storage, Administration, and Food Service buildings.

**The Tuolumne - Outside Secured Fence Campus** is made up of 21 assets, averaging 20 years old, and consists of Security, Maintenance, Storage and Utility buildings.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$     | 5YR FCI %  |
|-----------------------------------------|------------------------------|------------------|------------|
| Structure & Foundations                 | 53,169k                      | 74k              | 0%         |
| Exterior Envelope                       | 40,094k                      | 7,531k           | 19%        |
| Roofing                                 | 8,243k                       | 7,445k           | 90%        |
| Interior Construction                   | 43,819k                      | 15,182k          | 35%        |
| Plumbing & Fixtures                     | 46,880k                      | 3,963k           | 8%         |
| Heating, Ventilating & Air Conditioning | 31,740k                      | 32,281k          | 102%       |
| Fire Protection Systems                 | 650k                         | 674k             | 104%       |
| Electrical Systems                      | 48,537k                      | 26,677k          | 55%        |
| Equipment                               | 9,907k                       | 2,052k           | 21%        |
| Site Infrastructure                     | 56,750k                      | 1,358k           | 2%         |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$339,789k</b>            | <b>\$97,237k</b> | <b>29%</b> |

Table 2. Comparison of 10YR Funding Scenarios



**Sierra Conservation Center  
(SCC)  
Jamestown, CA**

**Major Issues**

The Institution has approximately \$97.2M in needs over the next five years. The HVAC systems account for 33%, (\$32.3M), of these needs, followed by Electrical Systems (\$26.7M), Interior Construction (\$15.2M), Exterior Envelope (\$7.5M), and Roofing (\$7.4M).

The Calaveras Housing Unit, the Mariposa Housing Unit and the Hospital/Academic Education buildings combined account for approximately 30% of the entire 5 year \$\$ needs for this Institution.

Several of the buildings that have the highest FCI, Transformer Building, FTP-Out Grounds Office, Tear Gas Training and Guard Towers, are located on the Main Campus-Inside Secured Fence and are between 35 and 44 years old.

**Funding Needs**

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$14m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$17m per year for the next 10 years would bring SCC's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index** (FCI = 29%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                          | 5YR FCI | Asset - CRV | 5-YR FCI \$\$ |
|---------------------------------------|---------|-------------|---------------|
| STP - Pump Station - Abandoned        | 112%    | \$31,034    | \$34,644      |
| Transformer Building                  | 104%    | \$54,880    | \$57,203      |
| FTP - Out Grounds Office - Trailer    | 100%    | \$31,870    | \$31,870      |
| RR - Tear Gas Training                | 100%    | \$31,870    | \$31,870      |
| Guard Tower 2                         | 98%     | \$80,713    | \$78,776      |
| Transformer Station                   | 89%     | \$1,864,650 | \$1,861,852   |
| Guard Post                            | 87%     | \$65,597    | \$57,292      |
| Guard Tower 1                         | 85%     | \$33,328    | \$28,179      |
| Control                               | 81%     | \$574,321   | \$467,048     |
| RR - Storage                          | 79%     | \$4,812     | \$3,812       |
| Volatile Storage                      | 71%     | \$26,830    | \$19,022      |
| Service Station                       | 71%     | \$828,904   | \$585,735     |
| WTP - Pump House                      | 68%     | \$94,877    | \$64,560      |
| STP - Blower House                    | 67%     | \$198,027   | \$133,068     |
| Boiler Plant                          | 64%     | \$3,739,654 | \$2,408,815   |
| Main - Calaveras Yard - Running Track | 63%     | \$307,852   | \$192,283     |
| Main - Heliport                       | 63%     | \$40,347    | \$25,217      |
| Main - Mariposa Yard - Running Track  | 62%     | \$313,064   | \$195,665     |
| Camp Administration                   | 61%     | \$961,067   | \$589,649     |
| Personnel                             | 59%     | \$3,476,240 | \$2,059,875   |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name                  | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|-------------------------------|--------------|-----------|---------------------------|
| Calaveras Housing Unit        | \$24,072,668 | 44%       | \$10,657,624              |
| Mariposa Housing Unit         | \$23,958,479 | 44%       | \$10,587,713              |
| Hospital / Academic Education | \$12,892,872 | 58%       | \$7,428,875               |
| Administration                | \$11,437,792 | 51%       | \$5,841,852               |
| Kitchen / Dining Rooms        | \$13,519,238 | 42%       | \$5,697,631               |
| Administration Building       | \$13,161,162 | 39%       | \$5,101,686               |
| Vocational / Maintenance      | \$8,049,532  | 54%       | \$4,381,212               |
| ADSEG Housing Unit 2          | \$13,008,496 | 28%       | \$3,633,634               |
| ADSEG Overflow Housing Unit 3 | \$11,949,873 | 28%       | \$3,313,037               |
| Level III Housing Unit 1      | \$11,873,270 | 28%       | \$3,286,963               |
| Level III Housing Unit 5      | \$11,910,483 | 28%       | \$3,282,349               |
| Activities / Canteen          | \$7,354,246  | 42%       | \$3,106,422               |
| Laundry                       | \$5,813,885  | 53%       | \$3,098,646               |
| Level III Housing Unit 4      | \$11,873,270 | 25%       | \$2,968,075               |
| Commissary Warehouse          | \$6,276,546  | 38%       | \$2,410,123               |
| Boiler Plant                  | \$3,739,654  | 64%       | \$2,408,815               |
| In-Service Training           | \$4,097,812  | 56%       | \$2,282,343               |
| Food Service                  | \$6,571,828  | 34%       | \$2,231,385               |
| Personnel                     | \$3,476,240  | 59%       | \$2,059,875               |
| Chapel                        | \$3,868,329  | 46%       | \$1,760,793               |



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Deferred Maintenance Program (DMP)

Minor Capitol Outlay Project (MI)

Special Projects (SP)

Special Repair Program (SRP)

Energy Projects (E)

**CALIFORNIA STATE PRISON, SOLANO**

| Institution Overview                        |       | List Key                                       |                                            |                           |
|---------------------------------------------|-------|------------------------------------------------|--------------------------------------------|---------------------------|
| Year Built/Occupied:                        | 1984  | CDCR Category Code                             | Sub-Category Code                          | Phase Code                |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)                       | Acquisition (A) Study (S) |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)                                | Preliminary Plans (P)     |
| Design Bed Capacity                         | 2,610 | Mental Health (MH)                             | Health Care (HC)                           | Working Drawings (W)      |
| Overcrowding Capacity                       | 2,460 | Dental (D)                                     | Programs (P)                               | Construction (C)          |
| Nontraditional Capacity                     | 916   | Re-Entry (RE)                                  | Security (S)                               | Design Build (DB)         |
| Total                                       | 5,986 | Farrell (FA)                                   | Support Services (SS)                      | All Phases (PWC)          |
|                                             |       | Infrastructure (I)                             | Utilities (U)                              |                           |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                                            |                           |
| Female                                      | 0     | <b>Project Type</b>                            |                                            | <b>Project Status</b>     |
| Reception                                   | 0     | Major (MA)                                     | Active (AC) Portion or all Funded          |                           |
| Level I                                     | 0     | Minor (MI)                                     | Proposed (PR) Proposed for 11/12           |                           |
| Level II                                    | 2,491 | Special Repair Project (SRP)                   | Completed (CO) Funded & Completed in CY 10 |                           |
| Level III                                   | 2,535 | Special Project (SP)                           |                                            |                           |
| Level IV                                    | 0     | Deferred Maintenance (DM)                      |                                            |                           |
| Special                                     | 0     | Energy Projects (E)                            |                                            |                           |
| Total                                       | 5,026 | <b>Funding Source</b>                          |                                            |                           |
|                                             |       | General Fund (GF)                              |                                            |                           |
| Proposed Infill Bed Site:                   | No    | Bonds (B)                                      |                                            |                           |
| Prison Industry Authority Site              | Yes   | Special Funds (SF)                             |                                            |                           |
| Addiction & Recovery Services               | Yes   | AB900 General Fund (AB900GF)                   |                                            |                           |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                                            |                           |
| Sensitive Needs Yard                        | No    | AB900 Infrastructure Lease Revenue (AB900LR-I) |                                            |                           |
| Small Management Yard                       | Yes   |                                                |                                            |                           |
| Wheelchair/Disabled Access                  | No    |                                                |                                            |                           |

| Institution Infrastructure Overview               |                                     |                                           |    |                     |
|---------------------------------------------------|-------------------------------------|-------------------------------------------|----|---------------------|
| Water (On-site Wells, Municipal, Both):           | Both On-Site Well(s) and Municipal. |                                           |    |                     |
| Wastewater Overusage:                             | No                                  | Fines:                                    | No | Amount: \$0         |
| Water Conservation Devices                        | Yes                                 | If yes, what is the percentage reduction? |    | 21%                 |
| Special Repair Projects (Active & Proposed)       |                                     | # of Projects:                            | 2  | Amount: \$8,257,000 |
| Deferred Maintenance Projects (Active & Proposed) |                                     | # of Projects:                            | 1  | Amount: \$504,000   |
| VFA Assessment Facility Condition Index %         | 48%                                 | 5 Yr Cost to Maintain Current FCI         |    | \$213,149,000       |

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                         | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|----------------------------------------------------------------------|----------------|-------|
| 1              | MI           | O                  | S                 | Sub-Armory Weapons Storage                                           | AC             | PWC   |
| 2              | MI           | I                  | U                 | Closed Circuit Cooling Tower for Level II & III 270 HU-Coleman Court | PR             | PWC   |
| 3              | MI           | I                  | S                 | Enhanced Security Measures for Visitors Buildings                    | PR             | PWC   |
| 4              | DM           | I                  | S                 | Netting Replacement Project Phase II                                 | PR             | PWC   |
| 5              | SRP          | I                  | SS                | Main Kitchen Floor Repair/Replace, Bldg. 402                         | PR             | PWC   |
| 6              | SRP          | I                  | U                 | Condensate/Steam Line Replacement (Design)                           | PR             | P     |
| 7              | E            | I                  | U                 | Energy Efficient Lighting, Motors, EMS Upgrades, Boilers             | PR             | C     |
| 8              | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV)                            | PR             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA STATE PRISON - SOLANO (SOL)

#### Active Project:

| Type | Cat | Phase | Project Name               | Scope:                                                                             |
|------|-----|-------|----------------------------|------------------------------------------------------------------------------------|
| MI   | I   | PWC   | Sub-Armory Weapons Storage | This project will build a storage armory for weapons to provide a secure location. |

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App       | Year    | Aug/ Reversion | Year | Current Authority | Year    | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-----------|---------|----------------|------|-------------------|---------|----------------|
| PWC   |                |                   | 09/2010       | 02/2011          | 0%         | \$362,000 | 2009-10 |                |      | \$362,000         | 2009-10 | GF             |

#### Proposed Project:

| Type | Cat | Phase | Project Name                                                         | Scope:                                                                                                                                                                                                                                                                                                                                    |
|------|-----|-------|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MI   | I   | PWC   | Closed Circuit Cooling Tower for Level II & III 270 HU-Coleman Court | This project will install a Closed Circuit Cooling Tower parallel with the existing Steam Heat Exchangers at SOL in order to maintain indoor temperatures at or below 90 degrees in accordance with DCG. This will address the need for cooling inmates in the GP and Ad Seg programs within the Level II & III 270 Design housing units. |

#### Project Schedule:

| Phase | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|-------|--------------|------------|----------------|
| PWC   | FY 11/12   | PWC   | \$352,000    |            |                |

Notes: Seeking Funding in FY 11/12 Budget

#### Proposed Project:

| Type | Cat | Phase | Project Name                                      | Scope:                                                                                                                                                                                                                                                   |
|------|-----|-------|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MI   | I   | PWC   | Enhanced Security Measures for Visitors Buildings | This project will reconfigure existing space, and install electronic walk through screening & scanning devices, as well as additional specialized security equipment in Building 501, Visiting Entrance B, and Building 801, Visiting Entrance A at SOL. |

#### Project Schedule:

| Phase | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|-------|--------------|------------|----------------|
| PWC   | FY 11/12   | PWC   | \$595,000    |            |                |

Notes: Seeking Funding in FY 11/12 Budget

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                 | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|----------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00488 | Netting Replacement Project Phase II         | PR       | 2011-12 | \$504,000     | GF             |
| SRP  | 0809-00878 | Main Kitchen Floor Repair/Replace, Bldg. 402 | PR       | 2010-11 | \$230,000     | GF             |
| SRP  | 0809-01113 | Condensate/Steam Line Replacement (Design)   | PR       | 2011-12 | \$8,027,000   | GF             |

#### Completed Projects:

| Type | Cat | Project Name | Project Costs | Date Completed | Funding Source |
|------|-----|--------------|---------------|----------------|----------------|
|      |     | NONE         |               |                |                |

\* See LEGEND SHEET at beginning for LIST KEY explanation

# California State Prison Solano (SOL)

Vacaville, CA

## Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1984                |
| Design Bed Capacity             | 2,610               |
| Asset count                     | 173 (128 buildings) |
| Actual Building Square Feet     | 1,255,000 SF        |
| Replacement Value (Buildings):  | \$410,952,000       |
| Date of VFA Facility Assessment | January 1, 2008     |

## Existing Assets Summary

**The California State Prison, Solano (SOL)** Institution consists of three campuses: Main Campus - Inside Secured Fence, Main Campus - Outside Secured Fence, and Main Campus - Site Infrastructure with all buildings totaling approximately 1,255,000 SF.

**The Main Campus - Inside Secured Fence** campus is comprised 71 assets: Instructional, Housing Cells, Housing Dormitories, Security, and Medical Clinics that account for the majority of the replacement value of the Institution (\$361.7 M, 78%). These campus buildings have an overall average FCI of 50% and the majority of its assets are over 23 years old.

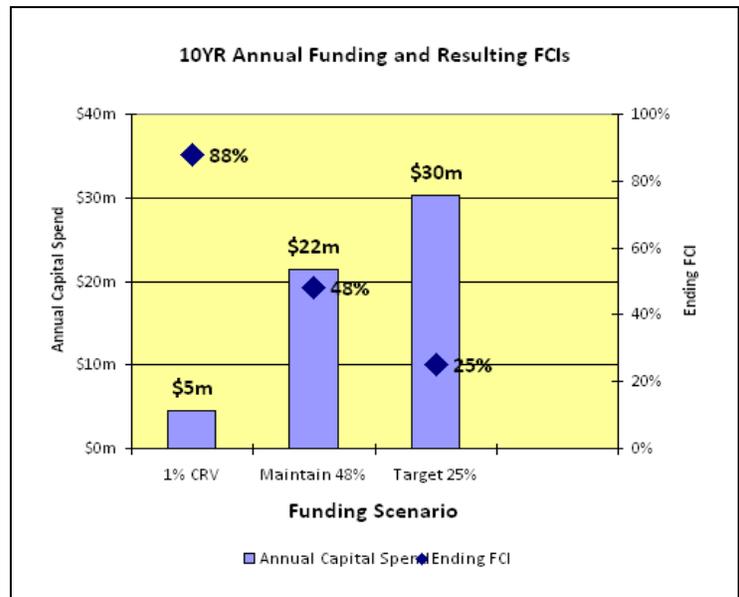
**The Main Campus - Outside Secured Fence** campus consists of Security, Administration, Instructional and Maintenance buildings along with 15 assets that have been abandoned. With 95% of these assets at 25 years old, the Campus-wide FCI is 43%.

**The Main Campus – Site Infrastructure** campus, which includes assets such as the Water Treatment Plant, Site Water Distribution, Electrical Substation, Site Lighting and Site Hot Water Piping are all 25 years old and account for an average Campus-wide FCI of 17%.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$      | 5YR FCI %  |
|-----------------------------------------|------------------------------|-------------------|------------|
| Structure & Foundations                 | 68,296k                      | 163k              | 0%         |
| Exterior Envelope                       | 45,240k                      | 10,815k           | 24%        |
| Roofing                                 | 18,585k                      | 11,985k           | 64%        |
| Interior Construction                   | 80,213k                      | 51,906k           | 65%        |
| Plumbing & Fixtures                     | 37,211k                      | 4,989k            | 13%        |
| Heating, Ventilating & Air Conditioning | 51,408k                      | 46,253k           | 90%        |
| Fire Protection Systems                 | 9,314k                       | 55k               | 1%         |
| Electrical Systems                      | 89,729k                      | 60,176k           | 67%        |
| Equipment                               | 27,247k                      | 20,630k           | 76%        |
| Site Infrastructure                     | 36,366k                      | 6,177k            | 17%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$463,609k</b>            | <b>\$213,149k</b> | <b>48%</b> |

Table 2. Comparison of 10YR Funding Scenarios



**California State Prison Solano (SOL)**  
**Vacaville, CA**

**Major Issues**

The Institutions' Housing Units have the highest \$\$ needs over the next 5 years due to the fact that they average at least 25 years of age. These assets, which are 12 of the "Top 20 Buildings by 5 YR Needs \$" account for approximately \$97m of the \$213m total \$\$ needs of the Institution.

Several assets with the highest FCI's : Substations, Site Lighting and the Water Treatment Plant are Infrastructure assets and all have an FCI over 100%.

A review of the Institutions' Major Systems shows that the following groups account for a large majority of the total 5 YR Needs \$ : Electrical Systems (\$60M), Interior Construction (\$52M), HVAC (\$46.3M), Equipment (\$20.6M), Roofing (\$12M), and Exterior Envelope (\$10.8M).

**Funding Needs**

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$22m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$30m per year for the next 10 years would bring SOL's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index** (FCI = 48%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                                   | Asset - CRV | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|------------------------------------------------|-------------|---------------------|-----------------|
| Pedestrian Shelter at Vehicle Sallyport        | \$9,465     | \$11,899            | 126%            |
| Site Lighting - Multi Fixture                  | \$502,842   | \$628,553           | 125%            |
| Site Lighting - Single Fixture                 | \$1,420,360 | \$1,775,438         | 125%            |
| Substation 1                                   | \$991,313   | \$1,206,592         | 122%            |
| Substation 5                                   | \$938,918   | \$1,140,801         | 122%            |
| Substation 3                                   | \$1,011,485 | \$1,207,601         | 119%            |
| Substation 2                                   | \$1,010,988 | \$1,206,592         | 119%            |
| Substation 4                                   | \$1,011,734 | \$1,206,592         | 119%            |
| Main Substation                                | \$1,253,945 | \$1,486,374         | 119%            |
| Outside Operations Office Trailer No.1         | \$97,425    | \$105,072           | 108%            |
| Precast Plant Metal Brake Press Shelter        | \$70,010    | \$75,055            | 107%            |
| Water Treatment Plant                          | \$5,547,753 | \$5,808,885         | 105%            |
| Outside Operations Storeroom, Workshop and     | \$53,711    | \$55,857            | 104%            |
| Crisis Response Team Training Building No.1    | \$291,184   | \$289,838           | 100%            |
| Pedestrian Shelter at Administration           | \$9,465     | \$8,965             | 95%             |
| Pedestrian Shelter at Administration Parking L | \$9,465     | \$8,965             | 95%             |
| Precast Plant Chain Link Enclosure             | \$3,704     | \$3,380             | 91%             |
| Crisis Response Team Training Building No.2    | \$107,905   | \$95,085            | 88%             |
| Range Control Room                             | \$23,309    | \$19,313            | 83%             |
| Plant Operations Spray Booth                   | \$181,219   | \$149,848           | 83%             |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name                                  | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|-----------------------------------------------|--------------|-----------|---------------------------|
| Housing Unit 02                               | \$11,123,092 | 75%       | \$8,372,106               |
| Housing Unit 08                               | \$11,075,374 | 75%       | \$8,360,596               |
| Housing Unit 01 With Guard Tower              | \$11,166,126 | 75%       | \$8,320,872               |
| Housing Unit 06 With Guard Tower              | \$11,061,838 | 74%       | \$8,209,303               |
| Housing Unit 12 With Guard Tower              | \$11,061,838 | 74%       | \$8,209,303               |
| Housing Unit 04                               | \$10,927,351 | 75%       | \$8,156,923               |
| Housing Unit 03                               | \$10,929,631 | 75%       | \$8,156,005               |
| Housing Unit 11                               | \$10,921,792 | 75%       | \$8,145,179               |
| Housing Unit 09                               | \$10,921,792 | 74%       | \$8,132,258               |
| Housing Unit 07 With Guard Tower              | \$11,061,838 | 73%       | \$8,119,867               |
| Housing Unit 10 With Guard Tower              | \$11,146,893 | 73%       | \$8,091,766               |
| Housing Unit 05                               | \$10,929,631 | 74%       | \$8,062,671               |
| Central Kitchen                               | \$12,661,132 | 61%       | \$7,716,902               |
| Water Treatment Plant                         | \$5,547,753  | 105%      | \$5,808,885               |
| Housing Unit 15                               | \$7,792,382  | 73%       | \$5,701,629               |
| Serving Kitchen/Dining                        | \$8,682,582  | 65%       | \$5,645,659               |
| Warehouse                                     | \$10,844,608 | 49%       | \$5,343,838               |
| Housing Unit 13                               | \$7,763,959  | 66%       | \$5,112,704               |
| Warehouse Prison Industries Authority/Mailroo | \$11,447,392 | 37%       | \$4,219,957               |
| Housing Unit 14                               | \$7,792,117  | 53%       | \$4,104,470               |



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Deferred Maintenance Program (DMP)

Minor Capitol Outlay Project (MI)

Special Projects (SP)

Special Repair Program (SRP)

Energy Projects (E)

**SAN QUENTIN STATE PRISON**

| Institution Overview                        |       | List Key                                       |                       |                                            |
|---------------------------------------------|-------|------------------------------------------------|-----------------------|--------------------------------------------|
| Year Built/Occupied:                        | 1852  | CDCR Category Code                             | Sub-Category Code     | Phase Code                                 |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)  | Acquisition (A) Study (S)                  |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)           | Preliminary Plans (P)                      |
| Design Bed Capacity                         | 3,082 | Mental Health (MH)                             | Health Care (HC)      | Working Drawings (W)                       |
| Overcrowding Capacity                       | 2,148 | Dental (D)                                     | Programs (P)          | Construction (C)                           |
| Nontraditional Capacity                     | 0     | Re-Entry (RE)                                  | Security (S)          | Design Build (DB)                          |
| Total                                       | 5,230 | Farrell (FA)                                   | Support Services (SS) | All Phases (PWC)                           |
|                                             |       | Infrastructure (I)                             | Utilities (U)         |                                            |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                       |                                            |
| Female                                      | 0     | Project Type                                   |                       | Project Status                             |
| Reception                                   | 2,721 | Major (MA)                                     |                       | Active (AC) Portion or all Funded          |
| Level I                                     | 0     | Minor (MI)                                     |                       | Proposed (PR) Proposed for 11/12           |
| Level II                                    | 1,834 | Special Repair Project (SRP)                   |                       | Completed (CO) Funded & Completed in CY 10 |
| Level III                                   | 0     | Special Project (SP)                           |                       |                                            |
| Level IV                                    | 665   | Deferred Maintenance (DM)                      |                       |                                            |
| Special                                     | 0     | Energy Projects (E)                            |                       |                                            |
| Total                                       | 5,220 | Funding Source                                 |                       |                                            |
|                                             |       | General Fund (GF)                              |                       |                                            |
| Proposed Infill Bed Site:                   | No    | Bonds (B)                                      |                       |                                            |
| Prison Industry Authority Site              | Yes   | Special Funds (SF)                             |                       |                                            |
| Addiction & Recovery Services               | No    | AB900 General Fund (AB900GF)                   |                       |                                            |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                       |                                            |
| Sensitive Needs Yard                        | No    | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |                                            |
| Small Management Yard                       | Yes   |                                                |                       |                                            |
| Wheelchair/Disabled Access                  | Yes   |                                                |                       |                                            |

| Institution Infrastructure Overview               |     |                                           |    |                      |
|---------------------------------------------------|-----|-------------------------------------------|----|----------------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |    | Municipal only.      |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$0          |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    | TBD                  |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 28 | Amount: \$14,875,725 |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 10 | Amount: \$10,477,859 |
| VFA Assessment Facility Condition Index %         | 33% | 5 Yr Cost to Maintain Current FCI         |    | \$272,966,000        |

**SAN QUENTIN STATE PRISON (SQ)**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                               | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|--------------------------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | IN                 | C                 | Condemned Inmate Complex                                                                   | AC             | W     |
| 2              | MI           | O                  | S                 | Install Dumbwaiter S Block ASU Rotunda Area                                                | AC             | PWC   |
| 3              | MA           | M                  | P                 | Neumiller Building Mission Change to Education                                             | PR             | P     |
| 4              | MA           | IN                 | H                 | North & East Block Repurposing                                                             | PR             | P     |
| 5              | E            | I                  | U                 | Energy Efficient Boilers, Motors, EMS & Lighting                                           | PR             | C     |
| 6              | DM           | I                  | F                 | Replace Roof on Building 18                                                                | PR             | PWC   |
| 7              | DM           | I                  | F                 | Replace Roof on East Block Visiting #93                                                    | PR             | PWC   |
| 8              | DM           | I                  | U                 | Transfer Switch/Emergency Generator - (Phase 1, FY 10-11 Portable E-Power Rental)          | PR             | PWC   |
| 9              | DM           | I                  | F                 | Roof Replacement - Building 34 and 54                                                      | PR             | PWC   |
| 10             | DM           | O                  | SS                | Pave Road - East Gate to Admin Building                                                    | PR             | PWC   |
| 11             | DM           | O                  | S                 | Construct New Waterfront Dock (const)                                                      | PR             | C     |
| 12             | DM           | I                  | U                 | Emergency Generator Repair and Switchgear                                                  | PR             | PWC   |
| 13             | DM           | I                  | U                 | Boiler Plant Emission Compliance- (2) New and (1) Retrofit Boilers                         | PR             | PWC   |
| 14             | DM           | I                  | F                 | Roof Replacement - Building 50                                                             | PR             | PWC   |
| 15             | DM           | I                  | U                 | Transfer Switch/Emergency Generator - (Phase 1, FY 09-10 Portable E-Power Rental)          | PR             | PWC   |
| 16             | SRP          | I                  | S                 | Replace Tower Number 4 (const)                                                             | PR             | C     |
| 17             | SRP          | I                  | U                 | Bldg. 30 Main Sewer Line Repair/Seismic Support, Phase II                                  | PR             | PWC   |
| 18             | SRP          | I                  | U                 | Main Grease Interceptor Replacement                                                        | PR             | PWC   |
| 19             | SRP          | O                  | F                 | SQ ADA Path of Travel/Condemned                                                            | PR             | PWC   |
| 20             | SRP          | O                  | F                 | SQ ADA Path of Travel                                                                      | PR             | PWC   |
| 21             | SRP          | O                  | F                 | ADA Modifications - OHU Cells and Condemned Housing and Exercise Yard                      | PR             | PWC   |
| 22             | SRP          | I                  | S                 | Neumiller Infirmary Retaining Wall and Security Fence                                      | PR             | PWC   |
| 23             | SRP          | I                  | U                 | North and West Block Gang Shower Repair                                                    | PR             | PWC   |
| 24             | SRP          | I                  | S                 | Replace Wall Posts 9, 10, 11 and 12                                                        | PR             | PWC   |
| 25             | SRP          | I                  | F                 | Replace/Repair Main Kitchen Skylight                                                       | PR             | PWC   |
| 26             | SRP          | I                  | F                 | Window Replacement- East/West Block Rotundas                                               | PR             | PWC   |
| 27             | SRP          | I                  | F                 | Building 18- Arched Window Replacement                                                     | PR             | PWC   |
| 28             | SRP          | I                  | S                 | Replace Deteriorated Security Bar on Exterior Windows & Repair Walls - North Block (const) | PR             | PWC   |
| 29             | SRP          | I                  | S                 | Replace Deteriorated Security Bar on Exterior Windows & Repair Walls - South Block (const) | PR             | PWC   |
| 30             | SRP          | I                  | S                 | Replace Deteriorated Security Bar on Exterior Windows & Repair Walls - East Block (const)  | PR             | PWC   |
| 31             | SRP          | I                  | S                 | Replace Deteriorated Security Bar on Exterior Windows & Repair Walls - West Block (const)  | PR             | PWC   |
| 32             | SRP          | I                  | U                 | Emergency Sewer Line Repair (augmentation)                                                 | PR             | PWC   |
| 33             | SRP          | I                  | SS                | Main Kitchen Floor Tile Replacement                                                        | PR             | PWC   |
| 34             | SRP          | O                  | S                 | Construct New Boundary Fence                                                               | PR             | PWC   |
| 35             | SRP          | O                  | S                 | Perimeter Security Wall Repairs (study)                                                    | PR             | S     |
| 36             | SRP          | I                  | U                 | Replace Main Water Valve                                                                   | PR             | PWC   |
| 37             | SRP          | I                  | U                 | Replace High Mast Lighting                                                                 | PR             | PWC   |
| 38             | SRP          | I                  | S                 | North Segregation Elevator Upgrade                                                         | PR             | PWC   |
| 39             | SRP          | O                  | F                 | Demo and Removal of Bldg. 87                                                               | PR             | PWC   |

**SAN QUENTIN STATE PRISON**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                     | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|------------------------------------------------------------------|----------------|-------|
| 40             | SRP          | O                  | F                 | Paint Bakery, Butcher Shop, Sandwich and Associated Haz-Mat Work | PR             | PWC   |
| 41             | SRP          | O                  | F                 | Paint Main Kitchen and Associated Haz-Mat Work                   | PR             | PWC   |
| 42             | SRP          | O                  | F                 | Spill Prevention Control and Countermeasure Plan (SPCCP)         | PR             | PWC   |
| 43             | SRP          | O                  | F                 | Upgrade Kitchen Hood Fire Suppression Systems                    | PR             | PWC   |
| 44             | DM           | I                  | U                 | Diagnostics, Electrical Switchgear & Generators                  | CO             | PWC   |
| 45             | DM           | I                  | U                 | Enhanced Vapor Recovery Compliance & Dispenser Upgrades          | CO             | PWC   |
| 46             | SRP          | O                  | F                 | Seawall Litigation Fees-State Vs Engeo                           | CO             | PWC   |
| 47             | SRP          | I                  | U                 | Emergency Sewer Line Repair                                      | CO             | PWC   |

## INSTITUTION PROJECT STATUS SHEET

### CALIFORNIA STATE PRISON - SAN QUENTIN (SQ)

#### Active Project:

| Type | Cat | Phase | Project Name             | Scope:                                                                                                                                                                                                      |
|------|-----|-------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | IN  | W     | Condemned Inmate Complex | Construct 768 new Condemned Inmate cells and would allow an existing Level II 600 beds to stay on-line. The complex consists of 3 semi-autonomous maximum security housing units, CTC, and program support. |

Notes:

#### Project Schedule:

#### Funding:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App                            | Year                   | Aug/ Reversion | Year | Current Authority | Year      | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|--------------------------------|------------------------|----------------|------|-------------------|-----------|----------------|
| P     | 07/2003        | 07/2004           | 08/2003       | 11/2005          | 100%       | \$8,500,000                    | 2003/2004              |                |      | \$8,500,000       | 2003/2004 | LR             |
| W     | 09/2004        | 06/2005           | 01/2006       | 04/2007          | 100%       | \$7,500,000                    | 2003/2004              |                |      | \$7,500,000       | 2003/2004 | LR             |
| W     | 08/2008        | 03/2009           | 06/2009       | 05/2011          | 99%        | \$2,403,000                    | 2008/2009              |                |      | \$2,403,000       | 2007/2008 | LR             |
| C     | 08/2008        | 08/2010           | TBD           | TBD              | 0%         | \$204,000,000<br>\$133,872,000 | 2003/2004<br>2008/2009 |                |      | \$337,872,000     | 2008/2009 | LR             |

Notes: Schedule Pending

#### Active Project:

| Type | Cat | Phase | Project Name                      | Scope:                                    |
|------|-----|-------|-----------------------------------|-------------------------------------------|
| MI   | O   | PWC   | Install Dumbwaiter Donner Section | Install dumbwaiter in the Donner section. |

#### Project Schedule:

#### Funding:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App                  | Year               | Aug/ Reversion | Year | Current Authority | Year    | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|----------------------|--------------------|----------------|------|-------------------|---------|----------------|
| PW    |                |                   | TBD           | TBD              | 0%         | \$14,000<br>\$33,000 | 2008-09<br>2009-10 |                |      | \$47,000          | 2009-10 | GF             |
| C     |                |                   |               |                  |            | \$423,000            | 2010-11            |                |      | \$423,000         | 2010-11 | GF             |

Notes:

#### Proposed Project:

| Type | Cat | Phase | Project Name                   | Scope:                                                                                                                                                                                                                                                                             |
|------|-----|-------|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | IN  | P     | North & East Block Repurposing | This project would fund the repurposing of East and North Block from CIC to Level II inmates. The study completed will provide a building and utility study, facility conditions assessment, a plan for hazardous materials removal, fire/life/safety concerns and ADA compliance. |

#### Project Schedule:

#### Project Budget:

| Phase | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|-------|--------------|------------|----------------|
| P     | FY 11/12   | P     | \$1,909,000  |            |                |
| W     | FY 12/13   | W     | \$2,221,000  |            |                |
| C     | FY 13/14   | C     | \$26,712,000 |            |                |

Notes: P On the Project List for FY 11/12 Funding Consideration

## INSTITUTION PROJECT STATUS SHEET

### CALIFORNIA STATE PRISON - SAN QUENTIN (SQ)

#### Proposed Project:

| Type | Cat | Phase | Project Name                                   | Scope:                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------|-----|-------|------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | IN  | P     | Neumiller Building Mission Change to Education | This project would relocate the Education Services to the Neumiller Infirmary Building. Education Services were located in Bldg 22 which is now under construction. Education Services and other programs were moved to modulars and other scattered locations in much reduced spaces. When Neumiller occupants move into the new CHCSB, relocated to Neumiller will provide Education and Rehabilitative Services adequate space to meet original and newly mandated programs. |

#### Project Schedule:

#### Project Budget:

| Phase | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|-------|--------------|------------|----------------|
| P     | FY 11/12   | P     | \$1,536,000  |            |                |
| W     | FY 12/13   | W     | \$1,965,000  |            |                |
| C     | FY 13/14   | C     | \$26,529,000 |            |                |

Notes: P On the Project Priority List for FY 11/12 Funding Consideration

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                                                     | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|----------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00185 | Replace Roof on Building 18                                                      | PR       | 2010-11 | \$297,170     | GF             |
| DM   | 0809-00186 | Replace Roof on East Block Visiting #93                                          | PR       | 2010-11 | \$155,000     | GF             |
| DM   | 0809-00950 | Transfer Switch/Emergency Generator -(Phase 1, FY 10-11 Portable E-Power Rental) | PR       | 2010-11 | \$414,309     | GF             |
| DM   | 0809-02290 | Roof Replacement - Building 34 and 54                                            | PR       | 2011-12 | \$461,120     | GF             |
| DM   | 0809-02292 | Pave Road - East Gate to Admin Building                                          | PR       | 2010-11 | \$907,500     | GF             |
| DM   | 0809-02298 | Construct New Waterfront Dock (const)                                            | PR       | 2011-12 | \$3,758,040   | GF             |
| DM   | 0910-00495 | Emergency Generator Repair and Switchgear                                        | PR       | 2011-12 | \$250,000     | GF             |
| DM   | 0910-00783 | Boiler Plant Emission Compliance - (2) New and (1) Retrofit Boilers              | PR       | 2011-12 | \$3,200,000   | GF             |
| DM   | 0910-01110 | Roof Replacement - Building 50                                                   | PR       | 2011-12 | \$324,720     | GF             |
| DM   | 1011-00022 | Transfer Switch/Emergency Generator -(Phase 1, FY 09-10 Portable E-Power Rental) | PR       | 2010-11 | \$710,000     | GF             |
| SRP  | 0708-00009 | Replace Tower Number 4 (const)                                                   | PR       | 2011-12 | \$1,020,000   | GF             |
| SRP  | 0809-00188 | Bldg. 30 Main Sewer Line Repair/Seismic Support, Phase II                        | PR       | 2010-11 | \$373,000     | GF             |
| SRP  | 0809-00194 | Main Grease Interceptor Replacement                                              | PR       | 2011-12 | \$225,000     | GF             |
| SRP  | 0809-01779 | SQ ADA Path of Travel/Condemned                                                  | PR       | 2011-12 | \$150,000     | GF             |
| SRP  | 0809-01780 | SQ ADA Path of Travel                                                            | PR       | 2011-12 | \$1,400,000   | GF             |
| SRP  | 0809-01873 | ADA Modifications - OHU Cells and Condemned Housing and Exercise Yard            | PR       | 2011-12 | \$600,000     | GF             |
| SRP  | 0809-02283 | Neumiller Infirmary Retaining Wall and Security Fence                            | PR       | 2011-12 | \$254,000     | GF             |
| SRP  | 0809-02287 | North and West Block Gang Shower Repair                                          | PR       | 2011-12 | \$1,514,480   | GF             |
| SRP  | 0809-02288 | Replace Wall Posts 9, 10, 11 and 12                                              | PR       | 2011-12 | \$2,368,960   | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

## INSTITUTION PROJECT STATUS SHEET

### CALIFORNIA STATE PRISON - SAN QUENTIN (SQ)

#### Special Repair/Deferred Maintenance Projects (continued)

| Type | Project#   | Project Name                                                                               | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|--------------------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0809-02289 | Replace/Repair Main Kitchen Skylight                                                       | PR       | 2011-12 | \$281,160     | GF             |
| SRP  | 0809-02291 | Window Replacement- East/West Block Rotundas                                               | PR       | 2011-12 | \$241,120     | GF             |
| SRP  | 0809-02293 | Building 18 - Arched Window Replacement                                                    | PR       | 2011-12 | \$416,713     | GF             |
| SRP  | 0809-02294 | Replace Deteriorated Security Bar on Exterior Windows & Repair Walls - North Block (const) | PR       | 2010-11 | \$613,470     | GF             |
| SRP  | 0809-02295 | Replace Deteriorated Security Bar on Exterior Windows & Repair Walls - South Block (const) | PR       | 2010-11 | \$613,470     | GF             |
| SRP  | 0809-02296 | Replace Deteriorated Security Bar on Exterior Windows & Repair Walls - East Block (const)  | PR       | 2010-11 | \$613,470     | GF             |
| SRP  | 0809-02297 | Replace Deteriorated Security Bar on Exterior Windows & Repair Walls - West Block (const)  | PR       | 2010-11 | \$613,470     | GF             |
| SRP  | 0910-00492 | Emergency Sewer Line Repair (augmentation)                                                 | PR       | 2010-11 | \$152,020     | GF             |
| SRP  | 0910-00814 | Main Kitchen Floor Tile Replacement                                                        | PR       | 2011-12 | \$400,507     | GF             |
| SRP  | 0910-00815 | Construct New Boundary Fence                                                               | PR       | 2011-12 | \$673,723     | GF             |
| SRP  | 0910-00833 | Perimeter Security Wall Repairs (study)                                                    | PR       | 2010-11 | \$75,000      | GF             |
| SRP  | 0910-00836 | Replace Main Water Valve                                                                   | PR       | 2011-12 | \$72,571      | GF             |
| SRP  | 0910-00837 | Replace High Mast Lighting                                                                 | PR       | 2011-12 | \$750,000     | GF             |
| SRP  | 0910-00838 | North Segregation Elevator Upgrade                                                         | PR       | 2011-12 | \$240,713     | GF             |
| SRP  | 0910-00839 | Demo and Removal of Bldg. 87                                                               | PR       | 2011-12 | \$111,540     | GF             |
| SRP  | 0910-01106 | Paint Bakery, Butcher Shop, Sandwich and Associated Haz-Mat Work                           | PR       | 2011-12 | \$510,620     | GF             |
| SRP  | 0910-01109 | Paint Main Kitchen and Associated Haz-Mat Work                                             | PR       | 2011-12 | \$516,120     | GF             |
| SRP  | 0910-01159 | Spill Prevention Control and Countermeasure Plan (SPCCP)                                   | PR       | 2010-11 | \$10,358      | GF             |
| SRP  | 0910-01185 | Upgrade Kitchen Hood Fire Suppression Systems                                              | PR       | 2010-11 | \$64,240      | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                                            | Project Costs | Date Completed | Funding Source |
|------|-----|---------------------------------------------------------|---------------|----------------|----------------|
| DM   | I   | Diagnostics, Electrical Switchgear & Generators         | \$239,000     | 02/2010        | GF             |
| DM   | O   | Enhanced Vapor Recovery Compliance & Dispenser Upgrades | \$100,000     | 02/2010        | GF             |
| SRP  | O   | Seawall Litigation Fees-State Vs Engeo                  | \$159,000     | 08/2009        | GF             |
| SRP  | I   | Emergency Sewer Line Repair                             | \$525,000     | 02/2010        | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

# San Quentin State Prison (SQSP)

## San Quentin, CA

### Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1852                |
| Design Bed Capacity             | 3,283               |
| Asset count                     | 379 (343 buildings) |
| Actual Building Square Feet     | 1,580,000 SF        |
| Replacement Value (Buildings):  | \$418,960,000       |
| Date of VFA Facility Assessment | December 1, 2008    |

### Existing Assets Summary

**The San Quentin State Prison** assessment data was collected and input into three campuses : Inside Secured Fence, Outside Secured Fence and Site Infrastructure with an Institution-wide total building size of 1,580,000 SF.

**Inside Secured Fence** campus, 1,024,000 SF, is comprised of 130 Buildings with a wide range of uses : Administration, Housing/Cells, Inmate Services, Food Services, Storage, Guard Towers, Utility Plant, Non-Inmate Housing, and Medical. Assets in this campus range from an abandoned Dungeon built in circa 1895 to a 10 year old Food Services building to 81 year old Cell Blocks. The extreme age of several of these assets is witnessed by an overall FCI of 55%.

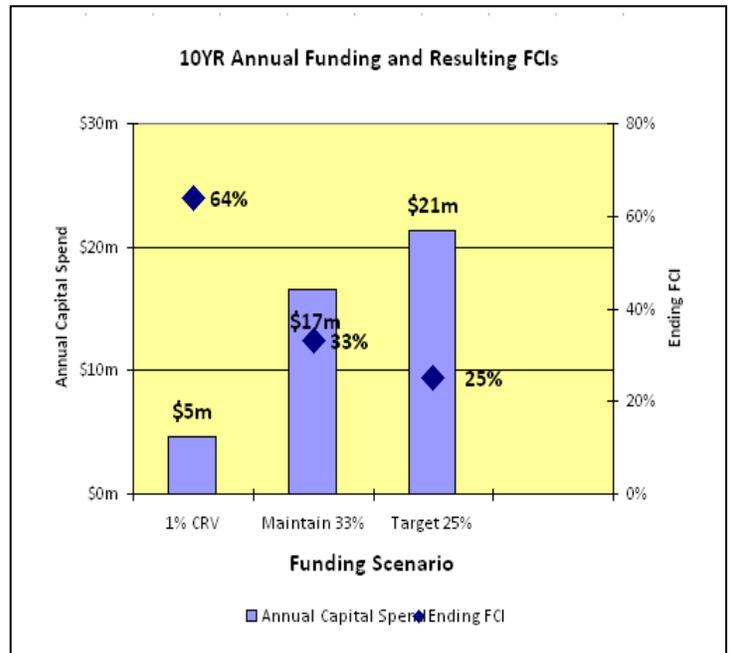
**Outside Secured Fence** campus, 436,000 SF, is made up of 247 Buildings with a wide range of uses : Administration, Inmate Services, Food Services, Storage, Guard Towers, Utility Plant and approximately 83 Non-Inmate Housing units which were built during the early-mid 1900's. The age and condition of most of these assets is also depicted by the campus overall FCI of 49%.

**Site Infrastructure** campus is comprised of varied assets such as Site Domestic Water Distribution with an FCI of 125% at 60 years old, Site Emergency Power Distribution with an FCI of 136% at 30 years old, Site Natural Gas with an FCI of 100% at 32 years old and a Site Retaining Wall with an FCI of 67% at 109 years old.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$      | 5YR FCI %  |
|-----------------------------------------|------------------------------|-------------------|------------|
| Structure & Foundations                 | 78,636k                      | 374k              | 0%         |
| Exterior Envelope                       | 54,990k                      | 21,417k           | 39%        |
| Roofing                                 | 18,313k                      | 11,094k           | 61%        |
| Interior Construction                   | 88,336k                      | 14,293k           | 16%        |
| Plumbing & Fixtures                     | 47,228k                      | 16,050k           | 34%        |
| Heating, Ventilating & Air Conditioning | 36,713k                      | 26,815k           | 73%        |
| Fire Protection Systems                 | 7,369k                       | 1,120k            | 15%        |
| Electrical Systems                      | 67,515k                      | 42,080k           | 62%        |
| Equipment                               | 13,713k                      | 3,240k            | 24%        |
| Site Infrastructure                     | 412,813k                     | 136,483k          | 33%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$825,626k</b>            | <b>\$272,966k</b> | <b>33%</b> |

Table 2. Comparison of 10YR Funding Scenarios



**San Quentin State Prison (SQSP)**  
San Quentin, CA

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                      | Asset - CRV  | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|-----------------------------------|--------------|---------------------|-----------------|
| Site Emergency Power Distribution | \$1,956,519  | \$2,653,346         | 136%            |
| 87a / Modular                     | \$67,054     | \$83,818            | 125%            |
| Guard Shack                       | \$24,851     | \$31,064            | 125%            |
| 77a / Modular                     | \$46,049     | \$57,561            | 125%            |
| T-10 / Modular                    | \$62,451     | \$78,064            | 125%            |
| 74c / Modular                     | \$63,239     | \$79,049            | 125%            |
| Bike Shop / Modulares             | \$218,882    | \$273,353           | 125%            |
| 71z / Modular                     | \$76,875     | \$96,094            | 125%            |
| A.W. Trailer                      | \$83,523     | \$104,404           | 125%            |
| 77b / Modular                     | \$94,859     | \$118,574           | 125%            |
| E & D / Modular Dorms             | \$294,279    | \$367,849           | 125%            |
| Visiting & Music / Modular Dorms  | \$317,862    | \$397,328           | 125%            |
| F & G / Modular Dorms             | \$317,862    | \$397,328           | 125%            |
| H & I / Modular Dorms             | \$318,507    | \$398,134           | 125%            |
| BOQ West Gate / Modulares         | \$511,017    | \$638,772           | 125%            |
| Site Domestic Water Distribution  | \$11,584,383 | \$14,480,478        | 125%            |
| 77d / Modular                     | \$31,064     | \$38,830            | 125%            |
| Laundry Storage / Trailer         | \$42,160     | \$52,689            | 125%            |
| Library & Game Room / Modular     | \$90,717     | \$113,396           | 125%            |
| 74a / Modular                     | \$56,974     | \$71,218            | 125%            |

**Major Issues**

This Institution has approximately \$273M in needs over the next five years. Nearly 83% of those needs relate to the following systems: Site Infrastructure (\$136M), Electrical systems (\$42M), HVAC systems (\$27M) & Exterior Envelope systems (\$21M).

Approximately 46% of all the buildings at this Institution are over 59 years old. Most of the critical systems in these buildings are beyond their rated useful life, causing higher operating and repair costs.

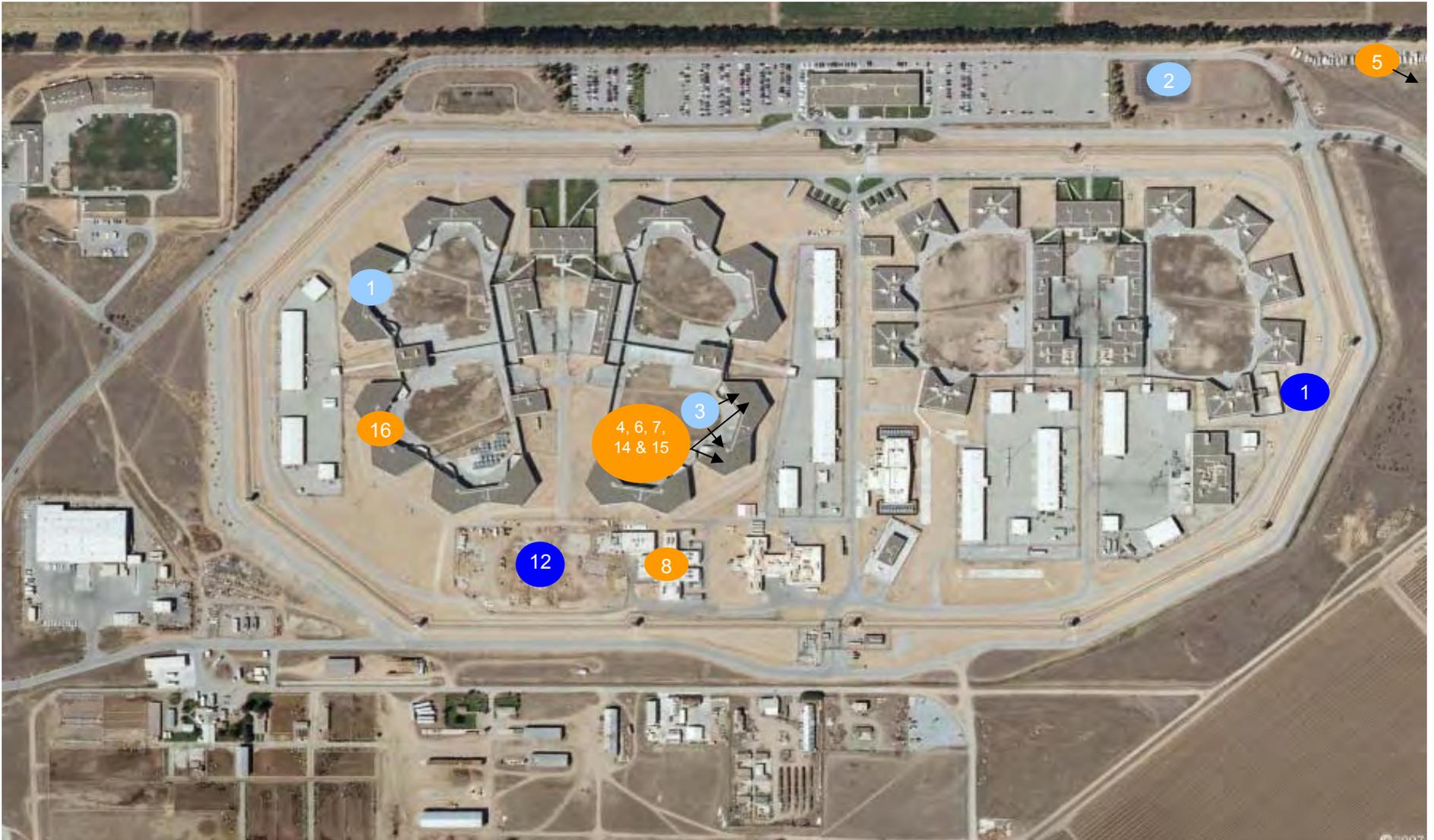
**Funding Needs**

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$17m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$21m per year for the next 10 years would bring SQSP's FCI down to 25%.

The **Facility Condition Index (FCI=33%)** is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 4. Top 20 Buildings by 5YR Needs \$**

| Asset - Name                              | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|-------------------------------------------|--------------|-----------|---------------------------|
| South Block                               | \$57,109,003 | 54%       | \$30,833,009              |
| Industries Building (PIA)                 | \$30,829,258 | 65%       | \$20,170,640              |
| Site Domestic Water Distribution          | \$11,584,383 | 125%      | \$14,480,478              |
| East Block                                | \$30,182,349 | 47%       | \$14,308,291              |
| West Block                                | \$27,649,449 | 51%       | \$14,050,291              |
| Maintenance/Vocational                    | \$21,154,556 | 66%       | \$14,044,764              |
| Dining Halls & Kitchen                    | \$23,794,588 | 58%       | \$13,695,731              |
| North Block / North Seg                   | \$26,418,733 | 52%       | \$13,684,244              |
| Neumiller Infirmary                       | \$21,799,532 | 55%       | \$11,949,791              |
| Boiler Plant                              | \$9,610,704  | 113%      | \$10,858,296              |
| Adjustment Center (Ad Seg)                | \$11,330,222 | 57%       | \$6,401,620               |
| Vocational Dry Cleaning/Mattress Factory  | \$6,236,548  | 92%       | \$5,707,192               |
| Captains Porch/Main Records/Main Visiting | \$8,291,889  | 68%       | \$5,613,882               |
| Site Retaining Walls                      | \$6,190,180  | 67%       | \$4,125,419               |
| Warehouse 2,3,4,&5                        | \$6,997,791  | 55%       | \$3,833,066               |
| Site Roads and Drives                     | \$5,918,700  | 62%       | \$3,699,188               |
| Site Storm Drainage                       | \$3,019,038  | 105%      | \$3,174,619               |
| Site Emergency Power Distribution         | \$1,956,519  | 136%      | \$2,653,346               |
| Gymnasium                                 | \$7,381,241  | 34%       | \$2,523,685               |
| Site Electrical Distribution              | \$8,524,867  | 28%       | \$2,378,989               |



**Legend: Project Type by Color Code**

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**SALINAS VALLEY STATE PRISON**

| Institution Overview                        |       | List Key                                       |                       |                                            |
|---------------------------------------------|-------|------------------------------------------------|-----------------------|--------------------------------------------|
| Year Built/Occupied:                        | 1996  | CDCR Category Code                             | Sub-Category Code     | Phase Code                                 |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)  | Acquisition (A) Study (S)                  |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)           | Preliminary Plans (P)                      |
| Design Bed Capacity                         | 2,452 | Mental Health (MH)                             | Health Care (HC)      | Working Drawings (W)                       |
| Overcrowding Capacity                       | 1,948 | Dental (D)                                     | Programs (P)          | Construction (C)                           |
| Nontraditional Capacity                     | 780   | Re-Entry (RE)                                  | Security (S)          | Design Build (DB)                          |
| Total                                       | 5,180 | Farrell (FA)                                   | Support Services (SS) | All Phases (PWC)                           |
|                                             |       | Infrastructure (I)                             | Utilities (U)         |                                            |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                       |                                            |
| Female                                      | 0     | Project Type                                   |                       | Project Status                             |
| Reception                                   | 0     | Major (MA)                                     |                       | Active (AC) Portion or all Funded          |
| Level I                                     | 169   | Minor (MI)                                     |                       | Proposed (PR) Proposed for 11/12           |
| Level II                                    | 0     | Special Repair Project (SRP)                   |                       | Completed (CO) Funded & Completed in CY 10 |
| Level III                                   | 1,783 | Special Project (SP)                           |                       |                                            |
| Level IV                                    | 1,783 | Deferred Maintenance (DM)                      |                       |                                            |
| Special                                     | 0     | Energy Projects (E)                            |                       |                                            |
| Total                                       | 3,735 | Funding Source                                 |                       |                                            |
|                                             |       | General Fund (GF)                              |                       |                                            |
| Proposed AB 900 Project Site:               | Yes   | Bonds (B)                                      |                       |                                            |
| Prison Industry Authority Site              | No    | Special Funds (SF)                             |                       |                                            |
| Addiction & Recovery Services               | No    | AB900 General Fund (AB900GF)                   |                       |                                            |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                       |                                            |
| Sensitive Needs Yard                        | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |                                            |
| Small Management Yard                       | Yes   |                                                |                       |                                            |
| Wheelchair/Disabled Access                  | Yes   |                                                |                       |                                            |

| Institution Infrastructure Overview               |     |                                           |    |                   |
|---------------------------------------------------|-----|-------------------------------------------|----|-------------------|
| Water (On-site Wells, Municipal, Both):           |     |                                           |    | Municipal only.   |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$0       |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    | 21%               |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 6  | Amount: \$887,000 |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            | 0  | Amount: \$0       |
| VFA Assessment Facility Condition Index %         | 8%  | 5 Yr Cost to Maintain Current FCI         |    | \$24,978,000      |

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                             | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|--------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | MH                 | HC                | EOP General Population A Quad for up to 300 Treatment & Office Space     | AC             | S     |
| 2              | MI           | O                  | SS                | Parking Lot Addition                                                     | AC             | PWC   |
| 3              | MI           | MH                 | HC                | C-5 & C-6 Dining to Inpatient MH Program Coleman                         | AC             | PWC   |
| 4              | SRP          | MH                 | HC                | Fire Suppression Repair C-5 & C-6 Inpatient MH Cells                     | AC             | PWC   |
| 5              | SRP          | I                  | U                 | RO Plant Second Skid                                                     | AC             | PWC   |
| 6              | SRP          | MH                 | HC                | C5 & C6 ICF Soffit (Coleman)                                             | AC             | PWC   |
| 7              | SRP          | MH                 | HC                | C5 & C6 ICF Painting (Coleman)                                           | AC             | PWC   |
| 8              | SRP          | I                  | U                 | TC-1 Gasket Repairs - Phase I (Coleman)                                  | AC             | PWC   |
| 9              | E            | I                  | U                 | Motors, Lighting Retrofit                                                | AC             | PWC   |
| 10             | SRP          | I                  | U                 | TC-1 Gasket Repairs - Phase II (Coleman)                                 | PR             | PWC   |
| 11             | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV) & Wind                         | PR             | PWC   |
| 12             | MA           | MH                 | HC                | 64 Bed Mental Health Facility- Coleman Project                           | CO             | C     |
| 13             | MI           | MH                 | HC                | D5/D6 Conversion to Intermediate Care Facility Treatment Coleman Project | CO             | PWC   |
| 14             | MI           | MH                 | HC                | C5 & C6 Conversion to Intermediate Care Facility Treatment Space Coleman | CO             | PWC   |
| 15             | SRP          | MH                 | HC                | Cell Modifications at C5 & C6 for Medical Coleman                        | CO             | PWC   |
| 16             | SRP          | O                  | F                 | ADA - DPW Wheelchair Accessible Beds                                     | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### SALINAS VALLEY STATE PRISON (SVSP)

**Active Project:**

| Type | Cat | Phase | Project Name                                                   | Scope:                                                                                                                                                                                                                                                                                                                                                                           |
|------|-----|-------|----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | MH  | PWC   | EOP General Population A Quad Office & Treatment Space-Coleman | The scope of this project includes the design & construction of an Enhanced Outpatient Program (EOP) General Population (GP) Treatment & Office Space building. The stand-alone building will be located in No-mans-land adjacent to the A Facility between the 270 HU A4 and A5. The new facility will provide treatment and office space for up to 300 EOP GP inmate/patients. |

**Project Schedule:**

| <b>Project Schedule:</b> |                |                   |               |                  |            | <b>Funding:</b> |         |                |      |                   |         |                |
|--------------------------|----------------|-------------------|---------------|------------------|------------|-----------------|---------|----------------|------|-------------------|---------|----------------|
| Phase                    | Original Start | Original Complete | Current Start | Current Complete | % Complete | App             | Year    | Aug/ Reversion | Year | Current Authority | Year    | Funding Source |
| S                        | 10/2009        | 02/2010           | 10/2009       | 02/2010          | 100%       |                 |         |                |      |                   |         |                |
| P                        | 04/2010        | 01/2011           | 04/2010       | 01/2011          | 89%        | \$1,605,000     | 2007-08 |                |      | \$1,605,000       | 2007-08 | AB900LR        |
| W                        | 02/2011        | 08/2011           | 01/2011       | 08/2011          |            | \$1,731,000     | 2007-08 |                |      | \$1,731,000       | 2007-08 | AB900LR        |
| C                        | 11/2011        | 07/2013           | 11/2011       | 07/2013          |            | \$25,521,000    | 2007-08 |                |      | \$25,521,000      | 2007-08 | AB900LR        |

Notes:

**Active Project:**

| Type | Cat | Phase | Project Name                             | Scope:                                                                                                                                                                                                                                                                                             |
|------|-----|-------|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MI   | MH  | PWC   | C-5 & C-6 Dining to Inpatient MH Program | This project consists of converting the dining area of Housing Units C-5 & C-6 into 6 Mental Health Program Rooms (3) in each HU and to provide a separation fence for MH Program. Additional scope includes converting existing rooms to 2 Nurses Stations, 2 Exam treatment Rooms and 2 Offices. |

Notes:

**Project Schedule:**

| <b>Project Schedule:</b> |                |                   |               |                  |            | <b>Funding:</b> |           |                |      |                   |           |                |
|--------------------------|----------------|-------------------|---------------|------------------|------------|-----------------|-----------|----------------|------|-------------------|-----------|----------------|
| Phase                    | Original Start | Original Complete | Current Start | Current Complete | % Complete | App             | Year      | Aug/ Reversion | Year | Current Authority | Year      | Funding Source |
| P                        |                |                   | 05/2009       | 07/2009          | 100%       |                 |           |                |      |                   |           |                |
| W                        |                |                   | 07/2009       | 08/2009          | 100%       |                 |           |                |      |                   |           |                |
| C                        |                | 04/2010           | 12/2009       | 08/2010          | 99%        | \$385,000       | 2007/2008 |                |      | \$385,000         | 2007/2008 | GF             |

Notes: Project was funded in 07/08 for \$399,000 GF; additional scope project funding through 09/10 Minor Cap GF; "Temporary Occupancy" was granted of C5 until 12/10/10 based on IWL's schedule to completely replace the fire suppression system, followed by licensing of C6 & moving I/M patients from C5 to C6 so that IWL can replace the cell fire suppression system in the C5 HU C5 was licensed on 09/22/10 and activation of C5 is underway.

**Active Project:**

| Type | Cat | Phase | Project Name         | Scope:                                                                             |
|------|-----|-------|----------------------|------------------------------------------------------------------------------------|
| MI   | O   | C     | Parking Lot Addition | Construction of an additional parking lot to provide additional parking for staff. |

Notes:

**Project Schedule:**

| <b>Project Schedule:</b> |                |                   |               |                  |            | <b>Funding:</b> |           |                |      |                   |           |                |
|--------------------------|----------------|-------------------|---------------|------------------|------------|-----------------|-----------|----------------|------|-------------------|-----------|----------------|
| Phase                    | Original Start | Original Complete | Current Start | Current Complete | % Complete | App             | Year      | Aug/ Reversion | Year | Current Authority | Year      | Funding Source |
| PWC                      | 10/2009        | 07/2010           | 10/2010       | 01/2011          | 0%         | \$245,000       | 2008/2009 |                |      | \$245,000         | 2008/2009 | GF             |

Notes: Construction delay due to contract processing

## INSTITUTION PROJECT STATUS REPORT

### SALINAS VALLEY STATE PRISON (SVSP)

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                         | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|------------------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0809-01020 | RO Plant Second Skid                                 | AC       | 2008-09 | \$235,000     | GF             |
| SRP  | 0910-01040 | C5 & C6 ICF Soffit (Coleman)                         | AC       | 2009-10 | \$306,000     | GF             |
| SRP  | 0910-01138 | C5 & C6 ICF Painting (Coleman)                       | AC       | 2009-10 | \$116,000     | GF             |
| SRP  |            | Fire Suppression Repair C-5 & C-6 Inpatient MH Cells | AC       | 2009-10 | TBD           | GF             |
| SRP  | 0910-01140 | TC-1 Gasket Repairs - Phase I (Coleman)              | AC       | 2009-10 | \$102,000     | GF             |
| SRP  | 0910-01141 | TC-1 Gasket Repairs - Phase II (Coleman)             | PR       | 2010-11 | \$128,000     | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                                   | Project Costs | Date Completed | Funding Source |
|------|-----|------------------------------------------------|---------------|----------------|----------------|
| SRP  | O   | ADA - DPW Wheelchair Accessible Beds           | \$270,000     | 08/2010        | GF             |
| SRP  | MH  | Cell Modifications C5 & C6 for Coleman         | \$870,000     | 07/2010        | GF             |
| MA   | MH  | 64 Bed ICF Mental Health Facility              | \$29,499,000  | 07/2009        | LR             |
| MI   | MH  | D5 & D-6 Conversion to (6) ICF Treatment Rooms | \$563,000     | 07/2009        | GF             |
| MI   | MH  | C5 & C6 Conversion to ICF Treatment Space      | \$306,000     | 07/2010        | GF             |

## Salinas Valley State Prison (SVSP) EOP Office and Treatment

### Overview of Proposed Staffing

| Staffing Division | 100%<br>Design Bed Capacity (DBC)<br>Package | 150%<br>Housing Occupancy Capacity<br>(HOC)<br>Package | Total Staffing |
|-------------------|----------------------------------------------|--------------------------------------------------------|----------------|
| Custody           | 33.26                                        | 5.22                                                   | 38.48          |
| Support Staff     | 23.94                                        | 0.00                                                   | 23.94          |
| <b>Total:</b>     | <b>57.20</b>                                 | <b>5.22</b>                                            | <b>62.42</b>   |

### Overview of Estimated Operating Costs

|                                                                   |           |                  |
|-------------------------------------------------------------------|-----------|------------------|
| Estimated Start Up Costs                                          | \$        | 136,624          |
| Projected Annual Operational Expenditures                         | \$        | 252,864          |
| Staffing                                                          | \$        | 6,272,068        |
| <b>Total First Year Operating Cost (including start up costs)</b> | <b>\$</b> | <b>6,661,556</b> |
| <b>Total Annual Ongoing Estimated Operating Cost</b>              | <b>\$</b> | <b>6,524,932</b> |

Note - The above figures are summary estimates. Formal notification of project staffing and costs are provided by CDCR in the detailed 30-day letters to the Legislature required by statute. Copies of 30-day letters for approved projects can be found on the CD provided in Appendix A.

# Salinas Valley State Prison (SVSP) Soledad, CA

## Background Info

|                                 |                     |
|---------------------------------|---------------------|
| Original Construction Date      | 1996                |
| Design Bed Capacity             | 2,224               |
| Asset count                     | 227 (181 buildings) |
| Actual Building Square Feet     | 1,315,000 SF        |
| Replacement Value (Buildings):  | \$282,852,000       |
| Date of VFA Facility Assessment | March 1, 2009       |

## Existing Assets Summary

**The Salinas Valley State Prison (SVSP)** Institution consists of three campuses: Main Campus - Inside Secured Fence, Main Campus - Outside Secured Fence, and Site Infrastructure; all buildings totaling approximately 1,315,000 SF in size.

**The Main Campus - Inside Secured Fence** is comprised of 131 assets, nearly 59% of the SF is attributed to Housing assets (679K SF – 25 buildings). The remaining campus contains Administration, Food Services, Inmate Services, Instructional, Maintenance, Medical Clinic, Security and Storage. The majority of the campus buildings have an age of 13 years, and currently has an overall average FCI of 9%.

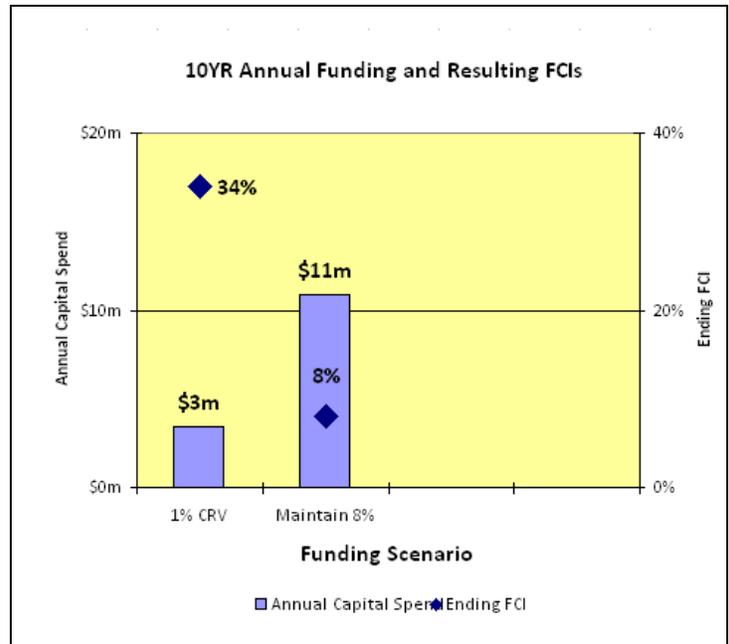
**The Main Campus - Outside Secured Fence** 636,000 SF, consists of Security, Storage, Utilities and Housing / Dormitory assets, all of which are 13 years old. Two sally ports (pedestrian and vehicle) are the assets with the most needs with a FCI at 36%. The remaining assets on this campus average out to a low FCI of 2%.

**The Site Infrastructure Campus** is comprised of assets that are in a very good condition, mainly due to their relative young age : Site Electrical Distribution, Site Fences & Gates, Roadways, Parking Lots and Site utility distribution Systems. The replacement value for this campus, accounts for approximately \$41.2mil or 12% of the Institution's overall replacement value.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$     | 5YR FCI % |
|-----------------------------------------|------------------------------|------------------|-----------|
| Structure & Foundations                 | 44,992k                      | 0k               | 0%        |
| Exterior Envelope                       | 40,523k                      | 127k             | 0%        |
| Roofing                                 | 11,110k                      | 298k             | 3%        |
| Interior Construction                   | 67,315k                      | 2,725k           | 4%        |
| Plumbing & Fixtures                     | 19,275k                      | 2,228k           | 12%       |
| Heating, Ventilating & Air Conditioning | 20,041k                      | 2,665k           | 13%       |
| Fire Protection Systems                 | 12,087k                      | 733k             | 6%        |
| Electrical Systems                      | 71,545k                      | 16,116k          | 23%       |
| Equipment                               | 12,461k                      | 86k              | 1%        |
| Site Infrastructure                     | 41,231k                      | 0k               | 0%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$340,580k</b>            | <b>\$24,978k</b> | <b>8%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# Salinas Valley State Prison (SVSP) Soledad, CA

## Major Issues

The majority of the Institutions' assets are 13 years old and many of their systems are reaching the end of their first lifecycle term.

Approximately 24% (\$16.1M) of the FCI needs over the next 5 years are related to Electrical Systems and the following are in the 10% range of the overall needs: Interior Construction (\$2.7M), HVAC (\$2.67M), and Plumbing & Fixtures (\$2.2M).

The assets with the highest overall \$\$ needs over the next 5 years are the Central Health Building and several C Yard and D Yard Housing units ranging from \$1.1M to \$1.5M each.

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$11m per year for each of the next 10 years to maintain the current condition level.

The **Facility Condition Index** (FCI = 8%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name                              | Asset - CRV  | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|-------------------------------------------|--------------|---------------------|-----------------|
| C Yard - Yard Gun Post                    | \$161,318    | \$125,533           | 78%             |
| D Yard - Yard Gun Post                    | \$109,299    | \$60,510            | 55%             |
| C Yard - Yard Gun Post                    | \$109,299    | \$59,969            | 55%             |
| D Yard - Yard Gun Post                    | \$109,299    | \$59,969            | 55%             |
| Guard Tower (7) - Vehicle Sallyport       | \$270,558    | \$97,497            | 36%             |
| D Yard - Work Change                      | \$189,118    | \$67,999            | 36%             |
| Guard Tower (1) - Pedestrian Sallyport    | \$263,635    | \$94,652            | 36%             |
| A Yard - Volatile Storage Building        | \$32,149     | \$8,959             | 28%             |
| B Yard - Volatile Storage Building        | \$32,149     | \$7,006             | 22%             |
| C Yard - Volatile Storage Building        | \$32,149     | \$7,006             | 22%             |
| D Yard - Volatile Storage Building        | \$32,149     | \$7,006             | 22%             |
| Central Control                           | \$4,658,977  | \$943,256           | 20%             |
| Central Administration                    | \$4,937,092  | \$909,725           | 18%             |
| Central Health Building                   | \$8,317,793  | \$1,521,597         | 18%             |
| Complex Control                           | \$4,237,399  | \$698,840           | 16%             |
| Family Visiting                           | \$508,722    | \$78,721            | 15%             |
| Central Health Building - Trash Enclosure | \$20,448     | \$2,989             | 15%             |
| C Yard - 180 Housing Level IV - C7 & C8   | \$10,463,441 | \$1,455,692         | 14%             |
| Family Visiting                           | \$514,104    | \$71,094            | 14%             |
| C Yard - 180 Housing Level IV - C5 & C6   | \$10,461,024 | \$1,430,702         | 14%             |

**Table 4. Top 20 Buildings by 5YR Needs \$\$**

| Asset - Name                                  | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|-----------------------------------------------|--------------|-----------|---------------------------|
| Central Health Building                       | \$8,317,793  | 18%       | \$1,521,597               |
| C Yard - 180 Housing Level IV - C7 & C8       | \$10,463,441 | 14%       | \$1,455,692               |
| C Yard - 180 Housing Level IV - C5 & C6       | \$10,461,024 | 14%       | \$1,430,702               |
| C Yard - 180 Housing Level IV - C1 & C2       | \$10,442,281 | 14%       | \$1,413,010               |
| C Yard - 180 Housing Level IV - C3 & C4       | \$10,437,304 | 13%       | \$1,401,051               |
| D Yard - 180 Housing Level IV ADSEG - D1 & D2 | \$10,655,783 | 12%       | \$1,287,092               |
| D Yard - 180 Housing Level IV - D3 & D4       | \$10,477,090 | 12%       | \$1,237,851               |
| D Yard - 180 Housing Level IV - D7 & D8       | \$10,437,304 | 12%       | \$1,227,841               |
| D Yard - 180 Housing Level IV - D5 & D6       | \$10,419,880 | 11%       | \$1,146,540               |
| Central Control                               | \$4,658,977  | 20%       | \$943,256                 |
| Central Administration                        | \$4,937,092  | 18%       | \$909,725                 |
| Complex Control                               | \$4,237,399  | 16%       | \$698,840                 |
| A Yard - Central Kitchen                      | \$4,433,327  | 13%       | \$596,644                 |
| A Yard - 270 Housing Level III - A1           | \$6,781,150  | 8%        | \$570,949                 |
| A Yard - 270 Housing Level III - A5           | \$7,131,586  | 8%        | \$569,636                 |
| A Yard - 270 Housing Level III - A3           | \$6,781,150  | 8%        | \$563,827                 |
| A Yard - 270 Housing Level III - A4           | \$6,781,150  | 8%        | \$554,579                 |
| A Yard - 270 Housing Level III - A2           | \$6,781,150  | 8%        | \$550,182                 |
| B Yard - 270 Housing Level III - B1           | \$6,781,150  | 8%        | \$540,795                 |
| B Yard - 270 Housing Level III - B5           | \$6,781,150  | 8%        | \$540,795                 |

#3 Netting Replacement on LEF



**Legend: Project Type by Color Code**

Major Capitol Outlay Project (MA)

Minor Capitol Outlay Project (MI)

Special Repair Program (SRP)

Deferred Maintenance Program (DMP)

Special Projects (SP)

Energy Projects (E)

**VALLEY STATE PRISON for WOMEN**

| Institution Overview                        |       | List Key                                       |                          |                                            |
|---------------------------------------------|-------|------------------------------------------------|--------------------------|--------------------------------------------|
| Year Built/Occupied:                        | 1995  | <b>CDCR Category Code</b>                      | <b>Sub-Category Code</b> | <b>Phase Code</b>                          |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)     | Acquisition (A) Study (S)                  |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)              | Preliminary Plans (P)                      |
| Design Bed Capacity                         | 1,980 | Mental Health (MH)                             | Health Care (HC)         | Working Drawings (W)                       |
| Overcrowding Capacity                       | 1,917 | Dental (D)                                     | Programs (P)             | Construction (C)                           |
| Nontraditional Capacity                     | 576   | Re-Entry (RE)                                  | Security (S)             | Design Build (DB)                          |
| Total                                       | 4,473 | Farrell (FA)                                   | Support Services (SS)    | All Phases (PWC)                           |
|                                             |       | Infrastructure (I)                             | Utilities (U)            |                                            |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                          |                                            |
| Female                                      | 2,701 | <b>Project Type</b>                            |                          | <b>Project Status</b>                      |
| Reception                                   | 715   | Major (MA)                                     |                          | Active (AC) Portion or all Funded          |
| Level I                                     | 0     | Minor (MI)                                     |                          | Proposed (PR) Proposed for 11/12           |
| Level II                                    | 0     | Special Repair Project (SRP)                   |                          | Completed (CO) Funded & Completed in CY 10 |
| Level III                                   | 0     | Special Project (SP)                           |                          |                                            |
| Level IV                                    | 0     | Deferred Maintenance (DM)                      |                          |                                            |
| Special                                     | 53    | Energy Projects (E)                            |                          |                                            |
| Total                                       | 3,469 | <b>Funding Source</b>                          |                          |                                            |
|                                             |       | General Fund (GF)                              |                          |                                            |
| Proposed AB 900 Project Site:               | No    | Bonds (B)                                      |                          |                                            |
| Prison Industry Authority Site              | Yes   | Special Funds (SF)                             |                          |                                            |
| Addiction & Recovery Services               | Yes   | AB900 General Fund (AB900GF)                   |                          |                                            |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                          |                                            |
| Sensitive Needs Yard                        | No    | AB900 Infrastructure Lease Revenue (AB900LR-I) |                          |                                            |
| Small Management Yard                       | Yes   |                                                |                          |                                            |
| Wheelchair/Disabled Access                  | Yes   |                                                |                          |                                            |

| Institution Infrastructure Overview               |                                     |                                           |    |                     |
|---------------------------------------------------|-------------------------------------|-------------------------------------------|----|---------------------|
| Water (On-site Wells, Municipal, Both):           | Both On-Site Well(s) and Municipal. |                                           |    |                     |
| Wastewater Overusage:                             | No                                  | Fines:                                    | No | Amount: \$0         |
| Water Conservation Devices                        | No                                  | If yes, what is the percentage reduction? |    |                     |
| Special Repair Projects (Active & Proposed)       |                                     | # of Projects:                            | 1  | Amount: \$195,899   |
| Deferred Maintenance Projects (Active & Proposed) |                                     | # of Projects:                            | 3  | Amount: \$3,684,932 |
| VFA Assessment Facility Condition Index %         | 13%                                 | 5 Yr Cost to Maintain                     |    | \$41,184,000        |

**VALLEY STATE PRISON for WOMEN (VSPW)**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                           | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | O                  | S                 | Small Management Yards for PSU/SHU Housing Units                       | AC             | PW    |
| 2              | E            | I                  | U                 | Lighting Improvements, Kitchen Equipment Upgrade, Laundry Improvements | AC             | PWC   |
| 3              | DM           | O                  | S                 | Netting Replacement Project Phase II                                   | AC             | PWC   |
| 4              | DM           | O                  | SS                | Replace PABX System                                                    | PR             | PWC   |
| 5              | DM           | I                  | F                 | Replace Fire Alarm System                                              | PR             | PWC   |
| 6              | SRP          | O                  | F                 | ADA Restroom - Building 301, Honor Dorm                                | PR             | PWC   |
| 7              | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV)                              | PR             | PWC   |
| 8              | E            | I                  | U                 | Energy Management Sustainability Projects, Energy Efficient Lighting   | PR             | C     |

## INSTITUTION PROJECT STATUS REPORT

### VALLEY STATE PRISON FOR WOMEN (VSPW)

#### Active Project:

| Type | Cat | Phase | Project Name                                                                | Scope:                                                                                                                                                                                                                                                                |
|------|-----|-------|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | O   | PW    | Small Management Yards for Psychiatric Services Unit/Security Housing Units | This project will construct SMYs at 5 institutions in order to comply with California Code of Regulations, Title 15 regarding inmates housed in Segregated Program Housing Units allowing them out of cell time for exercise. This project will build 9 SMYs at VSPW. |

Notes:

#### Project Schedule:

#### Funding:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App       | Year    | Aug/ Reversion | Year | Current Authority | Year    | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-----------|---------|----------------|------|-------------------|---------|----------------|
| P     | 08/2009        | 11/2009           | 09/2009       | 01/2010          | 100%       | \$153,000 | 2009-10 |                |      | \$153,000         | 2009-10 | GF             |
| W     | 11/2009        | 04/2010           | 01/2010       | 11/2010          | 85%        | \$125,000 | 2009-10 |                |      | \$125,000         | 2009-10 | GF             |
| C     | 07/2010        | 06/2012           |               |                  |            |           |         |                |      |                   |         |                |

Notes: C Funding for 5 Institutions proposed for FY 11/12

#### Proposed Project:

| Type  | Cat | Phase | Project Name | Scope: |
|-------|-----|-------|--------------|--------|
| MA/MI |     |       | NONE         |        |

Notes:

#### Project Schedule:

#### Project Budget:

| Phase | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|-------|--------------|------------|----------------|
| P     |            | P     |              |            |                |
| W     |            | W     |              |            |                |
| C     |            | C     |              |            |                |

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                            | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-----------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00490 | Netting Replacement Project Phase II    | AC       | 2009-10 | \$501,000     | GF             |
| DM   | 0910-00591 | Replace PABX System                     | PR       | 2010-11 | \$457,183     | GF             |
| DM   | 0910-00592 | Replace Fire Alarm System               | PR       | 2010-11 | \$2,726,749   | GF             |
| SRP  | 0910-00590 | ADA Restroom - Building 301, Honor Dorm | PR       | 2010-11 | \$195,899     | GF             |

#### Completed Projects:

| Type | Cat | Project Name | Project Costs | Date Completed | Funding Source |
|------|-----|--------------|---------------|----------------|----------------|
|      |     | NONE         |               |                |                |

\* See LEGEND SHEET at beginning for LIST KEY explanation

# Valley State Prison for Women (VSPW) Chowchilla, CA

## Background Info

|                                 |                   |
|---------------------------------|-------------------|
| Original Construction Date      | 1995              |
| Design Bed Capacity             | 1,980             |
| Asset count                     | 93 (66 buildings) |
| Actual Building Square Feet     | 792,000 SF        |
| Replacement Value (Buildings):  | \$272,973,000     |
| Date of VFA Facility Assessment | January 1, 2008   |

## Existing Assets Summary

**The Valley State Prison for Women** consists of three campuses: Main Campus - Inside Secured Fence, Main Campus - Outside Secured Fence, and Main Campus - Site Infrastructure; with all buildings totaling approximately 792,000 SF.

**The Main Campus - Inside Secured Fence** campus is comprised of Housing-Dormitory, Maintenance, Administration, Storage and Instructional buildings. All buildings on this campus were built in 1995 and exhibit an overall FCI average of 16%.

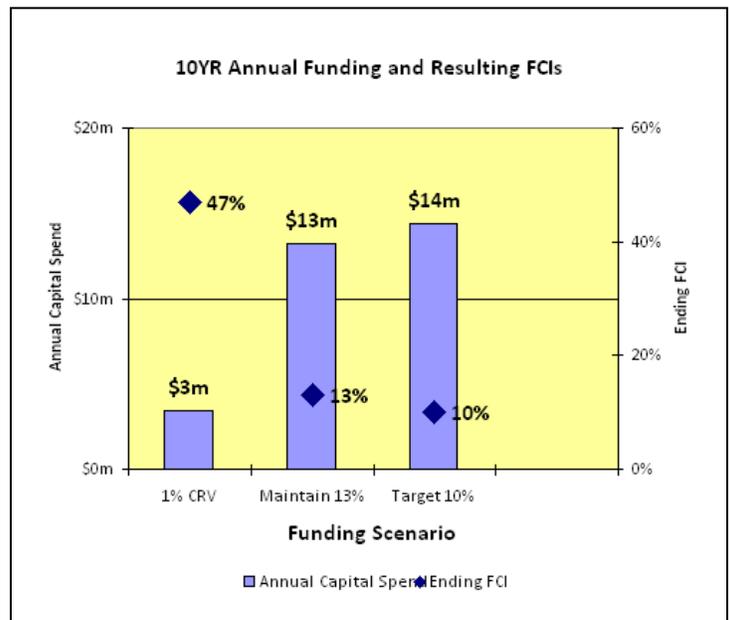
**The Main Campus - Outside Secured Fence** campus consists of Administration, Security, Utility, Waste Treatment and Storage buildings with a campus-wide FCI of 26%.

**The Site Infrastructure** campus is comprised of assets that serve the entire Institution, such as Site Telecommunications Distribution, Water Supply System, Site Electrified Fence and Site Lighting, and are all in good condition due to their relatively young age of 14 years.

Table 1. 5YR Facility Condition Index by Major

| System                                  | Assessment Replacement Value | 5YR Needs \$     | 5YR FCI %  |
|-----------------------------------------|------------------------------|------------------|------------|
| Structure & Foundations                 | 69,079k                      | 0k               | 0%         |
| Exterior Envelope                       | 22,623k                      | 135k             | 1%         |
| Roofing                                 | 10,814k                      | 0k               | 0%         |
| Interior Construction                   | 49,197k                      | 7,673k           | 16%        |
| Plumbing & Fixtures                     | 23,885k                      | 664k             | 3%         |
| Heating, Ventilating & Air Conditioning | 27,465k                      | 15,706k          | 57%        |
| Fire Protection Systems                 | 6,626k                       | 115k             | 2%         |
| Electrical Systems                      | 64,323k                      | 16,323k          | 25%        |
| Equipment                               | 14,076k                      | 678k             | 5%         |
| Site Infrastructure                     | 51,620k                      | 25k              | 0%         |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$339,708k</b>            | <b>\$41,184k</b> | <b>13%</b> |

Table 2. Comparison of 10YR Funding Scenarios



# Valley State Prison for Women (VSPW)

Chowchilla, CA

## Major Issues

The Institution has approximately \$41.2M needs over the next five years and 97% of those \$\$ needs can be attributed to the following systems groups : Electrical Systems (\$16.3M), HVAC (\$15.7M), and Interior Construction (\$7.7M).

A large majority of this Institutions' buildings have an FCI under 20%. 3 assets that are shown to be above this range are the PIA Staging Office (107%), PABX (55%), and the Volatile Storage (35%).

Three of the Institutions' assets have 5 YR needs above \$2M : Support Services / Reception (\$2.1M), Central Health (\$2M), and BPT / Visiting / Central Control (\$2M).

## Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$13m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$14m per year for the next 10 years would bring VSPW's condition in line with the average of other states' correctional facilities.

The **Facility Condition Index** (FCI = 13%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

Table 3. Top 20 Buildings by 5YR FCI %

| Asset - Name                           | Asset - CRV  | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|----------------------------------------|--------------|---------------------|-----------------|
| PIA Staging Office                     | \$28,667     | \$30,599            | 107%            |
| PABX                                   | \$1,154,290  | \$630,782           | 55%             |
| Volatile Storage                       | \$18,151     | \$5,719             | 35%             |
| Vocational Education - Optical Lab 505 | \$4,768,472  | \$1,000,889         | 21%             |
| Administration                         | \$873,215    | \$170,275           | 19%             |
| Central Administration                 | \$8,820,030  | \$1,716,355         | 19%             |
| BPT/Visiting/Central Control           | \$10,525,098 | \$2,021,204         | 19%             |
| Family Visiting                        | \$880,784    | \$169,046           | 19%             |
| Special Needs Housing Unit             | \$8,347,071  | \$1,553,151         | 19%             |
| General Population Housing Unit B2     | \$8,084,620  | \$1,465,081         | 18%             |
| General Population Housing Unit D3     | \$8,084,620  | \$1,465,081         | 18%             |
| General Population Housing Unit B4     | \$8,084,620  | \$1,458,434         | 18%             |
| General Population Housing Unit D2     | \$8,084,620  | \$1,458,434         | 18%             |
| Reception Center Housing (Dorms) A1    | \$8,084,620  | \$1,458,434         | 18%             |
| Reception Center Housing (Dorms) A2    | \$8,084,620  | \$1,458,434         | 18%             |
| General Population Housing Unit B3     | \$7,999,346  | \$1,437,742         | 18%             |
| General Population Housing Unit D1     | \$8,084,620  | \$1,442,482         | 18%             |
| General Population Housing Unit C4     | \$8,163,068  | \$1,453,913         | 18%             |
| General Population Housing Unit D4     | \$8,084,620  | \$1,431,990         | 18%             |
| SHU/ Ad Seg 270 Unit (Cells)           | \$11,189,176 | \$1,978,453         | 18%             |
| General Population Housing Unit C2     | \$8,163,068  | \$1,438,637         | 18%             |
| General Population Housing Unit C3     | \$8,163,068  | \$1,438,637         | 18%             |

Table 4. Top 20 Buildings by 5YR Needs \$\$

| Asset - Name                        | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|-------------------------------------|--------------|-----------|---------------------------|
| Support Services/Reception          | \$12,888,033 | 16%       | \$2,120,467               |
| Central Health                      | \$13,227,246 | 16%       | \$2,069,046               |
| BPT/Visiting/Central Control        | \$10,525,098 | 19%       | \$2,021,204               |
| SHU/ Ad Seg 270 Unit (Cells)        | \$11,189,176 | 18%       | \$1,978,453               |
| Support Services                    | \$11,561,264 | 16%       | \$1,828,928               |
| Central Administration              | \$8,820,030  | 19%       | \$1,716,355               |
| Special Needs Housing Unit          | \$8,347,071  | 19%       | \$1,553,151               |
| Reception Center 270 Unit (Cells)   | \$9,174,030  | 16%       | \$1,477,850               |
| General Population Housing Unit B2  | \$8,084,620  | 18%       | \$1,465,081               |
| General Population Housing Unit D3  | \$8,084,620  | 18%       | \$1,465,081               |
| General Population Housing Unit B4  | \$8,084,620  | 18%       | \$1,458,434               |
| General Population Housing Unit D2  | \$8,084,620  | 18%       | \$1,458,434               |
| Reception Center Housing (Dorms) A1 | \$8,084,620  | 18%       | \$1,458,434               |
| Reception Center Housing (Dorms) A2 | \$8,084,620  | 18%       | \$1,458,434               |
| General Population Housing Unit C4  | \$8,163,068  | 18%       | \$1,453,913               |
| General Population Housing Unit D1  | \$8,084,620  | 18%       | \$1,442,482               |
| General Population Housing Unit C2  | \$8,163,068  | 18%       | \$1,438,637               |
| General Population Housing Unit C3  | \$8,163,068  | 18%       | \$1,438,637               |
| General Population Housing Unit B3  | \$7,999,346  | 18%       | \$1,437,742               |
| General Population Housing Unit C1  | \$8,163,068  | 18%       | \$1,431,990               |

# 1 Fan Variable Frequency Drives - Housing Units



Legend: Project Type by Color Code

Major Capitol Outlay Project (MA)

Deferred Maintenance Program (DMP)

Minor Capitol Outlay Project (MI)

Special Projects (SP)

Special Repair Program (SRP)

Energy Projects (E)

WASCO STATE PRISON

| Institution Overview                        |       | List Key                                       |                       |                                            |
|---------------------------------------------|-------|------------------------------------------------|-----------------------|--------------------------------------------|
| Year Built/Occupied:                        | 1991  | CDCR Category Code                             | Sub-Category Code     | Phase Code                                 |
|                                             |       | Infill (IN)                                    | Fire/Life/Safety (F)  | Acquisition (A) Study (S)                  |
| Available Capacity by Type as of 10/31/2010 |       | Medical (M)                                    | Housing (H)           | Preliminary Plans (P)                      |
| Design Bed Capacity                         | 2,984 | Mental Health (MH)                             | Health Care (HC)      | Working Drawings (W)                       |
| Overcrowding Capacity                       | 2,791 | Dental (D)                                     | Programs (P)          | Construction (C)                           |
| Nontraditional Capacity                     | 72    | Re-Entry (RE)                                  | Security (S)          | Design Build (DB)                          |
| Total                                       | 5,847 | Farrell (FA)                                   | Support Services (SS) | All Phases (PWC)                           |
|                                             |       | Infrastructure (I)                             | Utilities (U)         |                                            |
| Security Level Capacity as of 10/31/2010    |       | Other (O)                                      |                       |                                            |
| Female                                      | 0     | Project Type                                   |                       | Project Status                             |
| Reception                                   | 5,533 | Major (MA)                                     |                       | Active (AC) Portion or all Funded          |
| Level I                                     | 103   | Minor (MI)                                     |                       | Proposed (PR) Proposed for 11/12           |
| Level II                                    | 0     | Special Repair Project (SRP)                   |                       | Completed (CO) Funded & Completed in CY 10 |
| Level III                                   | 202   | Special Project (SP)                           |                       |                                            |
| Level IV                                    | 0     | Deferred Maintenance (DM)                      |                       |                                            |
| Special                                     | 0     | Energy Projects (E)                            |                       |                                            |
| Total                                       | 5,838 | Funding Source                                 |                       |                                            |
|                                             |       | General Fund (GF)                              |                       |                                            |
| Proposed AB 900 Project Site:               | Yes   | Bonds (B)                                      |                       |                                            |
| Prison Industry Authority Site              | Yes   | Special Funds (SF)                             |                       |                                            |
| Addiction & Recovery Services               | Yes   | AB900 General Fund (AB900GF)                   |                       |                                            |
| Administrative Segregation Unit             | Yes   | AB900 Lease Revenue (AB900LR)                  |                       |                                            |
| Sensitive Needs Yard                        | Yes   | AB900 Infrastructure Lease Revenue (AB900LR-I) |                       |                                            |
| Small Management Yard                       | Yes   |                                                |                       |                                            |
| Wheelchair/Disabled Access                  | Yes   |                                                |                       |                                            |

| Institution Infrastructure Overview               |     |                                           |    |                     |
|---------------------------------------------------|-----|-------------------------------------------|----|---------------------|
| Water (On-site Wells, Municipal, Both):           |     | On-Site Well(s) only.                     |    |                     |
| Wastewater Overusage:                             | No  | Fines:                                    | No | Amount: \$0         |
| Water Conservation Devices                        | Yes | If yes, what is the percentage reduction? |    | 21%                 |
| Special Repair Projects (Active & Proposed)       |     | # of Projects:                            | 8  | Amount: \$4,477,000 |
| Deferred Maintenance Projects (Active & Proposed) |     | # of Projects:                            |    | Amount:             |
| VFA Assessment Facility Condition Index %         | 28% | 5 Yr Cost to Maintain Current FCI         |    | \$92,886,000        |

## WASCO STATE PRISON (WSP)

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                           | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|----------------------------------------------------------------------------------------|----------------|-------|
| 1              | E            | I                  | U                 | HVAC Control, Housing Unit Fan Variable Frequency Drives (VFD)                         | AC             | PWC   |
| 2              | MA           | IN                 | H                 | 1,000-bed Level IV Complex                                                             | PR             | S     |
| 3              | MI           | I                  | SS                | Blast Chillers                                                                         | PR             | PWC   |
| 4              | DM           | I                  | F                 | Roof Membrane Replacement on Building 702 - RC Facility Support & Complex Control      | PR             | PWC   |
| 5              | DM           | O                  | S                 | Lethal Electrified Fence - Bird Netting Replacement (LEF = Phase 2)                    | PR             | PWC   |
| 6              | DM           | I                  | U                 | 2 megawatt Generator                                                                   | PR             | PWC   |
| 7              | DM           | I                  | U                 | Generator Electrical Switchgear Replacement                                            | PR             | PWC   |
| 8              | DM           | I                  | U                 | Boiler Replacements - NOx Non-Compliance PIA Laundry & Institution Kitchens (Bldg.501) | PR             | PWC   |
| 9              | DM           | O                  | SS                | Asphalt Repair - Phase II Within Secured Perimeter                                     | PR             | PWC   |
| 10             | DM           | I                  | F                 | Roof Replacement E Facility                                                            | PR             | PWC   |
| 11             | DM           | I                  | F                 | Roof Replacement Reception Center                                                      | PR             | PWC   |
| 12             | DM           | I                  | F                 | Roof Replacement A Facility Bldg 301, 302, 303, 304 & 305                              | PR             | PWC   |
| 13             | DM           | I                  | F                 | Roof Replacement - A Facility Bldg. 306,307, 308, 309, 310                             | PR             | PWC   |
| 14             | DM           | I                  | F                 | Roof Replacement B Facility Bldg 407, 408, 409, 410,411 & 412                          | PR             | PWC   |
| 15             | DM           | I                  | F                 | Roof Replacement C Facility Bldg 413, 414, 415 & 416                                   | PR             | PWC   |
| 16             | DM           | I                  | F                 | Roof Replacement D Facility Bldg 401, 402, 403, 404, 405 & 406                         | PR             | PWC   |
| 17             | DM           | I                  | F                 | Roof Replacement Bldg 701                                                              | PR             | PWC   |
| 18             | DM           | O                  | U                 | PIA Laundry Water Heater Replacement PIA Bldg. 503                                     | PR             | PWC   |
| 19             | SRP          | O                  | S                 | Celled Housing Cuff Ports - Facilities A, B & D                                        | PR             | PWC   |
| 20             | SRP          | I                  | SS                | PBX Upgrade (restore)                                                                  | PR             | PWC   |
| 21             | SRP          | O                  | F                 | ADA Cell Modifications - Facility A                                                    | PR             | PWC   |
| 22             | SRP          | I                  | F                 | Above Ground Fuel Tank & Wash Rack (Change Order 01)                                   | PR             | PWC   |
| 23             | SRP          | I                  | F                 | Control Booth Window Replacement Facilities A,B,C,D                                    | PR             | PWC   |
| 24             | SRP          | I                  | U                 | Blast Chillers - Repair (3) Existing Blast Chillers #1, #2 & #3 (construction)         | PR             | PWC   |
| 25             | SRP          | O                  | S                 | ADA Retrofit for Facility "D" Recreation Yard                                          | PR             | PWC   |
| 26             | E            | I                  | U                 | Energy Efficient Lighting, Motors, EMS                                                 | PR             | C     |
| 27             | E            | I                  | U                 | Renewable Energy- Solar Photovoltaic (PV)                                              | PR             | PWC   |
| 28             | SRP          | I                  | S                 | Upgrade PBX System                                                                     | CO             | PWC   |
| 29             | SRP          | O                  | U                 | Blast Chiller Repair-Three Existing Blast Chillers (Design)                            | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### WASCO STATE PRISON (WSP)

#### Proposed Project:

| Type | Cat | Phase | Project Name               | Scope:                                                                                                                                                                                                                                                                                                                                                   |
|------|-----|-------|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | IN  | PWC   | 1,000 Bed Level IV Complex | As part of the AB 900 proposal, this is part of the Phase I Infill Bed Project and proposes to build 2 - 500 Level IV secure stand alone celled housing units. Each facility will have 4 -180 housing units and will allow 1,896 male inmates to be housed. This will include program and support services surrounded by an electrified perimeter fence. |

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | Phase | Budget Costs | Total Cost | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-------|--------------|------------|----------------|
| S     |                |                   | 11/2007       | TBD              | 0%         | S     | \$2,417,445  |            | AB900-GF       |
| P     |                |                   |               |                  |            | P     |              |            |                |
| W     |                |                   |               |                  |            | W     |              |            |                |
| C     |                |                   |               |                  |            | C     |              |            |                |

Notes: Major infrastructure improvements will be required to support this population as well as off-site land lease/purchase for wastewater disposal. The method of disposing of WSP wastewater effluent must be resolved, designed & constructed before project site grading can begin.

#### Proposed Project:

| Type | Cat | Phase | Project Name   | Scope:                            |
|------|-----|-------|----------------|-----------------------------------|
| MI   | I   | PWC   | Blast Chillers | Replace Blast Chillers in Kitchen |

Notes:

#### Project Schedule:

| Phase | Begin Date | Original Complete | Current Complete | % Complete | Phase | Budget Costs | Total Costs | Funding Source |
|-------|------------|-------------------|------------------|------------|-------|--------------|-------------|----------------|
| PWC   | FY 11/12   |                   |                  |            | PWC   | \$396,000    |             |                |

Notes:

#### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                                                           | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|----------------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00466 | Roof Membrane Replacement on Building 702 - RC Facility Support & Complex Control      | PR       | 2010-11 | \$300,000     | GF             |
| DM   | 0809-00485 | Lethal Electrified Fence - Bird Netting Replacement (LEF = Phase 2)                    | PR       | 2011-12 | \$437,000     | GF             |
| DM   | 0809-01751 | 2 megawatt Generator                                                                   | PR       | 2011-12 | \$4,000,000   | GF             |
| DM   | 0809-01752 | Generator Electrical Switchgear Replacement                                            | PR       | 2011-12 | \$600,000     | GF             |
| DM   | 0910-00255 | Boiler Replacements - NOx Non-Compliance PIA Laundry & Institution Kitchens (Bldg.501) | PR       | 2010-11 | \$904,000     | GF             |
| DM   | 0910-00258 | Asphalt Repair - Phase II Within Secured Perimeter                                     | PR       | 2011-12 | \$169,000     | GF             |
| DM   | 0910-00259 | Roof Replacement E Facility                                                            | PR       | 2010-11 | \$430,000     | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

## INSTITUTION PROJECT STATUS REPORT

### WASCO STATE PRISON (WSP)

#### Special Repair/Deferred Maintenance Projects (continued)

| Type | Project#   | Project Name                                                                   | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|--------------------------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0910-00260 | Roof Replacement Reception Center                                              | PR       | 2010-11 | \$430,000     | GF             |
| DM   | 0910-00262 | Roof Replacement A Facility Bldg 301, 302, 303, 304 & 305                      | PR       | 2011-12 | \$430,000     | GF             |
| DM   | 0910-00262 | Roof Replacement - A Facility Bldg. 306,307, 308, 309, 310                     | PR       | 2011-12 | \$430,000     | GF             |
| DM   | 0910-00263 | Roof Replacement B Facility Bldg 407, 408, 409, 410,411 & 412                  | PR       | 2011-12 | \$430,000     | GF             |
| DM   | 0910-00264 | Roof Replacement C Facility Bldg 413, 414, 415 & 416                           | PR       | 2011-12 | \$430,000     | GF             |
| DM   | 0910-00265 | Roof Replacement D Facility Bldg 401, 402, 403,404,405& 406                    | PR       | 2011-12 | \$430,000     | GF             |
| DM   | 0910-00266 | Roof Replacement Bldg 701                                                      | PR       | 2011-12 | \$430,000     | GF             |
| DM   | 0910-00879 | PIA Laundry Water Heater Replacement PIA Bldg. 503                             | PR       | 2011-12 | \$643,000     | GF             |
| SRP  | 0910-00256 | Celled Housing Cuff Ports - Facilities A, B & D                                | PR       | 2011-12 | \$1,062,000   | GF             |
| SRP  | 0910-00257 | PBX Upgrade (restore)                                                          | PR       | 2010-11 | \$996,000     | GF             |
| SRP  | 0910-00267 | ADA Cell Modifications - Facility A                                            | PR       | 2011-12 | \$250,000     | GF             |
| SRP  | 0910-00869 | Above Ground Fuel Tank & Wash Rack (Change Order 01)                           | PR       | 2010-11 | \$28,000      | GF             |
| SRP  | 0910-00880 | Control Booth Window Replacement Facilities A,B,C,D                            | PR       | 2011-12 | \$316,000     | GF             |
| SRP  | 0910-01173 | Blast Chillers - Repair (3) Existing Blast Chillers #1, #2 & #3 (construction) | PR       | 2010-11 | \$258,000     | GF             |
| SRP  | 0910-01182 | ADA Retrofit for Facility "D" Recreation Yard                                  | PR       | 2010-11 | \$19,000      | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                                                | Project Costs | Date Completed | Funding Source |
|------|-----|-------------------------------------------------------------|---------------|----------------|----------------|
| SRP  | I   | Blast Chiller Repair-Three Existing Blast Chillers (Design) | \$25,000      | 07/2010        | GF             |
| SRP  | I   | Upgrade PBX System                                          | \$486,000     | 04/2010        | GF             |

\* See LEGEND SHEET at beginning for LIST KEY explanation

# Wasco State Prison (WSP)

## Wasco, CA

### Background Info

|                                 |                    |
|---------------------------------|--------------------|
| Original Construction Date      | 1991               |
| Design Bed Capacity             | 2,984              |
| Asset count                     | 106 (89 buildings) |
| Actual Building Square Feet     | 957,000 SF         |
| Replacement Value (Buildings):  | \$343,700,000      |
| Date of VFA Facility Assessment | August 1, 2007     |

### Existing Assets Summary

**The Wasco State Prison (WSP)** Institution consists of three campuses: Main Campus - Inside Secured Fence, Main Campus - Outside Secured Fence, and Main Campus - Site Infrastructure; all buildings totaling approximately 957,000 SF in size.

**The Main Campus - Inside Secured Fence** campus is comprised of 61 assets, accounting for nearly 57% of the Institutions' overall SF. A large majority of the assets in this campus are original to the Institutions' construction date of 1991 and exhibit an overall campus FCI average of 26%.

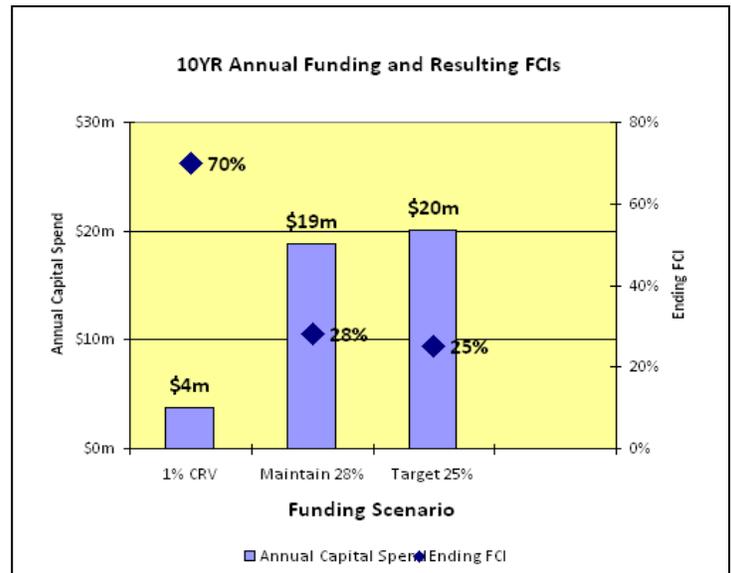
**The Main Campus - Outside Secured Fence** campus consists of Security, Storage, Utilities, Housing Dormitories buildings with a large majority also built in 1991. A wide range of individual buildings' FCI, 11% thru 135% equates to a Campus-wide overall FCI of 26%.

**The Site Infrastructure** campus' assets such as Domestic Water Distribution, Fences & Gates, Emergency Power Distribution and Site lighting are all in good condition. One exception is the Site Fences and Gates (FCI 125%) which are approaching the end of their useful life in 2012.

Table 1. 5YR Facility Condition Index by Major System

| System                                  | Assessment Replacement Value | 5YR Needs \$     | 5YR FCI %  |
|-----------------------------------------|------------------------------|------------------|------------|
| Structure & Foundations                 | 49,754k                      | 8k               | 0%         |
| Exterior Envelope                       | 48,817k                      | 1,049k           | 2%         |
| Roofing                                 | 18,533k                      | 7,406k           | 40%        |
| Interior Construction                   | 85,153k                      | 12,477k          | 15%        |
| Plumbing & Fixtures                     | 32,989k                      | 2,502k           | 8%         |
| Heating, Ventilating & Air Conditioning | 34,496k                      | 22,067k          | 64%        |
| Fire Protection Systems                 | 6,730k                       | 48k              | 1%         |
| Electrical Systems                      | 54,628k                      | 30,304k          | 55%        |
| Equipment                               | 21,779k                      | 1,562k           | 7%         |
| Site Infrastructure                     | 30,385k                      | 15,463k          | 51%        |
| <b>ALL SYSTEMS TOTALS</b>               | <b>\$383,264k</b>            | <b>\$92,886k</b> | <b>28%</b> |

Table 2. Comparison of 10YR Funding



# Wasco State Prison (WSP)

## Wasco, CA

### Major Issues

The Institution has approximately \$92.9M in needs over the next five years. Approximately 95% of this need can be accounted for in the following system groups : Electrical Systems (\$30.3M), HVAC (\$22M), Site Infrastructure (\$15.5M), Interior Construction (\$12.5M), and Roofing (\$7.4M).

The majority of the buildings at the Institution are between 18 and 20 years old. This accounts for a large amount of major Electrical and Mechanical systems renewals occurring within the next 3-5 years as these systems approach the end of their useful life.

Guard Towers in general have the highest needs condition-wise with an FCI of 135%. Site Fences and Gates have a very high FCI at 125% along with the highest 5 year needs at \$15.4M.

### Funding Needs

This Facility Condition Assessment, and the resulting building data, identifies a steady annual capital investment of \$19m per year for each of the next 10 years just to maintain the current condition level. An annual investment of \$20m per year for the next 10 years would bring WSP's condition in line with the average of other states' correctional facilities.

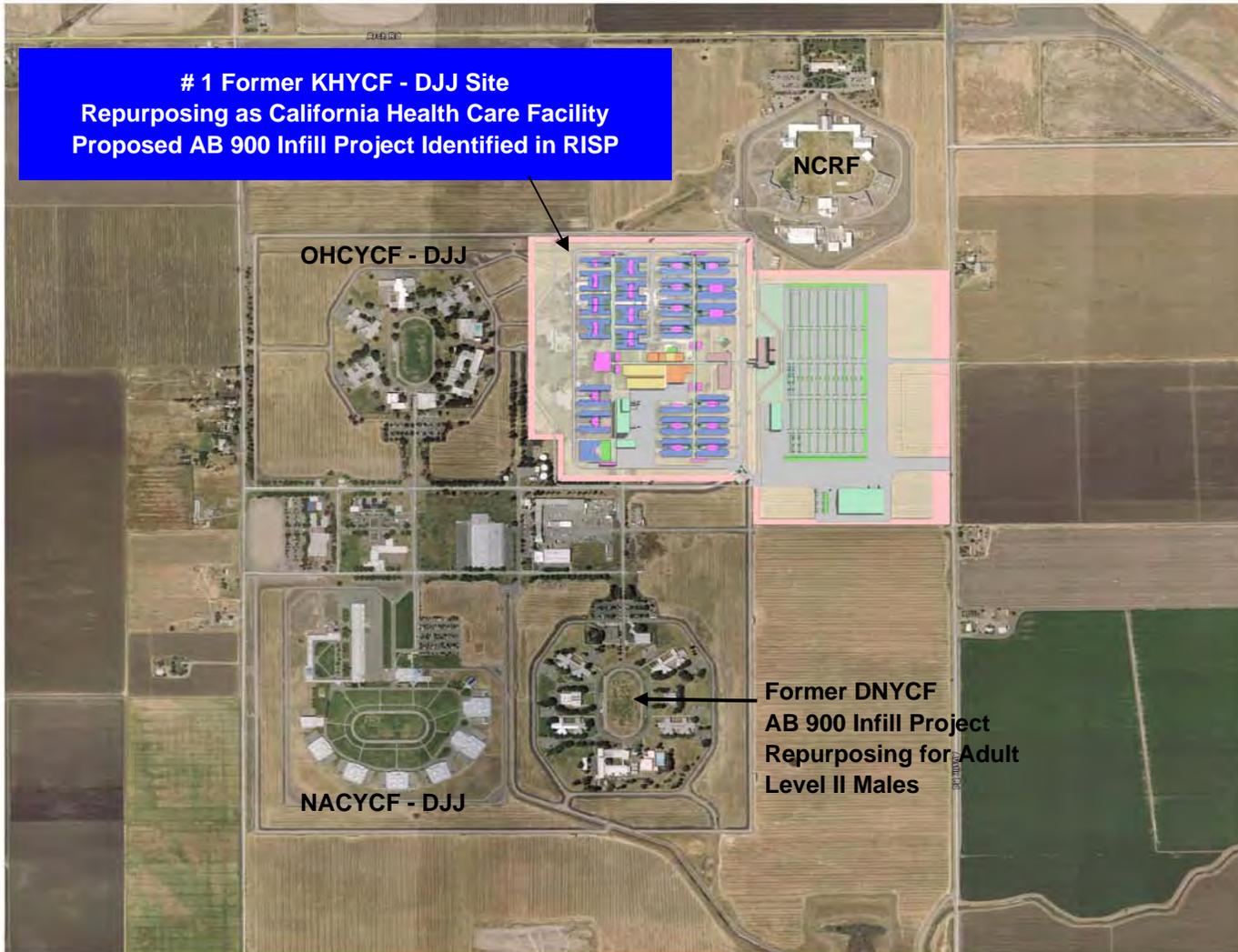
The **Facility Condition Index** (FCI = 28%) is calculated by dividing the sum of the near term (5 Years) System Renewal Costs by the Current Replacement Value of the entire asset.

**Table 3. Top 20 Buildings by 5YR FCI %**

| Asset - Name           | Asset - CRV  | 5-YR FCI Needs \$\$ | ** 5YR FCI % ** |
|------------------------|--------------|---------------------|-----------------|
| Guard Tower 3          | \$76,247     | \$103,231           | 135%            |
| Guard Tower 5          | \$76,323     | \$103,231           | 135%            |
| Guard Tower 2          | \$75,604     | \$101,822           | 135%            |
| Guard Tower 1          | \$76,247     | \$101,822           | 134%            |
| Guard Tower 4          | \$76,247     | \$101,822           | 134%            |
| Guard Tower 6          | \$76,247     | \$101,822           | 134%            |
| Guard Tower 7          | \$76,247     | \$101,822           | 134%            |
| Guard Tower 8          | \$76,247     | \$101,822           | 134%            |
| Guard Tower 9          | \$76,247     | \$101,822           | 134%            |
| Site Fences and Gates  | \$12,324,936 | \$15,406,170        | 125%            |
| In Service Training    | \$1,669,106  | \$1,185,644         | 71%             |
| Procurement            | \$274,432    | \$157,421           | 57%             |
| Health and Safety      | \$275,495    | \$157,692           | 57%             |
| Transportation         | \$320,906    | \$172,986           | 54%             |
| Central Kitchen        | \$7,751,201  | \$3,881,451         | 50%             |
| Medical Modular        | \$580,912    | \$266,485           | 46%             |
| Chemical/Plant Storage | \$311,393    | \$139,618           | 45%             |
| Food Service Satellite | \$4,371,236  | \$1,934,701         | 44%             |
| Casa De Rosa           | \$312,255    | \$136,443           | 44%             |
| Administration         | \$7,585,014  | \$2,839,635         | 37%             |

**Table 4. Top 20 Buildings by 5YR Needs \$**

| Asset - Name                                   | Asset - CRV  | 5YR FCI % | ** 5-YR FCI Needs \$\$ ** |
|------------------------------------------------|--------------|-----------|---------------------------|
| Site Fences and Gates                          | \$12,324,936 | 125%      | \$15,406,170              |
| Reception Center Centralized Services          | \$22,428,551 | 36%       | \$8,172,417               |
| BPT/Visiting/Central Control/Central Operation | \$12,070,571 | 34%       | \$4,114,308               |
| Central Kitchen                                | \$7,751,201  | 50%       | \$3,881,451               |
| Reception Center Facility Support and Comple   | \$9,653,881  | 34%       | \$3,299,162               |
| Administration                                 | \$7,585,014  | 37%       | \$2,839,635               |
| Level III Facility Support Services            | \$8,667,223  | 32%       | \$2,740,198               |
| Level III Housing Unit A4 With Guard Tower     | \$10,355,579 | 26%       | \$2,659,426               |
| Level III Housing Unit A3                      | \$10,123,728 | 25%       | \$2,549,480               |
| Level III Housing Unit A5                      | \$10,128,664 | 25%       | \$2,547,365               |
| Level III Housing Unit A1                      | \$10,374,007 | 24%       | \$2,470,758               |
| Level III Housing Unit A2                      | \$10,244,639 | 24%       | \$2,465,624               |
| Reception Center Housing Cells B-1             | \$9,547,125  | 25%       | \$2,377,276               |
| Reception Center Housing Cells B-4             | \$9,496,631  | 25%       | \$2,365,699               |
| Reception Center Housing Cells B-6             | \$9,391,151  | 24%       | \$2,265,440               |
| Reception Center Housing Cells D-6             | \$9,622,241  | 23%       | \$2,257,914               |
| Reception Center Housing Cells B-3             | \$9,385,571  | 24%       | \$2,256,204               |
| Reception Center Housing Cells D-4             | \$9,416,347  | 24%       | \$2,256,204               |
| Reception Center Housing Cells D-1             | \$9,543,748  | 23%       | \$2,165,300               |
| Reception Center Housing Cells B-2             | \$9,226,903  | 23%       | \$2,148,432               |



**SITE PLAN COLOR LEGEND**

- Housing
- Diagnostic & Treatment
- Patient Community Support
- Administration
- Program
- Outside Security Facility
- Support
- Asphalt
- Area Inside The Fence
- Public Space
- Yard
- Yard Covered Portion
- View Yard
- Covered Walkway (Height 10'/14')
- Walkway
- Set Back

**CHCF-NORTH**

**DRAFT**  
10/19/2009

**NORTH FACILITY**  
1702 BED OVERALL SITE PLAN

**Legend: Project Type by Color Code**

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**FORMER KARL HOLTON YOUTH FACILITY - AB 900 INFILL PROJECT - CONSOLIDATED HEALTH CARE FACILITY**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                    | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-------------------------------------------------|----------------|-------|
| 1              | MA           | M                  | HC                | California Health Care Facility, Phase I Infill | AC             | P     |

**HOLTON REPURPOSING**

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA HEALTH CARE FACILITY (HOLTON)

The purpose of this project is to convert an existing, closed CDCR DJJ facility into an adult health care facility. This project is approved for a Design-Build delivery method. The current scope is based on 1,722 beds (1,010 medical beds, 612 mental health, 100 IWC). The site would include 1,150,000 GSF of mostly single-story buildings programmed for men only. Facility will include associated support facilities including: D & T, housing, guard towers, electrified fencing, utilities, kitchen, maintenance and administration.

#### Active Project

| Type | Cat | Phase | Project Name                                           | Scope:                                                                                                                                                                                                                                                                                                                    |
|------|-----|-------|--------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | IN  | S     | California Health Care Facility (CHCF), Phase I Infill | This is part of the Integrated Strategy Plan funded through AB 900 Lease Revenue funds. It will convert this closed DJJ facility to a health care facility for medical and mental health treatment. This project is scheduled to be completed and occupied in 2013/14. This in part of Phase I of the Infill Bed Program. |

Notes:

#### Project Schedule Design-Bid-Build, Phase I

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete |
|-------|----------------|-------------------|---------------|------------------|------------|
| P     | 06/2010        | 09/2010           | 06/2010       | 09/2010          | 100%       |
| W     | 09/2010        | 10/2010           | 09/2010       | 10/2010          | 100%       |
| C     | 10/2010        | TBD               | 10/2010       | TBD              | 15%        |

Current comments on Schedule: None

#### Design-Bid Build, Phase II

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete |
|-------|----------------|-------------------|---------------|------------------|------------|
| P     | 06/2010        | 12/2010           | 06/2010       | 12/2010          | 99%        |
| W     | 12/2010        | 02/2011           | 12/2010       | 02/2011          | 0%         |
| C     | 04/2011        | TBD               | 04/2011       | TBD              | 0%         |

Current comments on Schedule: None

## INSTITUTION PROJECT STATUS REPORT

### CALIFORNIA HEALTH CARE FACILITY (HOLTON)

| Design-Bid Build, Phase I                                        |               |          |                   |         |                      |      |                   |
|------------------------------------------------------------------|---------------|----------|-------------------|---------|----------------------|------|-------------------|
| Phase                                                            | Original      | Original | Current           | Current | %                    |      |                   |
| PC & CD                                                          | 06/2010       | 12/2010  | 06/2010           | 12/2010 | 99%                  |      |                   |
| D/B                                                              | 05/2011       | 07/2013  | 05/2011           | 07/2013 | 0%                   |      |                   |
| Current comments on Schedule: None                               |               |          |                   |         |                      |      |                   |
| Design-Bid Build, Phase II                                       |               |          |                   |         |                      |      |                   |
| Phase                                                            | Original      | Original | Current           | Current | %                    |      |                   |
| PC & CD                                                          | 06/2010       | 01/2011  | 06/2010           | 01/2011 | 75%                  |      |                   |
| D/B                                                              | 06/2011       | 07/2013  | 06/2011           | 07/2013 | 0%                   |      |                   |
| Current comments on Schedule: None                               |               |          |                   |         |                      |      |                   |
| Funding:                                                         |               |          |                   |         |                      |      |                   |
| Phase                                                            | App           | Year     | Aug/<br>Reversion | Year    | Current<br>Authority | Year | Funding<br>Source |
| P                                                                | \$913,000     |          |                   |         | \$913,000            |      | AB900 LR          |
| W                                                                | \$801,000     |          |                   |         | \$801,000            |      | AB900 LR          |
| C                                                                | \$22,008,000  |          |                   |         | \$22,008,000         |      | AB900 LR          |
| DB                                                               | \$28,748,000  |          |                   |         | \$28,748,000         |      | AB900LR           |
| C                                                                | \$853,886,000 |          |                   |         | \$853,886,000        |      | AB900LR           |
| Notes: The total estimated cost of this project is \$906,356,000 |               |          |                   |         |                      |      |                   |

\* See LEGEND SHEET at beginning for LIST KEY explanation

## California Health Care Facility (CHCF)

### Overview of Proposed Staffing

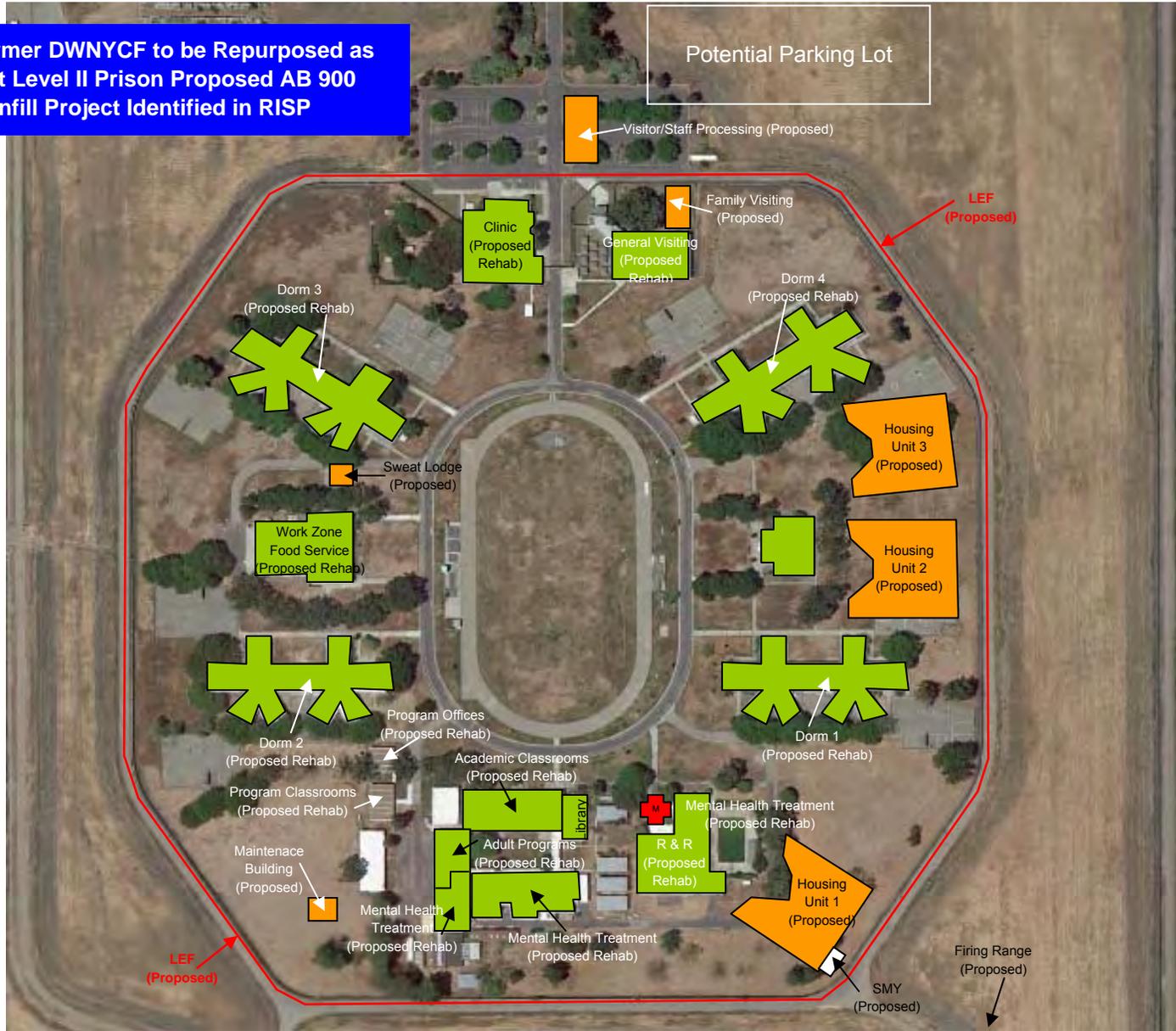
| Staffing Division           | Staffing      | Population   | Total Annual Personal |
|-----------------------------|---------------|--------------|-----------------------|
| Administration              | 32.0          | 13,700       | \$ 738                |
| Rehabilitation              | 44.0          | 13,285       | \$ 082                |
| Security and Classification | 648.8         | 157,294      | \$ 334                |
| Medical 511.4               | 511.4         | 143,259      | \$ 527                |
| Dental Services             | 13.0          | 11,723       | \$ 290                |
| Mental Health - CDCR        | 216.6         | 126,746      | \$ 343                |
| Department of Mental Health | 772.0         | 476,179      | \$ 232                |
| Facility Operations/Support | 193.3         | 117,227      | \$ 92                 |
| Headquarters Support        | 11.0          |              | \$ 659,433            |
| <b>Total:</b>               | <b>2442.1</b> | <b>1,772</b> | <b>\$ 225,993,451</b> |

### Overview of Estimated Operating Costs

|                                                                   |                       |
|-------------------------------------------------------------------|-----------------------|
| Estimated Start Up Costs                                          | \$ 9,552,820          |
| Projected Annual Operational Expenditures                         | \$ 70,105,229         |
| Staffing                                                          | \$ 231,755,331        |
| Staffing Cost Offset (Offsite Savings from Population Transfer)   | \$ (35,390,544)       |
| Offset Savings from Outside Hospital Costs                        | \$ (14,760,000)       |
| <b>Total First Year Operating Cost (including start up costs)</b> | <b>\$ 261,262,836</b> |
| <b>Total Annual Ongoing Estimated Operating Cost</b>              | <b>\$ 251,710,016</b> |

Note - The above figures are summary estimates. Formal notification of project staffing and costs are provided by CDCR in the detailed 30-day letters to the Legislature required by statute. Copies of 30-day letters for approved projects can be found on the CD provided in Appendix A.

**# 1 Former DWNYCF to be Repurposed as Adult Level II Prison Proposed AB 900 Infill Project Identified in RISP**



**Legend: Project Type by Color Code**

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**FORMER DEWITT NELSON YOUTH FACILITY - AB 900 INFILL PROJECT - LEVEL II ADULT PRISON**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name              | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|---------------------------|----------------|-------|
| 1              | MA           | IN                 | H                 | DeWitt Newlson Conversion | AC             | P     |

**DEWITT REPURPOSING**

## DEWITT NELSON CONVERSION

The purpose of this project is to convert an existing CDCR DJJ Facility into an Adult Male Institution. The conversion will include significant upgrades to the physical plant in order to bring the security level of the institution up to Level II standards for adult male inmates. A new Infill project in Phase I for Level II inmates this project will be funded by Phase I, Infill, AB900 funds.

| Active Project |     |       |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------|-----|-------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Type           | Cat | Phase | Project Name             | Scope:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| MA             | IN  | P     | DeWitt Nelson Conversion | This is an Infill Project and will convert this closed DJJ Facility to Level II Adult Male Inmates facility within the boundaries of the existing institution property located in Stockton, CA. The project includes housing, programming, healthcare facilities, inmate visiting, and some support facilities. It will include 375 Enhanced Outpatient Program inmates, 50 Enhanced Outpatient Program Administrative Segregation Unit inmates, 528 Specialized General Population inmates and 180 Permanent Work Crew inmates for a total operating capacity of 1,133. |

Notes:

| Project Schedule: |                |                   |               |                  |            | Funding:      |           |                |      |                   |      |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|---------------|-----------|----------------|------|-------------------|------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App           | Year      | Aug/ Reversion | Year | Current Authority | Year | Funding Source |
| S                 |                |                   | 11/2009       | 04/2010          | 100%       | \$168,592     | 2007/2008 |                |      | \$168,592         |      | AB900GF        |
| P                 | 06/2010        | 03/2011           | 06/2010       | 03/2011          | 39%        | \$9,670,000   | 2007/2008 |                |      | \$9,670,000       |      | AB900LR        |
| W                 | 03/2011        | 10/2011           | 03/2011       | 10/2011          | 0%         | \$12,442,000  | 2007/2008 |                |      | \$12,442,000      |      | AB900LR        |
| C                 | 01/2012        | 09/2013           | 01/2012       | 09/2013          | 0%         | \$166,056,000 | 2007/2008 |                |      | \$166,056,000     |      | AB900LR        |

Notes: Scope, cost and schedule was approved by PWB in June 2010.

## DeWitt Nelson Conversion

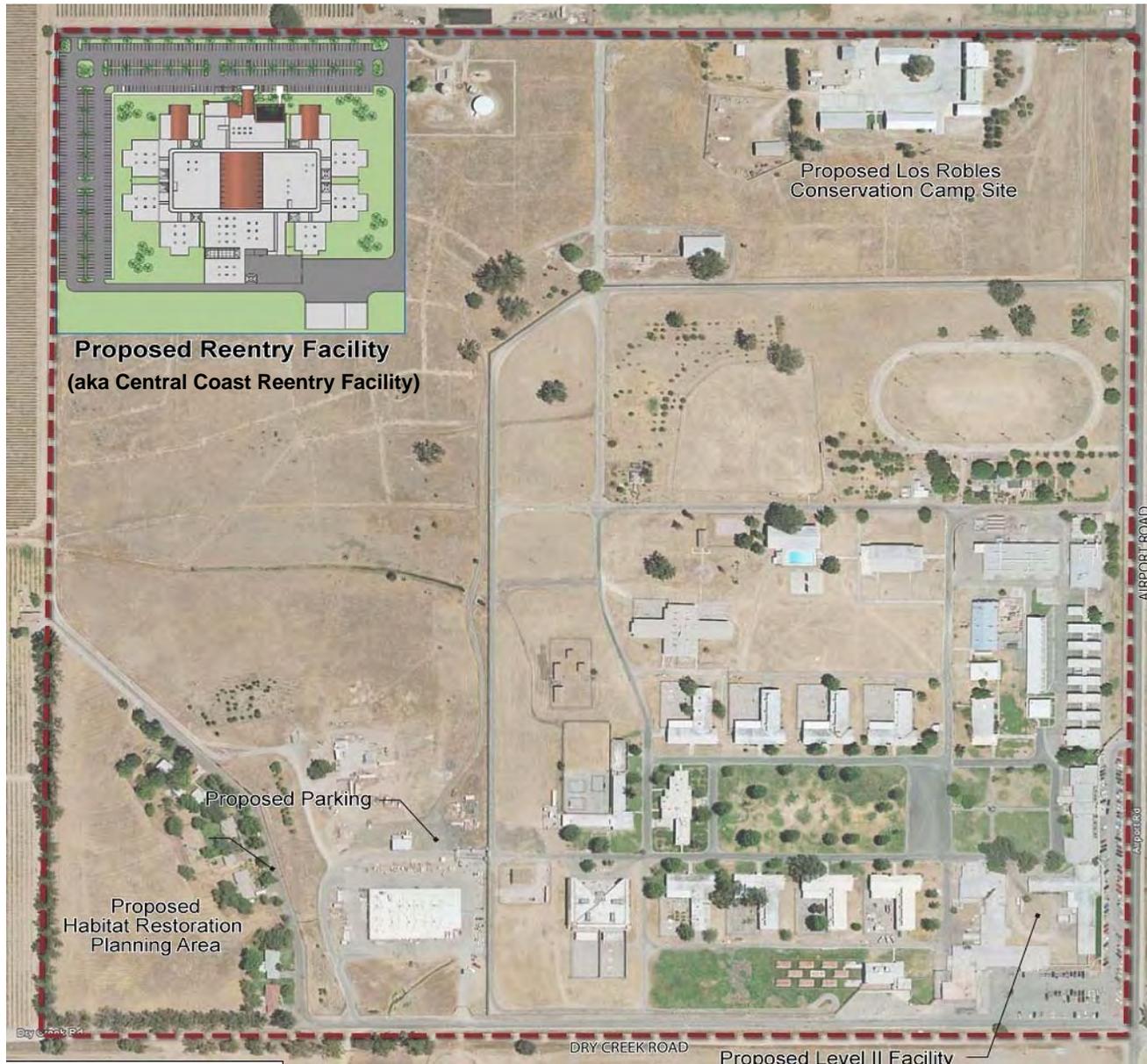
### Overview of Proposed Staffing

| Staffing Division                  | Total Staffing |
|------------------------------------|----------------|
| Administration                     | 2.00           |
| Business Services                  | 17.88          |
| Central Operations                 | 101.45         |
| Housing                            | 151.17         |
| Medical Services                   | 145.46         |
| Staffing at CHCF to Support DeWitt | 34.77          |
| <b>Total:</b>                      | <b>452.73</b>  |

### Overview of Estimated Operating Costs

|                                                                   |                      |
|-------------------------------------------------------------------|----------------------|
| Estimated Start Up Costs                                          | \$ 1,256,574         |
| Projected Annual Operational Expenditures                         | \$ 4,187,568         |
| Staffing                                                          | \$ 41,338,035        |
| Rehabilitative Programs                                           | \$ 633,000           |
| Rehabilitative Programs First Year One-Time Start-Up Costs        | \$ 840,000           |
| Staffing Cost Offset                                              | \$ (22,948,915)      |
| <b>Total First Year Operating Cost (including start up costs)</b> | <b>\$ 25,306,262</b> |
| <b>Total Annual Ongoing Estimated Operating Cost</b>              | <b>\$ 23,209,688</b> |

Note - The above figures are summary estimates. Formal notification of project staffing and costs are provided by CDCR in the detailed 30-day letters to the Legislature required by statute. Copies of 30-day letters for approved projects can be found on the CD provided in Appendix A.



**Legend: Project Type by Color Code**

Major Capitol Outlay Project (MA)

Minor Capitol Outlay Project (MI)

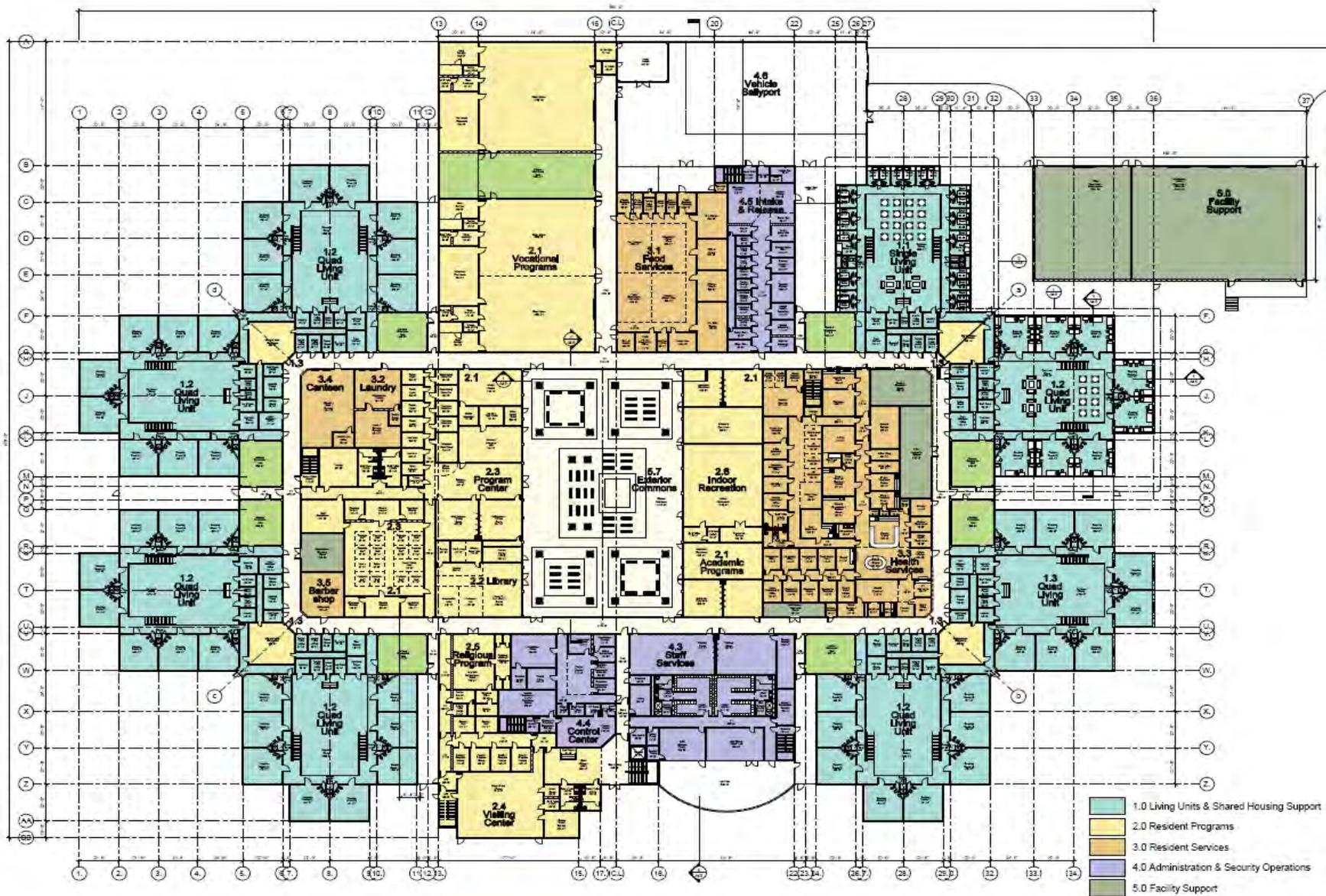
Special Repair Program (SRP)

Deferred Maintenance Program (DMP)

Special Projects (SP)

Energy Projects (E)

**ESTRELLA CORRECTIONAL FACILITY**



# ESTRELLA CORRECTIONAL FACILITY

## Estrella Correctional Facility

The purpose of this project is to convert a CDCR facility that previously housed youthful offenders into a 630 Level II adult facility that will house 1,000 inmates. The configuration of the facility will include housing for 1,000 Level II inmates, as well as modifications necessary to provide program activities for the adults.

### Active Project:

| Type | Cat | Phase | Project Name                               | Scope:                                                                                                                                                        |
|------|-----|-------|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | IN  | P     | 630 Design Bed Capacity Infill Bed Project | This project is Phase I of the Infill Bed Project and will design 630 Level II and will house 1000 inmates. This project is expected to be completed in 2012. |

Notes: Scope, Cost, and Schedule approved by PWB in June 2010; funded with AB 900 Phase I Infill appropriation.

### Project Schedule:

### Funding:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App          | Year | Aug/ Reversion | Year | Current Authority | Year | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|--------------|------|----------------|------|-------------------|------|----------------|
| S     |                |                   | 08/2009       | 06/2010          | 100%       | \$265,370    |      |                |      | \$265,370         |      | AB900GF        |
| P     | 06/2011        | 02/2011           | 06/2010       | 12/2010          | 30%        | \$6,151,000  |      |                |      |                   |      | AB900LR        |
| W     | 02/2011        | 07/2011           | 02/2011       | 07/2011          | 0%         | \$5,771,000  |      |                |      |                   |      | AB900LR        |
| C     | 10/2011        | 10/2012           | 10/2011       | 10/2012          | 0%         | \$99,233,000 |      |                |      |                   |      | AB900LR        |

Notes: Scope, cost and schedule approved by PWB in June, 2010; Funded with AB900 Phase I Infill appropriation

### Special Repair/Deferred Maintenance Projects

| Type | Project#   | Project Name                                                              | AC or PR | Year      | Project Costs | Funding Source |
|------|------------|---------------------------------------------------------------------------|----------|-----------|---------------|----------------|
| DM   | 0809-02000 | Re-roof Kitchen Complex and Various Other Buildings (Re-Allocation 07-08) | AC       | 2008/2009 | \$1,900,000   | GF             |
| DM   | 0708-00001 | Re-roof Kitchen Complex and Various Other Buildings (Augmentation)        | AC       | 2008/2009 | \$500,000     | GF             |
| DM   | 0809-00898 | Re-roof Kitchen Complex and Various Other Buildings (Augmentation)        | AC       | 2008/2009 | \$200,000     | GF             |

## Estrella Correctional Facility (ECF) - Level II Infill Facility

### Overview of Proposed Staffing

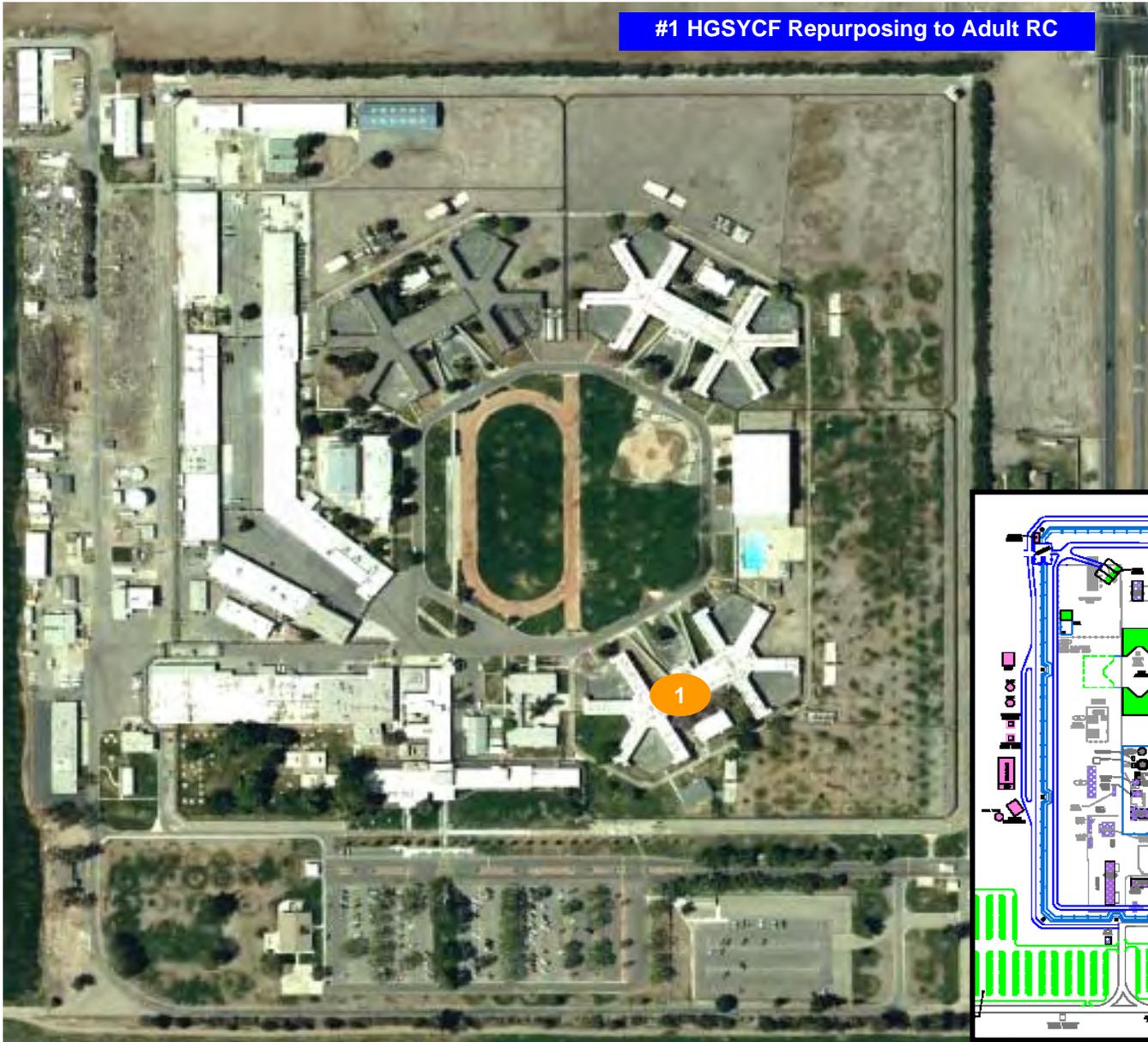
| Staffing Division    | 100%<br>Design Bed Capacity (DBC)<br>Package | 158%<br>Housing Occupancy Capacity<br>(HOC)<br>Additional Package | Total Staffing<br>@ 158% Overcrowding |
|----------------------|----------------------------------------------|-------------------------------------------------------------------|---------------------------------------|
| Administration       | 13.00                                        | 2.00                                                              | 15.00                                 |
| Business Services    | 50.16                                        | 4.00                                                              | 54.16                                 |
| Health Care Services | 179.37                                       |                                                                   | 179.37                                |
| Central Operations   | 122.98                                       | 2.00                                                              | 124.98                                |
| Housing              | 137.84                                       | 7.22                                                              | 145.06                                |
| <b>Total:</b>        | <b>503.35</b>                                | <b>15.22</b>                                                      | <b>518.57</b>                         |

### Overview of Estimated Operating Costs

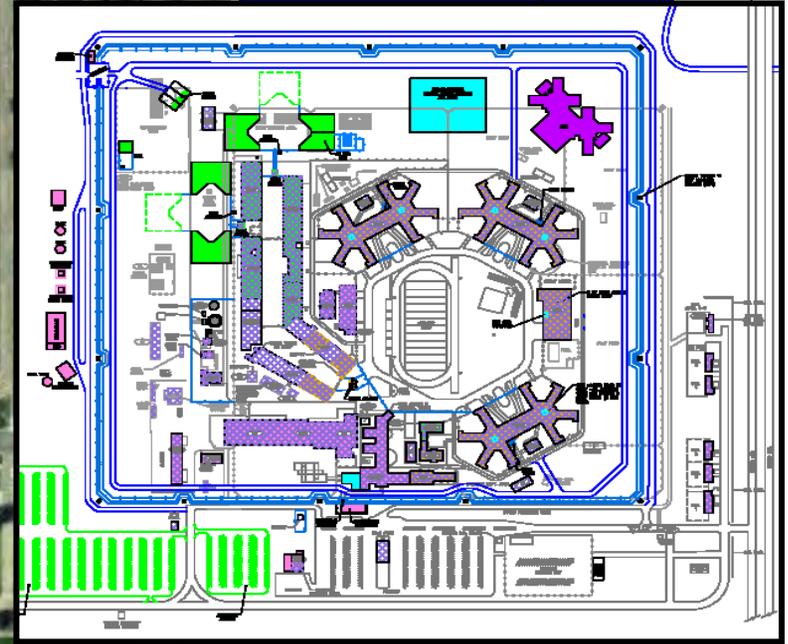
|                                                                   |           |                   |
|-------------------------------------------------------------------|-----------|-------------------|
| Estimated Start Up Costs                                          | \$        | 556,000           |
| Supplies and Equipment                                            | \$        | 3,512,000         |
| Staffing                                                          | \$        | 48,812,721        |
| Rehabilitative Programs                                           | \$        | 4,179,890         |
| Rehabilitative Programs First Year One-Time Start-Up Costs        | \$        | 841,084           |
| Staffing Cost Offset                                              | \$        | (20,255,000)      |
| <b>Total First Year Operating Cost (including start up costs)</b> | <b>\$</b> | <b>37,646,695</b> |
| <b>Total Annual Ongoing Estimated Operating Cost</b>              | <b>\$</b> | <b>36,249,611</b> |

Note - The above figures are summary estimates. Formal notification of project staffing and costs are provided by CDCR in the detailed 30-day letters to the Legislature required by statute. Copies of 30-day letters for approved projects can be found on the CD provided in Appendix A.

#1 HGSYCF Repurposing to Adult RC



HGSYCF Repurposing to Adult RC  
Infill - Level III 575 EOP to West  
60 bed CTC (w/ 30 MCHBs) to Northeast



Legend: Project Type by Color Code

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

HEMAN G. STARK CONVERSION TO ADULT LEVEL III FACILITY

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                   | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|----------------------------------------------------------------|----------------|-------|
| 1              | SRP          | I                  | F                 | Living Unit #1 Renovate Showers E&F/G&H-<br>Upstairs - Phase I | AC             | PWC   |
| 2              | MA           | IN                 | H                 | H. G. Stark Correctional Facility                              | PR             | S     |
| 3              | DM           | I                  | F                 | Main Kitchen Replace Roof                                      | PR             | PWC   |
| 4              | SRP          | I                  | F                 | Main Culinary & Bakery Replace Ceilings                        | PR             | PWC   |
| 5              | SRP          | I                  | F                 | Site Mechanical Gates Overhaul Gates                           | PR             | PWC   |
| 6              | SRP          | I                  | F                 | Eatery Replace Ceiling                                         | PR             | PWC   |
| 7              | SRP          | I                  | U                 | Site Brind Pond Replace Brine Holding Pond                     | PR             | PWC   |
| 8              | SRP          | I                  | U                 | Boiler Replace Boiler Feed Water System                        | PR             | PWC   |
| 9              | SRP          | I                  | SS                | Education Building Replace Public Address                      | PR             | PWC   |
| 10             | SRP          | I                  | SS                | Sitewide Roads Renovate Roads Phase 2                          | PR             | PWC   |

**H. G. STARK REPURPOSING**

## H. G. STARK REPURPOSING

The purpose of this project is to convert an existing CDCR DJJ facility into an adult male institution for reception center inmates as well as adding housing units and support space for Enhanced Outpatient Program inmates. The conversion will include significant upgrades to the physical plant in order to bring the security level of the institution up to Level III standards. The construction will include a 60-bed Correctional Treatment Center. The planned population is 1,796 General Population Reception Center, 88 Administrative Segregation Unit Reception Center, 380 Permanent Work Crew, 525 Enhanced Outpatient Program, 50 Enhanced Outpatient Program/Administrative Segregation Unit, and 60 Correctional Treatment Center for a total population of 2,899.

| Proposed Project |     |       |                                   |                                                                                                                                                                                                            |
|------------------|-----|-------|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Type             | Cat | Phase | Project Name                      | Scope:                                                                                                                                                                                                     |
| MA               | IN  | S     | H. G. Stark Correctional Facility | Conversion of DJJ facility to Level III standard for 1,796 GP RC, 88 ASU RC, 380 PWC, 525 EOP, 50 EOP/ASU and 60-bed CTC. This is an infill project and will be funded through AB 900 Lease Revenue funds. |

Notes: Pending PWB Approval of Scope, Cost & Schedule

| Project Schedule: |                |                   |               |                  |            | Funding:  |      |                |      |                   |      |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|-----------|------|----------------|------|-------------------|------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App       | Year | Aug/ Reversion | Year | Current Authority | Year | Funding Source |
| S                 |                |                   | 03/2010       | 09/2010          | 90%        | \$534,840 |      |                |      | \$534,840         |      | AB900LR        |
| P                 |                |                   |               |                  |            | TBD       |      |                |      |                   |      |                |
| W                 | TBD            |                   |               |                  |            | TBD       |      |                |      |                   |      |                |
| C                 | TBD            |                   |               |                  |            | TBD       |      |                |      |                   |      |                |

Notes: Estimated cost of the project is \$518,797,000

| Special Repair/Deferred Maintenance Projects |            |                                                            |          |         |               |                |
|----------------------------------------------|------------|------------------------------------------------------------|----------|---------|---------------|----------------|
| Type                                         | Project#   | Project Name                                               | AC or PR | Year    | Project Costs | Funding Source |
| SRP                                          | 0809-00224 | Living Unit #1 Renovate Showers E&P/G&H-Upstairs - Phase 1 | AC       | 2008-09 | \$500,000     | GF             |
| DM                                           | 0809-01802 | Main Kitchen Replace Roof                                  | PR       | 2010-11 | \$423,520     | GF             |
| SRP                                          | 0809-00228 | Main Culinary & Bakery Replace Ceilings                    | PR       | 2010-11 | \$305,000     | GF             |
| SRP                                          | 0809-00231 | Site Mechanical Gates Overhaul Gates                       | PR       | 2010-11 | \$220,000     | GF             |
| SRP                                          | 0809-00232 | Eatery Replace Ceiling                                     | PR       | 2010-11 | \$118,000     | GF             |
| SRP                                          | 0809-00447 | Site Brind Pond Replace Brine Holding Pond                 | PR       | 2010-11 | \$198,754     | GF             |
| SRP                                          | 0809-00451 | Boiler Replace Boiler Feed Water System                    | PR       | 2010-11 | \$697,545     | GF             |
| SRP                                          | 0809-00452 | Education Building Replace Public Address System           | PR       | 2010-11 | \$552,000     | GF             |
| SRP                                          | 0809-02467 | Sitewide Roads Renovate Roads Phase2                       | PR       | 2010-11 | \$1,620,000   | GF             |

## STATEWIDE PROJECT STATUS REPORT

### Statewide Adult Institution Projects

These projects are statewide funded and/or court driven. Each project will provide the scope for the Statewide Project and will provide the Funding Source and Status for each project.

**Active Project:**

| Type | Cat | Phase | Project Name                                                       | Scope:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|------|-----|-------|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SP   | I   | C     | Consolidated Information Technology Infrastructure Project (CITIP) | CITIP is being accomplished in 3 Phases over approximately 3 fiscal years. The phased approach allows CDCR to complete the court mandated Disability Effective Communication System (DECS)/Armstrong portion of the project in the first Phase. This project will help CDCR improve its ability to collect & distribute accurate correctional information in a consistent and timely manner by establishing a program for centrally managing and funding its Network Technology Infrastructure (NITI). The first Phase of this project covers 15 institutions and installs Business Information Systems (BIS) and DEC Local Area Network (LAN) drops at these institutions. |

**Project Schedule:**

| Phase                | Current Start | Current Complete | % Complete | App          | Year | Aug/ Reversion | Year | Current Authority | Year      | Funding Source |
|----------------------|---------------|------------------|------------|--------------|------|----------------|------|-------------------|-----------|----------------|
| W                    | 09/2008       | 05/2009          | 100%       | \$3,274,242  | 2007 |                |      | \$3,274,242       | 2007/2008 | SF             |
| C                    |               |                  |            | \$65,663,377 | 2007 |                |      | \$65,663,377      | 2007/2008 | SF             |
| Wiring/Fiber (19)    | 02/2009       | 10/2009          | 100%       |              |      |                |      |                   |           |                |
| Electrical PABX (19) | 06/2009       | 12/2009          | 100%       |              |      |                |      |                   |           |                |
| Electrical TTB (19)  | 06/2009       | 01/2010          | 100%       |              |      |                |      |                   |           |                |
| Electrical Site (19) | 06/2009       | 12/2010          | 97%        |              |      |                |      |                   |           |                |
| HVAC Phase I (14)    | 06/2009       | 01/2010          | 100%       |              |      |                |      |                   |           |                |
| HVAC Phase II (19)   | 06/2009       | 12/2010          | 97%        |              |      |                |      |                   |           |                |

Notes: Completion date for Phase II HVAC Controls & Electrical has been revised to 12/30/2010

**Active Project:**

| Phase | Cat | Phase | Project Name                       | Scope:                                                                                                                                                                                                                                             |
|-------|-----|-------|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA    | MH  | PW    | Small Management Yards for PSH/SHU | Construct 153 Small Management Exercise Yards at 5 Institutions as required to meet court ordered out of cell exercise time for PSU/SHU. The 5 Institutions are: PBSP (10 Yards); SAC (14 Yards); COR (47 Yards); CCI ( 73 Yards); VSPW (9 Yards). |

**Project Schedule:**

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year      | Aug/ Reversion | Year | Current Authority | Year      | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-------------|-----------|----------------|------|-------------------|-----------|----------------|
| P     |                |                   | 09/2009       | 01/2010          | 100%       |             |           |                |      |                   |           |                |
| W     | 01/2010        | 03/2010           | 01/2010       | 05/2010          | 100%       | \$278,000   | 2008/2009 |                |      | \$278,000         | 2008/2009 | GF             |
| C     | 07/2010        | 06/2012           | 01/2011       | 10/2012          | 0%         | \$4,649,000 | 2011-12   |                |      |                   |           |                |

Notes: Construction Funding \$4,649,000 being sought in FY 11/12 Budget

\* See LEGEND SHEET for explanation

## STATEWIDE PROJECT STATUS REPORT

### Statewide Adult Institution Projects

#### Active Project:

| Type | Cat | Phase | Project Name                      | Scope:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|------|-----|-------|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | RE  | S,A   | Secure Community Reentry Facility | There are several sites under consideration for Secure Community Reentry Facilities. These projects would design and construct a 500 Bed Secure Community Reentry Facility that would include space for resident programs, resident services, living units, housing support, administration, security operations and facility support within one secure building. Site locations and infrastructure concerns are under negotiations. Sites listed below are still under negotiations. |

| Project Information: |       | Project Status: |          | Current Start: |      | Project Budget: |      |             |                |
|----------------------|-------|-----------------|----------|----------------|------|-----------------|------|-------------|----------------|
| Location             | Phase | Start           | Complete | Appropriation  | Year | Aug/Reversion   | Year | Total Cost  | Funding Source |
| Apple Valley Region  | S,A   | 01/2009         | 12/2010  | \$1,650,000    |      |                 |      | \$1,650,000 | AB900          |
|                      | P     | 12/2010         | 09/2011  | \$8,116,000    |      |                 |      |             |                |
|                      | W     | 09/2011         | 06/2012  | \$10,532,000   |      |                 |      |             |                |
|                      | C     | 10/2012         | 12/2014  | \$144,415,000  |      |                 |      |             |                |
| Central Coast Region | S,A   | 09/2009         | 11/2010  |                |      |                 |      |             |                |
|                      | P     | 12/2010         | 10/2011  | \$4,469,000    |      |                 |      |             |                |
|                      | W     | 10/2011         | 01/2012  |                |      |                 |      |             |                |
|                      | C     | 10/2011         | 01/2014  | \$156,138,000  |      |                 |      |             |                |
| Kern County          | S,A   | 01/2009         | 01/2011  |                |      |                 |      |             |                |
|                      | P     | 01/2011         | 11/2011  | \$8,116,000    |      |                 |      |             |                |
|                      | W     | 11/2011         | 08/2012  | \$10,532,000   |      |                 |      |             |                |
|                      | C     | 12/2012         | 02/2015  | \$144,415,000  |      |                 |      |             |                |
| Madera County        | S,A   | 01/2009         | 12/2010  |                |      |                 |      |             |                |
|                      | P     | 01/2011         | 11/2011  | \$8,116,000    |      |                 |      |             |                |
|                      | W     | 11/2011         | 08/2012  | \$10,532,000   |      |                 |      |             |                |
|                      | C     | 01/2013         | 04/2015  | \$144,415,000  |      |                 |      |             |                |
| San Diego County     | S,A   | 04/2010         | 12/2010  |                |      |                 |      |             |                |
|                      | P     | 12/2010         | 09/2011  | \$8,116,000    |      |                 |      |             |                |
|                      | W     | 09/2011         | 06/2012  | \$10,532,000   |      |                 |      |             |                |
|                      | C     | 10/2012         | 12/2014  | \$144,415,000  |      |                 |      |             |                |

Notes: S, A Appropriation for all sites; Funds will be encumbered once sites are finalized-all AB900 Funding; CDCR is considering sites at Solano & Folsom

## STATEWIDE PROJECT STATUS REPORT

### Statewide Adult Institution Projects

#### Proposed Project:

| Phase | Cat | Phase | Project Name                                  | Scope:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------|-----|-------|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA    | MH  | PW    | Statewide Dental Modifications Phase I of III | The Statewide Dental Improvement Program will provide improvements to dental facilities at a minimum of 26 state prison facilities. These improvements will address corrective actions to allow CDCR to come into compliance with the stipulated agreement in <i>Perez vs. Cate</i> . The scope of these improvements include renovation of existing space to accommodate more efficient operations through more & better use of space, improvements and facilitate better sanitary & infection control environments. The project is planned to occur in three phases over the next three fiscal years subject to the availability of funding. |

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year | Aug/ Reversion | Year | Current Authority | Year | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-------------|------|----------------|------|-------------------|------|----------------|
| S/A   |                |                   |               |                  |            |             |      |                |      |                   |      |                |
| P     | 10/2010        | 04/2011           |               |                  |            |             |      |                |      |                   |      |                |
| W     | 04/2011        | 06/2011           |               |                  |            | \$729,000   |      |                |      |                   |      |                |
| C     | 07/2011        | 06/2012           |               |                  |            | \$3,918,000 |      |                |      |                   |      |                |

Notes: Funding authorization for this project is pending approval of the Governor's FY 10/11 Budget

#### Proposed Project:

| Phase | Cat | Phase | Project Name                             | Scope:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------|-----|-------|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA    | MH  | PW    | Health Care Facility Improvement Program | This proposed project is to be funded as part of Chapter 7, Statutes of 2007 AB 900, this included the authorization of the construction of healthcare facilities at existing institutions. Construction projects will be performed at institutions designated into three separate categories on the level of medical care they will be tasked to support: Intermediate Care (11), Reception Centers (5), and Basic Care (17). The construction will address not only medical care needs but also dental & mental health requirements in support of the Coleman & Perez court actions. |

#### Project Schedule:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App | Year | Aug/ Reversion | Year | Current Authority | Year | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-----|------|----------------|------|-------------------|------|----------------|
| S/A   |                |                   |               |                  |            |     |      |                |      |                   |      |                |
| P     |                |                   |               |                  |            |     |      |                |      |                   |      |                |
| W     |                |                   |               |                  |            |     |      |                |      |                   |      |                |
| C     |                |                   |               |                  |            |     |      |                |      |                   |      |                |

Notes: See Attached Health Care Facility Improvement Program Spreadsheet for Program Schedule in Phases I & II. For more detailed information see Appendix A, #13 Health Care Improvement Program (HCFIP) Conceptual Health Care Facility Master Plan

## STATEWIDE PROJECT STATUS REPORT

### Statewide Adult Institution Projects

#### Completed Projects:

| Type | Cat | Project Name                      | Project Costs | Date Completed | Funding Source |
|------|-----|-----------------------------------|---------------|----------------|----------------|
| SRP  | F   | Armstrong DPW Bed Conversions ADA | \$1,900,000   | 08/2010        | GF             |

\* See LEGEND SHEET for explanation



## Health Care Facility Improvement Program (HCFIP) Conceptual Master Plan



| Intermediate Institutions                               | Level                    | Design Capacity | HOC   | Year Built | Program Cost | Medication Distribution | Primary Care Clinic | Mental Health EOP Office & Treatment | Ad. Seg. (ASU) Clinic | MSF Clinic | Specialty Clinics/TTA | Health Services Administration | Medical Records | Laboratory | Pharmacy   | Reception Center Health Care Intake Screening | Utility Infrastructure Upgrades | Master Plan Cost |            |
|---------------------------------------------------------|--------------------------|-----------------|-------|------------|--------------|-------------------------|---------------------|--------------------------------------|-----------------------|------------|-----------------------|--------------------------------|-----------------|------------|------------|-----------------------------------------------|---------------------------------|------------------|------------|
|                                                         |                          |                 |       |            |              |                         |                     |                                      |                       |            |                       |                                |                 |            |            |                                               |                                 |                  |            |
| California Medical Facility                             | I, II, III               | 3,292           | 3,336 | 1955       | Program Cost | 1,253,500               | 5,090,500           |                                      |                       |            | 12,547,500            |                                | 2,500,000       |            | 521,000    |                                               | ALLOWANCE                       | 21,912,500       |            |
| California Institution for Men - Chino                  | I, RC                    | 3,160           | 5,144 | 1941       | Program Cost | 1,936,003               | 12,456,211          | 19,094,000                           | 4,370,000             |            | 8,960,878             | 5,500,000                      | 546,198         |            | 700,000    | 17,255,331                                    |                                 |                  | 70,818,621 |
| California Men's Colony                                 | I, II, III               | 3,884           | 6,695 | 1954       | Program Cost | 1,550,000               | 11,650,000          | 6,555,000                            | 5,750,000             |            | 6,100,000             | 6,250,000                      | 3,375,000       | 759,000    | 2,277,000  | 25,000                                        |                                 |                  | 44,291,000 |
| Folsom State Prison                                     | I, II                    | 2,065           | 3,251 | 1880       | Program Cost | 1,782,500               | 18,997,051          |                                      |                       | 3,000,000  | 22,090,688            |                                | 3,800,000       |            | 1,000,000  |                                               |                                 |                  | 50,670,238 |
| California State Prison - Los Angeles                   | I, IV                    | 1,350           | 4,190 | 1993       | Program Cost | 800,000                 | 9,151,024           | 3,862,710                            | 2,490,000             |            | 3,500,000             | 780,000                        | 3,000,000       |            | 1,500,000  | 2,671,053                                     |                                 |                  | 27,754,787 |
| Mule Creek State Prison                                 | I, III, IV               | 1,700           | 3,092 | 1987       | Program Cost | 416,598                 | 8,970,000           | 2,049,500                            |                       |            | 2,392,125             | 3,300,000                      |                 | 435,000    | 2,028,600  |                                               |                                 |                  | 19,591,823 |
| Richard J. Donovan Correctional Facility                | I, III, RC               | 2,208           | 4,029 | 1987       | Program Cost | 1,218,000               | 14,386,625          | 6,666,002                            | 3,497,800             |            | 7,000,000             | 5,425,000                      |                 | 435,000    | 2,000,000  | 9,970,000                                     |                                 |                  | 50,598,427 |
| San Quentin State Prison                                | I, II, C, RC             | 3,302           | 5,092 | 1852       | Program Cost | 1,794,000               |                     | 1,500,000                            |                       |            |                       |                                |                 |            |            |                                               |                                 |                  | 3,294,000  |
| California State Prison - Sacramento                    | I, IV                    | 2,031           | 3,074 | 1986       | Program Cost | 1,465,000               | 22,845,119          |                                      |                       |            | 16,023,156            |                                | 943,000         |            | 287,500    |                                               |                                 |                  | 41,563,775 |
| California State Prison - Solano                        | II, III                  | 2,610           | 5,070 | 1984       | Program Cost | 244,928                 | 14,014,700          |                                      |                       |            | 6,302,050             |                                | 1,281,644       |            | 711,850    | 138,000                                       |                                 |                  | 22,693,172 |
| California Institution for Women - Chino                | I, II, III, RC           | 1,026           | 1,924 | 1952       | Program Cost |                         | 9,257,873           | 750,000                              |                       |            | 3,000,000             |                                |                 |            |            | 7,060,195                                     |                                 |                  | 20,068,068 |
| Housing Modifications & Path-of-Travel Upgrades for DPP |                          |                 |       |            | Program Cost |                         |                     |                                      |                       |            |                       |                                |                 |            |            |                                               |                                 |                  | 15,000,000 |
| <b>Subtotal</b>                                         |                          |                 |       |            |              | 12,460,529              | 126,819,103         | 40,477,212                           | 16,107,800            | 3,000,000  | 87,916,397            | 21,255,000                     | 15,445,842      | 1,629,000  | 11,025,950 | 37,119,579                                    | 28,000,000                      | 416,256,411      |            |
| <b>Unclassified-RC Institutions</b>                     |                          |                 |       |            |              |                         |                     |                                      |                       |            |                       |                                |                 |            |            |                                               |                                 |                  |            |
| Deuel Vocational Institute                              | I, III, RC               | 1,681           | 2,864 | 1953       | Program Cost | 1,161,500               | 4,690,890           |                                      | 934,490               | 1,127,000  | 3,285,435             |                                |                 | 103,730    | 839,270    | 5,974,500                                     | ALLOWANCE                       | 18,116,815       |            |
| North Kern State Prison                                 | I, III, RC               | 2,892           | 5,113 | 1993       | Program Cost | 600,000                 | 9,853,298           |                                      |                       |            | 50,000                | 1,700,000                      |                 |            | 300,000    | 5,603,000                                     |                                 |                  | 18,106,298 |
| Wasco State Prison                                      | I, III, RC               | 3,190           | 5,801 | 1991       | Program Cost | 800,000                 | 10,653,298          | 2,670,299                            |                       |            | 615,000               |                                |                 |            | 1,000,000  | 5,816,000                                     |                                 |                  | 21,554,597 |
| Central California Women's Facility                     | I, II, III, IV, RC, Cond | 2,004           | 3,891 | 1990       | Program Cost | 800,000                 | 3,375,000           |                                      |                       |            |                       |                                |                 |            | 2,000,000  | 4,920,000                                     |                                 |                  | 11,095,000 |
| Valley State Prison for Women                           | I, II, III, IV, RC, SHU  | 2,024           | 3,624 | 1995       | Program Cost | 800,000                 | 5,604,201           | 750,000                              |                       |            |                       |                                |                 |            | 500,000    | 4,920,000                                     |                                 |                  | 12,574,201 |
| <b>Subtotal</b>                                         |                          |                 |       |            |              | 4,161,500               | 34,176,687          | 3,420,299                            | 934,490               | 1,127,000  | 3,950,435             | 1,700,000                      |                 | 103,730    | 4,639,270  | 27,233,500                                    | 4,500,000                       | 85,946,911       |            |
| <b>Basic Institutions</b>                               |                          |                 |       |            |              |                         |                     |                                      |                       |            |                       |                                |                 |            |            |                                               |                                 |                  |            |
| Avenal State Prison                                     | II                       | 2,920           | 5,706 | 1987       | Program Cost | 1,500,000               |                     |                                      |                       |            | 839,500               |                                | 977,500         |            |            |                                               | ALLOWANCE                       | 3,317,000        |            |
| Calipatria State Prison                                 | I, IV                    | 2,208           | 4,318 | 1992       | Program Cost | 800,000                 | 3,200,000           |                                      | 3,000,000             |            | 50,000                | 900,000                        | 500,000         |            |            |                                               |                                 |                  | 8,450,000  |
| California Correctional Center                          | I, II, III               | 4,096           | 3,609 | 1963       | Program Cost | 648,188                 | 4,544,812           |                                      |                       | 3,507,000  | 4,946,360             | 2,900,000                      | 2,400,000       |            | 300,000    |                                               |                                 |                  | 19,246,360 |
| California Correctional Institution                     | I, II, IV, RC, SHU       | 2,781           | 5,040 | 1933       | Program Cost | 2,215,172               | 12,664,180          |                                      |                       |            |                       |                                |                 |            | 2,000,000  | 3,413,430                                     |                                 |                  | 20,292,782 |
| California State Prison - Corcoran                      | I, III, IV, SHU          | 2,916           | 5,293 | 1988       | Program Cost | 1,080,000               | 4,400,000           |                                      |                       |            | 5,962,330             |                                | 8,233,700       |            | 500,000    |                                               |                                 |                  | 20,176,030 |
| Centinalla State Prison                                 | I, III                   | 2,383           | 4,368 | 1993       | Program Cost | 800,000                 | 3,200,000           |                                      | 3,000,000             |            | 50,000                | 1,700,000                      |                 |            | 500,000    |                                               |                                 |                  | 9,250,000  |
| California Rehabilitation Center - Norco                | II                       | 3,628           | 4,662 | 1962       | Program Cost | 1,044,320               | 22,363,375          |                                      |                       |            | 13,137,009            |                                | 100,625         |            | 2,000,000  |                                               |                                 |                  | 38,645,329 |
| Correctional Training Facility - Soledad                | II, III                  | 3,301           | 6,153 | 1946       | Program Cost | 760,000                 | 13,690,800          |                                      | 2,200,000             |            | 3,875,500             | 2,200,000                      |                 |            |            |                                               |                                 |                  | 22,726,300 |
| Chuckawalla Valley State Prison                         | I, II                    | 1,738           | 3,418 | 1988       | Program Cost | 800,000                 | 3,200,000           |                                      |                       |            | 50,000                | 1,700,000                      | 2,700,000       |            | 500,000    |                                               |                                 |                  | 8,950,000  |
| High Desert State Prison                                | I, III, IV, RC           | 2,452           | 4,350 | 1995       | Program Cost | 600,000                 | 3,400,000           |                                      | 3,000,000             |            | 710,000               |                                |                 |            | 500,000    | 1,553,512                                     |                                 |                  | 9,763,512  |
| Ironwood State Prison                                   | I, III                   | 2,200           | 4,230 | 1994       | Program Cost | 800,000                 | 3,200,000           |                                      |                       |            | 50,000                | 1,700,000                      |                 |            | 500,000    |                                               |                                 |                  | 6,250,000  |
| Kern Valley State Prison                                | I, IV                    | 2,448           | 4,578 | 2005       | Program Cost | 2,520,000               | 4,000,000           |                                      | 3,000,000             |            |                       |                                |                 |            | 500,000    |                                               |                                 |                  | 10,020,000 |
| Pelican Bay State Prison                                | I, IV, SHU               | 2,280           | 2,601 | 1989       | Program Cost | 995,000                 | 2,000,000           |                                      |                       |            |                       |                                |                 |            | 300,000    |                                               |                                 |                  | 3,295,000  |
| Pleasant Valley State Prison                            | I, III                   | 2,616           | 4,405 | 1994       | Program Cost | 800,000                 | 3,200,000           |                                      | 3,000,000             |            |                       |                                |                 |            | 700,000    |                                               |                                 |                  | 7,700,000  |
| Substance Abuse Treatment Facility                      | I, III, IV               | 3,424           | 6,641 | 1997       | Program Cost | 1,540,000               | 6,100,000           |                                      | 3,000,000             |            |                       |                                |                 |            |            |                                               |                                 |                  | 10,640,000 |
| Sierra Conservation Center                              | I, II, III               | 3,706           | 3,377 | 1965       | Program Cost | 1,084,000               | 4,026,080           |                                      |                       |            | 6,686,080             | 4,030,000                      | 2,547,840       | 267,871    | 2,042,129  |                                               |                                 |                  | 20,684,000 |
| Salinas Valley State Prison                             | I, IV                    | 2,224           | 4,324 | 1996       | Program Cost | 1,380,000               | 3,700,000           |                                      | 3,000,000             |            |                       |                                |                 |            | 500,000    |                                               |                                 |                  | 8,580,000  |
| <b>Subtotal</b>                                         |                          |                 |       |            |              | 19,366,680              | 96,889,247          |                                      | 23,200,000            | 3,507,000  | 36,356,779            | 15,130,000                     | 17,459,665      | 267,871    | 10,842,129 | 4,966,942                                     | 17,500,000                      | 245,486,313      |            |
| <b>TOTALS:</b>                                          |                          |                 |       |            |              | 35,988,709              | 257,885,037         | 43,897,511                           | 40,242,290            | 7,634,000  | 128,223,611           | 38,085,000                     | 32,905,507      | 2,000,601  | 26,507,349 | 69,320,021                                    | 50,000,000                      | 747,689,635      |            |

Program Scope included in Phase I

Program Scope included in Phase II

**HCFIP AB 900 TOTAL** **747,689,635**

**Juvenile Institutions:**

- N.A. Chaderjian Youth Correctional Facility ..... (NACYCF)
- Northern California Youth Correctional Center ..... (NCYCC)
- O.H. Close Youth Correctional Facility ..... (OHCYCF)
- Preston Youth Correctional Facility .....(PYCF)
- Southern Youth Correctional Reception Center Clinic ..... (SYCRCC)
- Ventura Youth Correctional Facility.....(VYCF)
- Statewide Juvenile

**JUVENILE INSTITUTIONS**



**Legend: Project Type by Color Code**

Major Capitol Outlay Project (MA)

Minor Capitol Outlay Project (MI)

Special Repair Program (SRP)

Deferred Maintenance Program (DMP)

Special Projects (SP)

Energy Projects (E)

**N. A. CHADERJIAN YOUTH CORRECTIONAL FACILITY**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                            | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-------------------------------------------------------------------------|----------------|-------|
| 1              | MI           | FA                 | S                 | Group Recreation Yard BTP Living Unit                                   | PR             | PWC   |
| 2              | DM           | I                  | SS                | Replace Perimeter Road                                                  | PR             | PWC   |
| 3              | DM           | I                  | SS                | Sally Port Road Repair                                                  | PR             | PWC   |
| 4              | DM           | I                  | F                 | Replace Roof on Living Unit 2 (const)                                   | PR             | C     |
| 5              | DM           | I                  | F                 | Replace Roof on Living Unit 3 (const)                                   | PR             | C     |
| 6              | DM           | I                  | F                 | Replace Roof on Living Unit 4 (const)                                   | PR             | C     |
| 7              | DM           | I                  | F                 | Replace Roof on Living Unit 5 (const)                                   | PR             | C     |
| 8              | DM           | I                  | F                 | Replace Roof on Living Unit 6 (const)                                   | PR             | C     |
| 9              | DM           | I                  | F                 | Replace Roof on Living Unit 1(const)                                    | PR             | C     |
| 10             | SRP          | I                  | F                 | Replace Defective Field Wiring Supporting Living Units 2-6              | PR             | PWC   |
| 11             | SRP          | I                  | F                 | Replace Living Unit Control Panels, Wiring and Hardware-Living Unit 2-6 | PR             | PWC   |
| 12             | SRP          | I                  | F                 | Remove Floor Tile and Seal Existing Concrete Substrate - Living Units   | PR             | PWC   |
| 13             | SRP          | I                  | F                 | Replace Kitchen Flooring in Six (6) Kitchens                            | PR             | PWC   |
| 14             | SRP          | I                  | F                 | Restore Living Unit Youth Room Power                                    | PR             | PWC   |
| 15             | MA           | FA                 | P                 | Sexual Behavior Treatment Program Counseling - Bldg #1                  | CO             | C     |
| 16             | MA           | FA                 | P                 | Sexual Behavior Treatment Program Counseling - Bldg #2                  | CO             | C     |

## INSTITUTION PROJECT STATUS REPORT

### N. A. CHADERJIAN YOUTH CORRECTIONAL FACILITY (NACYCF)

#### Proposed Projects:

| Type | Cat | Phase | Project Name                                        | Scope:                                                                                                                            |
|------|-----|-------|-----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| MI   | FA  | P     | Group Recreation Yard<br>Sacramento BTP Living Unit | Construct Group Recreation Area in the Sacramento Behavior Treatment Program Living Unit to comply with the <i>Farrell</i> court. |

Notes:

#### Project Schedule:

| Phase | Begin Date |  |  |  | Phase | Budget Costs | Total Costs | Funding |
|-------|------------|--|--|--|-------|--------------|-------------|---------|
| PWC   | FY 11/12   |  |  |  | PWC   | \$385,000    |             |         |

#### Special Repair/Deferred Maintenance Projects

| Type | Project #  | Project Name                                                                | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-----------------------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00241 | Replace Perimeter Road                                                      | PR       | 2011-12 | \$310,000     | GF             |
| DM   | 0809-00244 | Sally Port Road Repair                                                      | PR       | 2011-12 | \$100,000     | GF             |
| DM   | 0809-01903 | Replace Roof on Living Unit 2 (const)                                       | PR       | 2010-11 | \$250,000     | GF             |
| DM   | 0809-01904 | Replace Roof on Living Unit 3 (const)                                       | PR       | 2010-11 | \$250,000     | GF             |
| DM   | 0809-01905 | Replace Roof on Living Unit 4 (const)                                       | PR       | 2010-11 | \$250,000     | GF             |
| DM   | 0809-01906 | Replace Roof on Living Unit 5 (const)                                       | PR       | 2010-11 | \$250,000     | GF             |
| DM   | 0809-01907 | Replace Roof on Living Unit 6 (const)                                       | PR       | 2011-12 | \$250,000     | GF             |
| DM   | 0910-00786 | Replace Roof on Living Unit 1 (const)                                       | PR       | 2010-11 | \$250,000     | GF             |
| SRP  | 0809-00237 | Replace Defective Field Wiring Supporting Living Units 2-6                  | PR       | 2011-12 | \$1,050,000   | GF             |
| SRP  | 0910-00500 | Replace Living Unit Control Panels, Wiring and Hardware-<br>Living Unit 2-6 | PR       | 2011-12 | \$500,000     | GF             |
| SRP  | 0910-00501 | Remove Floor Tile and Seal Existing Concrete Substrate -<br>Living Units    | PR       | 2011-12 | \$150,000     | GF             |
| SRP  | 0910-00502 | Replace Kitchen Flooring in Six (6) Kitchens                                | PR       | 2011-12 | \$450,000     | GF             |
| SRP  | 0910-00503 | Restore Living Unit Youth Room Power                                        | PR       | 2011-12 | \$225,000     | GF             |

#### Completed Projects:

| Type | Cat | Project Name                                                | Project Costs | Date Completed | Funding Source |
|------|-----|-------------------------------------------------------------|---------------|----------------|----------------|
| MA   | FA  | Sexual Behavior Treatment Program<br>Counseling Building #1 | 419,000       | 09/2010        | GF             |
| MA   | FA  | Sexual Behavior Treatment Program<br>Counseling Building #2 | 517,000       | 09/2010        | GF             |

\* See LEGEND SHEET for explanation



**Legend: Project Type by Color Code**

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**NORTHERN CALIFORNIA YOUTH CORRECTIONAL CENTER - CENTRAL ADMIN. (NCYCC)**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-------------------------------------------------------------|----------------|-------|
| 1              | DM           | O                  | SS                | Repair and Resurface Entrance Road                          | PR             | PWC   |
| 2              | SRP          | I                  | U                 | Replace Delta Room Chiller and Cooling Tower                | PR             | PWC   |
| 3              | SRP          | I                  | U                 | Central Boiler Replacement                                  | PR             | PWC   |
| 4              | SRP          | O                  | SS                | Walk-In Refrigeration/Freezer Replacement - Central Kitchen | PR             | PWC   |
| 5              | SRP          | I                  | U                 | Water Well and Tank Level Controls                          | PR             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### NORTHERN CALIFORNIA YOUTH CORRECTIONAL CENTER (NCYCC)

#### Active Project:

| Type | Cat | Phase | Project Name | Scope: |
|------|-----|-------|--------------|--------|
|      |     |       | NONE         |        |

Notes:

#### Project Schedule:

#### Funding:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App | Year | Aug/ Reversion | Year | Current Authority | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-----|------|----------------|------|-------------------|----------------|
|       |                |                   |               |                  |            |     |      |                |      |                   |                |

Notes:

#### Special Repair/Deferred Maintenance Projects

| Type | Project #  | Project Name                                                | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00248 | Repair and Resurface Entrance Road                          | PR       | 2011-12 | \$315,000     | GF             |
| SRP  | 0809-00247 | Replace Delta Room Chiller and Cooling Tower                | PR       | 2011-12 | \$188,000     | GF             |
| SRP  | 0809-00249 | Central Boiler Replacement                                  | PR       | 2010-11 | \$4,804,193   | GF             |
| SRP  | 0809-00252 | Walk-In Refrigeration/Freezer Replacement - Central Kitchen | PR       | 2010-11 | \$300,000     | GF             |
| SRP  | 0910-00506 | Water Well and Tank Level Controls                          | PR       | 2011-12 | \$125,000     | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name | Project Costs | Date Completed | Funding Source |
|------|-----|--------------|---------------|----------------|----------------|
|      |     | NONE         |               |                |                |



**Legend: Project Type by Color Code**

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**O. H. CLOSE YOUTH CORRECTIONAL FACILITY**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                       | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|----------------------------------------------------|----------------|-------|
| 1              | DM           | I                  | F                 | Reroof Units #1, #2, and #4 Labor Only             | AC             | PWC   |
| 2              | MI           | FA                 | U                 | Install Evaporative Coolers in Dayrooms            | PR             | PWC   |
| 3              | DM           | I                  | SS                | Repair Interior Road                               | PR             | PWC   |
| 4              | DM           | I                  | U                 | Education/Classroom Electrical Upgrade             | PR             | PWC   |
| 5              | SRP          | I                  | U                 | Replace Shower Fixtures at Eight (8) Dorms         | PR             | PWC   |
| 6              | SRP          | I                  | S                 | Replace Fence Alarm System                         | PR             | PWC   |
| 7              | SRP          | I                  | SS                | Bead Blast Inyo Housing Unit Floor                 | PR             | PWC   |
| 8              | SRP          | I                  | U                 | Restoration of Electrical Power - Living Units     | PR             | PWC   |
| 9              | MA           | FA                 | P                 | Inyo Living Unit Program Space                     | CO             | PWC   |
| 10             | MA           | FA                 | P                 | Humboldt Specialized Counseling Building Expansion | CO             | PWC   |
| 11             | MI           | FA                 | HC                | Inyo Living Unit Medical Exam & Office space       | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### O. H. CLOSE YOUTH CORRECTIONAL FACILITY (OHCYCF)

#### Active Project:

| Type  | Cat | Phase | Project Name | Scope: |
|-------|-----|-------|--------------|--------|
| MI/MA |     |       | NONE         |        |

Notes:

#### Project Schedule:

#### Funding:

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | Year | App/<br>Augmentation | Year | Current Authority | Year | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|------|----------------------|------|-------------------|------|----------------|
|       |                |                   |               |                  |            |      |                      |      |                   |      |                |

Notes:

#### Proposed Project:

| Type | Cat | Phase | Project Name                             | Scope:                                                                                                          |
|------|-----|-------|------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| MI   | I   | PWC   | Install Evaporative Cooling in Day Rooms | This project will provide evaporative cooling in day rooms in order to be in compliance with heat temperatures. |

#### Project Schedule:

#### Project Budget:

| Phase | Begin Date | Phase | Budget Costs | Total Cost | Funding Source |
|-------|------------|-------|--------------|------------|----------------|
| PWC   | FY 10/11   | PWC   | \$354,000    |            |                |

Notes:

#### Special Repair/Deferred Maintenance Projects

| Type | Project #  | Project Name                                   | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0809-00263 | Reroof Units #1, #2, and #4 Labor Only         | AC       | 2008-09 | \$671,000     | GF             |
| DM   | 0809-00257 | Repair Interior Road                           | PR       | 2011-12 | \$210,000     | GF             |
| DM   | 0910-00507 | Education/Classroom Electrical Upgrade         | PR       | 2011-12 | \$450,000     | GF             |
| SRP  | 0809-00260 | Replace Shower Fixtures at Eight (8) Dorms     | PR       | 2010-11 | \$393,116     | GF             |
| SRP  | 0910-00508 | Replace Fence Alarm System                     | PR       | 2011-12 | \$130,000     | GF             |
| SRP  | 0910-00509 | Bead Blast Inyo Housing Unit Floor             | PR       | 2011-12 | \$40,000      | GF             |
| SRP  | 0910-00510 | Restoration of Electrical Power - Living Units | PR       | 2011-12 | \$450,000     | GF             |

#### Completed Projects:

| Type | Cat | Project Name                                       | Project Costs | Date Completed | Funding Source |
|------|-----|----------------------------------------------------|---------------|----------------|----------------|
| MA   | FA  | Inyo Living Unit Program Space                     | \$516,000     | 07/2010        | GF             |
| MA   | FA  | Humboldt Specialized Counseling Building Expansion | \$517,000     | 06/2010        | GF             |
| MI   | FA  | Inyo Living Unit Medical Exam & Office space       | \$385,000     | 08/2010        | GF             |

\* See LEGEND SHEET for explanation



**Legend: Project Type by Color Code**

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**PRESTON YOUTH CORRECTIONAL FACILITY**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                        | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|-----------------------------------------------------|----------------|-------|
| 1              | SRP          | I                  | I                 | Replace Water Storage Tank                          | AC             | PWC   |
| 2              | DM           | I                  | F                 | Reroof Hawthorn Lodge                               | PR             | PWC   |
| 3              | DM           | I                  | SS                | Replace Asphalt on Parking Lot and Entrance Road    | PR             | PWC   |
| 4              | SRP          | I                  | U                 | Upgrade Primary Power                               | PR             | PWC   |
| 5              | SRP          | I                  | F                 | Redwood Living Unit Window Retrofit                 | PR             | PWC   |
| 6              | SRP          | I                  | F                 | Oak Living Unit Window Retrofit                     | PR             | PWC   |
| 7              | SRP          | I                  | F                 | Combi Retrofit on Ironwood Living Unit              | PR             | PWC   |
| 8              | SRP          | I                  | U                 | Major Upgrade to Restroom - Cedar Lodge             | PR             | PWC   |
| 9              | SRP          | I                  | U                 | Replace Waste Water Pumping Station                 | PR             | PWC   |
| 10             | MI           | FA                 | S                 | Redwood Living Unit Construct Group Recreation Area | CO             | PWC   |
| 11             | MI           | FA                 | S                 | Oak Living Unit Construct Group Recreation Area     | CO             | PWC   |
| 12             | SRP          | FA                 | F                 | ADA Modifications to comply with Farrell            | CO             | C     |

## INSTITUTION PROJECT STATUS REPORT

### PRESTON YOUTH CORRECTIONAL FACILITY (PYCF)

#### Active Project:

| Type | Cat | Phase | Project Name | Scope: |
|------|-----|-------|--------------|--------|
|      |     |       | NONE         |        |

Notes:

| Project Schedule: |                |                   |               |                  |            | Funding: |      |                |      |                   |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|----------|------|----------------|------|-------------------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App      | Year | Aug/ Reversion | Year | Current Authority | Funding Source |
|                   |                |                   |               |                  |            |          |      |                |      |                   |                |

Notes:

| Proposed Project: |     |       |              |        |
|-------------------|-----|-------|--------------|--------|
| Type              | Cat | Phase | Project Name | Scope: |
|                   |     |       | NONE         |        |

Notes:

| Project Schedule: |                |                   |               |                  |            | Funding: |      |                |      |                   |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|----------|------|----------------|------|-------------------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App      | Year | Aug/ Reversion | Year | Current Authority | Funding Source |
|                   |                |                   |               |                  |            |          |      |                |      |                   |                |

Notes:

| Special Repair/Deferred Maintenance Projects |            |                                                  |          |         |               |                |
|----------------------------------------------|------------|--------------------------------------------------|----------|---------|---------------|----------------|
| Type                                         | Project #  | Project Name                                     | AC or PR | Year    | Project Costs | Funding Source |
| SRP                                          | 0809-00268 | Replace Water Storage Tank                       | AC*      | 2008-09 | \$1,081,000   | GF             |
| DM                                           | 0809-00269 | Reroof Hawthorn Lodge                            | PR       | 2010-11 | \$582,000     | GF             |
| DM                                           | 0809-00475 | Replace Asphalt on Parking Lot and Entrance Road | PR       | 2011-12 | \$375,000     | GF             |
| SRP                                          | 0809-00267 | Upgrade Primary Power                            | PR       | 2012-13 | \$6,379,384   | GF             |
| SRP                                          | 0809-00270 | Redwood Living Unit Window Retrofit              | PR       | 2010-11 | \$163,000     | GF             |
| SRP                                          | 0809-00271 | Oak Living Unit Window Retrofit                  | PR       | 2010-11 | \$113,000     | GF             |
| SRP                                          | 0809-00273 | Combi Retrofit on Ironwood Living Unit           | PR       | 2011-12 | \$423,100     | GF             |
| SRP                                          | 0809-00275 | Major Upgrade to Restroom - Cedar Lodge          | PR       | 2011-12 | \$460,000     | GF             |
| SRP                                          | 0809-00538 | Replace Waste Water Pumping Station              | PR       | 2011-12 | \$474,000     | GF             |

Notes: \* With the announcement of the closure of this Youth Facility, this project and all other capital improvements are on hold.

| Completed Projects: |     |                                         |               |                |                |
|---------------------|-----|-----------------------------------------|---------------|----------------|----------------|
| Type                | Cat | Project Name                            | Project Costs | Date Completed | Funding Source |
| MI                  | FA  | Oak LU Construct GRA                    | \$346,000     | 04/2010        | GF             |
| MI                  | FA  | Redwood LU Construct GRA                | \$346,000     | 04/2010        | GF             |
| SRP                 | O   | ADA Modifications (07/08 Re-allocation) | \$360,000     | 05/2010        | GF             |

\* See LEGEND SHEET for explanation



**Legend: Project Type by Color Code**

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Major Capitol Outlay Project (MA) | Deferred Maintenance Program (DMP) |
| Minor Capitol Outlay Project (MI) | Special Projects (SP)              |
| Special Repair Program (SRP)      | Energy Projects (E)                |

**SOUTHERN YOUTH CORRECTIONAL RECEPTION CENTER CLINIC (SYCRCC)**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                       | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|--------------------------------------------------------------------|----------------|-------|
| 1              | MI           | O                  | S                 | New Security Fence                                                 | AC             | PWC   |
| 2              | MI           | FA                 | HC                | Drake LU Convert 3 Cells to Medical Offices ITP                    | AC             | PWC   |
| 3              | MI           | FA                 | HC                | Gibbs Living Unit -Renovate 3 Cells to Treatment & Office Space    | PR             | PWC   |
| 4              | MI           | FA                 | HC                | Sutter Living Unit -Renovate 3 Cells to Treatment & Office Space   | PR             | PWC   |
| 5              | MI           | FA                 | HC                | Cabrillo Living Unit -Renovate 3 Cells to Treatment & Office Space | PR             | PWC   |
| 6              | MA           | FA                 | H                 | 132 Bed Prototypical Housing Unit                                  | PR             | P     |
| 7              | SRP          | I                  | U                 | Replace Sewer Lines Infrastructure-Design                          | PR             | P     |
| 8              | SRP          | O                  | SS                | Main Kitchen-RegROUT Kitchen Floor                                 | PR             | PWC   |
| 9              | SRP          | O                  | S                 | Sitewide-Replace Perimeter Fences-Design                           | PR             | P     |
| 10             | SRP          | I                  | U                 | Central Kitchen-Replace Boiler-Design                              | PR             | P     |
| 11             | MI           | FA                 | HC                | Sutter LU Convert 3 Cells to 3 Medical Offices                     | CO             | PWC   |
| 12             | MI           | FA                 | HC                | Cabrillo LU Convert 3 Cells to 3 Medical Offices                   | CO             | PWC   |
| 13             | MI           | FA                 | HC                | Pico LU Convert 3 Cells to 3 Medical Offices                       | CO             | PWC   |
| 14             | MI           | FA                 | HC                | Marshall LU Construct Medical Exam Room                            | CO             | PWC   |
| 15             | MI           | FA                 | HC                | Admin/OHU Construct 3 Medical Offices                              | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### SOUTHERN YOUTH CORRECTIONAL RECEPTION CENTER CLINIC (SYCRCC)

**Active Project:**

| Type | Cat | Phase | Project Name       | Scope:                                                     |
|------|-----|-------|--------------------|------------------------------------------------------------|
| MI   | O   | PWC   | New Security Fence | Project constructs a security fence around existing armory |

**Project Schedule:**

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | Year      | App/<br>Augmentation | Year | Current Authority | Year      | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|-----------|----------------------|------|-------------------|-----------|----------------|
| PWC   |                |                   | 04/2010       | 10/2010          | 38%        | \$278,000 | 2008/2009            |      | \$278,000         | 2008/2009 | GF             |

Notes:

**Active Project:**

| Type | Cat | Phase | Project Name                                    | Scope:                                                                                         |
|------|-----|-------|-------------------------------------------------|------------------------------------------------------------------------------------------------|
| MI   | FA  | PWC   | Convert 3 Cells to Medical Offices in Drake ITP | Convert three cells into medical offices in the Drake Intensive Treatment Program Living Unit. |

**Project Schedule:**

| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | Year    | App/<br>Augmentation | Year | Current Authority | Year    | Funding Source |
|-------|----------------|-------------------|---------------|------------------|------------|---------|----------------------|------|-------------------|---------|----------------|
| PWC   |                |                   | 08/2010       | 11/2010          | 0%         | 2009-10 | \$394,000            |      | \$394,000         | 2009-10 | GF             |

Notes:

**Proposed Projects:**

| Type | Cat | Phase | Project Name                                                    | Scope:                                                                                                                                                                                                                                     |
|------|-----|-------|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MI   | FA  | PWC   | Gibbs Living Unit -Renovate 3 Cells to Treatment & Office Space | This project renovates 3 existing vacant cells in the Gibbs Sexual Behavior Treatment Program (SBTP) LU to provide the required treatment & office space. This is consistent with the stipulated agreements in the <i>Farrell</i> Lawsuit. |

**Project Schedule:**

| Phase | Begin Date | Phase | Budget Costs | Total Costs | Funding |
|-------|------------|-------|--------------|-------------|---------|
| PWC   | FY 11/12   | PWC   | \$193,000    |             |         |

Notes:

**Proposed Projects:**

| Type | Cat | Phase | Project Name                                                     | Scope:                                                                                                                                                                                                                                      |
|------|-----|-------|------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MI   | FA  | PWC   | Sutter Living Unit -Renovate 3 Cells to Treatment & Office Space | This project renovates 3 existing vacant cells in the Sutter Sexual Behavior Treatment Program (SBTP) LU to provide the required treatment & office space. This is consistent with the stipulated agreements in the <i>Farrell</i> Lawsuit. |

**Project Schedule:**

| Phase | Begin Date | Phase | Budget Costs | Total Costs | Funding |
|-------|------------|-------|--------------|-------------|---------|
| PWC   | FY 11/12   | PWC   | \$193,000    |             |         |

Notes:

## INSTITUTION PROJECT STATUS REPORT

### SOUTHERN YOUTH CORRECTIONAL RECEPTION CENTER CLINIC (SYCRCC)

#### Proposed Projects:

| Type | Cat | Phase | Project Name                                                       | Scope:                                                                                                                                                                                                                                       |
|------|-----|-------|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MI   | FA  | PWC   | Cabrillo Living Unit -Renovate 3 Cells to Treatment & Office Space | This project renovates 3 existing vacant cells in the Cabrillo Sexual Behavior Treatment Program (SBTP) LU to provide the required treatment & office space. This is consistent with the stipulated agreements in the <i>Farrell</i> Lawsuit |

#### Project Schedule:

| Phase | Begin Date |  |  |  | Phase | Budget Costs | Total Costs | Funding |
|-------|------------|--|--|--|-------|--------------|-------------|---------|
| PWC   | FY 11/12   |  |  |  | PWC   | \$193,000    |             |         |

Notes:

#### Proposed Projects:

| Type | Cat | Phase | Project Name                      | Scope:                                                                                                                                                                                                                                                                                                                                                                                     |
|------|-----|-------|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | FA  | P     | 132 Bed Prototypical Housing Unit | This project would provide construction of 2 Prototypical Housing Units which will house 132 youthful offenders. One of the 2 PHU's will be a Core Treatment HU for 72 youth. The second PHU will be used as a Behavioral Treatment Program/High Risk HU for 60 youth and is necessary for treatment & housing consistent with stipulated agreements in <i>Farrell</i> six Remedial Plans. |

Notes:

#### Project Schedule:

| Phase | Begin Date |  |  |  | Phase | Budget Costs | Total Costs | Funding |
|-------|------------|--|--|--|-------|--------------|-------------|---------|
| P     | FY 11/12   |  |  |  | P     | \$2,844,000  |             |         |
| W     | FY 12/13   |  |  |  | W     | \$2,957,000  |             |         |
| C     | FY 13/14   |  |  |  | C     | \$47,116,000 |             |         |

#### Special Repair/Deferred Maintenance Projects

| Type | Project #  | Project Name                              | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-------------------------------------------|----------|---------|---------------|----------------|
| SRP  | 0809-00278 | Replace Sewer Lines Infrastructure-Design | PR       | 2011-12 | \$380,000     | GF             |
| SRP  | 0809-00279 | Main Kitchen-RegROUT Kitchen Floor        | PR       | 2010-11 | \$39,000      | GF             |
| SRP  | 0809-01790 | Sitewide-Replace Perimeter Fences-Design  | PR       | 2011-12 | \$600,000     | GF             |
| SRP  | 0809-02151 | Central Kitchen-Replace Boiler-Design     | PR       | 2010-11 | \$35,000      | GF             |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                                        | Project Costs | Date Completed | Funding Source |
|------|-----|-----------------------------------------------------|---------------|----------------|----------------|
| MI   | FA  | Sutter Living Unit Construct 3 Medical Offices      | \$385,000     | 06/2010        | GF             |
| MI   | FA  | Pico Living Unit Construct 3 Medical Offices        | \$385,000     | 06/2010        | GF             |
| MI   | FA  | Cabrillo Living Unit Construct 3 Medical Offices    | \$385,000     | 06/2010        | GF             |
| MI   | FA  | Marshall HU Living Unit Construct Medical Exam Room | \$164,000     | 01/2010        | GF             |
| MI   | FA  | Admin/OHU Construct 3 Medical Offices               | \$385,000     | 01/2010        | GF             |

\* See LEGEND SHEET for explanation



# 20 ADA Modifications - Institution wide

**Legend: Project Type by Color Code**

Major Capitol Outlay Project (MA)

Deferred Maintenance Program (DMP)

Minor Capitol Outlay Project (MI)

Special Projects (SP)

Special Repair Program (SRP)

Energy Projects (E)

**VENTURA YOUTH CORRECTIONAL FACILITY**

| Project Number | Project Type | CDCR Category Code | Sub-Category Code | Project Name                                                                          | Project Status | Phase |
|----------------|--------------|--------------------|-------------------|---------------------------------------------------------------------------------------|----------------|-------|
| 1              | MA           | FA                 | H                 | 276 Bed Prototypical Housing Unit                                                     | PR             | P     |
| 2              | MI           | FA                 | HC                | Construct Medical Exam Room & Medical Office Monte Vista LU                           | PR             | PWC   |
| 3              | MI           | FA                 | HC                | Construct Medical Exam Room & Medical Office Special Program Counseling Building      | PR             | PWC   |
| 4              | MI           | FA                 | HC                | Renovate Casa de Caballeros LU-6 Vacant Cells to Treatment & Office Space             | PR             | PWC   |
| 5              | MI           | FA                 | HC                | Renovate El Toyon LU-3 Vacant Cells to Treatment & Office Space                       | PR             | PWC   |
| 6              | MI           | FA                 | HC                | Renovate Montecito LU, 3 Vacant Cells into Treatment & Office Space                   | PR             | PWC   |
| 7              | MI           | FA                 | HC                | Renovate Mira Loma LU, 3 Vacant Cells into Treatment & Office Space                   | PR             | PWC   |
| 8              | MI           | FA                 | HC                | Renovate Casa de Alma LU, 9 Vacant Cells into Treatment/ Specialized Counseling Space | PR             | PWC   |
| 9              | MI           | FA                 | HC                | Renovate Casa de Collegio LU, 3 Vacant Cells into Treatment and Office Space          | PR             | PWC   |
| 10             | MI           | FA                 | HC                | Renovate Miramar LU, 3 Vacant Cells into Treatment and Office Space                   | PR             | PWC   |
| 11             | MI           | FA                 | HC                | Renovate Alta Vista LU, 3 Vacant Cells into Treatment and Office Space                | PR             | PWC   |
| 12             | DM           | I                  | F                 | Administration Building-Replace Roof-Phase 1 (Design)                                 | PR             | PWC   |
| 13             | SRP          | O                  | U                 | PBX-Replace PBX System                                                                | PR             | PWC   |
| 14             | SRP          | I                  | U                 | Cottages-Replace Existing Plumbing Fixtures-Design                                    | PR             | PWC   |
| 15             | SRP          | I                  | F                 | Casa De Los Cabelle Cott-Harden Cell Walls, Doors & Frames-Design                     | PR             | PWC   |
| 16             | SRP          | I                  | F                 | El Mirasol Cott-Harden Walls, Doors & Frames-Design                                   | PR             | PWC   |
| 17             | DM           | I                  | F                 | El Miroso Housing Cottage-Repair Roof Phase 1 (Temp Repair)                           | CO             | PWC   |
| 18             | DM           | I                  | F                 | El Teyon Housing Cottage-Repair Roof Phase 1 (Temp Repair)                            | CO             | PWC   |
| 19             | DM           | I                  | F                 | Alta Vista Housing Cottage- Repair Roof Phase 1 (Temp Repair)                         | CO             | PWC   |
| 20             | SRP          | O                  | F                 | ADA Modifications BCP 1 & 3                                                           | CO             | PWC   |

## INSTITUTION PROJECT STATUS REPORT

### VENTURA YOUTH CORRECTIONAL FACILITY (VYCF)

**Active Project:**

| Type  | Cat | Phase | Project Name | Scope: |
|-------|-----|-------|--------------|--------|
| MI/MA |     |       | NONE         |        |

Notes:

**Project Schedule:**

|       |                |                   |               |                  |            | <b>Funding:</b> |      |                |      |                   |                |
|-------|----------------|-------------------|---------------|------------------|------------|-----------------|------|----------------|------|-------------------|----------------|
| Phase | Original Start | Original Complete | Current Start | Current Complete | % Complete | App             | Year | Aug/ Reversion | Year | Current Authority | Funding Source |
| PWC   |                |                   |               |                  |            |                 |      |                |      |                   |                |

Notes:

**Proposed Projects:**

| Type | Cat | Phase | Project Name                  | Scope:                                                                                                                                                                                                                                                                                                            |
|------|-----|-------|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | FA  | P     | 276 Prototypical Housing Unit | This project would provide construction of 4 Prototypical HUs. The PHUs will house 276 youthful offenders. The PHUs will provide ancillary support space, and the program/treatment space necessary for the treatment & housing of youth consistent with the stipulated agreements in the <i>Farrell</i> lawsuit. |

Notes:

**Project Schedule:**

|       |            |  |  |  |  | <b>Funding:</b> |              |             |         |  |  |
|-------|------------|--|--|--|--|-----------------|--------------|-------------|---------|--|--|
| Phase | Begin Date |  |  |  |  | Phase           | Budget Costs | Total Costs | Funding |  |  |
| P     | FY 11/12   |  |  |  |  | P               | \$5,304,000  |             |         |  |  |
| W     | FY 12/13   |  |  |  |  | W               | \$6,137,000  |             |         |  |  |
| C     | FY 13/14   |  |  |  |  | C               | \$91,212,000 |             |         |  |  |

**Proposed Projects:**

| Type | Cat | Phase | Project Name                                                | Scope:                                                                                                                                                                                                              |
|------|-----|-------|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MI   | FA  | PWC   | Construct Medical Exam Room & Medical Office Monte Vista LU | This project proposes to renovate Living Units in the Monte Vista LU to provide required exam room & medical office space. This project is consistent with the stipulated agreements in the <i>Farrell</i> lawsuit. |

Notes:

**Project Schedule:**

|       |            |  |  |  |  | <b>Funding:</b> |              |             |         |  |  |
|-------|------------|--|--|--|--|-----------------|--------------|-------------|---------|--|--|
| Phase | Begin Date |  |  |  |  | Phase           | Budget Costs | Total Costs | Funding |  |  |
| PWC   | FY 10-11   |  |  |  |  | PWC             | \$392,000    |             |         |  |  |

Notes:

\*See LEGEND SHEET for explanation

## INSTITUTION PROJECT STATUS REPORT

### VENTURA YOUTH CORRECTIONAL FACILITY (VYCF)

| Proposed Projects: |            |       |                                                                                  |                                                                                                                                                                                                                                         |              |             |         |  |
|--------------------|------------|-------|----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------|---------|--|
| Type               | Cat        | Phase | Project Name                                                                     | Scope:                                                                                                                                                                                                                                  |              |             |         |  |
| MI                 | FA         | PWC   | Construct Medical Exam Room & Medical Office Special Program Counseling Building | This project proposes to renovate space in the Special Program Counseling Building to provide required exam room & medical office space. This project is consistent with the stipulated agreements in the <i>Farrell</i> lawsuit.       |              |             |         |  |
| Notes:             |            |       |                                                                                  |                                                                                                                                                                                                                                         |              |             |         |  |
| Project Schedule:  |            |       |                                                                                  | Funding:                                                                                                                                                                                                                                |              |             |         |  |
| Phase              | Begin Date |       |                                                                                  | Phase                                                                                                                                                                                                                                   | Budget Costs | Total Costs | Funding |  |
| PWC                | FY 11/12   |       |                                                                                  | PWC                                                                                                                                                                                                                                     | \$398,000    |             |         |  |
| Notes:             |            |       |                                                                                  |                                                                                                                                                                                                                                         |              |             |         |  |
| Proposed Projects: |            |       |                                                                                  |                                                                                                                                                                                                                                         |              |             |         |  |
| Type               | Cat        | Phase | Project Name                                                                     | Scope:                                                                                                                                                                                                                                  |              |             |         |  |
| MI                 | FA         | PWC   | Renovate Casa de Caballeros LU-6 Vacant Cells to Treatment & Office Space        | This project proposes to renovate 6 existing vacant cells in the Casa de Caballeros High Core LU to provide required treatment & office space. This project is consistent with the stipulated agreements in the <i>Farrell</i> lawsuit. |              |             |         |  |
| Notes:             |            |       |                                                                                  |                                                                                                                                                                                                                                         |              |             |         |  |
| Project Schedule:  |            |       |                                                                                  | Funding:                                                                                                                                                                                                                                |              |             |         |  |
| Phase              | Begin Date |       |                                                                                  | Phase                                                                                                                                                                                                                                   | Budget Costs | Total Costs | Funding |  |
| PWC                | FY 11/12   |       |                                                                                  | PWC                                                                                                                                                                                                                                     | \$389,000    |             |         |  |
| Notes:             |            |       |                                                                                  |                                                                                                                                                                                                                                         |              |             |         |  |
| Proposed Projects: |            |       |                                                                                  |                                                                                                                                                                                                                                         |              |             |         |  |
| Type               | Cat        | Phase | Project Name                                                                     | Scope:                                                                                                                                                                                                                                  |              |             |         |  |
| MI                 | FA         | PWC   | Renovate El Toyon LU-3 Vacant Cells to Treatment & Office Space                  | This project proposes to renovate 3 existing vacant cells in the El Toyon Low Core LU to provide required treatment & office space. This project is consistent with the stipulated agreements in the <i>Farrell</i> lawsuit.            |              |             |         |  |
| Notes:             |            |       |                                                                                  |                                                                                                                                                                                                                                         |              |             |         |  |
| Project Schedule:  |            |       |                                                                                  | Funding:                                                                                                                                                                                                                                |              |             |         |  |
| Phase              | Begin Date |       |                                                                                  | Phase                                                                                                                                                                                                                                   | Budget Costs | Total Costs | Funding |  |
| PWC                | FY 11/12   |       |                                                                                  | PWC                                                                                                                                                                                                                                     | \$193,000    |             |         |  |
| Notes:             |            |       |                                                                                  |                                                                                                                                                                                                                                         |              |             |         |  |

\*See LEGEND SHEET for explanation

## INSTITUTION PROJECT STATUS REPORT

### VENTURA YOUTH CORRECTIONAL FACILITY (VYCF)

| Proposed Projects: |            |       |                                                                                       |  |          |                                                                                                                                                                                                                                                                            |             |         |  |
|--------------------|------------|-------|---------------------------------------------------------------------------------------|--|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------|--|
| Type               | Cat        | Phase | Project Name                                                                          |  |          | Scope:                                                                                                                                                                                                                                                                     |             |         |  |
| MI                 | FA         | PWC   | Renovate Montecito LU, 3 Vacant Cells into Treatment & Office Space                   |  |          | This project proposes to renovate 3 existing vacant cells in the Montecito Sexual Behavior Treatment Program LU for females to provide required treatment & office space. This project is consistent with the stipulated agreements in the <i>Farrell</i> lawsuit.         |             |         |  |
| Notes:             |            |       |                                                                                       |  |          |                                                                                                                                                                                                                                                                            |             |         |  |
| Project Schedule:  |            |       |                                                                                       |  | Funding: |                                                                                                                                                                                                                                                                            |             |         |  |
| Phase              | Begin Date |       |                                                                                       |  | Phase    | Budget Costs                                                                                                                                                                                                                                                               | Total Costs | Funding |  |
| PWC                | FY 11/12   |       |                                                                                       |  | PWC      | \$193,000                                                                                                                                                                                                                                                                  |             |         |  |
| Notes:             |            |       |                                                                                       |  |          |                                                                                                                                                                                                                                                                            |             |         |  |
| Proposed Projects: |            |       |                                                                                       |  |          |                                                                                                                                                                                                                                                                            |             |         |  |
| Type               | Cat        | Phase | Project Name                                                                          |  |          | Scope:                                                                                                                                                                                                                                                                     |             |         |  |
| MI                 | FA         | PWC   | Renovate Mira Loma LU, 3 Vacant Cells into Treatment & Office Space                   |  |          | This project proposes to renovate 3 existing vacant cells in the Mira Loma Substance Abuse Treatment Program LU for female youth to provide required treatment & office space. This project is consistent with the stipulated agreements in the <i>Farrell</i> lawsuit.    |             |         |  |
| Notes:             |            |       |                                                                                       |  |          |                                                                                                                                                                                                                                                                            |             |         |  |
| Project Schedule:  |            |       |                                                                                       |  | Funding: |                                                                                                                                                                                                                                                                            |             |         |  |
| Phase              | Begin Date |       |                                                                                       |  | Phase    | Budget Costs                                                                                                                                                                                                                                                               | Total Costs | Funding |  |
| PWC                | FY 11/12   |       |                                                                                       |  | PWC      | \$193,000                                                                                                                                                                                                                                                                  |             |         |  |
| Notes:             |            |       |                                                                                       |  |          |                                                                                                                                                                                                                                                                            |             |         |  |
| Proposed Projects: |            |       |                                                                                       |  |          |                                                                                                                                                                                                                                                                            |             |         |  |
| Type               | Cat        | Phase | Project Name                                                                          |  |          | Scope:                                                                                                                                                                                                                                                                     |             |         |  |
| MI                 | FA         | PWC   | Renovate Casa de Alma LU, 9 Vacant Cells into Treatment/ Specialized Counseling Space |  |          | This project proposes to renovate 9 existing vacant cells in the Casa de Alma Intensive Treatment/Specialized Counseling Program LU to provide required treatment & office space. This project is consistent with the stipulated agreements in the <i>Farrell</i> lawsuit. |             |         |  |
| Notes:             |            |       |                                                                                       |  |          |                                                                                                                                                                                                                                                                            |             |         |  |
| Project Schedule:  |            |       |                                                                                       |  | Funding: |                                                                                                                                                                                                                                                                            |             |         |  |
| Phase              | Begin Date |       |                                                                                       |  | Phase    | Budget Costs                                                                                                                                                                                                                                                               | Total Costs | Funding |  |
| PWC                | FY 11/12   |       |                                                                                       |  | PWC      | \$595,487                                                                                                                                                                                                                                                                  |             |         |  |
| Notes:             |            |       |                                                                                       |  |          |                                                                                                                                                                                                                                                                            |             |         |  |

\*See LEGEND SHEET for explanation

## INSTITUTION PROJECT STATUS REPORT

### VENTURA YOUTH CORRECTIONAL FACILITY (VYCF)

| Proposed Projects: |            |       |                                                                              |                                                                                                                                                                                                                                                            |              |             |         |  |
|--------------------|------------|-------|------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------|---------|--|
| Type               | Cat        | Phase | Project Name                                                                 | Scope:                                                                                                                                                                                                                                                     |              |             |         |  |
| MI                 | FA         | PWC   | Renovate Casa de Collegio LU, 3 Vacant Cells into Treatment and Office Space | This project proposes to renovate 3 existing vacant cells in the Casa de Collegio Specialized Counseling Program LU to provide required treatment & office space. This project is consistent with the stipulated agreements in the <i>Farrell</i> lawsuit. |              |             |         |  |
| Notes:             |            |       |                                                                              |                                                                                                                                                                                                                                                            |              |             |         |  |
| Project Schedule:  |            |       |                                                                              | Funding:                                                                                                                                                                                                                                                   |              |             |         |  |
| Phase              | Begin Date |       |                                                                              | Phase                                                                                                                                                                                                                                                      | Budget Costs | Total Costs | Funding |  |
| PWC                | FY 11/12   |       |                                                                              | PWC                                                                                                                                                                                                                                                        | \$193,000    |             |         |  |
| Notes:             |            |       |                                                                              |                                                                                                                                                                                                                                                            |              |             |         |  |
| Proposed Projects: |            |       |                                                                              |                                                                                                                                                                                                                                                            |              |             |         |  |
| Type               | Cat        | Phase | Project Name                                                                 | Scope:                                                                                                                                                                                                                                                     |              |             |         |  |
| MI                 | FA         | PWC   | Renovate Miramar LU, 3 Vacant Cells into Treatment and Office Space          | This project proposes to renovate 3 existing vacant cells in the Miramar Low Core LU to provide required treatment & office space. This project is consistent with the stipulated agreements in the <i>Farrell</i> lawsuit.                                |              |             |         |  |
| Notes:             |            |       |                                                                              |                                                                                                                                                                                                                                                            |              |             |         |  |
| Project Schedule:  |            |       |                                                                              | Funding:                                                                                                                                                                                                                                                   |              |             |         |  |
| Phase              | Begin Date |       |                                                                              | Phase                                                                                                                                                                                                                                                      | Budget Costs | Total Costs | Funding |  |
| PWC                | FY 11/12   |       |                                                                              | PWC                                                                                                                                                                                                                                                        | \$193,000    |             |         |  |
| Notes:             |            |       |                                                                              |                                                                                                                                                                                                                                                            |              |             |         |  |
| Proposed Projects: |            |       |                                                                              |                                                                                                                                                                                                                                                            |              |             |         |  |
| Type               | Cat        | Phase | Project Name                                                                 | Scope:                                                                                                                                                                                                                                                     |              |             |         |  |
| MI                 | FA         | PWC   | Renovate Alta Vista LU, 3 Vacant Cells into Treatment and Office Space       | This project proposes to renovate 3 existing vacant cells in the Alta Vista Low Core LU to provide required treatment & office space. This project is consistent with the stipulated agreements in the <i>Farrell</i> lawsuit.                             |              |             |         |  |
| Notes:             |            |       |                                                                              |                                                                                                                                                                                                                                                            |              |             |         |  |
| Project Schedule:  |            |       |                                                                              | Funding:                                                                                                                                                                                                                                                   |              |             |         |  |
| Phase              | Begin Date |       |                                                                              | Phase                                                                                                                                                                                                                                                      | Budget Costs | Total Costs | Funding |  |
| PWC                | FY 11/12   |       |                                                                              | PWC                                                                                                                                                                                                                                                        | \$193,000    |             |         |  |
| Notes:             |            |       |                                                                              |                                                                                                                                                                                                                                                            |              |             |         |  |

\*See LEGEND SHEET for explanation

## INSTITUTION PROJECT STATUS REPORT

### VENTURA YOUTH CORRECTIONAL FACILITY (VYCF)

#### Special Repair/Deferred Maintenance Projects

| Type | Project #  | Project Name                                                      | AC or PR | Year    | Project Costs | Funding Source |
|------|------------|-------------------------------------------------------------------|----------|---------|---------------|----------------|
| DM   | 0910-00438 | Administration Building-Replace Roof-Phase1 (Design)              | PR       | 2011-12 | \$186,010     |                |
| SRP  | 0809-00288 | PBX-Replace PBX System                                            | PR       | 2011-12 | \$312,000     |                |
| SRP  | 0910-00488 | Cottages-Replace Existing Plumbing Fixtures-Design                | PR       | 2011-12 | \$288,000     |                |
| SRP  | 0910-00865 | Casa De Los Caballe Cott-Harden Cell Walls, Doors & Frames-Design | PR       | 2010-11 | \$35,000      |                |
| SRP  | 0910-00867 | El Mirasol Cott-Harden Walls, Doors & Frames-Design               | PR       | 2011-12 | \$35,000      |                |

Notes:

#### Completed Projects:

| Type | Cat | Project Name                                                  | Project Costs | Date Completed | Funding Source |
|------|-----|---------------------------------------------------------------|---------------|----------------|----------------|
| DM   | I   | El Mirasol Housing Cottage-Repair Roof Phase 1 (Temp Repair)  | \$128,300     | 06/2010        | GF             |
| DM   | I   | El Teyon Housing Cottage-Repair Roof Phase 1 (Temp Repair)    | \$128,300     | 06/2010        | GF             |
| DM   | I   | Alta Vista Housing Cottage- Repair Roof Phase 1 (Temp Repair) | \$128,300     | 06/2010        | GF             |
| SRP  | O   | ADA Modifications BCP 1 & 3                                   | \$552,000     | 02/2010        | GF             |

\*See LEGEND SHEET for explanation

## STATEWIDE FARRELL LITIGATION PROJECTS

Mission: In November 2004, the State of California entered into a Consent Decree in the *Farrell vs. Hickman* litigation. The projects listed below pertain to that Consent Decree and will be implemented at juvenile institutions throughout the State.

### Active Project:

| Type | Cat | Phase | Project Name                                           | Scope:                                                                                                                                                                                                                                                                                                                                             |
|------|-----|-------|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | FA  | PWC   | Modular Space for <i>Farrell</i> Related Program Space | The purpose of this project is to design and construct modular buildings and related telecommunications improvements to address additional space needs for education, medical, mental health, disabilities, sex offender treatment, safety and welfare, and other programmatic deficiencies in conformance with the <i>Farrell</i> consent decree. |

Notes: These modulares are proposed as temporary space solutions until permanent design & construction of new DJJ institutions/facilities.

### Project Schedule:

| Project Schedule: |                |                   |               |                  |            | Funding:    |           |                |      |                   |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|-------------|-----------|----------------|------|-------------------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year      | Aug/ Reversion | Year | Current Authority | Funding Source |
| P                 |                |                   |               |                  | 60%        | \$5,375,000 |           |                |      | \$5,375,000       | Federal Fund*  |
| W                 |                |                   |               |                  | 60%        | \$4,350,000 | 2006/2007 |                |      | \$4,350,000       | GF             |
| C                 |                |                   |               |                  | 60%        | \$6,500,000 | 2007/2008 |                |      | \$6,500,000       | GF             |

Notes: \* Funded through Juvenile Block Accountability Grant (JBAG)

Phase I Modular Units-PIA to continue to obtain final SFM/DSA certification for the remaining DJJ projects previously completed at SYCRCC, DeWitt Nelson, and OH Close.

Phase II Modular Units - In the PP Phase of the OH Close YCF project; 50% on-site review scheduled on 10/29. CD's scheduled to be completed by 01/2010. Entire Project to be fully completed by 05/2010.

### Proposed Projects:

| Type | Cat | Project Name                         | Description                                                                                                                                                                                                                                                                                                                                                |
|------|-----|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA   | FA  | Program Space for Farrell Compliance | The Consent Decree filed in <i>Farrell v. Cate</i> lawsuit identified significant space deficiencies throughout the DFF. Excising DJJ facilities generally include buildings which are inadequately designed to support the space needed to provide more evidence based treatment approaches to reduce recidivism. This project proposes the needed space. |

### Project Schedule:

| Project Schedule: |                |                   |               |                  |            | Funding:    |      |                |      |                   |                |
|-------------------|----------------|-------------------|---------------|------------------|------------|-------------|------|----------------|------|-------------------|----------------|
| Phase             | Original Start | Original Complete | Current Start | Current Complete | % Complete | App         | Year | Aug/ Reversion | Year | Current Authority | Funding Source |
| PWC               | FY 11/12       |                   |               |                  |            | \$5,136,000 |      |                |      |                   |                |

Notes: On Project List for Funding FY 11/12

### Completed Projects:

| Type | Cat | Project Name | Project Costs | Year | Date Completed | Funding Source |
|------|-----|--------------|---------------|------|----------------|----------------|
|      |     | NONE         |               |      |                |                |

# GLOSSARY

## GLOSSARY

| Acronym            | Definition                                               |
|--------------------|----------------------------------------------------------|
| 180 design housing | 180 degrees of observation for control                   |
| 270 design housing | 270 degrees of observation for control                   |
| AB                 | Assembly Bill                                            |
| ADA                | Americans with Disabilities Act                          |
| ADP                | Average Daily Population                                 |
| AIDS               | Acquired Immune Deficiency Syndrome                      |
| ASH                | Atascadero State Hospital                                |
| ASP                | Avenal State Prison, Avenal                              |
| ASU                | Administration Segregation Unit                          |
| BCP                | Budget Change Proposal                                   |
| BTP                | Behavior Treatment Program                               |
| CAL                | Calipatria State Prison, Calipatria                      |
| CALGREEN           | California Green Building Standards Code                 |
| CAL-OSHA           | California Occupational Safety and Health Administration |
| CCA                | Correctional Corporation of America                      |
| CCC                | California Correctional Center, Susanville               |
| CCC                | Consolidated Care Center                                 |
| CCCMS              | Correctional Clinical Case Management System             |
| CCF                | Community Correctional Facility                          |
| CCI                | California Correctional Institution, Tehachapi           |
| CCWF               | Central California Women's Facility, Chowchilla          |
| CDC                | California Department of Corrections                     |
| CDCR               | California Department of Corrections and Rehabilitation  |
| CEA                | California Education Authority                           |
| CEC                | California Energy Commission                             |
| CEQA               | California Environmental Quality Act                     |
| CHCF               | California Health Care Facility                          |
| CHCF-S             | California Health Care Facility – Stockton               |
| CIM                | California Institution for Men, Chino                    |
| CIW                | California Institution for Women, Corona                 |
| CMC                | California Men's Colony, San Luis Obispo                 |
| CMF                | California Medical Facility, Vacaville                   |
| COBCP              | Capital Outlay Budget Change Proposal                    |
| COCF               | California Out-of-State Correctional Facility            |
| COR                | Corcoran State Prison, Corcoran                          |
| CPHCS              | California Prison Health Care Services                   |
| CPMP               | Community Prisoner Mother Program                        |
| CPR                | California Prison Receivership                           |
| CRC                | California Rehabilitation Center, Norco                  |
| CSA                | Corrections Standards Authority                          |
| CTC                | Correctional Treatment Center                            |
| CTE                | Career Technical Education                               |
| CTF                | Correctional Training Facility, Soledad                  |
| CVSP               | Chuckwalla Valley State Prison, Blythe                   |
| CY                 | Current Year                                             |
| CYA                | California Youth Authority                               |
| D&CPG              | Design and Construction Policy Guidelines                |

## GLOSSARY

| Acronym | Definition                                                 |
|---------|------------------------------------------------------------|
| DC      | Design Capacity                                            |
| DCHCS   | Division of Correctional Health Care Services              |
| DGS     | Department of General Services                             |
| DJJ     | Division of Juvenile Justice                               |
| DMH     | Department of Mental Health                                |
| DMP     | Deferred Maintenance Program                               |
| DOF     | Department of Finance                                      |
| DPW     | Disability Placement Wheelchair                            |
| DRAP    | Demand Response Action Plan                                |
| DTP     | Day Treatment Program                                      |
| DVI     | Deuel Vocational Facility, Tracy                           |
| DWNYCF  | DeWitt Nelson Youth Correctional Facility, Stockton        |
| ECF     | Estrella Correctional Facility, Paso Robles                |
| EGPR    | Environmental Goals and Policy Report                      |
| EMS     | Energy Management and Sustainability                       |
| EO      | Executive Order                                            |
| EOP     | Enhanced Outpatient Program                                |
| EPRYCF  | El Paso de Robles Youth Correctional Facility, Paso Robles |
| FCI     | Facility Condition Index                                   |
| FCNYCF  | Fred C. Nelles Youth Correctional Facility                 |
| FFP     | Family Foundation Program                                  |
| F/L/S   | Fire/Life/Safety                                           |
| FOPS    | Female Offender Programs and Services Unit                 |
| FOTEP   | Female Offender Treatment and Employment Program           |
| FRCCC   | Female Rehabilitative Community Correctional Center        |
| FRMSC   | Female Residential Multi-Service Center                    |
| FRV     | Flush Restricting Valves                                   |
| FSP     | Folsom State Prison, Represa                               |
| FY      | Fiscal Year                                                |
| GED     | General Education Development                              |
| GP      | General Population                                         |
| GSF     | Gross Square Feet                                          |
| HCFIP   | Health Care Facility Improvement Program                   |
| HDSP    | High Desert State Prison, Susanville                       |
| HGSYCF  | Heman G. Stark Youth Correctional Facility, Chino          |
| HIV     | Human Immunodeficiency Virus                               |
| HSC     | Health and Safety Code                                     |
| HVAC    | Heating/Ventilation/Air Conditioning                       |
| IBTM    | Integrated Behavior Treatment Model                        |
| IBTP    | Intensive Behavior Treatment Program                       |
| ICE     | Immigration and Customs Enforcement                        |
| ICF     | Intermediate Care Facility                                 |
| IDEA    | Individuals with Disabilities Education Act                |
| IEP     | Individualized Education Program                           |
| IOU     | Investor-Owned Utilities                                   |
| ISP     | Ironwood State Prison, Blythe                              |
| IT      | Information Technology                                     |

## GLOSSARY

| Acronym   | Definition                                              |
|-----------|---------------------------------------------------------|
| ITP       | Intensive Treatment Program                             |
| JLBC      | Joint Legislative Budget Committee                      |
| KHYCF     | Karl Holton Youth Correctional Facility, Stockton       |
| KVSP      | Kern Valley State Prison, Delano                        |
| LAO       | Legislative Analyst's Office                            |
| LEED      | Leadership in Energy and Environmental Design           |
| LEF       | Lethal Electrified Fence                                |
| Level I   | Minimum security housing designation                    |
| Level II  | Low-medium security housing designation                 |
| Level III | High-medium security housing designation                |
| Level IV  | Maximum security housing designation                    |
| LTC       | Long-Term Care                                          |
| MCSP      | Mule Creek State Prison, Lone                           |
| MH        | Mental Health                                           |
| MHBP      | Mental Health Bed Plan                                  |
| MHCB      | Mental Health Crisis Bed                                |
| MHSDS     | Mental Health Services Delivery System                  |
| MPAR      | Master Plan Annual Report                               |
| MW        | Megawatt                                                |
| NACYCF    | N. A. Chaderjian Youth Correctional Facility, Stockton  |
| NCCCF     | Northern California Consolidated Care Facility          |
| NCRF      | Northern California Reentry Facility                    |
| NCWF      | Northern California Women's Facility, Stockton          |
| NCYCC     | Northern California Youth Correctional Center, Stockton |
| NKSP      | North Kern State Prison, Delano                         |
| OC        | Operational Capacity                                    |
| OCC       | Office of Court Compliance                              |
| OHYCF     | O. H. Close Youth Correctional Facility, Stockton       |
| OHU       | Outpatient Housing Unit                                 |
| OISB      | Offender Information Services Branch                    |
| OSHA      | Occupational Safety and Health Administration           |
| PBSP      | Pelican Bay State Prison, Crescent City                 |
| PC        | Penal Code                                              |
| PIRF      | Prison Infrastructure Revolving Fund                    |
| PLO       | Prison Law Office                                       |
| PMIB      | Pooled Money Investment Board                           |
| P&P       | Policies and Procedures                                 |
| PSN       | Parolee Services Network                                |
| PSU       | Psychiatric Services Unit                               |
| PV        | Photovoltaic                                            |
| PVSP      | Pleasant Valley State Prison, Coalinga                  |
| PWB       | Public Works Board                                      |
| PWC       | Permanent Work Crew                                     |
| PY        | Personnel Year                                          |
| PYCF      | Preston Youth Correctional Facility, Lone               |
| RC        | Reception Center                                        |
| RISP      | Revised Integrated Strategy Plan                        |

## GLOSSARY

| Acronym   | Definition                                                       |
|-----------|------------------------------------------------------------------|
| RJD       | Richard J. Donovan Correctional Facility, San Diego              |
| SAC       | California State Prison, Sacramento                              |
| SAP       | Substance Abuse Program                                          |
| SASCA     | Substance Abuse Services Coordination Agency                     |
| SATF      | CA Substance Abuse Treatment Facility and State Prison, Corcoran |
| SATP      | Substance Abuse Treatment Program                                |
| SB        | Senate Bill                                                      |
| SBTP      | Sexual Behavior Treatment Program                                |
| SCAAP     | State Criminal Alien Assistance Program                          |
| SCC       | Sierra Conservation Center, Jamestown                            |
| SCP       | Specialized Counseling Program                                   |
| SCRf      | Secured Community Reentry Facilities                             |
| SF        | Square Feet                                                      |
| SHU       | Security Housing Units                                           |
| SLE       | Sober Living Environment                                         |
| SMY       | Small Management Yard                                            |
| SNY       | Sensitive Needs Yard                                             |
| SOL       | California State Prison, Solano                                  |
| SQ        | San Quentin State Prison, San Quentin                            |
| SRP       | Special Repair Program                                           |
| SVSP      | Salinas Valley State Prison, Soledad                             |
| SYCRCC    | Southern Youth Correctional Reception Center/Clinic, Norwalk     |
| TI-SAT    | Trauma-Informed Substance Abuse Treatment Program                |
| VFA, Inc. | Vanderweil Facility Advisor, Inc.                                |
| VSPW      | Valley State Prison for Women, Chowchilla                        |
| VYCF      | Ventura Youth Correctional Facility, Camarillo                   |
| WASC      | Western Association of Schools and Colleges                      |
| WCD       | Water Conservation Devices                                       |
| WIC       | Welfare and Institutions Code                                    |
| WSP       | Wasco State Prison, Wasco                                        |
| WWTP      | Wastewater Treatment Plant                                       |
| YTF       | Youth Treatment Facility                                         |

### **Three Judge Panel**

- **Three Judge Panel's Order (August 4, 2009)**
- **CDCR's Population Reduction Plan (September 18, 2009)**
- **Three Judge Panel's Rejection of Bed Plan (October 21, 2009)**
- **CDCR's Three Judge Court Ordered Plan (November 12, 2009)**
- **Three Judge Panel's Acceptance of CDCR's Plan (January 12, 2010)**

### **Prison Overcrowding State of Emergency Proclamation**

### **Interstate Corrections Compact**

### **Revised Integrated Strategy to Address Overcrowding in CDCR's Adult Institutions**

#### **Legislation:**

**SBX2 4 (Ch. 2, Stats. of 2009)**

**Public Contract: Design-Build: Public Private Partnerships**

**SBX3 14 (Ch. 16, Stats. of 2009)**

**Prison Facilities: Construction**

**AB 552 (Ch. 22, Stats. of 2010)**

**Correctional Facilities**

**AB 2181 (Ch. 252, Stats. of 2010)**

**State Contract Act: Contracting by State Agencies**

**AB 2724 (Ch. 474, Stats. of 2010)**

**Renewable Energy Resources**

### **CDCR-Receiver Joint memo Regarding Delegation of Authority for Health Care Construction**

### **30-Day Letters for Authorized AB 900 Projects**

### **Conceptual Health Care Facility Master Plan**

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IN THE UNITED STATES DISTRICT COURTS  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
AND THE NORTHERN DISTRICT OF CALIFORNIA  
UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES  
PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

RALPH COLEMAN, et al.,  
Plaintiffs,  
v.  
ARNOLD SCHWARZENEGGER,  
et al.,  
Defendants.

NO. CIV S-90-0520 LKK JFM P  
**THREE-JUDGE COURT**

MARCIANO PLATA, et al.,  
Plaintiffs,  
v.  
ARNOLD SCHWARZENEGGER,  
et al.,  
Defendants.

NO. C01-1351 TEH  
**THREE-JUDGE COURT**  
**OPINION AND ORDER**

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1 **I. INTRODUCTION**

2 “California’s correctional system is in a tailspin,” the state’s independent oversight  
3 agency has reported. Ex. P3 at i (Jan. 2007 Little Hoover Commission Report, “Solving  
4 California’s Corrections Crisis: Time Is Running Out”).<sup>1</sup> Tough-on-crime politics have  
5 increased the population of California’s prisons dramatically while making necessary reforms  
6 impossible. *Id.* at ii, 2-5, 9, 20. As a result, the state’s prisons have become places “of  
7 extreme peril to the safety of persons” they house, Ex. P1 at 7-8 (Governor  
8 Schwarzenegger’s Oct. 4, 2006 Prison Overcrowding State of Emergency Declaration), while  
9 contributing little to the safety of California’s residents, Ex. P3 at ii. California “spends  
10 more on corrections than most countries in the world,” but the state “reaps fewer public  
11 safety benefits.” *Id.* at 14. Although California’s existing prison system serves neither the  
12 public nor the inmates well, the state has for years been unable or unwilling to implement the  
13 reforms necessary to reverse its continuing deterioration.

14 In this proceeding, we address two particular problems that every day threaten the  
15 lives and health of California prisoners. First, the medical and mental health care available to  
16 inmates in the California prison system is woefully and constitutionally inadequate, and has  
17 been for more than a decade. The United States Constitution does not require that the state  
18 provide its inmates with state-of-the-art medical and mental health care, nor does it require  
19 that prison conditions be comfortable. California must simply provide care consistent with  
20 “the minimal civilized measure of life’s necessities,” *Rhodes v. Chapman*, 452 U.S. 337, 347  
21 (1981) – care sufficient to prevent the unnecessary and wanton infliction of pain or death,  
22 *Estelle v. Gamble*, 429 U.S. 97, 103-04 (1976). Tragically, California’s inmates have long  
23 been denied even that minimal level of medical and mental health care, with consequences  
24 that have been serious, and often fatal. Inmates are forced to wait months or years for  
25 medically necessary appointments and examinations, and many receive inadequate medical  
26 care in substandard facilities that lack the medical equipment required to conduct routine

27 <sup>1</sup>The Little Hoover Commission is a state agency charged with preparing reports and  
28 recommendations regarding the structure and operation of state government in order to  
improve its economy, efficiency, and service. Cal. Gov’t. Code §§ 8501, 8521-8522.

1 examinations or afford essential medical treatment. Seriously mentally ill inmates languish  
2 in horrific conditions without access to necessary mental health care, raising the acuity of  
3 mental illness throughout the system and increasing the risk of inmate suicide. A significant  
4 number of inmates have died as a result of the state's failure to provide constitutionally  
5 adequate medical care. As of mid-2005, a California inmate was dying needlessly *every six*  
6 *or seven days*.

7 California's inmates face a second everyday threat to their health and safety: the  
8 unprecedented overcrowding of California's prisons. Since reaching an all-time population  
9 record of more than 160,000 in October 2006, the state's adult prison institutions have  
10 operated at almost double their intended capacity. As Governor Schwarzenegger observed in  
11 declaring a prison state of emergency that continues to this day, this creates "conditions of  
12 extreme peril" that threaten "the health and safety of the men and women who work inside  
13 [severely overcrowded] prisons and the inmates housed in them . . . ." Ex. P1 at 1, 8.  
14 Thousands of prisoners are assigned to "bad beds," such as triple-bunked beds placed in  
15 gymnasiums or day rooms, and some institutions have populations approaching 300% of  
16 their intended capacity. In these overcrowded conditions, inmate-on-inmate violence is  
17 almost impossible to prevent, infectious diseases spread more easily, and lockdowns are  
18 sometimes the only means by which to maintain control. In short, California's prisons are  
19 bursting at the seams and are impossible to manage.

20 It is the relationship between these two critical problems that lies at the heart of the  
21 cases before us. We must answer the question whether overcrowding is the primary cause of  
22 the unconstitutional medical and mental health care to which California prison inmates are  
23 currently subjected. Two federal lawsuits have brought the crisis in California's prisons to  
24 this three-judge court. Plaintiffs in the two lawsuits contend that a reduction in the prison  
25 population is necessary to bring the California prison system's medical and mental health  
26 care into constitutional compliance. In both *Plata v. Schwarzenegger* and *Coleman*

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1 v. *Schwarzenegger*,<sup>2</sup> the federal courts initially issued narrow orders requiring California to  
2 develop and implement remedial plans to meet this objective. However, as the state time and  
3 again failed to meet its own remedial targets – let alone to achieve constitutional compliance  
4 – both courts were forced to adopt increasingly drastic remedies, culminating in the *Plata*  
5 court’s 2005 appointment of a receiver to manage the prison medical system. Ultimately, by  
6 late 2006 it became apparent that the overcrowding in California’s prisons rendered the  
7 efforts of the courts, the *Coleman* Special Master, and the *Plata* Receiver utterly insufficient.  
8 At the request of the *Plata* and *Coleman* courts, the Chief Judge of the United States Court of  
9 Appeals for the Ninth Circuit convened this three-judge court to consider the plaintiffs’  
10 request for a court-ordered reduction in the California prison population.

11 During the pendency of this proceeding, the outlook for California’s prisons has only  
12 grown dimmer. The state is now in the throes of a fiscal crisis that renders it unable or  
13 unwilling to commit the necessary resources to fix the problems in its prisons. As Matthew  
14 Cate, Secretary of the California Department of Corrections and Rehabilitation<sup>3</sup> and a  
15 defendant here, recently put it, California “cannot at this time become further indebted for  
16 correctional healthcare.”<sup>4</sup> Ex. 1 to Defs.’ July 1, 2009 Response to Court’s June 18, 2009  
17 Order, filed in *Coleman*, at 1.

18 Federal law makes any prisoner release order, including the population reduction  
19 order requested by plaintiffs, a “remedy of last resort,” H.R. Rep. No. 104-21, at 25 (1995)

20 \_\_\_\_\_  
21 <sup>2</sup>*Plata* involves the prison system’s constitutionally inadequate medical care, while  
22 *Coleman* involves the constitutional deficiencies in mental health care provided to California  
inmates.

23 <sup>3</sup>Until 2005, California’s adult prisons were run by the California Department of  
24 Corrections, which was a department within the state’s Youth and Corrections Agency. On  
25 July 1, 2005, the agency was reorganized and renamed the California Department of  
Corrections and Rehabilitation (“the CDCR”). Ex. P5 at ix. In this opinion and order, we  
refer to the agency as the CDCR except when quoting orders issued prior to the  
reorganization.

26 <sup>4</sup>California has reduced spending on education, health care, the social safety net, and  
27 services for the needy, the blind, and children to the breaking point. Under these  
28 circumstances, we would be reluctant to direct the state to allocate additional funds to its  
prisons or to rehabilitative services at the expense of others to whom it has a legal and moral  
obligation.

1 (report of the House Committee on the Judiciary on the Violent Criminal Incarceration Act of  
2 1995), and imposes various conditions upon the issuance of such an order. *See* 18 U.S.C.  
3 § 3626(a)(3). As we explain below, those conditions have been met here: (1) crowding is the  
4 primary cause of the state’s failure to provide its inmates with constitutionally sufficient  
5 medical and mental health care; (2) no relief besides a prisoner release order can bring the  
6 California prison system into constitutional compliance; (3) an order requiring the state to  
7 reduce the population of its adult institutions to a lower percentage of their combined design  
8 capacity than presently exists – a population cap – is narrowly tailored to the constitutional  
9 violations identified by the *Plata* and *Coleman* courts, extends no further than necessary to  
10 remedy those violations, and is the least intrusive possible remedy; and (4) the state can  
11 comply with such an order with little or no impact on public safety and the operation of the  
12 criminal justice system. There are numerous means by which the state can reduce the prison  
13 population, from parole reform and the diversion of technical parole violators and low-risk  
14 offenders to sentencing reform and the expansion of good time credits and rehabilitative  
15 programming. There is no need for the state to release presently incarcerated inmates  
16 indiscriminately in order to comply with our order. Much of the relief can be achieved  
17 instead by reducing prison intake in a manner recommended by the state’s own experts.

18       We recognize the gravity of the population reduction order we issue herein, and we do  
19 not intervene in matters of prison population lightly. Nonetheless, when federal court  
20 intervention becomes the only means by which to enforce rights guaranteed by the  
21 Constitution, federal courts are obligated to act. “Without this, all the reservations of  
22 particular rights or privileges would amount to nothing.” *The Federalist* No. 78 (Alexander  
23 Hamilton). California’s prisoners have long been denied constitutionally adequate medical  
24 and mental health care, often with tragic consequences, and the overcrowding in California’s  
25 prisons, which have become criminogenic, must be reduced if the prison system is to achieve  
26 constitutional compliance. California’s prisoners, present and future, (and the state’s  
27 population as a whole) can wait no longer.

28

## 1 II. FACTUAL AND PROCEDURAL BACKGROUND

2 Because the courts' prior remedial efforts are of profound relevance in understanding  
3 the effect of prison overcrowding and the inadequacy of forms of relief that do not address  
4 that problem, we begin with a detailed history of the individual *Plata* and *Coleman* cases.  
5 We then describe the crowded conditions in California's prison system and the history of the  
6 three-judge court proceeding before turning to the legal questions before us.

### 7 A. Plata (Medical Care)

8 The history of *Plata* involves extensive remedial efforts over the last seven years that  
9 have faltered because of the severe overcrowding in California's prisons.

10 The *Plata* class action was filed on April 5, 2001, and plaintiffs filed an amended  
11 complaint on August 20, 2001, alleging constitutional violations in the delivery of medical  
12 care to inmates confined in California state prisons, as well as violations of the Americans  
13 with Disabilities Act and § 504 of the Rehabilitation Act. Ex. D1059. Plaintiffs asserted that  
14 the "unconstitutional conditions" caused by defendants' failure to "properly care for and treat  
15 the prisoners in [their] custody . . . caused widespread harm, including severe and  
16 unnecessary pain, injury and death." *Id.* ¶ 1. The *Plata* plaintiffs and defendants negotiated  
17 a stipulation for injunctive relief, which the *Plata* court approved by court order.<sup>5</sup>

18 However, defendants proved incapable of or unwilling to provide the stipulated relief.  
19 Three years after approving the stipulation as an order of the court, the *Plata* court conducted  
20 an evidentiary hearing that revealed the continued existence of appalling conditions arising  
21 from defendants' failure to provide adequate medical care to California inmates. The Court  
22 found that defendants had been given "every reasonable opportunity to bring [the] prison  
23 medical system up to constitutional standards, and it [was] beyond reasonable dispute that the  
24 State ha[d] failed." Oct. 3, 2005 Findings of Fact & Conclusions of Law Re: Appointment of  
25 Receiver ("FF&CL"), 2005 WL 2932253, at \*1 (Ex. D1063).<sup>6</sup> Following that hearing, the

26 <sup>5</sup>The stipulation resolved all of plaintiffs' claims, including their Rehabilitation Act  
27 and ADA claims.

28 <sup>6</sup>All references to court orders in this section of our opinion and order are to orders  
filed in the district court in *Plata*.

1 *Plata* court concluded that it had no choice but to place the CDCR’s medical health care  
2 delivery system in receivership. The *Plata* Receivership continues to this date, but, as we  
3 explain below, severe crowding throughout California’s prison system renders the Receiver  
4 unable to resolve the constitutional violations at issue in *Plata*.

5 1. Complaint, Stipulation, and Order for Injunctive Relief

6 In their amended complaint, the *Plata* plaintiffs alleged that a number of specific  
7 deficiencies in the CDCR’s prison medical care system rendered the system as a whole  
8 unconstitutional. The alleged deficiencies included inadequate medical screening of  
9 incoming prisoners; delays in or failure to provide access to medical care, including  
10 specialist care; untimely responses to medical emergencies; the interference of custodial staff  
11 with the provision of medical care; the failure to recruit and retain sufficient numbers of  
12 competent medical staff; disorganized and incomplete medical records; a “lack of quality  
13 control procedures, including lack of physician peer review, quality assurance and death  
14 reviews”; a lack of protocols to deal with chronic illnesses, including diabetes, heart disease,  
15 hepatitis, and HIV; and the failure of the administrative grievance system to provide timely  
16 or adequate responses to complaints concerning medical care. Ex. D1059 ¶ 192.<sup>7</sup>

17 Prior to filing suit, the *Plata* plaintiffs had been in informal negotiations with  
18 defendants since July 1999. Ex. D1060 ¶ 3 (June 13, 2002 Stip. & Order). After *Plata* was  
19 filed, the parties ultimately agreed to a stipulation for injunctive relief, which the *Plata* court  
20 entered as an order on June 13, 2002. Defendants agreed to and were ordered to implement  
21 certain policies and procedures on a staggered basis, with seven prisons to complete  
22 implementation in 2003. *Id.* ¶¶ 4-5. In each subsequent year, defendants were to complete  
23  
24  
25

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26  
27 <sup>7</sup>As we explain below, *infra* Section II.A.2, it became apparent early in the *Plata*  
28 litigation that, given the size of their populations, California’s prisons lacked the space and  
facilities required to deliver constitutionally adequate medical care or to remedy the above  
deficiencies.

1 implementation at five additional prisons, such that statewide implementation would be  
2 achieved by the end of 2008. *Id.* ¶ 5.<sup>8</sup>

3 The stipulated policies and procedures, which defendants filed with the *Plata* court on  
4 February 15, 2002, and supplemented on May 30, 2002, “are approximately 800 pages long  
5 and contained in 11 volumes.” Mar. 10, 2003 Order at 2. Although the stipulated policies  
6 and procedures were “designed to meet or exceed the minimum level of care necessary to  
7 fulfill the defendants’ obligation to plaintiffs under the Eighth Amendment of the United  
8 States Constitution,” the stipulation “require[s] defendants to provide only the minimum  
9 level of medical care required under the Eighth Amendment.” Ex. D1060 ¶ 4.

10 The stipulation for injunctive relief provided *inter alia* for regular audits of  
11 defendants’ compliance. *Id.* ¶¶ 19-23. These audits were to include a review of no less than  
12 180 inmate health records at each prison. *Id.* ¶ 21(a). Medical assessments or treatment  
13 plans contained in those records would be deemed substantially in compliance with the  
14 settlement agreement if they were consistent with the policies and procedures or with the  
15 community standard of care “imposed under the laws of the State of California upon health  
16 care providers licensed to practice in California.” *Id.* ¶ 22(b) & at 11 n.3. Compliance with  
17 the agreement would also require “conducting minimally adequate death reviews and quality  
18 management proceedings,” having “tracking, scheduling and medication administration  
19 systems adequately in place,” and the absence of any “pattern or practice that is likely to  
20 result in serious problems [where] those problems are not being adequately addressed.” *Id.*  
21 ¶¶ 22(c)-(e).

22 Had the stipulated policies and procedures been implemented, they would have  
23 resulted in comprehensive improvements to nearly all aspects of the medical delivery system  
24 in California’s prisons, including quality management; health records management;

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25  
26 <sup>8</sup>This roll-out plan did not include Pelican Bay State Prison, which was under the  
27 *Plata* court’s jurisdiction in a separate action, *Madrid v. Cate*, Case No. C90-3094 TEH  
28 (N.D. Cal.), and was not included in the *Plata* case. However, on June 6, 2008, the parties  
stipulated, and the court ordered, that prisoners housed at Pelican Bay State Prison be  
included in the *Plata* class. Thus, the *Plata* case now includes all thirty-three adult  
institutions within the CDCR.

1 infectious disease control; staffing; inter-institution transfers; and the timing and manner in  
 2 which inmates are provided with physician and nurse care, as well as with necessary  
 3 medications. Unfortunately, defendants utterly failed to comply with the implementation  
 4 schedule to which they had stipulated. As of May 10, 2005, when implementation should  
 5 have been completed at twelve prisons, “not a single prison ha[d] successfully completed  
 6 implementation.” May 10, 2005 Order to Show Cause (“OSC”), 2005 WL 2932243, at \*2  
 7 (Ex. D1062). The same remains true now, more than seven years after the court approved  
 8 the parties’ settlement agreement. As we explain below, this is due in large part to the severe  
 9 overcrowding in California’s prisons.

## 10 2. Appointment of Court Experts and Their Findings

11 In addition to stipulating to an implementation schedule, the parties agreed to the  
 12 appointment of medical and nursing experts “to advise the Court on the adequacy and  
 13 implementation of defendants’ Policies and Procedures and any other matter that  
 14 appropriately may be the subject of the experts’ testimony.” Ex. D1060 ¶¶ 16-17. The  
 15 experts routinely reviewed defendants’ progress towards implementing the stipulated  
 16 injunctive relief and periodically communicated their findings and recommendations to the  
 17 *Plata* court.

18 In their July 16, 2004 report to the court, the experts identified a pattern of serious  
 19 deficiencies relating to physician quality at California prisons, and defendants agreed to  
 20 address those deficiencies in a stipulation entered as an order of the court on September 17,  
 21 2004 (“Patient Care Order”), Ex. D1061.

22 The Patient Care Order required defendants to engage an  
 23 independent entity to (a) evaluate the competency of physicians  
 24 employed by the CDCR and (b) provide training to those  
 25 physicians found to be deficient. It also required defendants to  
 26 undertake certain measures with respect to the treatment of high-  
 risk patients, to develop proposals regarding physician and  
 nursing classifications and supervision, and to fund and fill  
 Quality Management Assistance Teams (“QMAT”) and other  
 support positions.

27 Oct. 3, 2005 FF&CL, 2005 WL 2932253, at \*2. However, “[d]efendants failed to come  
 28 close to meeting the terms of the Patient Care Order, even with generous extensions of time

1 from the Court.” *Id.* The experts noted one example of defendants’ failure to comply after  
2 visits to the Substance Abuse and Treatment Facility in February and March 2005:

3 [N]ot only has little progress been made in the implementation of  
4 *Plata*, but the initial morale and enthusiasm in utilizing QMAT  
5 has evaporated in large part because of the inability of the  
6 California Department of Corrections to provide the necessary  
staff and support to this process. This has delivered an unspoken  
message that no change will occur.

7 May 16, 2005 Experts’ Report on Substance Abuse Treatment Center, at 3 (filed in *Plata* on  
8 May 19, 2005).

9 The experts’ reports following visits to San Quentin State Prison were no better.  
10 Following a February 2005 visit to that facility, the court’s nursing experts observed that  
11 clinics in housing areas were sometimes “nothing more than an office used by correctional  
12 officers” and “lacked basic medical equipment and supplies.” Apr. 9, 2005 Nursing Experts’  
13 Report on San Quentin, at 2 (filed in *Plata* on May 10, 2005). The “[m]ost disturbing”  
14 conditions were in one unit where

15 [t]he area used for nursing triage [was] a small room at the end of  
16 the tier that the nurse accesses by walking through a gate and into  
17 the men’s showers. . . . Because of a clogged shower drain,  
18 standing water was present outside the clinic door. Inside, the  
19 room was filthy. The furniture was old and in disrepair. There  
20 was no examination table, medical equipment or supplies, or  
handwashing facilities. According to staff, equipment (otoscope  
[an instrument used to examine the ear]) requested for this area  
had been denied. As well, there was no telephone or computer  
access. Prior to this room being used, a broom closet on the  
fourth tier was used for nurse triage.

21 These conditions are deplorable and have no resemblance to a  
22 medical setting whatsoever.

23 *Id.* at 2-3. Following their visits to San Quentin in January and February 2005, the medical  
24 experts noted that “[m]edical record reviews demonstrate[d] multiple instances of  
25 incompetence, indifference, cruelty, and neglect. Ten deaths were reviewed. All showed  
26 serious problems; most deaths were preventable. . . . Routine medical care [was] replete with  
27 numerous errors resulting from both system failures as well as physician mistakes.” Apr. 8,  
28 2005 Medical Experts’ Report on San Quentin, at 13 (filed in *Plata* on May 10, 2005).

1 Perhaps most damning was the medical experts' conclusion that "overall compliance  
2 with the Stipulated Order and subsequent Court Orders was non-existent [at San Quentin]. In  
3 fact, it was clear that for most areas we reviewed there has been indifference to beginning the  
4 process required in the Stipulated Order," *id.* at 2 – despite the fact that the prison was to  
5 have *completed* that process by the time of the experts' site visit. The experts ultimately  
6 concluded that San Quentin was "so old, antiquated, dirty, poorly staffed, poorly maintained,  
7 with inadequate medical space and equipment and over-crowded that it is our opinion that it  
8 is dangerous to house people there with certain medical conditions and is also dangerous to  
9 use this facility as an intake facility." *Id.* According to the experts, "the overcrowding and  
10 facility life-safety and hygiene conditions create a public health and life-safety risk to  
11 inmates who are housed there." *Id.*

### 12 3. Periodic Status Conferences

13 Beyond receiving periodic reports from the experts, the *Plata* court also conducted  
14 regular status conferences with the parties to help monitor and facilitate implementation of  
15 the stipulated injunctive relief, as well as to assess defendants' ability and willingness to  
16 comply with the court order approving such relief. Based on the experts' dismal reports of  
17 defendants' progress, the court increased the frequency of these conferences and, in February  
18 2005, started meeting with the parties on a monthly basis. To facilitate these meetings,  
19 which typically involved large numbers of CDCR staff housed in Sacramento, the court  
20 rotated the location of these meetings between San Francisco and Sacramento.

21 The Court invited the parties during [the] monthly status  
22 conferences to contribute ideas as to possible remedies, and the  
23 Court especially encouraged defendants to consider ways in  
24 which they could take the actions necessary to solve the medical  
25 care problems through measures within their own control,  
26 including use of the extraordinary powers of the Governor. The  
27 Court went to the length of requesting that defendants present it  
28 with a series of proposed orders so that the Court could help  
empower them to overcome some of their bureaucratic hurdles on  
their own. Defendants did not submit a single proposed order.

27 Oct. 3, 2005 FF&CL, 2005 WL 2932253, at \*26 (citation omitted).

1                   4.       Proceedings To Determine Whether a Receiver Should Be Appointed

2                   Ultimately, the *Plata* court found itself with no alternative but to issue an order to  
3 show cause (“OSC”) why defendants should not be found in civil contempt and why a  
4 receiver should not be appointed to manage medical care delivery for the CDCR. As the  
5 court noted when it issued the OSC on May 10, 2005:

6                   In the four years since this case was filed, which includes the year  
7 and a half that this Court has been meeting with the parties on a  
8 regular basis, two things have become ever increasingly clear:  
9 (1) the Governor has appointed, and the State has hired, a number  
10 of dedicated individuals to tackle the difficult task of addressing  
11 the crisis in the delivery of health care in the California  
12 Department of Corrections (“CDC”), and, (2) despite the best  
13 efforts of these individuals, little real progress is being made.  
14 The problem of a highly dysfunctional, largely decrepit, overly  
15 bureaucratic, and politically driven prison system, which these  
16 defendants have inherited from past administrations, is too far  
17 gone to be corrected by conventional methods.

18                   The prison medical delivery system is in such a blatant state of  
19 crisis that in recent days defendants have publicly conceded their  
20 inability to find and implement on their own solutions that will  
21 meet constitutional standards. The State’s failure has created a  
22 vacuum of leadership, and utter disarray in the management,  
23 supervision, and delivery of care in the Department of  
24 Corrections’ medical system.

25                   Defendants have devised a long-term strategy to contract out  
26 health care management and much of the delivery of care.  
27 However, full implementation of that plan is, by defendants’ own  
28 estimates, years away. In the meantime, roughly 162,000  
prisoners are being subjected to an unconstitutional system  
fraught with medical neglect and malfeasance. Defendants  
themselves have conceded that a significant number of prisoners  
have died as a direct result of this lack of care, and it is clear to  
the Court that more are sure to suffer and die if the system is not  
immediately overhauled.

.....

Since the entry of the Stipulated Injunction in June 2002, the  
most notable characteristic of this case has been defendants’  
failure to achieve any substantial progress in bringing the medical  
care system even close to minimal constitutional standards.

May 10, 2005 OSC, 2005 WL 2932243, at \*1-2. “Even following issuance of the OSC – on  
the brink of possible contempt and the imposition of a Receivership – defendants were able

1 to enact only very limited and piece-meal measures, with no prospect for system-wide reform  
2 or restructuring.” Oct. 3, 2005 FF&CL, 2005 WL 2932253, at \*26.

3 Beginning on May 31, 2005, and concluding on June 9, 2005, the *Plata* court  
4 conducted a six-day evidentiary hearing concerning the OSC. *Id.* at \*2. The court  
5 considered eighty-two exhibits, *id.*, and heard testimony from the court experts; relevant state  
6 officials, including Undersecretary of Corrections Kevin Carruth and Dr. Renee Kanan, the  
7 Acting Director of Health Care Services for the CDCR; and defendants’ medical expert  
8 Dr. Ronald Shansky.<sup>9</sup> Following the hearing, the parties submitted legal briefs addressing  
9 both contempt and the appointment of a receiver, and several unions representing state prison  
10 medical personnel filed an amicus brief. *Id.* Defendants did not dispute that the *Plata* court  
11 had the power to appoint a receiver; instead, they argued only that a receivership was an  
12 extraordinary remedy to be used only if less intrusive remedies had failed or were likely to  
13 fail. Defs.’ June 20, 2005 Response to OSC at 2, 25.

14 On June 30, 2005, the *Plata* court heard argument on the OSC. Oct. 3, 2005 FF&CL,  
15 2005 WL 2932253, at \*2. “Based on the arguments of counsel, the evidence presented, the  
16 full record in this case, and the Court’s own observations on prison tours [of two facilities,  
17 accompanied by counsel for the parties], the Court delivered an oral ruling at the conclusion  
18 of the hearing that it would take control of the medical delivery system of the CDCR and  
19 place it under the auspices of a Receivership.” *Id.*

20 5. Findings of Fact and Conclusions of Law Concerning Continuing  
21 Failure To Meet Constitutional Standards and Necessity of a  
22 Receivership

23 On October 3, 2005, the court issued findings of fact and conclusions of law setting  
24 forth the detailed reasoning behind its oral ruling. As the court noted in its written decision:

25 By all accounts, the California prison medical care system is  
26 broken beyond repair. The harm already done in this case to  
California’s prison inmate population could not be more grave,

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27 <sup>9</sup>As noted in our discussion below, although Dr. Shansky testified as defendants’  
28 expert witness in the proceedings before the *Plata* court, he testified as plaintiffs’ expert  
witness in the proceedings before this three-judge court.

1 and the threat of future injury and death is virtually guaranteed in  
2 the absence of drastic action. The Court has given defendants  
3 every reasonable opportunity to bring its prison medical system  
4 up to constitutional standards, and it is beyond reasonable dispute  
5 that the State has failed. Indeed, it is an uncontested fact that, on  
6 average, an inmate in one of California's prisons needlessly dies  
every six to seven days due to constitutional deficiencies in the  
CDCR's medical delivery system. This statistic, awful as it is,  
barely provides a window into the waste of human life occurring  
behind California's prison walls due to the gross failures of the  
medical delivery system.

7 It is clear to the Court that this unconscionable degree of  
8 suffering and death is sure to continue if the system is not  
9 dramatically overhauled. Decades of neglecting medical care  
10 while vastly expanding the size of the prison system has led to a  
state of institutional paralysis. The prison system is unable to  
function effectively and suffers a lack of will with respect to  
prisoner medical care.

11 *Id.* at \*1.

12 In its order, the court identified a number of serious problems in the care provided to  
13 inmates. The court found that the CDCR failed to follow its own policies regarding access to  
14 medical care, and inmates routinely lacked timely access to care, both in terms of screening  
15 requests and in receiving care once it was determined that an appointment with a physician  
16 was warranted. *Id.* at \*13. Inmates needing specialty services to treat serious medical  
17 problems were forced to wait inordinate and inexcusable amounts of time for appointments;  
18 at one prison, inmates with consultation referrals from early 2004 had yet to be seen in May  
19 2005. *Id.* at \*16. In addition, the CDCR had failed to develop or implement a system to  
20 track and treat inmates with chronic care needs, *id.* at \*14, and the court's nursing expert  
21 found that CDCR nurses often "fail[ed] to perform basic functions," such as taking vital  
22 signs, conducting examinations, and identifying urgent medical issues requiring immediate  
23 referral to a physician. *Id.* at \*9.

24 Not unexpectedly, death reviews revealed "repeated gross departures from even  
25 minimal standards of care." *Id.* at \*7. The lack of adequate care also resulted in "an  
26 inordinately high level of morbidity," defined as "any significant injury, harm or medical  
27 complication that falls short of death," among CDCR inmates. *Id.* at \*8-9. For example:  
28

1 [I]n 2004 a San Quentin prisoner with hypertension, diabetes and  
2 renal failure was prescribed two different medications that  
3 actually served to exacerbate his renal failure. An optometrist  
4 noted the patient's retinal bleeding due to very high blood  
5 pressure and referred him for immediate evaluation, but this  
6 evaluation never took place. It was not until a year later that the  
7 patient's renal failure was recognized, at which point he was  
8 referred to a nephrologist on an urgent basis; he should have been  
9 seen by the specialist within 14 days but the consultation never  
10 happened and the patient died three months later.

11 *Id.* (citations omitted). This incident was simply a "representative example[]" of the grossly  
12 inadequate care that could be found throughout the prison system. *Id.* at \*6. Many prisoners  
13 were the victims of similar treatment, or worse.

14 Beyond these quality of care problems, the court noted a number of additional  
15 deficiencies in the prison medical system. Prison medical facilities "lack[ed] the necessary  
16 medical equipment to conduct routine examinations and to respond to emergencies," *id.* at  
17 \*15, and were also "completely inadequate for the provision of medical care":

18 Many clinics [did] not meet basic sanitation standards. Exam  
19 tables and counter tops, where prisoners with infections such as  
20 Methicillin-Resistant Staph Aureus (MRSA) and other  
21 communicable diseases are treated, [were] not routinely  
22 disinfected or sanitized. Many medical facilities require[d]  
23 fundamental repairs, installation of adequate lighting and such  
24 basic sanitary facilities as sinks for hand-washing. In fact, lack of  
25 adequate hygiene ha[d] forced the closure of some operating  
26 rooms.

27 *Id.* at \*14 (citations omitted). Likewise, the management of prison pharmacy operations was  
28 "unbelievably poor." *Id.* at \*16. No statewide coordination between pharmacies existed, and  
there were "serious, long-standing problems with dispensing medication, renewing  
prescriptions, and tracking expired prescriptions." *Id.* Medical records in most CDCR  
prisons were "either in a shambles or non-existent. . . . mak[ing] even mediocre medical care  
impossible," *id.* at \*14 (citation omitted), and the resulting lack of access to inmates' medical  
histories "result[ed] in dangerous mistakes, delay in patient care, and severe harm." *Id.*  
Furthermore, the reception center intake process, which was designed to allow medical staff  
to identify inmates' medical issues, including communicable diseases posing a risk of  
transmission to other inmates and staff, was woefully inadequate. *Id.* at \*12-13.

1 The court also noted a number of serious personnel problems. Qualified medical staff  
2 were sorely lacking at every level. According to one court expert, “20-50% of physicians at  
3 the prisons provide[d] poor quality of care.” *Id.* at \*5. However, the CDCR was incapable  
4 of recruiting qualified personnel to fill the significant vacancies that existed throughout the  
5 system, *id.* at \*11, and the CDCR’s lack of a medical credentialing policy resulted in many  
6 CDCR clinicians’ practicing outside of their areas of medical expertise. *Id.* at \*21. The  
7 CDCR also lacked medical leadership, both at the central office and at individual prisons,  
8 and the resulting lack of supervision “foster[ed] a culture of non-accountability and non-  
9 professionalism whereby the acceptance of degrading and humiliating conditions bec[ame]  
10 routine and permissible.” *Id.* at \*10 (internal quotations, citation, and alteration omitted).

11 Bases on these findings, the *Plata* court concluded that “the establishment of a  
12 Receivership, along with those actions necessary to effectuate its establishment, are narrowly  
13 drawn to remedy the constitutional violations at issue, extend no further than necessary to  
14 correct a current and ongoing violation of a federal right, and are the least intrusive means to  
15 correct these violations.” *Id.* at \*33. The court recognized that:

16 the imposition of a Receivership is a drastic measure. But it is  
17 not a measure that the Court has sought, nor is it one the Court  
18 relishes. Rather, the Court is simply at the end of the road with  
19 nowhere else to turn. Indeed, it would be fair to say that the  
20 Receivership is being imposed on the Court, rather than on the  
State, for it is the State’s abdication of responsibility that has led  
to the current crisis. Since the Court has jurisdiction over this  
matter, it has no choice but to step in and fill the void.

21 *Id.* at \*31 (citation omitted). The court held the contempt remedy in abeyance after  
22 concluding that a finding of contempt was not a prerequisite to the appointment of a receiver.  
23 *Id.* at \*33. Nevertheless, it sought to employ all feasible means other than a prisoner release  
24 to remedy the constitutional violations.

#### 25 6. Interim Remedies

26 On plaintiffs’ motion, the court considered appointing a temporary receiver but  
27 ultimately opted instead to appoint a correctional expert pending the search for and  
28 appointment of a receiver. *Id.* at \*34-35. On November 14, 2005, the Correctional Expert

1 filed a report and recommendations on interim remedies concerning clinical staffing and  
2 death reviews. “[T]he Correctional Expert’s report powerfully underscore[d] the depth of the  
3 crisis in the delivery of health care services in the CDCR . . . .” Ex. D1065 at 1 (Dec. 1, 2005  
4 Order). Over defendants’ objections, the court ordered a series of “discrete, urgently needed,  
5 remedial measures that could be undertaken immediately” to improve recruitment and  
6 retention of clinical staff. *Id.* at 1, 6-15.

7           7.     Appointment of the *Plata* Receiver

8           With the parties’ participation, the *Plata* court engaged in a national search for a  
9 receiver. On February 14, 2006, the court appointed Robert Sillen as Receiver, with an  
10 effective date of April 17, 2006. In its order of appointment, the court conferred broad  
11 authority on the Receiver to “provide leadership and executive management of the California  
12 prison medical health care delivery system with the goals of restructuring day-to-day  
13 operations and developing, implementing, and validating a new, sustainable system that  
14 provides constitutionally adequate medical care to all class members as soon as practicable.”  
15 Ex. P313 at 2 (Feb. 14, 2006 Order). The Receiver was assigned “the duty to control,  
16 oversee, supervise, and direct all administrative, personnel, financial, accounting,  
17 contractual, legal, and other operational functions of the medical delivery component of the  
18 CDCR,” *id.*, and was granted “all powers vested by law in the Secretary of the CDCR as they  
19 relate to the administration, control, management, operation, and financing of the California  
20 prison medical health care system.” *Id.* at 4. On January 23, 2008, the Court appointed  
21 J. Clark Kelso to replace Sillen as Receiver, and he has served in that capacity to date.

22           The Receivers have implemented substantial changes in the CDCR’s prison medical  
23 care system and have issued regular reports documenting their progress. For example, the  
24 Receiver has increased recruitment and retention of clinical staff, implemented a new  
25 pharmacy system, and instituted pilot programs to improve medical screening at reception  
26 centers and management of chronic care. Nonetheless, as we describe below, fundamental  
27 unconstitutional deficiencies, caused primarily by overcrowding, continue to exist and  
28 prevent the delivery of constitutionally adequate medical care to California’s inmates.

1           **B.     Coleman (Mental Health Care)**

2           While the *Plata* court has struggled to bring the CDCR’s medical system into  
3 constitutional compliance for more than seven years, the *Coleman* action has lasted even  
4 longer – almost two decades. The first five years of litigation culminated in a finding that the  
5 CDCR was violating the Eighth Amendment by failing to provide constitutionally adequate  
6 mental health care to inmates with serious mental disorders. The past fourteen years have  
7 involved continual efforts to remedy the constitutional violations.

8           At the time of the *Coleman* trial, the Eighth Amendment violations stemmed in large  
9 part from the state’s complete failure to identify with any accuracy the number of mentally ill  
10 inmates in the prison population, despite several expert reports addressing the issue. Early in  
11 *Coleman*’s remedial phase, the state developed a screening mechanism to identify mentally  
12 ill inmates and plans for a system that could deliver mental health care to the thousands of  
13 inmates suffering from serious mental disorders. There are currently over 34,000 inmates  
14 identified as seriously mentally ill in the state’s prisons. Ex. P243 at 900124 (collection of  
15 monthly CDCR mental health population placement reports, dated between December 2006  
16 and August 2008). However, California remains unable to deliver constitutionally adequate  
17 mental health care for these inmates.

18           After fourteen years of remedial efforts under the supervision of a special master and  
19 well over seventy orders by the *Coleman* court, the California prison system still cannot  
20 provide thousands of mentally ill inmates with constitutionally adequate mental health care,  
21 and “critically mentally ill inmates [are] languishing in horrific conditions without access to  
22 immediate necessary mental health care.” May 2, 2006 Order at 2.<sup>10</sup> The relentless growth  
23 of the inmate population has prevented the state from meeting its obligations under the  
24 Eighth Amendment and has led, inexorably, to the proceeding before this court.

25  
26  
27           

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<sup>10</sup>All references to court orders in this section of our opinion and order are to orders  
28 filed in the district court in *Coleman*. *Coleman* docket numbers are listed when multiple,  
untitled orders were issued on the same day.

1                   1.       Findings of Eighth Amendment Violations

2                   The *Coleman* action was filed on April 23, 1990. On July 25, 1991, plaintiffs filed an  
3 amended complaint, Ex. D1036, raising claims under the Eighth and Fourteenth  
4 Amendments to the United States Constitution and the Rehabilitation Act, 29 U.S.C. § 794.  
5 These claims were based on serious inadequacies in the delivery of mental health care to  
6 inmates in the California adult prison system. *Id.* The *Coleman* court subsequently certified  
7 a class consisting of inmates with serious mental disorders.<sup>11</sup> Nov. 14, 1991 Order at 4-5.  
8 The matter proceeded to trial before a United States Magistrate Judge, and in June 1994 the  
9 magistrate judge found that defendants' delivery of mental health care to class members  
10 violated the Eighth Amendment. On September 13, 1995, the district court adopted the  
11 magistrate judge's decision, with modifications. *Coleman v. Wilson*, 912 F. Supp. 1282  
12 (E.D. Cal. 1995).<sup>12</sup>

13                   In adopting the magistrate's findings, the *Coleman* court identified several significant  
14 deficiencies in the delivery of mental health care to California's inmates. First, the court  
15 found delays in access to necessary mental health care "at each level of the mental health  
16 care delivery system as it exist[ed] in the CDC," which "result[ed] in exacerbation of illness  
17 and patient suffering." *Id.* at 1308, 1309. Evidence specifically noted by the *Coleman* court

18                   <sup>11</sup>The class certified in 1991 consisted of "all inmates with serious mental disorders  
19 who are now or who will in the future be confined within the California Department of  
20 Corrections (except the San Quentin State Prison, the Northern Reception Center at Vacaville  
21 and the California Medical Facility-Main at Vacaville)." Nov. 14, 1991 Order at 4-5. On  
22 July 12, 1995, the *Coleman* class was decertified as to the Rehabilitation Act claim, which  
23 was dismissed with prejudice. July 12, 1995 Order at 2. The class definition was  
24 subsequently amended to include "all inmates with serious mental disorders who are now, or  
25 who will in the future, be confined within the California Department of Corrections."  
26 July 23, 1999 Order & Stip. & Order Amending Plaintiff Class & Application of Remedy  
27 appended thereto at 2.

28                   Inmates suffering from "serious mental disorders" include those with "Organic Brain-  
Syndrome-Severe, Schizophrenia, Major Depression [or] the Bipolar Disorders," those who  
"currently or within the last three years . . . [have] had a significant disorder of thought or  
mood which substantially impairs or substantially impaired reality testing, judgment or  
behavior," and those who "currently do[] not have the ability to meet the functional  
requirements of prison life without psychiatric intervention, including psychotropic  
medication." *Coleman*, 912 F. Supp. at 1300 nn.15-16 (internal quotations and citations  
omitted).

<sup>12</sup>The district court's order was issued following *de novo* review by that court of the  
magistrate judge's findings and recommendations. *Coleman*, 912 F. Supp. at 1293, 1297.

1 included “backlogs of 300-400 inmates awaiting transfer to enhanced outpatient programs at  
2 California Men’s Colony [(‘CMC’)] or California Medical Facility [(‘CMF’)]” and a defense  
3 exhibit describing “the problem of the backlog of male inmates awaiting transfer to CMF and  
4 CMC for mental health services” as “approaching the crisis level.” *Id.* at 1309 (internal  
5 quotations omitted).

6 In addition, defendants did not have “a systematic program for screening and  
7 evaluating inmates for mental illness.” *Id.* at 1305. Instead, they relied on mechanisms that  
8 were “either used haphazardly, or depend[ed] for efficacy on incomplete or non-existent  
9 medical records, self-reporting, or the observations of custodial staff inadequately trained in  
10 the signs and symptoms of mental illness.” *Id.* at 1305-06. As a result, “thousands of  
11 inmates suffering from mental illness [were] either undetected, untreated, or both.” *Id.* at  
12 1306.

13 Furthermore, the *Coleman* court found that “defendants’ supervision of the use of  
14 medication [was] completely inadequate; prescriptions [were] not timely refilled, there [was]  
15 no adequate system to prevent hoarding of medication, . . . inmates on psychotropic  
16 medication [were] not adequately monitored, and it appear[ed] that some very useful  
17 medications [were] not available because there [was] not enough staff to do necessary post-  
18 medication monitoring.” *Id.* (internal quotations and citation omitted); *see also id.* at 1310.  
19 The court also found violations of a constitutional magnitude in the involuntary medication  
20 of inmates. *Id.* at 1313. In addition, the court found significant deficiencies in medical  
21 record keeping, “including disorganized, untimely and incomplete filing of medical records,  
22 insufficient charting, and incomplete or nonexistent treatment plans” at most prisons. *Id.* at  
23 1314 (internal quotations and citation omitted); *see also id.* at 1315. The court found that  
24 “inmates [were] typically transferred between prisons without even such medical records as  
25 might exist.” *Id.* at 1314 (internal quotations and citation omitted); *see also id.* at 1315.

26 The *Coleman* court also found that “the California Department of Corrections [was]  
27 significantly and chronically understaffed in the area of mental health care services.” *Id.* at  
28 1307. Relying on the testimony of a defense expert, the *Coleman* court further found that

1 “defendants [could not] provide adequate mental health care without some form of quality  
2 assurance” program to ensure the competence of their mental health care staff, but that the  
3 CDCR lacked any such program. *Id.* at 1308.

4 These findings led the *Coleman* court to conclude that defendants lacked all of the  
5 “basic, essentially common sense, components of a minimally adequate prison mental health  
6 care delivery system,” *id.* at 1298 (citing *Balla v. Idaho State Bd. of Corr.*, 595 F. Supp.  
7 1558, 1577 (D. Idaho 1984) (citing *Ruiz v. Estelle*, 503 F. Supp. 1265, 1339 (S.D. Tex.  
8 1980)), including proper screening; timely access to appropriate levels of care; an adequate  
9 medical record system; proper administration of psychotropic medication; competent staff in  
10 sufficient numbers; and a basic suicide prevention program. *Id.* at 1298 n.10. The *Coleman*  
11 court found that the CDCR was seriously deficient in each of the first five components and  
12 that the CDCR’s suicide prevention program was adequate in design but inadequately  
13 implemented due to severe and chronic understaffing throughout the CDCR. *Id.* at  
14 1305-15.<sup>13</sup>

15 On the basis of its findings, the *Coleman* court entered an order for injunctive relief  
16 requiring defendants to develop plans to remedy the constitutional violations under the  
17 supervision of a special master. *Id.* at 1323-24; *see also* Fact #5, Nov. 17, 2008 Joint  
18 Statement of Undisputed Facts.

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22 <sup>13</sup>In addition, the *Coleman* court found “inappropriate use of disciplinary and  
23 behavioral control measures directed towards the members of plaintiff class.” *Id.* at 1319-20.  
24 Seriously mentally ill inmates were “being treated with punitive measures by the custody  
25 staff to control the inmates’ behavior without regard to the cause of the behavior” because  
26 custody staff was “inadequately trained in the signs and symptoms of serious mental illness.”  
27 *Id.* at 1320. Defendants’ placement of *Coleman* class members in administrative segregation  
28 and segregated housing units (“SHUs”) was found to violate the Eighth Amendment because  
mentally ill inmates were placed in such units “without any evaluation of their mental status,  
because such placement [caused] further decompensation, and because inmates [were] denied  
access to necessary mental health care while they [were] housed in administrative  
segregation and/or segregated housing.” *Id.* at 1320 (internal quotations and citation  
omitted). The court also found unconstitutional defendants’ policy permitting the use of  
tasers and 37mm guns on *Coleman* class members without consideration of the impact of  
such measures on mental illness. *Id.* at 1321-23.

1                   2.     Remedial Orders

2                   On December 11, 1995, the *Coleman* court appointed a special master to oversee the  
3 remedial phase of the action. Dec. 11, 1995 Order Appointing a Special Master at 2. The  
4 specific duties of the Special Master included working with defendants to develop a remedial  
5 plan to address the constitutional violations identified by the court, monitoring defendants'  
6 implementation of and compliance with the remedial plan, and submitting interim reports on  
7 the progress of the remedial plan and defendants' compliance. Dec. 11, 1995 Order of  
8 Reference at 3-4.

9                   Eighteen months later, the Special Master submitted a report to the court accompanied  
10 by remedial plans, policies, procedures, and forms collectively identified as the Mental  
11 Health Services Delivery System Program Guides (hereafter "Program Guides"). June 6,  
12 1997 Special Master's Report on Plans, at 1-2.<sup>14</sup> The court accepted the Special Master's  
13 report, ordered two specific modifications recommended by the Special Master, gave  
14 provisional approval to the Program Guides, and directed the Special Master to "forthwith  
15 commence monitoring defendants' implementation of and compliance with" the delivery of  
16 mental health care services as set forth in the Program Guides. June 27, 1997 Order at 2-3.

17                  Following the court's provisional approval of the Program Guides, defendants  
18 continued to work with the Special Master to implement and revise the guides.<sup>15</sup> In early  
19 2006, the Special Master submitted a report and recommendations regarding a Revised  
20 Program Guide that defendants concurrently submitted for final approval. *See* Jan. 2006  
21 Revised Program Guide (*Coleman* docket # 1753). On March 3, 2006, the *Coleman* court

22                  <sup>14</sup>A reformatted copy of the Program Guides was filed in January 1998. *Coleman*  
23 docket # 913.

24                  <sup>15</sup>As the *Coleman* Special Master explained when defendants' Revised Program Guide  
25 was submitted for final approval, at the start of the remedial phase "the basic program guides  
26 were a work in progress, hence their provisional adoption. Many of the programmatic  
27 components of the defendant's mental health system were still embryonic and needed much  
28 nurturing. . . . All agreed that their implementation needed close scrutiny and analysis over  
the next several years. During the subsequent implementation process, many aspects of the  
provisionally approved plans, policies, and protocols were revisited and amended by the  
court, while some other provisions were modified and upgraded by the defendants on their  
own initiative." Feb. 3, 2006 Special Master's Report & Recommendations on Defs.'  
Revised Program Guide at 2.

1 gave final approval to all undisputed provisions of the Revised Program Guide and ordered  
2 their immediate implementation. Mar. 3, 2006 Order at 1-2.<sup>16</sup>

3 Operating under the framework established by the Program Guides, the *Coleman*  
4 court has engaged in extensive efforts to address the identified constitutional violations  
5 through means other than a prisoner release order. Since June 1997, the *Coleman* Special  
6 Master has filed twenty monitoring reports and fifty-six other reports. During the same  
7 period, the *Coleman* court has issued well over seventy orders concerning the matters at the  
8 core of the remedial process. As discussed in detail below, the vast majority of the orders by  
9 the *Coleman* court have been directed at accurately projecting short-, medium-, and long-  
10 range bed needs; creating a sufficient number of beds at the higher levels of the mental health  
11 care delivery system; reducing delays in transfers to necessary levels of care; and ensuring  
12 adequate staffing.<sup>17</sup> In addition, the court has issued several orders addressing deficiencies at

13 <sup>16</sup>The Revised Program Guide approved by the *Coleman* court in March 2006 contains  
14 specific provisions for an annual revision process. See Jan. 2006 Revised Program Guide  
15 (*Coleman* docket # 1753-2) at 12-1-14; see also Dezember Trial Aff. ¶ 24 (“The Program  
16 Guide is now subject only to an annual revision process.”). The *Coleman* court has  
17 specifically approved at least one additional modification to the Revised Program Guide. See  
18 Sept. 11, 2006 Stip. & Order at 3.

19 The parties have offered three separate versions of the Revised Program Guide into  
20 evidence. Defendants have offered as Exhibit D1147 a document they represent to be the  
21 Revised Program Guide approved by the *Coleman* court in March 2006. See Dezember Trial  
22 Aff. ¶ 16. Plaintiffs have offered as Exhibit P9 a document identified as the September 2006  
23 Revised Program Guide. Defendants have also offered as Exhibit D1148 a version of the  
24 2008 Revised Program Guide to which is appended a redline document showing edits from a  
25 Draft August 2008 revision. Defendants represent that at the time of filing the 2008 Revised  
26 Program Guide had been through “the annual revision process to enable [its] publication”  
27 and that “distribution of the final 2008 Revised Program Guide to the field [was] in the  
28 offing.” Dezember Trial Aff. ¶ 24. Unless otherwise noted, all citations in this opinion and  
order are to the 2008 Revised Program Guide, Ex. D1148.

22 <sup>17</sup>At the earliest stages of the remedial phase, the Special Master reported that  
23 defendants’ plan for screening inmates at reception centers represented a “vast improvement”  
24 over the screening procedures that existed at the time of trial, and that defendants had chosen  
25 an effective screening instrument. Mar. 12, 1996 First Report of the Special Master on the  
26 Remedial Plan at 6-7. Implementation of screening practices was slow at the start of the  
27 remedial phase, but by mid-1997 defendants’ screening process had improved. Evidence  
28 offered at the *Coleman* trial showed that, in July 1987, approximately 2,966 inmates had  
been identified with a psychiatric classification and/or placement in psychiatric facilities used  
by the CDCR, while, conservatively, over 4,000 inmates with serious mental disorders were  
undetected. See *Coleman*, 912 F. Supp. at 1306 n.29. By July 1997, 14,293 inmates with  
serious mental disorders had been identified. See Feb. 3, 2006 Special Master’s Report &  
Recommendations on Defs.’ Revised Program Guide at 2. The Special Master’s second  
monitoring report, filed in October 1998, reflected increasing institutionalization of, and

1 specific institutions.<sup>18</sup> Finally, the court has issued several orders concerning suicide  
 2 prevention efforts, including, in the last five years, orders addressing a rising number of  
 3 inmate suicides, particularly in administrative segregation units.<sup>19</sup>

4 *a. Mental Health Care Beds and Treatment Space*

5 As the remedial phase of *Coleman* began and thousands of inmates with serious  
 6 mental disorders were identified, the need for additional treatment space at every level of the  
 7 mental health care delivery system became manifest. *See* Ex. D1292 (Special Master’s  
 8 Response to Court’s May 17, 2007 Request for Information) at 5 (noting emergence in mid-  
 9 and late-1990s of a “need for much expanded mental health care and the space needed to  
 10 provide it”).<sup>20</sup>

11  
 12 \_\_\_\_\_  
 13 compliance with, the mental health screening system, *see* Ex. D1108 (compilation of  
 14 summaries and recommendations from the *Coleman* Special Master’s twenty monitoring  
 reports) at DEFS059840-DEFS059849. By August 2008, there were 34,319 inmates with  
 serious mental disorders identified in California’s prison system. Ex. P243 at 900124.

15 <sup>18</sup>*E.g.*, Nov. 19, 1998 Order at 1-2 (regarding California Rehabilitation Center  
 16 (“CRC”), Mule Creek State Prison (“Mule Creek”), Salinas Valley State Prison (“SVSP”),  
 Wasco State Prison (“Wasco”), Deuel Vocational Institution (“DVI”), California Institution  
 17 for Men (“CIM”), California Institution for Women (“CIW”), and California State Prison-  
 Solano (“CSP-Solano”)); Oct. 26, 2001 Order at 1-2 (regarding California Substance Abuse  
 Training Facility (“SATF”) and California State Prison-Los Angeles County (“CSP-LAC”));  
 18 Apr. 25, 2002 Order at 2-3 (regarding CSP-LAC); June 13, 2002 Order (*Coleman* docket #  
 1384) at 1-2 (regarding CIM, SATF, California State Prison-Corcoran (“CSP-Corcoran”),  
 19 CSP-LAC, CSP-Solano, San Quentin State Prison (“San Quentin”), and SVSP); Mar. 8, 2005  
 Order at 3-4 (regarding CSP-Corcoran, San Quentin, and Richard J. Donovan Correctional  
 20 Facility (“R.J. Donovan”).

21 <sup>19</sup>*E.g.*, Dec. 22, 2000 Order at 4 (requiring Special Master to report on whether  
 22 defendants have adequate mechanisms for disciplining staff whose conduct contributes to  
 inmate suicide); Oct. 1, 2001 Order at 2 (directing implementation of Suicide Reporting and  
 Review Policy); Jan. 12, 2004 Order at 2-3 (requiring several training and planning measures  
 23 for suicide prevention); June 10, 2005 Order at 1-2 (*Coleman* docket # 1668) (requiring  
 implementation of several suicide prevention measures); June 8, 2006 Order at 2-3 (requiring  
 24 defendants to develop a plan to deal within rising percentage of suicides in administrative  
 segregation and a budget and implementation schedule); Aug. 8, 2006 Stip. & Order at 1-2  
 25 (regarding use of video-monitoring for suicide watch observation); Sept. 11, 2006 Stip. &  
 Order at 3 (extending time to submit final plan regarding suicides in administrative  
 26 segregation).

27 <sup>20</sup>Plaintiffs also offered this document into evidence as Exhibit P35. Because we  
 28 discuss the reports of the *Coleman* Special Master and the *Plata* Receiver throughout this  
 opinion and order, we note that, at trial, both plaintiffs and defendants introduced various  
 reports from the Receiver and the Special Master without objection.

1 At the time of the *Coleman* trial, mental health care delivery to inmates in California's  
 2 prison system was "limited to a few institutions and involved some 3,200 designated mental  
 3 health care beds," Defs.' Proposed Finding of Fact # 45 (citing Ex. D1273 at 43-44;  
 4 Dezember Trial Aff. ¶ 70), including beds for inpatient hospital care provided by the  
 5 Department of Mental Health ("DMH") at CMF and Atascadero State Hospital. Dezember  
 6 Trial Aff. ¶ 70. After the *Coleman* trial, defendants undertook to implement plans  
 7 for the delivery of a continuum of mental health services,  
 8 including long-term inpatient care (provided through the  
 9 department's contract with the California Department of Mental  
 10 Health), short-term inpatient care (the department's Mental  
 Health Crisis Bed program), intensive outpatient care (the  
 Enhanced Outpatient Program) and routine outpatient care (the  
 Correctional Clinical Case Management program).

11 Mar. 12, 1996 First Report of the Special Master on the Remedial Plan at 2-3. Defendants  
 12 planned regional mental health care service areas, with "[i]nitial entry to the service  
 13 continuum . . . provided primarily through a uniform screening process" at each of the  
 14 CDCR's reception centers.<sup>21</sup> *Id.* at 3.

15 Defendants' remedial plans were built around the Mental Health Services Delivery  
 16 System ("MHSDS") set forth in the original Program Guides and the Revised Program  
 17 Guide. The MHSDS is designed to provide mental health care to all inmates with current  
 18 symptoms of any of the Axis I serious mental disorders identified in the current Diagnostic  
 19 and Statistical Manual,<sup>22</sup> inmates who need mental health treatment "to protect life and/or  
 20 treat significant disability/dysfunction" resulting from a diagnosed or suspected mental  
 21 disorder, and inmates with a diagnosis or recent episode of exhibitionism. Ex. D1148 at  
 22  
 23

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24 <sup>21</sup>We describe reception centers in more detail below when we discuss whether  
 25 crowding is the primary cause of the constitutional violations at issue. *See infra*  
 Section IV.B.1.

26 <sup>22</sup>As listed in the Revised Program Guide, these are: Schizophrenia (all subtypes);  
 27 Delusional Disorder; Schizophreniform Disorder; Schizoaffective Disorder; Brief Psychotic  
 28 Disorder; Substance-Induced Psychotic Disorder (excluding intoxication and withdrawal);  
 Psychotic Disorder Due to a General Medical Condition; Psychotic Disorder Not Otherwise  
 Specified; Major Depressive Disorders; and Bipolar Disorders I and II. Ex. D1148 at 12-1-6.

1 12-1-6. The MHSDS has the same basic structure as the “embryonic”<sup>23</sup> system first reported  
 2 by the *Coleman* Special Master in March 1996. The system is designed around four levels of  
 3 care: the Correctional Clinical Case Management Services program (“CCCMS” or “3CMS”),  
 4 the Enhanced Outpatient Program (“EOP”), Mental Health Crisis Bed (“MHCB”) Placement,  
 5 and DMH Inpatient Hospital Care. Ex. D1148 at 12-1-7 to 12-1-9.<sup>24</sup>

6 A significant amount of remedial effort in *Coleman* has been spent on the as yet  
 7 unsuccessful endeavor to develop a sufficient number of mental health care beds at the EOP,  
 8 MHCB, and inpatient levels of care,<sup>25</sup> as well as to provide adequate treatment space for all  
 9 inmates with serious mental health disorders.<sup>26</sup> The *Coleman* court has issued numerous  
 10 orders addressing the need for mental health care beds and treatment space, including orders

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11  
 12 <sup>23</sup>Feb. 3, 2006 Special Master’s Report & Recommendations on Defs.’ Revised  
 Program Guide at 2.

13 <sup>24</sup>The CCCMS level of care is for inmates whose symptoms are under control or in  
 14 partial remission and can function in the general prison population, administrative  
 15 segregation, or segregated housing units. Ex. D1148 at 12-1-7. The EOP level of care is for  
 16 inmates who suffer “Acute Onset or Significant Decompensation of a serious mental disorder  
 17 characterized by increased delusional thinking, hallucinatory experiences, marked changes in  
 18 affect, and vegetative signs with definitive impairment of reality testing and/or judgment,”  
 19 and who are unable to function in the general prison population but do not require twenty-  
 20 four hour nursing care or inpatient hospitalization. *Id.* at 12-1-7 to 12-1-8. MHCBs are for  
 inmates who are markedly impaired and/or dangerous to others as a result of mental illness,  
 or who are suicidal, and who require 24-hour nursing care. *Id.* at 12-1-8 to 12-1-9. The  
 MHCB level of care is also for inmates “awaiting transfer to a hospital program” and for  
 inmates “being stabilized on medication prior to transfer” to a lower level of care. *Id.*  
 Finally, DMH inpatient care is for inmates who “cannot be successfully treated” at a lower  
 level of care; both intermediate and acute levels of inpatient care are to be provided. *Id.* at  
 12-1-9.

21 <sup>25</sup>CCCMS inmates are housed in the general prison population.

22 <sup>26</sup>At a relatively early stage in the remedial process, defendants recognized the need to  
 23 develop an adequate method of forecasting the need for such beds. However, according to  
 24 Robin Dezember, Chief Deputy Secretary of CDCR’s Correctional Healthcare Services  
 25 Division at the time of trial, there was a period of several years prior to 2006 “where there  
 26 seemed to be a lack of continuous attention to this program.” Rep. Tr. at 862:12-14. In  
 27 2002, a health care consulting firm “designed a mental health bed demand forecast  
 28 methodology for the CDCR. . . . This method projects future bed needs based on several  
 variables that drive bed usage, including total overall prison population, length of stay and  
 discharge rates of patients in inpatient status, and growth in outpatient demand proportional  
 to the historical prevalence of outpatients in the total prison population.” Defs.’ Statewide  
 Mental Health Bed Plan, April 2006, filed April 17, 2006, at 3. In 2006, defendants  
 acknowledged that the forecasting methodology developed in 2002 needed to be updated.  
 May 2, 2006 Order at 2 n.1.

1 directing defendants to assess the need for beds and treatment space throughout the mental  
2 health care delivery system and to plan for and develop the necessary number of beds as well  
3 as sufficient space at each level of care.<sup>27</sup>

4 When the state's growing prison population reached a record of more than 160,000 in  
5 2006, the shortage of beds and space reached a crisis level. In March 2006, defendants were  
6 ordered to submit a plan to meet both the immediate and long-term need for mental health  
7 care beds. Mar. 3, 2006 Order at 3-4. During a subsequent hearing on the adequacy of  
8 defendants' proposed plan, the CDCR's then-Director of Health Care Services reported a  
9 shortage of 75 MHCBS and 125 intermediate inpatient beds and "repeatedly referred to the  
10 shortage as a 'crisis.'" May 2, 2006 Order at 2. The *Coleman* court found that defendants'  
11 plan entirely failed to address the CDCR's immediate bed needs:

12 The special master reports, the record reflects, and defendants  
13 admit, that the plan presented to the court in no way adequately  
14 responds to the severe shortage of intermediate care facility beds  
15 and mental health crisis beds that currently exists in the CDCR.  
It is undisputed that the shortage is leaving critically mentally ill  
inmates languishing in horrific conditions without access to  
immediately necessary mental health care.

16 *Id.* The court further found that defendants' long-range plan for the provision of acute and  
17 intermediate care beds and mental health crisis beds appeared "sound in principle," but  
18 required revision because it was based on population figures that were "already out of date."

19 *Id.* Defendants' plan for EOP beds was not approved because it "describe[d] a shortfall of  
20 over 1000 such beds in the year 2011." *Id.* at 4. Following the hearing, the court ordered  
21 defendants to file an amended long-term plan and to include with that plan a list of any  
22 projects that could be accelerated; to file a plan for the interim provision of intermediate  
23 inpatient beds and mental health crisis beds; and to maintain, open, or create intermediate  
24 inpatient and mental health crisis beds at specific prison locations. *Id.* at 4-6. The *Coleman*  
25 court has subsequently issued several orders concerning the provision of EOP, MHCBS, and

26 <sup>27</sup>*E.g.*, May 21, 1998 Stip. & Order at 4; Sept. 14, 2000 Order at 2; Apr. 4, 2001 Order  
27 at 4; June 27, 2001 Order at 2; Dec. 20, 2001 Order at 1-2; Mar. 4, 2002 Order at 1; May 7,  
28 2002 Order at 1-2; Oct. 8, 2002 Order at 2; Jan. 12, 2004 Order at 2; Apr. 5, 2004 Order at 3;  
July 9, 2004 Order at 3-4; Oct. 5, 2004 Order at 2; Jan. 27, 2005 Order at 2; Mar. 3, 2006  
Order (*Coleman* docket # 1772) at 3-4.

1 inpatient beds, all of which are in critically short supply, including an extensive order  
 2 concerning defendants' long-range and interim plans for the provision of these beds.<sup>28</sup>  
 3 However, providing the beds is obviously infeasible without the necessary space in which to  
 4 locate them, especially in light of the constantly increasing need for such beds as a result of  
 5 the substantial, if unanticipated, growth in the prison population.

6 *b. Transfers to Appropriate Level of Care*

7 Throughout *Coleman's* remedial phase, the state's delivery of mental health care to its  
 8 inmates has been plagued by delays in the transfer of inmates to higher levels of care. Both  
 9 the original Program Guides and the Revised Program Guide include timelines for post-  
 10 referral transfers to EOP programs, mental health care crisis beds, and DMH inpatient beds.  
 11 See *Coleman* docket # 913 at 1-4, 4-13, 5-13, 6-4; Ex. D1148 at 12-1-16.<sup>29</sup> Unfortunately,  
 12 the state remains unable to transfer inmates to required care in a timely fashion, and the

13 <sup>28</sup>Oct. 20, 2006 Order; see also July 20, 2006 Order (*Coleman* docket # 1904) at 1;  
 14 Aug. 23 2006 Order.

15 <sup>29</sup>The timelines in the Revised Program Guide are as follows:

16 Reception Centers: EOP transfers should occur within 60 days,  
 17 or 30 days if clinically indicated. CCCMS transfers should occur  
 within 90 days, or 60 days if clinically indicated.

18 MHCB: MHCB transfers should occur within 24 hours of  
 referral.

19 DMH: Transfers to DMH acute placements should occur within  
 20 10 days of referral, if accepted to DMH. Referral must be  
 21 completed within 2 working days of identification. Transfers to  
 22 DMH intermediate care placements should occur within 30 days  
 of referral, if accepted to DMH. Referral must be completed  
 within 5-10 working days.

23 EOP: Transfers to general population ("GP") EOP programs  
 should occur within 60 days, or 30 days if clinically indicated.

24 EOP Administrative Segregation Unit ("ASU") Hub: EOP  
 25 inmates housed in the regular ASU should transfer to an EOP  
 ASU Hub within 30 days of placement in the regular ASU or  
 26 within 30 days of referral to EOP level of care.

27 PSU: EOP inmates housed in the ASU who are endorsed for the  
 28 PSU must be transferred within 60 days of endorsement.

Stewart Expert Report ¶ 153; see Ex. D1148 at 12-1-16.

1 *Coleman* court has issued numerous orders directed at expediting transfers and reducing  
2 delays.<sup>30</sup>

3 c. *Staffing*

4 A final focus of the remedial effort in *Coleman* over the last decade has been the  
5 development and retention of sufficient numbers of competent mental health care clinicians.  
6 In June 1998, the *Coleman* court issued the first of numerous orders aimed at remedying the  
7 substantial understaffing of the CDCR's mental health care system, directing defendants to  
8 show improvement in the "quality and quantity of contracted psychiatric services and/or" the  
9 implementation of a "recruitment program sufficient[] to fill vacancies in presently  
10 authorized positions." June 16, 1998 Order at 1. In the same order, the court directed the  
11 *Coleman* Special Master to recommend the staffing ratios necessary to a constitutionally  
12 adequate mental health care delivery system. *Id.* at 2.<sup>31</sup> Since then, the court has repeatedly  
13 ordered defendants to create the necessary positions and to hire staff to fill those positions.<sup>32</sup>  
14 In addition, the court has issued orders designed to assure the competence of staff, primarily  
15 by requiring the state to develop and implement a quality assurance and peer review  
16 process.<sup>33</sup>

17 After two years of compliance monitoring, it became apparent that orders setting  
18 staffing ratios and requiring defendants to fill clinical positions would not be sufficient to

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19  
20 <sup>30</sup>*E.g.*, July 26, 1999 Order at 5-6; Jan. 13, 2000 Order (*Coleman* docket # 1111) at 4;  
21 Apr. 27, 2000 Order at 5; July 3, 2000 Order at 6; Sept. 14, 2000 Order at 2; Apr. 4, 2001  
22 Order at 3-4; Jan. 12, 2004 Order at 2; Mar. 25, 2004 Order at 2-3; Mar. 8, 2005 Order at 2;  
23 Oct. 20, 2006 Order at 3.

24 <sup>31</sup>In July 1999, the court approved several mental health staffing ratios and required  
25 defendants to adopt and implement specific mental health care staffing ratios for  
26 administrative segregation units. July 26, 1999 Order at 4-5.

27 <sup>32</sup>*E.g.*, Aug. 25, 1998 Order at 1; Jan. 19, 1999 Order at 2; July 26, 1999 Order at 4;  
28 Jan. 13, 2000 Order (*Coleman* docket # 1111) at 4; Apr. 27, 2000 Order at 5; July 3, 2000  
Order; Aug. 28, 2000 Order (*Coleman* docket # 1198) at 3; Apr. 4, 2001 Order at 4; Oct. 26,  
2001 Order at 1; June 13, 2002 Order (*Coleman* docket # 1383) at 4; June 13, 2002 Order  
(*Coleman* docket # 1384) at 2; Mar. 3, 2006 Order (*Coleman* docket # 1772) at 3; Mar. 9,  
2006 Order (*Coleman* docket # 1774) at 1-2.

<sup>33</sup>*E.g.*, June 16, 1998 Order at 2; Aug. 12, 1998 Order at 1-2; June 13, 2002 Order  
(*Coleman* docket # 1384) at 2.

1 remedy the constitutional violations. Accordingly, the *Coleman* court ordered defendants to  
2 develop a plan to retain CDCR psychiatrists. July 26, 1999 Order at 4. Over the next eight  
3 years, as part of its ongoing effort to ensure that California hires and retains sufficient  
4 clinical staff, the court issued several orders concerning recruitment and retention bonuses, as  
5 well as salary increases for mental health clinicians.<sup>34</sup>

### 6 3. Special Master's 2006 Monitoring Reports

7 By the end of the first decade of remedial work in *Coleman*, the state had made some  
8 progress but still had not met its constitutional obligation to provide *Coleman* class members  
9 with adequate mental health care. July 23, 2007 Order, 2007 WL 2122636, at \*3. Worse,  
10 two monitoring reports filed by the *Coleman* Special Master in 2006 reflected a troubling  
11 reversal in the progress of the remedial efforts of the preceding decade and demonstrated the  
12 profound impact of population growth on the state's ability to meet its constitutional  
13 obligations to seriously mentally ill inmates.

14 On January 23, 2006, the *Coleman* Special Master filed his Fifteenth Monitoring  
15 Report, which included findings made at monitoring visits to all CDCR institutions between  
16 early August 2004 and late May 2005. Jan. 23, 2006 Fifteenth Monitoring Report at 2-3.  
17 The report was grim. The Special Master reported rising vacancy rates in staffing, as well as  
18 a "growing crisis in accessibility to a MHC level of care and the continuing inadequacy of  
19 access to DMH programs highlighted by the unmet needs assessment that was conducted and  
20 concluded during the period." Ex. D1108 (compilation of summaries and recommendations  
21 from the *Coleman* Special Master's twenty monitoring reports) at DEFS060221-  
22 DEFS060222. The Special Master also reported that "suicides in CDCR escalated  
23 significantly during the monitoring period for reasons that are just beginning to be subjected  
24 to analysis." *Id.* at DEFS060222.

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26 <sup>34</sup>*E.g.*, Jan. 13, 2000 Order (*Coleman* docket # 1111) at 4-5; July 25, 2003 Order at 6;  
27 Mar. 8, 2005 Order at 1-2; June 10, 2005 Order (*Coleman* docket # 1667) at 1-2; Mar. 9,  
28 2006 Order (*Coleman* docket # 1774) at 1-2; Dec. 15, 2006 Order at 1-2; Feb. 7, 2007 Order  
at 2; May 23, 2007 Order (*Coleman* docket # 2236) at 5; June 28, 2007 Order (*Coleman*  
docket # 2301) at 3.

1           The Special Master further reported that “transfers to more intensive levels of mental  
2 health programming and treatment” had “deteriorated sharply and widely.” *Id.* at  
3 DEFS060252. The availability of MHCBS, “the department’s sole internal resource for  
4 providing short-term crisis care for unstable and suicidal inmates,” had declined to the point  
5 that it “became by mid-2005 a critical issue with severe impact on CDCR’s most seriously  
6 mentally disordered inmates.” *Id.* In addition, “the waiting list for the admission to  
7 Psychiatric Service Units (PSUs) for EOPs with a SHU [Segregated Housing Unit] term,  
8 imposed on inmates who are viewed as a danger to themselves or others, expanded steadily,  
9 and mental health caseload inmates continued to spend long periods in reception awaiting  
10 transfer to EOP and 3CMS general population programs.” *Id.* at DEFS060252-  
11 DEFS060253.

12           Taken together, the expanding wait lists, critical shortage of beds, and identification of  
13 hundreds of inmates in need of clinical referrals “meant that a growing number of the most  
14 seriously mentally ill inmates in the CDCR were not receiving in a timely fashion the levels  
15 of care they needed.” *Id.* at DEFS060253. To explain this backward slide in the progress  
16 made under the *Coleman* court’s supervision, the Special Master pointed to the prison  
17 system’s expanding population. For example, “none of the [CDCR’s] planning documents . .  
18 . . addressed the department’s need to expand its capacity to provide acute inpatient DMH care  
19 to meet the expanding need being pushed, among other causes, by an inexorably rising  
20 MHSDS population commensurate with CDCR’s growing overall population.” *Id.* at  
21 DEFS060258. Likewise, progress in the timely transfer of mentally ill inmates from  
22 reception centers into general population programs had “been largely cancelled by the  
23 recently escalating growth in the overall CDCR population and the concomitantly increasing  
24 number of MHSDS inmates in reception.” *Id.* at DEFS060272-DEFS060273.

25           Defendants did not object to the Special Master’s Fifteenth Monitoring Report or the  
26 recommendations contained therein, including the Special Master’s finding as to the role  
27 played by the rapidly growing prison population and the resulting lack of space necessary to  
28

1 provide the requisite care to mentally ill inmates. Mar. 3, 2006 Order (*Coleman* docket  
2 # 1772) at 1.

3 As compliance work continued in 2006, the population pressures identified by the  
4 Special Master in his Fifteenth Monitoring Report were evident: Compliance became more  
5 difficult and the gains made by defendants in the first decade receded. On December 14,  
6 2006, the *Coleman* Special Master filed his Sixteenth Monitoring Report. That report, which  
7 covered a monitoring period from the summer of 2005 until March 2006, Ex. D1108 at  
8 DEFS060302, revealed that serious shortages in staffing and bed space, as well as substantial  
9 delays in transfers to necessary levels of care, continued unabated.

10 Among other findings, the Special Master reported that “the inexorably expanding  
11 demand for services resulting from the bulging population” had caused a “continuing  
12 deterioration of mental health staffing.” *Id.* at DEFS060303. According to the Special  
13 Master, “[t]welve years after the determination that mental health treatment in CDCR was  
14 unconstitutional, the defendants still lacked clinical resources to meet the needs of some 25  
15 to 30 percent of inmates identified as seriously mentally disordered.” *Id.* at DEFS060304.

16 Furthermore, the Special Master reported that

17 [t]he general breakdown in transfers was another transcendent  
18 issue in the 16th round of review. As the overall caseload  
19 population continued to increase, so too did the percentage of the  
20 caseload in need of program beds with intensive care and high  
security, including specifically DMH inpatient beds, MHCBS,  
PSU beds and EOP administrative segregation placements.

21 *id.* at DEFS060306. “[A]ccess to appropriate levels of care for seriously mentally ill inmates  
22 remained a problem in almost every CDCR institution.” *Id.* at DEFS060307.

23 Although Defendants filed a response to two recommendations contained in the  
24 Sixteenth Monitoring Report, they did not object to any of the above findings, once more  
25 including the Special Master’s determination that the “escalating growth in the overall  
26 CDCR population” was a major cause of the CDCR’s reversal of progress. *Id.* at  
27 DEFS060273; *see* Defs.’ Dec. 7, 2006 Response to Special Master’s Sixteenth Report.  
28

1           **C.     Crowding in California’s Prison System**

2                   1.     The Increasing California Prison Population

3           Since the mid-1970s, California’s prison population has increased by over 750  
4 percent, rising from approximately 20,000 inmates to an “all-time high” in October 2006 of  
5 over 170,000 inmates, with more than 160,000 housed in the state’s adult prison institutions.  
6 Ex. P1 at 1 (Governor Schwarzenegger’s Oct. 4, 2006 Prison Overcrowding State of  
7 Emergency Declaration); Ex. P5 at 62 (May 2006 California Policy Research Center Report,  
8 “Understanding California Corrections”); Fact # 9, Nov. 17, 2008 Joint Statement of  
9 Undisputed Facts; Ex. D1259-1. Much of this population expansion occurred during the time  
10 in which the *Plata* and *Coleman* courts have monitored the medical and mental health care in  
11 California’s prisons. In 1991, when the *Coleman* plaintiffs filed their amended complaint,  
12 the state’s prison system housed approximately 100,000 inmates. Ex. P410 at 2 (CDCR  
13 Offender Information Services Branch Data Analysis Unit, Institution and Camp Design Bed  
14 Capacity and Population, June 30, 1987 - June 30, 2007). As of August 27, 2008, 156,352  
15 inmates were housed in in-state prison institutions. Fact # 10, Nov. 17, 2008 Joint Statement  
16 of Undisputed Facts.<sup>35</sup>

17           The expansive growth of the prison population in California is due, in part, to the  
18 state’s adoption of determinate sentencing in the 1970s, Ex. P5 at 61-62, and the “countless  
19 increases in criminal sentences” enacted by the legislature or in initiative measures in  
20 succeeding years, Ex. P3 at 68 (Jan. 2007 Little Hoover Commission Report, “Solving  
21 California’s Corrections Crisis: Time Is Running Out”) (detailing increases in California  
22 sentencing since the Determinate Sentencing Act became effective in 1977). In addition,  
23 California’s prison population has increased because of its post-sentencing practices. “The  
24 state has [] been widely criticized for not doing a better job of preparing inmates to return to

25           <sup>35</sup>In this opinion and order, we will hereafter consider only figures and percentages  
26 relating to the CDCR’s thirty-three in-state adult prison institutions. We do not consider  
27 camps, community correction centers, or Department of Mental Health state hospitals, all of  
28 which also house CDCR inmates. It is the thirty-three in-state adult prison institutions that  
are the subject of the Governor’s Prison Overcrowding State of Emergency Proclamation and  
were the focus of the evidence at trial before this court. All references to “system” and  
“systemwide” encompass only those thirty-three adult institutions.

1 society.” Ex. P4 at 121 (June 2004 Corrections Independent Review Panel Report,  
2 “Reforming Corrections”).

3           Approximately 90 percent of state prison inmates are eventually  
4 released on parole, and at present, more than half return to prison.  
5 A 2003 study by the Little Hoover Commission concluded that  
6 inmates are not prepared for their release from prison.  
7 Department of Corrections reports show that 43 percent of  
8 inmates released from prison in 1999 were sent back to prison  
9 within a year and that 56 percent returned within two years.  
10 Many of those returned to prison are parolees who are sent back  
11 for violating the conditions of parole, rather than for committing  
12 new crimes, and many of those go back for relatively short  
13 periods of time – an average of 5½ months.

14 *Id.* The consequences of the state’s failure to prepare inmates for re-entry are significant:  
15 “The vast numbers of parolees returning to prison help drive both the size of the prison  
16 population and the cost of the system. In 2001 more than 74,000 (47 percent) of the average  
17 daily prison inmate population of 157,000 was made up of parole violators.” *Id.* Finally,  
18 also significant are the actions of the parole board and the Governor in declining to release  
19 prisoners serving terms of 15 or 25 years to life who have served their minimum sentence or  
20 more with unblemished records and are determined by prison officials not to constitute a risk  
21 to society.

22           2.       Studies Commissioned by the State of California To Examine  
23                   Prison Crowding

24           The California legislature has recognized prison crowding as a serious problem since  
25 at least 1987, when it convened a Blue Ribbon Commission on Inmate Population  
26 Management. *See* Ex. P2 at 78. The commission issued its final report in 1990, with thirty-  
27 eight recommendations, including “alternative sanctions, and more programming [and]  
28 reentry programs.” *Id.* Between 1990 and 2006, more than a dozen commissions and other  
groups issued reports with proposals to solve the overcrowding problem in California’s  
prison system. *Id.* at 3, 10, 78-79. As Joan Petersilia, co-chair of the expert panel convened  
by the CDCR in 2007, noted, “all of the reports recommended essentially the same ten  
things,” including diverting non-violent, non-serious offenders and technical parole violators  
from prison; using a risk and needs assessment tool to match inmates with resources and

1 programming; expanding rehabilitative programs; reforming California's determinate  
2 sentencing system; transferring low-risk prisoners in the later part of their sentences to  
3 community-based reintegration facilities; establishing a sentencing commission; reforming  
4 parole; creating partnerships between state and local corrections agencies; requiring that all  
5 programs be based on solid research evidence; and promoting public awareness regarding  
6 California's prison system. *Id.* at 77.

7 One of the most exhaustive reports completed during this period was the June 2004  
8 report of the Corrections Independent Review Panel, which was appointed by Governor  
9 Schwarzenegger; chaired by former California Governor and Attorney General George  
10 Deukmejian, who had a reputation as tough on crime; and composed of forty independent  
11 correctional consultants and representatives from state agencies. Ex. P4 at i. The Panel  
12 noted that California's "correctional system has grown to become the largest in the nation,  
13 rivaling in size and numbers even those of most other countries," and that "[n]ot surprisingly,  
14 this massive system shows the strains of both its age and its decades-long growth." *Id.* at  
15 199. The Panel found that "[a]dult prisons are severely overcrowded, imperiling the safety  
16 of both correctional employees and inmates." *Id.* Consequently, a number of the Panel's 237  
17 recommendations, including the enhancement of earned credits, the expansion of  
18 rehabilitative programming, the identification of older inmates for early release, and the  
19 diversion of certain parole violators, were aimed at inmate population reduction. *See id.* at  
20 122-61.

### 21 3. Defining the Capacity of California Prisons

22 In its report, the Corrections Independent Review Panel discussed three distinct  
23 measures of prison capacity: "design capacity," "operable capacity," and "maximum safe and  
24 reasonable capacity." Ex. P4 at 123-124. First:

25 "Design capacity" is the term used for the past 50 years to  
26 designate the number of inmates a prison is designed to  
27 accommodate according to standards developed by the  
28 Commission on Accreditation and the American Correctional  
Association. [Footnote omitted.] The number can be based on  
any combination of single-occupancy cells, double-occupancy

1 cells, single- or double-bunked multiple occupancy rooms, or  
2 dormitories. The standards take into account the need for  
3 humane conditions, as well as the need to prevent violence and  
move inmates to and from programs, such as mental health care,  
education classes, and drug abuse treatment.

4 *Id.* at 123. “In California, design capacity is based on one inmate per cell, single bunks in  
5 dormitories, and no beds in space not designed for housing.” *Id.*

6 California has never limited its prison population to 100% design capacity, *id.* at 123  
7 n.1, and has in some respects planned for inmate population levels that exceed 100% design  
8 capacity. The “staffing packages” for California’s prison facilities have two parts: the  
9 “initial staffing package,” which is based on population at 100% design capacity, or one  
10 inmate per cell, and the “overcrowding package which, depending on the level of the facility  
11 being built, could be 150 percent, 175 percent, 190 percent or 200 percent.” Rep. Tr. at  
12 540:24-541:4 (Raymond). The “overcrowding package” is “a staff enhancement of the  
13 design bed package.” *Id.* at 548:4-7. The combined staffing package shows the size of the  
14 staff necessary for a facility at 100% design capacity and the additional staff required as the  
15 facility becomes more crowded. *Id.* at 545:10-13.

16 Similarly, prisons built between 1985 and 1998, when the design capacity of the  
17 CDCR’s adult institutions and camps increased from 29,042 to near its present level of  
18 approximately 80,000 inmates, Ex. P212 at Table 10, “were designed and built to  
19 accommodate population growth” with respect to some infrastructure components –  
20 specifically the “water, wastewater, electrical and mechanical components, needed to meet  
21 anticipated overcrowding of as much as 190 percent in cells and 140 percent in  
22 dormitories.” Dezember Trial Aff. ¶ 72 (quoting Ex. D1292, *Coleman* Special Master’s  
23 May 31, 2007 Response to Court’s May 17, 2007 Request for Information, at 5). However,  
24 “these same prisons were not designed and made ‘no provision’ for any expansion of medical  
25 care space beyond the initial 100% of [design] capacity.” *Id.* (quoting Ex. D1292 at 4-5).  
26 “Even worse, ‘none of the 19 CDCR institutions planned and built in the boom of the 80s  
27 and 90s gave any thought to the space that might be needed for mental health purposes.’” *Id.*

28

1 (quoting Ex. D1292 at 5).<sup>36</sup> “A similar failure in design vision occurred with the Department  
2 of Mental Health,” the sole provider of inpatient mental health care for CDCR inmates,  
3 “which discovered in 1998 that it had ‘no facilities of its own in which to provide the level of  
4 inpatient care needed by CDCR for high custody inmates with a history of violence or  
5 escape.’” *Id.* (quoting Ex. D1292 at 8). Thus, even though the infrastructure of California’s  
6 newer prisons was built to accommodate inmate populations greater than 100% design  
7 capacity, no similar accommodation was made for the provision of medical and mental health  
8 care in California’s prisons.

9 The second measure of prison capacity, “operable capacity,” refers to “the maximum  
10 capacity of the prisons to house inmates safely and securely while providing effective  
11 education, training, and treatment.” Ex. P4 at 122. “Operable capacity . . . takes into account  
12 space needed for effective programming in addition to safety and security.” *Id.* at 124.  
13 Based on input from a “group of experienced California prison wardens,” the Corrections  
14 Independent Review Panel determined that the operable capacity of California’s prison  
15 system is 145% design capacity. *Id.* Notably, however, operable capacity does not take into  
16 account the space required to provide medical and mental health care. *See id.* at 161 n.3;  
17 Nov. 9, 2007 Scott Report ¶ 46.

18 The third measure, “maximum ‘safe and reasonable’ capacity,” refers to “the  
19 maximum number of inmates who can safely and reasonably be housed in the prison  
20 system.” Ex. P4 at 124. This definition takes into account only “the ‘safe and reasonable’  
21 capacity of individual housing units according to inmate custody levels, staffing levels, and  
22 the physical structure of the units.” *Id.* Units for inmates at higher custody levels have a

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23 <sup>36</sup>*But see* Sept. 3, 2008 Tilton Dep. at 60:10-61:17 (testifying that in the 1980s and  
24 1990s, the CDCR would “make sure [it] provided programs based on the population,” and  
25 that this testimony referred to prisons at somewhere between 100% and 140% design  
26 capacity). We do not credit Tilton’s testimony on this point because he also testified that the  
27 CDCR operated “fully-programmed facilities at that time.” *Id.* at 61:16-17. As is clear from  
28 our discussion of the history of the *Plata* and *Coleman* cases, the CDCR was not operating  
fully-programmed facilities with regard to medical and mental health care. Moreover, even  
if Tilton’s testimony were to be credited, he acknowledged that “certain facilities lost the  
ability, in terms of space, to deliver adequate programs to the inmates” when populations  
exceeded 140% design capacity. *Id.* at 62:14-19. As we note below, the California prison  
population well exceeds 140% design capacity, and indeed is approaching 200%.

1 lower maximum safe and reasonable capacity than units for inmates who present a lower  
2 security risk. *Id.* at 124.

3           The Department of Corrections has determined the maximum  
4 safe and reasonable capacity of the general population and  
5 reception center housing to be 190 percent of design capacity,  
6 while other housing can be filled only to between 100 and 160  
percent of design capacity. Overall, the Department has  
determined that the maximum safe and reasonable capacity of the  
state's male prisons is . . . 179 percent of design capacity.

7 *Id.* "Maximum 'safe and reasonable' capacity" does not take into account "the need for  
8 humane conditions" incorporated into design capacity, or the need for programming space  
9 incorporated into both design and operable capacity. *See id.* at 123-124. More important for  
10 present purposes, that classification does not take into account the space or facilities required  
11 to provide medical or mental health care.

#### 12           4.       Crowding in Relation to Capacity

13           California's inmate population has far exceeded the design capacity of the state's  
14 prison system for over twenty-five years. *See, e.g.*, Ex. P268 at 2 (Institution and Camp  
15 Design Bed Capacity and Population, June 30, 1983 - June 30, 2003); Ex. P410 at 2;  
16 Ex. D1259-1. By October 2006, the state's adult prisons, excluding camps, were operating at  
17 200.2% design capacity with 162,792 inmates.<sup>37</sup> Ex. D1149 at 1 (CDCR weekly population  
18 report as of October 25, 2006). As of August 27, 2008, the population of these institutions  
19 was reduced to 195.9% design capacity with 156,352 inmates, largely as a result of shipping  
20 several thousand prisoners to Mississippi and other contract states. Ex. P135 at 1 (CDCR  
21 weekly population report as of August 27, 2008). The current level of crowding far exceeds  
22 even the maximum safe and reasonable capacity of the California prison system, which, by  
23 CDCR's own determination, is 179% design capacity for prisons holding male prisoners.  
24 Ex. P4 at 124.

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27           <sup>37</sup>The state also operates several prison camps, housing just over 4000 inmates. These  
28 camps are less crowded than the adult institutions and operate at between 100% and 110%  
design capacity. Ex. P20 at 1; Ex. P21 at 1.

1           **D. Governor Schwarzenegger's Emergency Proclamation**

2           In response to the severity of the prison crowding problem, Governor Arnold  
3 Schwarzenegger, a primary defendant in both *Plata* and *Coleman*, declared a state of  
4 emergency on October 4, 2006. Ex. P1. In his Prison Overcrowding State of Emergency  
5 Proclamation, the Governor declared that “all 33 of CDCR’s prisons are now at or above  
6 maximum operational capacity, and 29 of the prisons are so overcrowded that the CDCR is  
7 required to house more than 15,000 inmates in conditions that pose substantial safety risks”;  
8 that “the severe overcrowding in 29 CDCR prisons has caused substantial risk to the health  
9 and safety of the men and women who work inside these prisons and the inmates housed in  
10 them”; that “the overcrowding crisis gets worse with each passing day, creating an  
11 emergency in the California prison system”; and that “immediate action is necessary to  
12 prevent death and harm caused by California’s severe prison overcrowding.” *Id.* at 1, 6, 8.

13           The risks enumerated by the Governor in his Proclamation include “increased,  
14 substantial risk for transmission of infectious illness”; security risks caused by line-of-sight  
15 problems for correctional officers, particularly in areas where inmates are triple-bunked and  
16 in “tight quarters”; and “thousands of gallons of sewage spills and environmental  
17 contamination” from overloading the prisons’ sewage and wastewater systems. *Id.* at 2.  
18 Governor Schwarzenegger also declared that the suicide rate in the 29 severely overcrowded  
19 prisons “[was] approaching an average of one per week.” *Id.* at 6.

20           In addition, the Proclamation described three separate proposals by the Governor to  
21 address the overcrowding crisis, including a proposal for “two new prisons and space for  
22 83,000 prisoners to address California’s current and future incarceration needs.” *Id.* at 7.  
23 The California Legislature rejected all of these proposals. *Id.* As a result, the Governor  
24 invoked his powers under the California Emergency Services Act to call for immediate  
25 efforts to transfer inmates to out-of-state correctional facilities, as well as the suspension of  
26 state contracting laws so that the CDCR could contract for all goods and services “needed to  
27 immediately mitigate the severe overcrowding and the resulting impacts within California.”  
28 *Id.* at 8-9.

1 The California Correctional Peace Officers' Association ("CCPOA"), a plaintiff-  
 2 intervenor in this case, challenged the validity of the Proclamation in state court. On June 4,  
 3 2008, the California Court of Appeal upheld the Proclamation, finding that the Governor  
 4 acted within his authority, in part because the declaration of emergency was based on  
 5 conditions that presented extreme peril to the safety of persons and property. *CCPOA v.*  
 6 *Schwarzenegger*, 163 Cal. App. 4th 802 (2008). The Proclamation declaring a state of  
 7 emergency remains in effect. Fact # 12, Nov. 17, 2008 Joint Statement of Undisputed Facts.

8 **E. Motions To Convene Three-Judge Court and Subsequent Prison Studies**  
 9 **by the State of California**

10 1. Motions To Convene and Initial Proceedings

11 Following the Governor's issuance of the State of Emergency Proclamation, the  
 12 plaintiffs in *Plata* and *Coleman* filed motions to convene a three-judge court to limit the  
 13 prison population.<sup>38</sup> The *Plata* court continued the hearing on its motion to provide  
 14 defendants with an opportunity to outline specific measures they were taking or planned to  
 15 take to alleviate crowding, as well as to allow the *Plata* Receiver to analyze the effects of  
 16 crowding on his remedial efforts. Feb. 15, 2007 Order in *Plata* at 4-5. Similarly, the  
 17 *Coleman* court, after oral argument, continued the hearing for six months to permit  
 18 defendants to demonstrate sufficient progress in their remedial efforts and in relieving prison  
 19 overcrowding such that convening a three-judge court would not be necessary. Dec. 11,  
 20 2006 Rep. Tr. in *Coleman*, *passim*; Dec. 12, 2006 Order in *Coleman* at 1.

21 2. Intervening Reports on Prison Crowding

22 During the period in which the motions to convene a three-judge court were pending,  
 23 two more reports concerning prison overcrowding were presented to the California  
 24 Legislature. First, in January 2007, the Little Hoover Commission, a bipartisan and  
 25 independent state body charged with conducting research and preparing recommendations to

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26  
 27 <sup>38</sup>The Prison Litigation Reform Act of 1996 ("PLRA") provides that a prisoner release  
 28 order may be issued only by a three-judge court. 18 U.S.C. § 3626(a)(3)(B). We discuss in  
 more detail below, *infra* Section III, the meaning of the term "prisoner release order" and  
 other relevant provisions of the PLRA.

1 improve the economy, efficiency, and service of California state government, Cal. Gov't.  
2 Code §§ 8501, 8521-8522, echoed the concerns in the Governor's State of Emergency  
3 Proclamation, stating that "California's prisons are out of space and running out of time."  
4 Ex. P3 at 1. In its report, entitled "Solving California's Corrections Crisis: Time Is Running  
5 Out," the Commission, which had previously issued a series of reports on California's  
6 prisons, *id.* at 13, again offered "comprehensive recommendations" to reduce the prison  
7 population, improve public safety, and manage public dollars, *id.* at 1. Second, in June 2007,  
8 the Expert Panel on Adult Offender Recidivism Reduction Programming – a panel convened  
9 by the CDCR and consisting of the CDCR's Chief Deputy Secretary for Adult Programs and  
10 a number of academic experts, consultants, and former and current secretaries of corrections  
11 in Pennsylvania, Arizona, Washington, Ohio, and Maine,<sup>39</sup> Ex. P2 at ii – issued a report  
12 recommending a course of action to reduce the prison population while at the same time  
13 reducing recidivism and generating savings. Ex. P2.

14 The first recommendation of both the Little Hoover Commission and the CDCR  
15 Expert Panel was to reduce prison overcrowding. Ex. P3 at iv; Ex. P2 at 10. Both panels  
16 noted that the state had received numerous reports over the past two decades containing  
17 recommendations for reducing the state's prison population. Ex. P3 at iv; Ex. P2 at 10 &  
18 App. A. Although the Expert Panel was convened to make recommendations for reducing  
19 California's high recidivism rate and "improving the programming in California's prison and  
20 parole system," Ex. P2 at vii, and not for "solving the overcrowding problem," *id.* at 10, the  
21 panel nonetheless found that California's prisons were "dangerously overcrowded" and that  
22 reducing overcrowding was a "pre-condition' to [the] success" of its mission, *id.* at viii.

### 23 3. Final Hearing and Rulings

24 On June 27, 2007, the *Plata* and *Coleman* courts jointly heard oral argument on  
25 plaintiffs' motions to convene a three-judge court. Persuaded that the state had not

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26 <sup>39</sup>Several members of the Expert Panel appointed by defendants, including James  
27 Austin, Ph.D., Jeffrey Beard, Ph.D., Joseph Lehman, and Barry Krisberg, Ph.D., testified for  
28 plaintiffs at the trial of this matter. Another member of the Expert Panel, James Gomez, was  
the Director of the California Department of Corrections from 1991 to 1996, during the  
merits phase of the *Coleman* action.

1 adequately addressed its prison overcrowding crisis so as to make possible the remedying of  
2 the constitutional violations, and that consideration of a population reduction order was  
3 necessary in order to achieve that objective in both cases, both courts granted plaintiffs'  
4 motions. July 23, 2007 Order in *Plata*, 2007 WL 2122657; July 23, 2007 Order in *Coleman*,  
5 2007 WL 2122636.

6 The *Plata* court found that although "the Receiver has made much progress since his  
7 appointment," the establishment of the *Plata* Receivership did not require the court "to wait  
8 more time, potentially years, to see whether the Receiver's plans will succeed or fail."  
9 July 23, 2007 Order in *Plata*, 2007 WL 2122657, at \*3. It found that the unconstitutional  
10 conditions that led to the Receiver's appointment continued to exist. The *Plata* court  
11 explained:

12 Had the Receiver reported to the Court that he did not view  
13 overcrowding to be a substantial impediment to implementing the  
14 reforms required in this case, the Court may well have reached a  
15 different conclusion regarding the appropriateness of convening a  
16 three-judge court to consider a prisoner release order. However,  
17 quite to the contrary, the Receiver's reports indicate that  
18 overcrowding is a serious problem that impacts, for example, his  
19 ability to develop adequate reception centers and health facilities  
because of the high numbers of inmate transfers and the  
inadequate amount of available health care beds and other  
physical space. Receiver's Report Re: Overcrowding [Ex.  
D1092] at 26-28. Overcrowding also negatively impacts the  
Receiver's ability to hire and retain competent medical and  
managerial staff. *Id.* at 24-26. Beyond that, the Receiver reports  
that:

20 Every element of the Plan of Action faces crowding  
21 related obstacles. Furthermore, overcrowding does  
22 not only adversely impact the Receiver's  
23 substantive plans, it also adversely impacts on the  
24 very process of implementing remedies because  
25 overcrowding, and the resulting day to day  
operational chaos of the CDCR, creates regular  
"crisis" situations which call for action on the part  
of the Receivership and take time, energy, and  
person power away from important remedial  
programs.

26 *Id.* at 28-29. . . .

27 Tellingly, the Receiver's concerns about the impacts of  
28 overcrowding on his ability to reform the medical health care

1 delivery system became even stronger in the weeks following his  
 2 initial report. In his supplemental report, filed just four weeks  
 3 after his initial report, the Receiver concluded that: “Mission  
 4 changes, yard flips, and prison-to-prison transfers, aggravated by  
 5 the limited alternatives imposed by overcrowding, are now  
 6 assuming a size, scope and frequency that will *clearly* extend the  
 7 timeframes and costs of the receivership and *may render*  
 8 *adequate medical care impossible*, especially for patients who  
 9 require longer term chronic care.” Receiver’s Suppl. Report Re:  
 10 Overcrowding [Ex. D1094] at 10 (emphases added). While the  
 11 Court appreciates Defendants’ statements that greater  
 12 coordination between the State and the Receiver will alleviate  
 13 some of the Receiver’s concerns, such sentiments only  
 14 underscore the Receiver’s expressed concerns that overcrowding  
 15 presents serious problems not only because of the substantive  
 16 ways in which it interferes with delivery of medical care, but also  
 17 because of the amount of time and attention the Receiver must  
 18 devote to dealing with crowding-related issues. *It is clear to the*  
 19 *Court that the crowded conditions of California’s prisons, which*  
 20 *are now packed well beyond their intended capacity, are having –*  
 21 *and in the absence of any intervening remedial action, will*  
 22 *continue to have – a serious impact on the Receiver’s ability to*  
 23 *complete the job for which he was appointed: namely, to*  
 24 *eliminate the unconstitutional conditions surrounding delivery of*  
 25 *inmate medical health care.*

14 *Id.* at \*4 (last emphasis added).

15 The *Coleman* court found that between 1997 and 2005, defendants had made “slow  
 16 but evident progress toward constitutional compliance,” but that, “[i]n spite of the  
 17 commendable progress . . . , defendants’ mental health care delivery system has not come into  
 18 compliance with the Eighth Amendment at any point since this action began.” July 23, 2007  
 19 Order in *Coleman*, 2007 WL 2122636, at \*3. The *Coleman* court further found that:

20 Several prisons remain notable exceptions to the progress made at  
 21 others, and delays in access to care at the highest level of need –  
 22 mental health crisis beds, acute inpatient care, and intermediate  
 23 inpatient care – have plagued the CDCR throughout the course of  
 24 this litigation. Moreover, defendants’ efforts at long-range  
 25 planning for the delivery of mental health care continues to be  
 26 hampered by inadequacies in the capture and collection of data  
 27 and the use of outdated methodologies to interpret that data.

28 . . . [O]n May 31, 2007, the Special Master reported that  
 programming space, beds for mentally ill inmates, and staffing  
 levels have all been “impacted seriously by overcrowding.”  
 Special Master’s Response to Court’s May 17, 2007 Request for  
 Information, filed May 31, 2007, at 4-14 (“Special Master’s  
 May 31, 2007 Response”). The staffing shortages alone mean  
 that the CDCR only has enough staff “to provide full mental

1 health services to roughly two-thirds of its mental health  
 2 caseload, or two-thirds of required services to its full caseload, or,  
 3 probably more realistically, some combination of reduced  
 4 services to some segments of the caseload that can be covered  
 with a third less clinicians than required.” *Id.* at 11-12. While  
 acknowledging the difficulties in quantifying precisely the scope  
 of the unmet mental health needs, the Special Master reports that,

5 defendants cannot meet at least a substantial  
 6 portion, amounting in some loose amalgam to about  
 33 percent, of acknowledged mental health needs  
 7 with current staffing resources. Insufficient  
 intensive mental health treatment beds and a  
 8 chronic lack of programming space for mental  
 health treatment contribute further to defendants’  
 9 inability to meet required mental health services.  
 All three deficiencies are unquestionably  
 exacerbated by overcrowding.

10 *Id.* at 14. With a mental health caseload of almost 33,000  
 11 inmates, *id.* at 2, this level of unmet needs is unconscionable.

12 *Id.* at \*3-\*4 (footnote omitted).

13 In their orders granting plaintiffs’ motions, the *Plata* and *Coleman* courts  
 14 recommended that the cases be assigned to the same three-judge court “[f]or purposes of  
 15 judicial economy and avoiding the risk of inconsistent judgments.” July 23, 2007 Order in  
 16 *Plata*, 2007 WL 2122657, at \*6; *see also* July 23, 2007 Order in *Coleman*, 2007 WL  
 17 2122636, at \*8. The Chief Judge of the United States Court of Appeals for the Ninth Circuit  
 18 agreed and, on July 26, 2007, convened the instant three-judge district court pursuant to 28  
 19 U.S.C. § 2284.

20 **F. Proceedings Before this Three-Judge Court**

21 In August and September 2007, this court granted motions to intervene on behalf of  
 22 defendants filed by groups of district attorneys; sheriffs, police chiefs, and probation officers  
 23 (collectively “law enforcement intervenors”); counties; and Republican state Senators and  
 24 Republican Assembly Members. We note that the Republican state Senators and Republican  
 25 Assembly Members constitute just over a third of the membership of each respective body.  
 26 We also granted the CCPOA’s motion to intervene on behalf of plaintiffs.

27 On November 1, 2007, we appointed a settlement referee, former state Court of  
 28 Appeal Justice Elwood Lui, and a settlement consultant, current state Court of Appeal Justice

1 and former Legal Affairs Secretary to Governor Schwarzenegger, Peter Siggins, to aid the  
2 parties and intervenors in settlement discussions. Nov. 1, 2007 Order at 1-2. However, the  
3 settlement efforts ultimately proved unsuccessful, as Justices Lui and Siggins reported to the  
4 three-judge court on June 25, 2008.

5 On September 15, 2008, defendants filed a motion for summary judgment, which we  
6 denied by written order on November 3, 2008. Trial commenced on November 18, 2008,  
7 and concluded on December 19, 2008, after fourteen court days in which we heard testimony  
8 from nearly fifty witnesses, received written testimony from several additional witnesses, and  
9 received hundreds of exhibits into evidence. Following the close of evidence, we received  
10 proposed findings of fact and conclusions of law from the parties and intervenors and heard  
11 final argument on February 3 and 4, 2009.

12 To assist the parties in planning their further actions, we issued a tentative ruling on  
13 February 9, 2009, explaining that plaintiffs had met their burden of proof and that a  
14 population reduction order was necessary to remedy the constitutional violations concerning  
15 the provision of medical and mental health care in California's prisons. We even gave the  
16 state an indication of the range within which the population cap would fall. In our tentative  
17 ruling, we once again asked whether a court-appointed settlement referee would be of  
18 assistance. Plaintiffs and intervenors expressed a willingness to engage in further settlement  
19 discussions, but the state defendants responded that they did not believe such efforts would  
20 be fruitful.

21 After carefully reviewing all of the evidence and oral and written arguments presented  
22 in this proceeding, we make the following findings of fact and conclusions of law and issue  
23 the following order. This opinion and order supersedes the tentative ruling in its entirety.  
24

### 25 **III. LEGAL FRAMEWORK**

26 Federal courts have long recognized that population reduction orders may sometimes  
27 be necessary to ensure constitutional prison conditions. For example, in *Duran v. Elrod*, 713  
28 F.2d 292 (7th Cir. 1983), the Seventh Circuit upheld a district court's order requiring a

1 reduction in the population of the Cook County Department of Corrections, finding that the  
2 order was “sensitive to[] . . . the principles of federalism,” *id.* at 297, and that the district  
3 court “acted fairly and reasonably to ease a critical problem” of overcrowding in the face of  
4 “substantial noncompliance” by Cook County, *id.* at 298. Likewise, in *Newman v. Alabama*,  
5 683 F.2d 1312 (11th Cir. 1982), the Eleventh Circuit found that, where Alabama’s county  
6 jails were unconstitutionally overcrowded, a cap on the state inmate population in the county  
7 jails “represent[ed] the proper balance between the duty of the district court to remedy  
8 constitutional violations and the right of the State to administer its prison and parole  
9 systems,” *id.* at 1321. There are other examples as well, including a continuing cap on Los  
10 Angeles County’s jail population stipulated to by the parties in *Rutherford v. Pitchess*,  
11 No. CV 75-4111 (C.D. Cal.).

12       Until 1996, federal courts relied upon general principles of equitable relief and  
13 federalism in deciding whether to enter a population reduction order to remedy constitutional  
14 violations. However, in 1996 Congress enacted the Prison Litigation Reform Act (“PLRA”),  
15 Pub. L. No. 104-134, 110 Stat. 1321 (codified in relevant part at 18 U.S.C. § 3626). The  
16 PLRA established “a comprehensive set of [statutory] standards to govern prospective relief  
17 in prison conditions cases.” *Gilmore v. California*, 220 F.3d 987, 998 (9th Cir. 2000).  
18 Because there is no dispute that both the *Plata* and *Coleman* lawsuits are “civil action[s] with  
19 respect to prison conditions,” the matter before us is governed by the statutory requirements  
20 of the PLRA. 18 U.S.C. § 3626(a)(1).

21       The PLRA contains two sets of requirements that are relevant here: one applicable to  
22 all forms of “prospective relief” in federal prison conditions lawsuits, *see id.*, and another  
23 applicable only to “prisoner release orders,” *see id.* § 3626(a)(3). The PLRA defines a  
24 “prisoner release order” as “any order . . . that has the purpose or effect of reducing or  
25 limiting the prison population, or that directs the release from or nonadmission of prisoners  
26 to a prison.” *Id.* § 3626(g)(4). Under this definition, a “prisoner release order” includes not  
27 only an order requiring the release of presently incarcerated inmates, but also an order  
28 requiring the diversion of convicted persons from prison, changing the treatment of parole

1 violators in order to prevent their return to overcrowded prisons, or imposing a cap on the  
2 prison population or any part of it. *See, e.g., Tyler v. Murphy*, 135 F.3d 594, 595-96 (8th Cir.  
3 1998) (finding a cap on the number of technical probation violators who could be admitted to  
4 a particular facility to be a “prisoner release order”). There is no dispute that the population  
5 reduction order requested by the plaintiffs falls within the PLRA’s definition of “prisoner  
6 release order” because the order would have the “purpose” of “limiting the prison  
7 population.” 18 U.S.C. § 3626(g)(4). Accordingly, this court can grant the plaintiffs’  
8 request for a population reduction order only if the proposed order meets both the PLRA’s  
9 specific standard for prisoner release orders and its general standard for prospective relief in  
10 prison conditions cases.

11 **A. The PLRA Standard for Prisoner Release Orders: Primary Cause and No**  
12 **Other Relief**

13 The PLRA does not prohibit courts from entering an order requiring a reduction in the  
14 population of a prison or prison system. To the contrary, in enacting the PLRA, Congress  
15 was clear to state that “a court still retains the power to order [a population reduction order]”  
16 when such an order “is truly necessary to prevent an actual violation of a prisoner’s federal  
17 rights.” H.R. Rep. No. 104-21, at 25 (1995); *cf.* 141 Cong. Rec. S14419 (daily ed. Sept. 27,  
18 1995) (statement of Sen. Abraham) (noting that the PLRA permits “narrowly tailored  
19 order[s] to correct” constitutional violations and that the PLRA “allows the courts to step in  
20 where they are needed”).<sup>40</sup> Rather than barring “prisoner release orders” altogether, the  
21 PLRA simply makes such orders, including population caps and other population reduction  
22 orders, “the remedy of last resort.” H.R. Rep. No. 104-21, at 25.

23 It does so by imposing a number of restrictions on the entry of prisoner release orders.  
24 First, a court considering such an order must find that “a court has previously entered an

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25  
26 <sup>40</sup>In fact, a number of courts have entered consent decrees for prisoner release since  
27 the enactment of the PLRA – decrees that must meet the same set of requirements as any  
28 order entered by a court. *See* 18 U.S.C. §3626(c)(1); *Roberts v. Mahoning County*, 495  
F. Supp. 2d 719 (N.D. Ohio 2007); John Boston, *The Prison Litigation Reform Act*, 67  
Brook. L. Rev. 429, 446 n.67 (2001) (collecting orders for overcrowding relief entered by  
consent decree after the enactment of the PLRA).

1 order for less intrusive relief that has failed to remedy the deprivation of the Federal right  
2 sought to be remedied through the prisoner release order,” and that “the defendant has had a  
3 reasonable amount of time to comply with the previous court orders.” 18 U.S.C.

4 § 3626(a)(3)(A). If both of these requirements are met, the court must request that a three-  
5 judge district court be convened to consider the propriety of the proposed order. *Id.*

6 § 3626(a)(3)(B). Finally, the three-judge court must find by clear and convincing evidence  
7 (1) that “crowding is the primary cause of the violation of the Federal right,” and (2) that “no  
8 other relief will remedy the violation of the Federal right.” *Id.* § 3626(a)(3)(E).

9 Before convening the present three-judge court, the *Plata* and *Coleman* courts found  
10 that their prior orders for less intrusive relief had failed to remedy the unconstitutional denial  
11 of adequate medical and mental health care to prisoners in California’s prisons, and that the  
12 defendants have had a more than reasonable amount of time to comply with those prior  
13 orders. *See* July 23, 2007 Order in *Plata*, 2007 WL 2122657, at \*3; July 23, 2007 Order in  
14 *Coleman*, 2007 WL 2122636, at \*2. Accordingly, the findings required by § 3626(a)(3)(A)  
15 have been made. The procedural history described above clearly establishes that the *Plata*  
16 and *Coleman* courts have previously entered orders for less intrusive relief that have failed to  
17 remedy the constitutional deprivations at issue in each case despite the reasonable time given  
18 to defendants to comply with those orders. In this opinion and order, we primarily consider  
19 the requirements of § 3626(a)(3)(E) – whether crowding is the “primary cause” of the  
20 unconstitutional denial of adequate medical and mental health care to California’s prisoners,  
21 *see infra* Section IV, and whether any other form of relief could remedy those constitutional  
22 violations, *see infra* Section V.

23 **B. The PLRA Standard for All Prospective Relief: Need-Narrowness-**  
24 **Intrusiveness and Consideration of Public Safety**

25 In addition to these specific limitations on the entrance of prisoner release orders, the  
26 PLRA establishes a standard applicable to all forms of prospective relief in prison conditions  
27 lawsuits. First, the PLRA requires that such relief “[be] narrowly drawn, extend[] no further  
28 than necessary to correct the violation of the Federal right, and [be] the least intrusive means

1 necessary to correct the violation of the Federal right.” 18 U.S.C. § 3626(a)(1)(A). Rather  
2 than imposing any new limitations on federal authority, this provision codifies the common-  
3 law standard for injunctive relief, generally referred to as the “need-narrowness-  
4 intrusiveness” standard. *See* H.R. Rep. 104-21, at 24 n.2 (1995) (explaining that the “dictates  
5 of [18 U.S.C. §3626(a)(1)] are not a departure from current jurisprudence concerning  
6 injunctive relief”); *see also* *Armstrong v. Davis*, 275 F.3d 849, 872 (9th Cir. 2001); *Smith v.*  
7 *Ark. Dep’t of Corr.*, 103 F.3d 637, 647 (8th Cir. 1996); *Williams v. Edwards*, 87 F.3d 126,  
8 133 n.21 (5th Cir. 1996).<sup>41</sup> Likewise, the PLRA requires that any prospective relief “extend  
9 no further than necessary to correct the violation of the Federal right of a particular plaintiff  
10 or plaintiffs.” 18 U.S.C. § 3626(a)(1)(A); *cf.* *Lewis v. Casey*, 518 U.S. 343, 357-360 (1996)  
11 (holding that the remedy in a prison conditions case must remedy actual injuries that have  
12 been identified by the court and suffered by the plaintiffs). In class action lawsuits such as  
13 *Plata* and *Coleman*, the PLRA requires that the remedy be tailored to the actual injuries  
14 suffered by class members. *See* *Armstrong*, 275 F.3d at 870-73.

15         Second, the PLRA requires that any court considering the entry of prospective relief  
16 give “substantial weight” to any adverse impact the order might have on public safety or the  
17 operation of the criminal justice system. 18 U.S.C. § 3626(a)(1)(A); *see also* H.R. Rep. No.  
18 104-21, at 24 (1995) (stating that courts must give “appropriate consideration” to “any  
19 potential impact on public safety or the criminal justice system”). This requirement codifies  
20 the longstanding common law requirement that federal courts “pay particular regard for []  
21 public consequences in employing the extraordinary remedy of injunction.” *Weinberger v.*  
22 *Romero-Barcelo*, 456 U.S. 305, 312 (1982); *see also* *Yakus v. United States*, 321 U.S. 414,  
23 440 (1944).

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24  
25  
26 <sup>41</sup>In lieu of changing the general standard for prospective relief in prison conditions  
27 cases, the PLRA limits federal court authority in matters relating to prison conditions  
28 primarily by applying the “need-narrowness-intrusiveness” standard to consent decrees as  
well as court orders, 18 U.S.C. § 3626(c)(1); by making it easier to terminate existing court  
orders or consent decrees, 18 U.S.C. § 3626(b); and by imposing distinct limitations on  
prisoner release orders, 18 U.S.C. § 3626(a)(3).

1 We address the “need-narrowness-intrusiveness” standard in Section VI and consider  
2 the impact of the order we adopt on public safety and the operation of the criminal justice  
3 system in Section VII.

4 **C. The Remedial Nature of the Three-Judge Court Proceeding**

5 The question before this three-judge court is whether the remedy requested by the  
6 plaintiffs is proper as a matter of federal law. The *Plata* and *Coleman* courts years ago  
7 identified the constitutional deficiencies underlying this proceeding. Since that time, both  
8 cases have been in their remedial phase. After prior remedial efforts failed, the *Plata* and  
9 *Coleman* courts both faced the question whether an order requiring a reduction in the  
10 population of California’s prisons was necessary to remedy the previously identified  
11 constitutional violations, and both concluded that such an order should be considered by a  
12 three-judge court.

13 We need not yet again evaluate the state’s continuing constitutional violations. In  
14 requesting that this three-judge court be convened, the *Plata* and *Coleman* courts both found,  
15 without objection from defendants, that the constitutional violations were ongoing. *See*  
16 *July 23, 2007 Order in Plata*, 2007 WL 2122657, at \*3; *July 23, 2007 Order in Coleman*,  
17 2007 WL 2122636, at \*4. That is sufficient under the PLRA. In addition, defendants have  
18 never filed a motion to terminate under § 3626(b), the proper means for any challenge to the  
19 existence of “current and ongoing” constitutional violations relating to the provision of  
20 medical and mental health care in the California prisons. Moreover, even if we were  
21 required to find independently that the requirements of § 3626(a)(3)(A) – including its  
22 requirement that prior orders have “failed to remedy the deprivation of the Federal right” –  
23 have been met, we did so in denying defendants’ motion for summary judgment, Nov. 3,  
24 2008 Order at 6-7. Accordingly, the question we must answer in this opinion and order is  
25 entirely remedial, i.e., whether the plaintiffs’ proposed remedy meets the imposing standards  
26 established by the PLRA.<sup>42</sup>

27 <sup>42</sup>Because this proceeding deals only with the plaintiffs’ requested remedy, we did not  
28 permit the introduction of evidence relevant only to determining whether the constitutional  
violations found by the *Plata* and *Coleman* courts were “current and ongoing.”

1 **IV. CROWDING AS PRIMARY CAUSE**

2 The extent of overcrowding in the California prison system, approximately 190% of  
 3 systemwide design capacity, is “extraordinary” and “almost unheard of.” Rep. Tr. at  
 4 297:1-17, 298:19-20 (Haney). The problem is “widespread” and “not restricted to just a few  
 5 institutions. It’s occurred throughout the system.” *Id.* at 297:23-25. There would seem to be  
 6 no dispute about the egregious nature of the overcrowding in this case. Under the PLRA,  
 7 however, the question is whether clear and convincing evidence establishes that the  
 8 overcrowding is the primary cause of the unconstitutional denial of adequate medical and  
 9 mental health care to California’s prisoners. 18 U.S.C. § 3626(a)(3)(E)(i). Only if it is may  
 10 the court – a three-judge court – enter a population reduction order. Defendants do not  
 11 contest that prison crowding impedes the delivery of constitutionally adequate medical and  
 12 mental health care in the California prison system. They claim only that crowding is not the  
 13 *primary* cause of the violations of plaintiffs’ constitutional rights. *E.g.*, Rep. Tr. at 2953:6-11  
 14 (closing argument by defendants’ counsel).

15 We accept defendants’ proposed definition of “primary cause” as the cause that is  
 16 “first or highest in rank or importance; chief; principal.” *Random House Webster’s*  
 17 *Unabridged Dictionary* 1537 (2d ed. 1998) (defining “primary”).<sup>43</sup> We note, however, that  
 18 the PLRA does not require that crowding be the *only* cause of the constitutional violations at  
 19 issue. “Probably it cannot be said of any event that it has a single causal antecedent; usually  
 20 there are many.” 4 Harper, James and Gray on Torts § 20.2 (3d ed. 2007). The PLRA’s  
 21 “primary cause” standard incorporates this basic aspect of causation. By requiring only that  
 22 crowding be the *primary* cause of the constitutional violations at issue, the PLRA’s language  
 23 explicitly contemplates that *secondary* causes may exist. Had Congress intended to require  
 24 that crowding be the only cause, it would have used language to that effect – for example,  
 25 “exclusive” or “only” instead of “primary.”

26  
 27  
 28 <sup>43</sup>Unfortunately, the legislative history of the PLRA is sparse and provides no meaningful insight into the meaning of “primary cause” or “crowding.”

1 As all of the parties to this proceeding have recognized, in the context of prison  
2 conditions litigation “crowding” refers to the presence in a facility or prison system of a  
3 prisoner population exceeding that facility or system’s capacity. *See, e.g., Doty v. County of*  
4 *Lassen*, 37 F.3d 540, 543 (9th Cir. 1994) (finding overcrowding where a jail’s actual  
5 population exceeded its design capacity by an average of approximately fifty percent);  
6 *Hoptowit v. Ray*, 682 F.2d 1237, 1248-49 (9th Cir. 1982) (finding a penitentiary  
7 overcrowded where its population exceeded its design capacity); *see also Lareau v. Manson*,  
8 651 F.2d 96, 99-100 (2d Cir. 1981); *cf. Random House Webster’s Unabridged Dictionary*  
9 482 (2d ed. 1998) (defining “crowded” as “filled to excess”). In other contexts, the term  
10 “overcrowding” would ordinarily be used. Here, the words crowding and overcrowding have  
11 the same meaning, and we use them interchangeably.

12 A prison system’s capacity is not defined by square footage alone; it is also  
13 determined by the system’s resources and its ability to provide inmates with essential  
14 services such as food, air, and temperature and noise control. Following the parties’ lead, we  
15 will discuss the capacity of the California prison system primarily in terms of design  
16 capacity. As the Corrections Independent Review Panel explained, design capacity  
17 “designate[s] the number of inmates a prison is designed to accommodate according to  
18 standards developed by the Commission on Accreditation and the American Correctional  
19 Association.” Ex. P4 at 123. These standards “take into account the need for humane  
20 conditions, as well as the need to prevent violence and move inmates to and from programs,  
21 such as mental health care, education classes, and drug abuse treatment.” *Id.*

22 Taking into account the meaning of “primary cause” and the criteria governing  
23 “crowding,” we must determine whether the presence in California’s prison system of a  
24 prison population almost double the system’s design capacity is the principal cause of the  
25 failure to provide constitutionally adequate medical and mental health care to the members of  
26 the *Plata* and *Coleman* classes.

27 As we discuss below, the evidence presented at trial, including testimony from  
28 defendants’ experts, admissions by defendants and their agents, and data maintained by

1 defendants, overwhelmingly establishes not only that crowding adversely affects every  
2 aspect of prison administration, forcing a constant state of crisis management, but also that  
3 crowding creates numerous barriers to the provision of medical and mental health care that  
4 result in the constitutional violations we consider here. These barriers include severe space  
5 and other shortages that prevent inmates from receiving the care they require. Crowding also  
6 renders the state incapable of maintaining an adequate staff and an adequate medical records  
7 system. In addition, crowding causes prisons to rely on lockdowns, which further restrict  
8 inmates' access to care, and it forces prisons to house inmates in non-traditional settings,  
9 such as triple-bunks in gyms and dayrooms not designed for housing, that contribute to the  
10 lack of care and the spread of infectious disease and that increase the incidence and severity  
11 of mental illness among prisoners.

12 Multiple experts testified that crowding is the primary cause of the constitutional  
13 violations at issue in *Plata* and *Coleman*. Most impressive, four current or former prison  
14 administrators so testified. These four correctional experts had, collectively, administered  
15 the correctional systems of five different states, including California.<sup>44</sup> Three had never  
16 before testified on behalf of a prisoner, and two were not paid for their time as experts. A  
17 number of medical and mental health experts also testified that crowding is the primary cause  
18 of the constitutional violations, and even defendants' own mental health expert testified that  
19 crowding is the primary cause of defendants' inability to provide adequate care to the  
20 *Coleman* class at reception centers. Dec. 10, 2007 Packer Report at 20. As the Secretary of  
21 the Pennsylvania Department of Corrections testified, "the biggest inhibiting factor right now  
22 in California being able to deliver appropriate mental health and medical care is the severe  
23 overcrowding of [the] system." Rep. Tr. at 219:7-10 (Beard). We agree. For the reasons we  
24 discuss below, we conclude that clear and convincing evidence establishes that crowding is  
25

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26 <sup>44</sup>The experts included Jeanne Woodford, former warden at San Quentin and former  
27 acting Secretary of the CDCR; Doyle Wayne Scott, former Executive Director of the Texas  
28 Department of Criminal Justice; Joseph Lehman, former head of corrections in Pennsylvania,  
Washington, and Maine; and Jeffrey Beard, current Secretary of the Pennsylvania  
Department of Corrections.

1 the primary cause of the unconstitutional denial of medical and mental health care to  
2 California's prisoners.

3 **A. General Problems in the Delivery of Medical and Mental Health Care**  
4 **Caused by Crowding**

5 Correctional experts agree that crowding "affects virtually every aspect of a prison's  
6 operation." Aug. 15, 2008 Lehman Report ¶ 10 (expert report from former head of  
7 corrections in Pennsylvania, Washington, and Maine). Jeanne Woodford, the former head of  
8 corrections in California, testified that, under crowded conditions, there "are simply too  
9 many issues that arise from such a large number of prisoners and staff. One result of this is  
10 that management spends virtually all of its time fighting fires instead of engaging in  
11 thoughtful decision-making and planning. This results in short-sighted decisions that create  
12 even more crises." Nov. 9, 2007 Woodford Report ¶ 12. Doyle Wayne Scott, a thirty-year  
13 employee of the Texas Department of Criminal Justice who served as its Executive Director  
14 for five years, explained:

15 Overcrowding has burdened CDCR's inadequate management  
16 systems that underlie health care delivery. The excessive  
17 population leads to management failures in two ways. First,  
18 overcrowding engenders a state of perpetual crisis that causes  
19 management failures. Administrators spend their time doing  
20 damage control, rather than making sure the prison is operating  
21 properly and prisoners are getting the services that they need. . . .  
22 A population of 7,000 or more, as is found in some California  
23 prisons, is not manageable at all. The sheer size and complexities  
24 of managing a prison that size would be overwhelming for one  
25 manager especially with the limited resources in the areas of  
26 staffing and inadequate space for services to the offenders that I  
27 observed at all of the prisons I toured in California. One warden  
28 simply cannot know what he/she needs to know on a daily basis  
to make good informed management decisions.

Second, overcrowding overwhelms management infrastructure.  
As I have read in numerous reports of the Receiver, the CDCR  
lacks the management information systems needed to adequately  
organize and track prisoner transfers for specialized medical and  
mental health care and public health related needs (for example,  
people with compromised immune systems not going to Valley  
Fever risk areas) in the severely overcrowded conditions.

Nov. 9, 2007 Scott Report ¶¶ 1, 76-77. Secretary Woodford concluded that crowding makes  
it "virtually impossible for the organization to develop, much less implement, a plan to

1 provide prisoners with adequate care”; “[i]n [her] opinion, it is all but impossible to safely  
2 and humanely incarcerate this many prisoners within the existing facilities.” Nov. 9, 2007  
3 Woodford Report ¶¶ 10, 12.

4 As put in the most simple terms by Secretary Woodford, who recently administered  
5 the California prison system and who shortly before that was the warden at San Quentin,  
6 “[o]vercrowding in the CDCR is extreme, its effects are pervasive and it is preventing the  
7 Department from providing adequate mental and medical health care to prisoners.” Aug. 15,  
8 2008 Woodford Supp. Report ¶ 31. While defendants dispute that crowding is the primary  
9 cause of the ongoing constitutional violations in *Plata* and *Coleman*, they do not dispute that  
10 crowding makes the delivery of adequate medical and mental health care in the California  
11 prison system extremely difficult. Matthew Cate, the current head of the CDCR and a  
12 defendant in this proceeding, stated that “overpopulation makes everything we do more  
13 difficult,” Rep. Tr. at 1683:19-20, and further agreed that crowding continues to “severely  
14 hamper[]” the Department’s ability “to provide inmates with adequate medical care in a  
15 fiscally sound manner,” *id.* at 1683:3-19 (testimony that statements in the Office of the  
16 Inspector General’s 2006 audit of the CDCR, issued when Cate was the Inspector General,  
17 continue to be true today); Ex. P46 at ES-1 (April 2006 Office of the Inspector General  
18 Accountability Audit, Review of Audits of the California Department of Corrections and  
19 Rehabilitation Adult Operations and Adult Programs, 2000-2004). James Tilton, Cate’s  
20 predecessor as Secretary of the CDCR, likewise explained that it “was clear” to him that  
21 crowding, and the resulting lack of space, adversely affected the delivery of medical and  
22 mental health care. Sept. 3, 2008 Tilton Dep. at 80:5-25. Similarly, John Dovey, a former  
23 CDCR official, testified before a state Senate committee in August 2006 that “the risk of  
24 catastrophic failure in a system strained from severe overcrowding is a constant threat. As  
25 the Director of the Division of Adult Institutions [for the CDCR], it is my professional  
26 opinion this level of overcrowding is unsafe and we are operating on borrowed time.”  
27 Ex. P72 at 15 (Aug. 15, 2006 CDCR Presentation to Senate Select Committee on Prison  
28 Population Management and Capacity). Before this court, Robin Dezember, then the Chief

1 Deputy Secretary of the Correctional Healthcare Services Division of the CDCR, stated his  
 2 “belief that we are terribly overcrowded in our prison system,” and that crowding adversely  
 3 affects the delivery of mental health care services. Rep. Tr. at 853:13-15, 21-24. Even  
 4 defendants’ expert Dr. Ira Packer opined that “the overcrowding in CDCR significantly  
 5 contributes to the difficulties in providing adequate mental health services.” Dec. 10, 2007  
 6 Packer Report at 8.

7 **B. Space Issues Affecting the Delivery of Care**

8 The evidence before us demonstrates that crowding causes a number of specific  
 9 problems central to the ongoing violation of California inmates’ constitutional right to  
 10 adequate medical and mental health care. One of the clearest effects of crowding is that the  
 11 current prison system lacks the physical space necessary to deliver minimally adequate care  
 12 to inmates. This manifests itself in a variety of areas, each of which we discuss below.

13 1. **Reception Centers**

14 The medical and mental-health related problems caused by crowding are immediately  
 15 apparent at the state’s reception centers. Each year, California admits approximately 140,000  
 16 inmates into the state prison system. Rep. Tr. at 224:17-18 (Beard); *see also* Aug. 15, 2008  
 17 Austin Report ¶¶ 45-46 & Table 3; Ex. P18 at 3; Ex. P19 at 2; Ex. P75 at 3.<sup>45</sup> The CDCR’s  
 18 reception centers are the locus of the intake and classification functions for all of these  
 19 inmates. *See* Nov. 9, 2007 Austin Report ¶¶ 27-28; Aug. 15, 2008 Austin Report ¶ 97. The  
 20 CDCR has reception centers at twelve prisons, nine at male institutions and one at each of the  
 21 state’s three female prison institutions. Ex. P135 at 3-4. As of August 2008, all but one of  
 22 these reception centers were near or over 200% design capacity, and two were over 300%  
 23 design capacity. *Id.* This severe crowding at the reception centers makes it impossible to  
 24 provide adequate medical and mental health services to inmates entering the California

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25  
 26 <sup>45</sup>As Dr. Austin explained, “[t]here are two major types of prison admissions for the  
 27 CDCR – new court commitments and parole violators.” Aug. 15, 2008 Austin Report ¶ 45.  
 28 At the cited pages, Exhibits P18, P19, and P75 set forth data on new admissions, felon parole  
 violators returned with a new term, and felon parole violators returned to custody during  
 periods specified in each exhibit. The aggregation of these three numbers in each of the  
 exhibits ranges from 141,288 (Ex. P18) to 139,399 (Ex. P19) to 140,560 (Ex. P75).

1 prison system. In addition, severe crowding throughout the system forces prisons to house  
2 inmates in these reception centers without adequate care for extended periods of time.

3 As the *Plata* Receiver explained, reception centers “must be staffed and have the  
4 appropriate clinical space to provide a level of medical care and clinical evaluations above  
5 that of the general population institutions.” Ex. D1092 at 19 (*Plata* Receiver’s May 15, 2007  
6 Report Re: Overcrowding).<sup>46</sup> Each time an individual is admitted to the CDCR, whether for  
7 the first time, by re-offending, or on a parole violation:

8 he or she returns to the CDCR through a reception center where a  
9 medical/mental health/dental health care appraisal must be  
10 performed. Once that appraisal is completed the newly received  
11 prisoner is transferred to an open bed at a prison which has been  
12 designated for his or her classification. However, none of the  
CDCR’s designated reception centers were designed or  
constructed with adequate clinical space [to perform these  
functions].

13 *Id.*; see also, e.g., Aug. 15, 2008 Haney Report ¶¶ 246-247 (describing space shortages at the  
14 California Correctional Institution reception center, including a holding room containing  
15 three holding cells that “were originally intended to hold disciplinary cases but now have  
16 been converted to mental health use”). “To make matters worse, as the original prisons  
17 designated for reception became overwhelmed by the influx of parole violators, the CDCR  
18 was forced to ‘convert’ general population prisons into reception centers. These  
19 ‘conversions,’ however, were not accompanied by adequate additions to clinical staff or  
20 clinical space.” Ex. D1092 at 19; see also, e.g., Nov. 9, 2007 Stewart Report ¶ 48 (because  
21 reception center at DVI “was not designed as a reception center, it has been difficult to find  
22 space for various reception center functions”).

23 Without sufficient space, reception centers are unable to screen or treat inmates  
24 adequately. For instance, as plaintiffs’ medical expert Dr. Ronald Shansky explained, the  
25 number of prisoners who must be processed at the reception center at CIM “exceeds the  
26 number of patients that can be adequately treated,” thereby forcing the prison to “squeeze[]  
27 too many prisoners and too many providers into the available treatment area.” Nov. 9, 2007

28 <sup>46</sup>Plaintiffs also offered this document into evidence as Exhibit P26.

1 Shansky Report ¶ 12. Exams are conducted in areas separated only by “a thin white fabric  
2 folding screen that is approximately five to six feet tall” and conversations between  
3 physicians and inmates can be overheard on the other side of the screen. *Id.* Similarly, at  
4 North Kern State Prison, inmate health interviews are conducted in a small office, “with  
5 prisoners sitting back to back, separated only by a shoulder-high divider.” Sept. 10, 2008  
6 Shansky 2d Supp. Report ¶ 23. Such conditions do not allow for appropriate confidentiality,  
7 causing prisoners to be “less likely to provide accurate information about sensitive medical  
8 and psychiatric conditions.” *Id.* ¶ 24; *see also* Aug. 15, 2008 Haney Report ¶ 280  
9 (psychiatrist and psychologist who work in the North Kern reception center “must share a  
10 converted cell that serves as their office”); Nov. 9, 2007 Stewart Report ¶ 48 (describing  
11 observations of small classroom at DVI reception center “where at any time six psychologists  
12 simultaneously conduct reception center mental health assessments for new arrivals”); *id.*  
13 ¶ 82 (noting that the “[l]ack of adequate and appropriate space for reception center  
14 psychological screening was also apparent at DVI”).

15       Moreover, at North Kern, follow-up physical examinations are conducted in rooms  
16 that “are so small that it would be very difficult if not impossible to perform an actual  
17 physical examination in them,” so that the “‘exams’ that take place are in fact simply medical  
18 interviews, primarily for the purpose of determining what type of housing is appropriate for  
19 the prisoner.” Sept. 10, 2008 Shansky 2d Supp. Report ¶ 25. This violates the “basic  
20 principle that incoming prisoners must undergo a comprehensive exam upon arrival so that  
21 an adequate treatment plan may be developed and implemented. A physical exam, as  
22 opposed to a medical interview, is necessary because some conditions can be identified and  
23 confirmed only through physical examination of the patient.” *Id.* ¶ 26; *see also* Rep. Tr. at  
24 224:10-225:15 (Beard) (testifying that the number of people coming in through reception  
25 centers may cause prisons to “miss people who have certain needs and certain care needs that  
26 aren’t being dealt with”). The medical facilities at North Kern are also so “inadequate” that  
27 defendants cannot comply with the *Plata* policies and procedures they agreed to implement,  
28

1 which provide for a complete history and physical examination of inmates within fourteen  
2 days of arrival at a reception center. Sept. 10, 2008 Shansky 2d Supp. Report ¶ 22.

3 The consequences of the state's inability to screen inmates properly at the reception  
4 centers are obvious: If an inmate's health needs are not identified, they cannot be treated. In  
5 addition, inmates whose needs are not identified may be placed in a setting that will  
6 exacerbate existing but unidentified health problems. Likewise, if the lack of confidentiality  
7 in the screening centers prevents inmates from reporting infectious diseases, the failure to  
8 diagnose them at the reception center may result in their being spread throughout the prison  
9 population.

10 In addition to preventing the reception centers from properly screening newly  
11 admitted inmates, crowding at the reception centers prevents the provision of adequate care  
12 to the inmates housed there. As numerous experts, including defendants' own mental health  
13 expert, testified, the number and types of inmates in the centers overwhelms their capacity to  
14 provide adequate medical or mental health care services. Rep. Tr. at 1121:16-19 (Packer);  
15 Rep. Tr. at 368:12-369:4 (Woodford) (mentally ill inmates did not receive "really any  
16 treatment" at San Quentin reception center beyond identification as CCCMS or EOP and  
17 certainly not anything "to prevent further deterioration of people's mental illness"); Aug. 15,  
18 2008 Stewart Supp. Report ¶ 136 ("CDCR's Reception Centers are dangerously overcrowded  
19 and do not and cannot provide appropriate mental health care for anyone"); Sept. 10, 2008  
20 Shansky 2d Supp. Report ¶ 79 ("acute staffing shortage, coupled with the lack of clinical  
21 exam space" prevents North Kern State Prison from providing incoming inmates with  
22 comprehensive physical examination or follow-up appointments with primary care  
23 providers); Rep Tr. at 368:12-22 (Woodford) (at San Quentin reception center, due to  
24 vacancies and "just the sheer numbers and lack of space," medical staff "were unable to keep  
25 up with physicals or providing any kind of chronic care follow-up").

26 If California's inmates spent only a brief time at the reception centers before being  
27 placed in other facilities, the centers' inability to provide adequate medical and mental health  
28 care to the inmates housed there would constitute a less substantial aspect of the

1 constitutional violations at issue in this proceeding. However, inmates in California are  
2 “tend[ing] to spend significantly longer periods of time in reception centers.” Nov. 9, 2007  
3 Stewart Report ¶ 24; *see also* Nov. 9, 2007 Austin Report ¶ 27 (reporting that the CDCR  
4 routinely fails to meet its mandate to transfer inmates from reception centers to mainline  
5 institutions within sixty days). As one of plaintiffs’ experts Dr. James Gilligan explained,  
6 “The dramatic levels of prison overcrowding through the state mean that individuals coming  
7 into prison are housed in ‘Reception Centers’ for extended periods of time, far longer than  
8 intended.” Aug. 15, 2008 Gilligan Report ¶ 26 (footnotes omitted).

9       The consequences of the increased lengths of stay at the reception centers along with  
10 the lack of space in those centers are particularly grave for *Coleman* class members.  
11 Dr. Packer, defendants’ mental health expert, reported that mentally ill individuals “often  
12 enter[] the prison system with a more acute mental health presentation, not having received  
13 adequate treatment in the community and/or having abused substances there.” Dec. 10, 2007  
14 Packer Report at 20. These inmates are “disproportionately represented” among the parole  
15 violators returning to custody for short sentences, *id.*, and are thus likely to spend their entire  
16 sentence at the reception center. *Id.* Because their sentences are so short, they are frequently  
17 discharged before receiving treatment and fall into “a vicious cycle, as they decompensate in  
18 the community and quickly return . . . .” *Id.*; *see also* Aug. 15, 2008 Haney Report  
19 ¶¶ 358-59. (“[M]entally ill parolees often do not receive meaningful mental health treatment  
20 when they are on parole. . . . Frequently as a result of their decompensation, many are  
21 returned to prison, often for technical or minor violations. Thus, many of the parole  
22 violations that return them to prison are directly related to their unmet mental health needs.  
23 When they return to prison, these vulnerable prisoners are then packed into overcrowded  
24 reception centers.”).

25       The absence of adequate mental health care at reception centers also has significant  
26 adverse consequences for mentally ill inmates admitted to serve longer sentences in state  
27 prison. The shortage of mental health care beds throughout the prison system – which we  
28 discuss in more detail below – means that these inmates often spend months in a reception

1 center with little or no access to necessary mental health care while waiting for a bed to open  
2 up. *See, e.g.*, Nov. 9, 2007 Stewart Report ¶ 166 (discussing impact of delays in transfer of  
3 mentally ill inmates from reception centers to necessary level of care); Aug. 15, 2008 Haney  
4 Report ¶ 105 (discussing delays in transfer of EOP inmates out of CIM reception center); *id.*  
5 ¶ 129 (discussing prolonged reception center stays and minimal treatment provided for EOP  
6 and CCCMS inmates at CIM reported by *Coleman* Special Master). For example, the  
7 number of inmates in reception centers needing an EOP level of care<sup>47</sup> continues to grow, *see*  
8 Ex. P243 at 900004-06, 900121-23, but the EOP program provided to these inmates falls far  
9 below the care mandated by the Program Guide for EOP patients. Aug. 15, 2008 Haney  
10 Report ¶ 29 (citing September 2006 Program Guide, Ex. P9 at 12-4-1); *see also* Nov. 9, 2007  
11 Stewart Report ¶ 167. This is not surprising, given that the conditions in these reception  
12 centers have been described as “toxic, noxious, psychologically and medically unhealthy,”  
13 Rep. Tr. at 953:13-14 (Haney), and that a lack of treatment space severely impedes efforts to  
14 provide even the most rudimentary forms of mental health care in reception centers. *E.g.*,  
15 Nov. 9, 2007 Stewart Report ¶ 80; Aug. 15, 2008 Haney Report ¶¶ 246, 247.

## 16 2. Treatment Space

17 The severe shortage of treatment space evident at CDCR reception centers affects the  
18 provision of medical and mental health care throughout the state prison system. Dr. Stewart  
19 reported that the “problem of adequate office and treatment space is endemic in the CDCR,”  
20 Nov. 9, 2007 Stewart Report ¶ 190, and the *Plata* Receiver noted in his Turnaround Plan of  
21 Action that “investments in health care facilities have significantly lagged behind growing  
22 inmate populations, so much so that available clinical space is less than half of what is  
23 necessary for daily operations.” Ex. D1133 at 25. In part, this is due to the CDCR’s policy  
24 and practice of anticipating that prisons will be filled beyond their design capacity, but not  
25 including sufficient health care space to serve the anticipated population. Ex. D1092 at 20  
26 (*Plata* Receiver’s May 15, 2007 Report Re: Overcrowding). Compounding problems caused  
27 by the lack of space, the space that does exist to provide health care services is often

28 <sup>47</sup>The various levels of mental health care are defined *supra* note 24.

1 “woefully inadequate. Through years of neglect, the facilities have long since passed the  
2 time when modest investments could remedy the problem. We are dealing not with deferred  
3 maintenance, but with some facilities that are literally falling apart.” Ex. D1133 at 25.

4 The court received evidence of inadequate treatment space at a variety of prisons  
5 statewide. At Avenal State Prison, staff must attempt to provide care for 7,525 inmates in  
6 space designed for less than one-third of that number. Ex. D1233 at 25 (*Plata Receiver’s*  
7 Nov. 3, 2008 Analysis of Year 2007 Death Reviews).<sup>48</sup> At Mule Creek State Prison, a *Plata*  
8 Receivership team found that “[a]ll of the Facility Clinics are undersized for the quantity of  
9 inmate/patients seen on a daily basis and lack[] appropriate holding/waiting space for  
10 inmate/patients ducated [scheduled] to be seen by health care providers.” Ex. P101 at 7  
11 (*Plata Receiver’s Custody/Security Assessment for Health Care Access at Mule Creek State*  
12 *Prison*).

13 One expert who testified at trial explained that crowding has so “over-taxed” the  
14 clinical facilities at California Institution for Men that, as with the reception center at the  
15 same prison, “fundamental medical confidentiality rights are routinely ignored” in the space  
16 used to provide care to inmates housed at the prison:

17 In the West facility clinic at CIM, two PCPs [primary care  
18 physicians] share one room and simultaneously see patients for  
19 sick call and other encounters. A thin fabric folding screen  
20 separates the area in which the doctors see patients from a single  
21 exam table which the PCPs must share, as the room is not large  
22 enough to accommodate a second table. In the same clinic, the  
23 registered nurse conducts face-to-face triage appointments with  
24 patients in a large room that is shared by another nurse (who may  
be seeing patients) and an office technician. These arrangements  
cannot provide for minimally adequate patient-provider privacy.  
Moreover, the medical treatment area is so small that there is no  
medically appropriate waiting area, so sick patients must wait for  
appointments on a small bleacher outside the clinic, exposed to  
the elements.

25 Nov. 9, 2007 Shansky Report ¶ 24. Dr. Shansky also testified about the shortage of clinical  
26 space he observed at several other prisons. *Id.* ¶¶ 16-23 (Valley State Prison for Women,  
27 Avenal State Prison, and San Quentin); Sept. 10, 2008 Shansky 2d Supp. Report ¶¶ 31-46

28 <sup>48</sup>Plaintiffs also offered this document into evidence as Exhibit G to Exhibit P413.

1 (North Kern State Prison, Substance Abuse and Treatment Facility, Pleasant Valley State  
2 Prison, and California State Prison-Solano); *see also* Rep. Tr. at 663:22-665:10 (Rowlett)  
3 (testifying about clinical space shortage at California State Prison-Solano). Similarly,  
4 Secretary Woodford testified that “space represents a serious obstacle to the delivery of  
5 health care.” Aug. 15, 2008 Woodford Supp. Report ¶ 27; *see also id.* ¶¶ 27-29 (discussing  
6 space issues encountered on tours of the Correctional Training Facility (“CTF”) and  
7 California State Prison-Los Angeles County (Lancaster)).

8 As the *Plata* Receiver concluded in his supplemental report on overcrowding, “[t]here  
9 is a dire need for additional clinical space . . . in the prisons because the existing capacity has  
10 been swamped by the number of inmates in the system.” Ex. D1094 at 2 (*Plata* Receiver’s  
11 June 11, 2007 Supp. Report Re: Overcrowding). On the basis of all of the evidence received  
12 at trial, there is no doubt that crowding renders the existing clinical space in California’s  
13 prisons grossly inadequate.

### 14 3. Inability To House Inmates by Classification

15 Crowding also negatively impacts the state’s ability to house inmates according to  
16 their proper classification, which in turn creates inadequacies in the medical and mental  
17 health care that the system is capable of providing to inmates.

18 A prison classification system is “an objective tool” that allows correctional staff to  
19 consider individual factors, including “age, criminal history, educational levels or  
20 deficiencies, mental health issues, [and] medical issues” so that inmates can be placed “in the  
21 appropriate custody housing level.” Rep. Tr. at 149:18-24 (Scott). Prisoners in California  
22 are assigned to one of four levels of classification “based on the length of their sentence, their  
23 disciplinary history and other objective factors.” Nov. 9, 2007 Woodford Report ¶ 13.

24 In an overcrowded system, this classification system breaks down. A “well-  
25 functioning” system of classification should have no more than 10% of prisoners housed  
26 outside their classification level. Nov. 9, 2007 Scott Report ¶ 69. In California, population  
27 pressures have forced the CDCR to house an estimated 25% of inmates outside their  
28 classification levels. *Id.* This failure to house inmates within such levels “mak[es] it harder

1 to provide for their medical and mental health care needs,” *id.* ¶ 68, and deprives the  
 2 overcrowded system of “the flexibility needed to respond to inevitable crises.” *Id.* As  
 3 Director Scott explained, this “widespread rejection of CDCR’s classification system has a  
 4 significant impact on medical and mental health care”:

5 [I]t is harder to get health care appointments within the prison as  
 6 well as out-of-prison specialty appointments, and more limited  
 7 staff contact means that staff are less responsive to emergencies  
 8 due to distrust, lack of understanding and compassion, and simple  
 9 logistics: it is harder to get staff attention in a high-pressure,  
 high-security unit. In addition, prisoners are subject to increased  
 degrees of danger and potential for violence because they are  
 placed with more dangerous and violent prisoners than their  
 classification scores would warrant.

10 *Id.* ¶ 71. Similarly, Secretary Woodford testified that crowding makes it “impossible to  
 11 move inmates where they need[] to be” to address inmates’ medical and mental health needs.  
 12 Rep. Tr. at 375:4-6; *see also id.* at 227:4-13 (Beard) (“[H]uge overcrowding creates a  
 13 problem, because you have an individual who needs to go to Institution A, and Institution A  
 14 is full. So where do you put him. . . . [Y]ou end up having to put them somewhere that  
 15 maybe is not the most appropriate for that individual.”). Dr. Shansky likewise agreed “that  
 16 the CDCR is currently unable to accommodate the housing needs of medical patients  
 17 requiring specialized placement.” Nov. 9, 2007 Shansky Report ¶ 126.

#### 18 4. Beds for Mentally Ill Inmates<sup>49</sup>

19 Crowding has also created severe bed shortages at every level of the CDCR’s mental  
 20 health care system, causing inmates in need of higher levels of care to languish in clinically  
 21 inappropriate settings. It is not simply the beds themselves that the state does not possess,  
 22 but the space in which to place them. The need for such space is rapidly growing. From  
 23 December 2006 to August 2008, for example, the shortage of EOP beds more than tripled to  
 24 almost 1,000. Ex. P243 at 900007, 900124. Likewise, between June and September 2008,

25 <sup>49</sup>Throughout this section, we cite evidence offered at trial on the number of mental  
 26 health beds at each level of the mental health care delivery system above CCCMS. The  
 27 *Coleman* court recently approved several projects planned by defendants to increase, in the  
 28 near term, the number of such beds. June 17, 2009 Order in *Coleman*. Nonetheless, it  
 remains to be seen whether and when defendants will comply with the *Coleman* court’s  
 June 17, 2009 order, and, in any event, compliance with that order alone will not suffice to  
 meet defendants’ constitutional obligations to the *Coleman* class. *Id.* at 5.

1 the CDCR's severe shortage of mental health crisis beds prevented more than two-thirds of  
2 the inmates referred to such beds from actually being transferred.<sup>50</sup> See Exs. P555, P586,  
3 P587, P585 (mental health crisis bed referral data from June 2008 through September 2008  
4 showing 391 transfers out of a total of 1,424 referrals). At the level of care reserved for the  
5 most mentally ill, inmates sometimes wait as much as a year before being transferred to  
6 inpatient beds. Aug. 15, 2008 Stewart Supp. Report ¶ 20.

7 The shortage of mental health beds throughout the system means that large numbers  
8 of inmates in need of care cannot be transferred and do not receive the treatment their mental  
9 illness requires. See, e.g., Aug. 15, 2008 Haney Report ¶ 216. Inmates requiring an EOP  
10 placement often remain in general population yards receiving only "limited mental health  
11 treatment." *Id.* Many of them decompensate and require one or more admissions to a mental  
12 health crisis bed for stabilization. *Id.* Because of the severe shortage of available mental  
13 health crisis beds, however, inmates in need of such care are frequently placed "in a variety  
14 of temporary housing alternatives" ranging from infirmaries to "telephone-booth-sized  
15 interview stalls typically placed in corridors." Ex. D1292 at 3. "Most of these alternative  
16 placements lack suitable staffing and/or the physical configuration needed for the continuous  
17 monitoring or intensive treatment provided in a MHCB unit." *Id.* at 3-4. Suicidal inmates  
18 referred to mental health crisis beds have spent "from Thursday evening to . . . Monday  
19 morning" being transferred between so-called "dry cells," which are "tiny, freestanding  
20 upright cages with mesh wiring surrounding them (and no toilet)," during the day and  
21 so-called "wet cells," which are holding cells that have toilets, at night. Aug. 15, 2008  
22 Haney Report ¶ 156. In several instances, inmates referred to mental health crisis beds have  
23 committed suicide while awaiting transfer. E.g., Nov. 9, 2007 Stewart Report ¶¶ 173-75  
24 (inmate referred to crisis bed hanged himself after several days on a "suicide precaution  
25 protocol" in a mental health outpatient housing unit); Aug. 15, 2008 Stewart Supp. Report  
26 ¶ 100 (after determination that neither restraint room nor crisis beds were available, an

27 <sup>50</sup>All inmates referred to mental health crisis beds "are suffering from severe  
28 decompensation or are a danger to themselves or others. A substantial proportion of these  
inmate/patients are at a high risk for suicide." Ex. D1292 at 3; see also Ex. D1148 at 12-1-8.

1 inmate referred to mental health crisis bed and for possible involuntary medication returned  
2 to administrative segregation cell where he hanged himself); *id.* ¶ 109 (inmate identified as  
3 “high suicide risk” and referred to crisis bed hanged himself two days later in unlicensed  
4 infirmary at CTF).

5         These shortages at every level, which are caused by the lack of space resulting from  
6 overcrowding, have created a destructive feedback loop that is now endemic to the CDCR’s  
7 mental health care delivery system. Inmates denied necessary mental health placements “are  
8 decompensating and are ending up in mental health conditions far more acute than necessary  
9 . . . . creat[ing] a cycle of sicker people being admitted, with greater resources necessary to  
10 treat them, which then creates even further backlog in an already overwhelmed system.”  
11 Aug. 15, 2008 Stewart Supp. Report ¶ 92; *see also* Nov. 9, 2007 Stewart Report ¶¶ 31, 32;  
12 Ex. D1292 at 9-10; Dec. 10, 2007 Packer Report at 11. Because overcrowding has led to a  
13 significant, unaddressed demand for mental health services that only becomes more acute  
14 over time, new mental health beds cannot be added quickly enough to address the system’s  
15 problems. “[D]ue to the effects of overcrowding on the delivery of mental health care, any  
16 reduction in the waitlists for higher levels of care will be temporary due to the pentup  
17 demands in the system.” Aug. 15, 2008 Haney Report ¶ 33.

### 18         **C. Conditions of Confinement**

19         The severe overcrowding in California’s prisons has also affected the conditions under  
20 which members of the *Plata* and *Coleman* classes are confined. One consequence of the  
21 growing gap between the size of the CDCR population and the capacity of its prisons has  
22 been a significant increase in the use of “non-traditional” or so-called “ugly” or “bad” beds.  
23 Ex. P4 at 200; Rep. Tr. at 1912:8-14 (Kernan) (CDCR Undersecretary of Operations). These  
24 include triple bunks, housing two inmates in cells designed for one inmate, and “beds for  
25 both low- and medium-risk inmates . . . crammed into gyms and dayrooms that were never  
26 meant to be used for housing.” Ex. P4 at 200; *see also* Rep. Tr. at 1912:15-17 (Kernan). The  
27 court heard testimony and saw photographic and videographic evidence of these beds. *See,*  
28 *e.g.*, Rep. Tr. at 148:9-149:1 (Scott); *id.* at 269:11-25 (Lehman); Exs. P336, P339, P348,

1 P363. Director Scott, the former head of corrections in Texas, described some of the ugly  
2 beds he saw on his tours of California prisons as “truly appalling” and reported that, “[i]n  
3 more than 35 years of prison work experience, I have never seen anything like it.” Nov. 9,  
4 2007 Scott Report ¶ 11. In the October 2006 Prison Overcrowding State of Emergency  
5 Proclamation, Governor Schwarzenegger found that the CDCR was housing “more than  
6 15,000 inmates” in these beds. Ex. P1 at 1. By August 2007, the number of inmates housed  
7 in non-traditional beds had increased to approximately 19,600. Rep. Tr. at 1893:11-19  
8 (Kernan); *see also* Ex. D1252-2 at 2. At the time of trial, the department was using  
9 approximately 14,000 such beds. Rep. Tr. at 1911:9-14 (Kernan).

10       The use of non-traditional housing raises serious safety concerns, contributes to the  
11 spread of infectious disease, and exacerbates mental illness. First, as Secretary Woodford,  
12 former head of the CDCR, testified, the number of custodial staff is often “grossly  
13 inadequate” to meet “basic needs” with “often only two officers to supervise 200 prisoners in  
14 a gym or a dorm. This is extremely dangerous for both the prisoners and the staff because  
15 line of sight supervision is impossible under these circumstances and it does not permit the  
16 staff the time to recognize that prisoners are in trouble from any number of causes, including  
17 medical or mental illnesses.”<sup>51</sup> Nov. 9, 2007 Woodford Report ¶ 17. One of her successors,  
18 Secretary Tilton, similarly reported that because of overcrowded conditions, including the  
19 high use of non-traditional beds, “the risk of catastrophic failure in a system strained from  
20 severe overcrowding is a constant threat.” Ex. P104 at 15.

21       Second, crowding generates unsanitary conditions, overwhelms the infrastructure of  
22 existing prisons, and increases the risk that infectious diseases will spread. *See, e.g.*, Nov. 9,  
23 2007 Scott Report ¶¶ 17-24. The Governor recognized such dangers when he issued his  
24 emergency proclamation on crowding, declaring that “current severe overcrowding in 29  
25 CDCR prisons” has caused “substantial risk to the health and safety of CDCR staff, inmates,  
26 and the public.” Ex. P1 at 1-2. Similarly, Scott Kernan, then the Chief Deputy Secretary of  
27

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28 <sup>51</sup>We discuss additional problems related to inadequate staffing below, *infra*  
Section IV.D.1.

1 the Division of Adult Institutions for the CDCR, declared that overcrowding “has led to  
2 increased numbers of infectious disease outbreaks and riots and disturbances system-wide.”  
3 Ex. P11 ¶ 3 (May 16, 2007 Decl. of Scott Kernan filed in *Plata*) (noting eleven different  
4 outbreaks, possible outbreaks, or exposure to tuberculosis at seven prisons). As plaintiffs’  
5 medical expert testified, “the overcrowded housing conditions, and in particular, the  
6 conditions in the non-traditional beds, including the converted gyms, create potential  
7 breeding grounds for disease.” Sept. 10, 2008 Shansky 2d Supp. Report ¶ 118; *see also* Rep.  
8 Tr. at 270:7-12 (Lehman) (crowding “contributes to the difficulties of healthcare delivery by  
9 virtue of the fact that it increases the incidence of illnesses, [and] infectious disease”); *id.* at  
10 257:15-22 (Beard) (while prisons may not always be incubators for disease, “they could be if  
11 your population densities get so intense,” like “if you have a gymnasium that you triple bunk  
12 and put hundreds and hundreds of people in a closed dense area”); *id.* at 88:25-89:3 (Stewart)  
13 (interviewed two *Coleman* class members who “were suffering from staph infections that  
14 they got while living in these unhealthy conditions”); Ex. P4 at 200 (non-traditional beds  
15 “create difficult, unsanitary living conditions where ventilation is poor, toilet access is  
16 limited, and as many as 200 people might share six showers”). “Until CDCR reduces its  
17 population, it will remain highly vulnerable to outbreaks of communicable diseases,  
18 including staph infections, tuberculosis and influenza.” Nov. 9, 2007 Shansky Report ¶ 135.

19 Third, plaintiffs’ mental health experts also reported on the toxicity of non-traditional  
20 housing for members of the *Coleman* class and other inmates. As Dr. Stewart explained,  
21 “[p]lacing inmates in overcrowded gym and dorm settings is often inappropriate for people  
22 with mental health issues and can either exacerbate existing symptoms or, in some cases,  
23 trigger symptoms in people who would not otherwise display them.” Aug. 15, 2008 Stewart  
24 Supp. Report ¶ 66; *see also id.* ¶ 52 (crowded dorm “settings also may exacerbate mental  
25 health conditions such as paranoia and create stressful environments for people who are  
26 otherwise vulnerable due to mental health issues, including cognitive impairment”); Aug. 15,  
27 2008 Haney Report ¶ 291 (reporting on “extensive use of ‘non-traditional’ or ‘bad’ beds” at  
28 North Kern State Prison, which was operating at 200% design capacity, and describing

1 housing conditions as “especially inappropriate for the confinement of mentally ill  
2 prisoners”).

3 Finally, non-traditional beds are frequently created by “converting activity space into  
4 inmate housing areas,” which adversely impacts all inmates by reducing the amount of space  
5 available for programs. Ex. P4 at 124. As the *Coleman* Special Master has explained:

6 The inevitable result of severe overcrowding is that everyone also  
7 spends more and more time in their cells. General yards are more  
8 crowded, less well supervised and increasingly dangerous. There  
9 are not nearly enough walk-alone yards to provide statutorily  
10 required amounts of exercise for those who by choice or need  
11 require them. Gyms are no longer an option for time out of one’s  
12 cell. Dayrooms share many of the same problems. Work or  
13 vocational opportunities shrink in the expanding population.  
Disturbances occur more frequently, with resulting increases in  
the number and duration of lockdowns. All inmates must spend  
increasingly larger chunks of their days in their cells, or much  
more dangerously, in one of those triple-bunked “non-traditional”  
spaces. None of this is conducive to the health and well-being of  
any inmate, much less a seriously mentally disordered  
inmate/patient . . . .

14 Ex. D1292 at 7-8. Instead, these conditions “inevitably escalate[] the incidence of mental  
15 illness and exacerbate[] the condition of those already mentally fragile and vulnerable.” *Id.*  
16 at 8.

17 **D. Other Access to Care Issues**

18 Beyond the issues arising from critical space shortages, crowding has other severe  
19 impacts on access to medical and mental health care.

20 1. Staffing

21 The level of crowding has rendered current staffing levels insufficient to handle the  
22 health care needs of the overpopulated system:

23 Many CDCR prisons are unable to sustain the basic delivery of  
24 medical, mental health, and dental services because of limited  
25 staffing (clinical and custody) and an overwhelming number of  
26 prisoner/patients who require care. Every day, many California  
27 prison wardens and health care managers make the difficult  
28 decision as to which of the class actions, *Coleman*, *Perez*,  
*Armstrong* or *Plata* they will fail to comply with because of staff  
shortages and patient loads.

1 Ex. D1092 at 30 (*Plata Receiver's May 15, 2007 Report Re: Overcrowding*).<sup>52</sup> Crowding  
 2 also makes it impossible for the CDCR to hire the additional staff necessary to provide  
 3 constitutionally adequate medical and mental health care to the current population.

4 *a. Medical Staff*

5 Defendants' own data demonstrates significant vacancy rates for medical staff. As of  
 6 August 2008, 20 percent of chief physician and surgeon positions, 25 percent of physician  
 7 positions, 19 percent of physician assistant positions, 39 percent of nurse practitioner  
 8 positions, 10 percent of registered nurse positions, and 18 percent of licensed vocational  
 9 nurse positions remained vacant. Ex. D1235-2 (charts summarizing staffing trends and  
 10 indicating number of positions and number of positions filled by full-time employees). The  
 11 statewide vacancy rate for primary care provider positions, which include physicians and  
 12 surgeons, nurse practitioners, and physician assistants, was 27 percent. *Id.*; Nov. 9, 2007  
 13 Shansky Report ¶ 37 (explaining positions that are considered primary care providers).  
 14 Some prisons have attempted to fill these vacancies with registry (contract) physicians, but  
 15 this practice is insufficient as a long-term solution. "Because registry physicians tend to turn  
 16 over quickly, the prisons end up spending time doing extensive on-the-job training  
 17 repeatedly, which is time-consuming and detracts from patient care delivery." Sept. 10, 2008  
 18 Shansky 2d Supp. Report ¶ 66; *see also* Nov. 9, 2007 Shansky Report ¶ 45.

19 "In any system, inadequate medical staffing, whether due to unfillable vacancies or  
 20 insufficient allocation of positions, will result in delayed care. In a dramatically  
 21 overcrowded system like the CDCR's the treatment delays become more acute." Nov. 9,  
 22 2007 Shansky Report ¶ 46. In overcrowded systems, prisoners experience "significant  
 23 appointment delays," *id.*, both in terms of seeing a primary care physician and even in being  
 24 triaged by a nurse to determine whether an appointment with a physician is necessary. *E.g.*,  
 25 *id.* ¶¶ 46-49; Sept. 10, 2008 Shansky 2d Supp. Report ¶¶ 67-77. In addition, "[w]ith too few

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26  
 27 <sup>52</sup>*Perez v. Cate*, Case No. C05-5241 JSW (N.D. Cal.), is a statewide class action  
 28 concerning dental care in California prisons. *Armstrong v. Schwarzenegger*, Case No.  
 C94-2307 CW (N.D. Cal.), is a statewide class action concerning California prisoners and  
 parolees with hearing, vision, mobility, kidney, and learning impairments.

1 primary care providers to meet the most immediate needs of the current population, some  
2 prisons are unable to develop required medical programs,” including the chronic and  
3 preventive care programs required by the *Plata* policies and procedures to which defendants  
4 have committed themselves. Nov. 9, 2007 Shansky Report ¶¶ 51-53. “Even the remedies the  
5 state uses to alleviate crowding cause problems for an already overburdened staff. For  
6 example, at CTF the medical department was swamped with work because they had been  
7 ordered to review 1,500 medical files to determine which prisoners were eligible for transfer  
8 to out-of-state prisons.” Aug. 15, 2008 Woodford Supp. Report ¶ 6.

9 In addition to rendering current medical staffing levels seriously inadequate, crowding  
10 makes it impossible for the CDCR to increase the number of clinical positions to the level  
11 needed to provide adequate care to inmates. Staffing and space issues are inextricably  
12 intertwined such that, given the overcrowding, hiring staff alone could not solve the problem.  
13 As Secretary Lehman asked, “[W]here are the providers going to work and how”? Rep. Tr.  
14 at 272:1-13. A number of chief medical officers expressed the opinion that they would not  
15 have sufficient space for clinical staff if all of the clinical positions currently budgeted were  
16 filled, *id.* at 501:3-7 (Shansky), let alone if new positions were created and filled.

17 Moreover, crowding negatively impacts the recruitment and retention of clinical staff.  
18 *See, e.g.*, Nov. 9, 2007 Shansky Report ¶¶ 16, 20. Dr. Shansky explained that “[t]he clinical  
19 space allocated at San Quentin is so substandard and creates such a stressful environment  
20 that . . . the prison’s capacity to retain physicians is seriously jeopardized by both the  
21 physicians’ perception of personal safety issues and the unprofessional conditions.” Nov. 9,  
22 2007 Shansky Report ¶ 23. More broadly, Dr. Shansky testified:

23 I believe that the hiring gains for clinicians made in the past year  
24 will be lost if these systemic issues [concerning overcrowding]  
25 are not addressed, because many newly-hired clinicians will be  
26 unwilling to risk their professional credentials and reputations by  
27 practicing in an environment where their patients are at risk of  
28 harm because among other things adequate clinical space is  
scarce, appointments are not scheduled, complete medical records  
are unavailable, and medications are not delivered.

1 *Id.* ¶ 136. The *Plata* Receiver likewise reported that crowding interferes with the “ability to  
2 recruit, hire and retain competent medical personnel. The overwhelming number of prisoners  
3 needing care at the prisons, existing staffing shortages and inadequate clinical space are just a  
4 few of the consequences that make developing a competent medical staff a daunting  
5 challenge.” Ex. D1094 at 2 (*Plata* Receiver’s June 11, 2007 Supp. Report Re:  
6 Overcrowding).

7 *b. Mental Health Staff*

8 There are also staffing shortages “at all clinical levels” of the CDCR’s mental health  
9 care delivery system, and overcrowding in California’s prisons has “a profound impact” on  
10 mental health staffing levels. Rep. Tr. at 309:3-22 (Haney). Between March 2008 and  
11 August 2008, for example, the total vacancy rate among existing mental health care positions  
12 ranged from 22 percent to 36.1 percent, while the vacancy rate in psychiatrist positions was  
13 particularly high, ranging from 30.6 percent to 54.1 percent. Ex. P245 at 1. Moreover,  
14 CDCR “significantly underestimated the staffing needed to implement critical portions of the  
15 *Coleman* Program Guide requirements” in its 2008-09 staffing requests. Aug. 15, 2008  
16 Haney Report ¶ 336 (citing Ex. P485, July 12, 2008 letter from *Coleman* Special Master to  
17 Robin Dezember and *Coleman* defense counsel reporting review of CDCR workload study).  
18 Accordingly, these high vacancy rates understate the actual level of mental health  
19 understaffing. Dr. Haney reported on the “significant staff shortages” at the eight facilities  
20 he visited, all of which he described as “[s]everely [o]vercrowded.” Aug. 15, 2008 Haney  
21 Report at 56 & ¶ 335.

22 As Dr. Haney explained, these shortages have a serious adverse effect upon the mental  
23 health care provided to inmates.

24 [S]erious staffing shortages all translate into inadequacies in the  
25 mental health delivery system and, in some instances, an outright  
26 denial of needed and mandated mental health services. In many  
27 of the units this means that professional staff are doubling up on  
28 duties, performing more tasks than they should be called upon to  
handle, and managing far larger caseloads than is appropriate or  
effective. One psychologist at CIM told me “I can’t keep up with

1 everything. I've been doing too much. We hired new staff, but  
2 that hasn't helped." He also told me "in my opinion, we are  
doing about 50% of what we should be doing."

3 *Id.* ¶ 335.

4 Although defendants need additional clinical staffing to implement necessary mental  
5 health programs, the CDCR "ha[s] been unable to recruit and retain staff even to meet the  
6 budgeted levels." *Id.* ¶ 336. This inability is directly related to the overcrowding in  
7 California's prisons. "[T]he serious deficiencies in office and treatment spaces I observed  
8 throughout the system are themselves an obstacle to ever achieving appropriate clinical  
9 staffing. The working conditions are terrible and there is no space, in any event, for more  
10 clinicians." *Id.* Dr. Stewart explained that "it is extremely difficult to recruit and retain  
11 good clinical staff in a correctional environment in the best of times," but that, "[i]n  
12 overcrowded systems, with the attended violence, high acuity, [and] shortage of office space,  
13 these ordinary recruitment problems are compounded and become significantly more difficult  
14 to overcome." Nov. 9, 2007 Stewart Report ¶ 41.

15 *c. Custodial Staff*

16 Crowding has also caused significant custodial staffing shortages in the CDCR that  
17 have a direct impact on defendants' ability to deliver constitutionally adequate medical and  
18 mental health care to prison inmates. "Custodial staff are essential to providing health care  
19 to prisoners because they supervise prisoner movement to and from medical appointments,  
20 they escort prisoners to services within an institution and they provide supervision when  
21 prisoners are taken out of the prison to medical appointments, hospitals or they are  
22 transferred to another institution." Nov. 9, 2007 Woodford Report ¶ 15. In addition,  
23 custodial staff are "responsible for alerting health care staff when prisoners complain of an  
24 immediate serious problem and also are supposed to observe prisoners periodically to  
25 identify actual or potential problems." Aug. 15, 2008 Woodford Supp. Report ¶ 25.

26 The California prison system lacks sufficient custodial staff "to keep prisoners safe  
27 from harm," *id.*, or "to provide prisoners with timely access to care and still perform other  
28 essential functions," Nov. 9, 2007 Woodford Report ¶ 15. The "paucity of correctional

1 officers in California, due to the low staffing rate and high number of vacancies, is  
2 dangerous.” Nov. 9, 2007 Scott Report ¶ 26 (footnote omitted). In fact, Director Scott  
3 testified that “every institution I toured had inadequate custodial staff on the ground to  
4 address the needs of the prisoner population, including ensuring that health care services are  
5 provided.” *Id.* at 14 n.3. This “is particularly dangerous for prisoners in need of medical  
6 care . . . not just because staff are not available to escort prisoners or clinicians to  
7 appointments, but because short-staffing can lead to forced overtime and burnout, such that  
8 staff make poor decisions, particularly in health care emergencies.” *Id.* ¶ 26; *see also* Nov. 9,  
9 2007 Woodford Report ¶¶ 16-23 (discussing dangers of understaffing correctional officer  
10 positions). As Director Scott testified:

11 [O]verworked staff without adequate back-up are less able to  
12 respond to emergencies and more likely to downplay prisoners’  
13 concerns. In a housing unit such as San Quentin’s H Unit Dorm  
14 2 (one officer for 200 prisoners) or CIM’s West Facility  
15 Cleveland Hall (two officers for 198 prisoners) or East Facility  
16 gym (two officers for 202 prisoners), staff in an emergency can  
17 only sound the alarm, make frantic telephone or radio calls, and  
18 hope for backup. An officer alone with several hundred inmates  
is unlikely, for example, to perform emergency first aid or CPR –  
it is simply unsafe to do so with no backup, when prisoners could  
easily simulate an emergency as a diversion. The inability to  
perform basic lifesaving functions could have potentially  
devastating consequences on the life and health of a prisoner  
undergoing a medical or mental health emergency. This situation  
presents an unacceptable risk of harm to prisoners.

19 Nov. 9, 2007 Scott Report ¶ 59.

20 In addition, the *Plata* Receiver has explained that, “[s]ystem-wide, CDCR lacks the  
21 custody staff and organizational structure and processes to ensure that patient-inmates are  
22 reliably escorted and/or transported to medical appointments.” Ex. D1133 at 5 (*Plata*  
23 Receiver’s June 6, 2008 Turnaround Plan of Action). This results in denial of “timely access  
24 to health care services” and “substantially increas[es] the risk that patient-inmates’ health  
25 will further deteriorate.” *Id.* Dr. Shansky also concluded that lack of adequate custodial staff  
26 causes “significant delays in treatment . . . because there are not enough custody officers to  
27 move the prisoners in and out of the clinics on a timely basis.” Sept. 10, 2008 Shansky 2d  
28 Supp. Report ¶ 107. Similarly, defendants’ own mental health expert testified that the

1 shortage of correctional officers statewide impedes the delivery of mental health care to  
2 members of the *Coleman* class, particularly CCCMS inmates. Dec. 10, 2007 Packer Report  
3 at 15-16. A reduction in the crowding of California’s prisons would help ease the burden on  
4 the custodial staff and permit staff members to better monitor inmates for medical or mental  
5 health problems and to deliver inmates for necessary care.

6           2.     Medication Management

7           Next, crowding prevents defendants from achieving an adequate medication delivery  
8 system that is marked by “the timely delivery of the correct medication to the correct patient,  
9 with accurate documentation of what has been administered.” Nov. 9, 2007 Shansky Report  
10 ¶ 79. “Defendants’ medication delivery systems are inadequate for the size of the population  
11 they serve, and are plagued by short-staffing at a number of prisons. . . . [Consequently,]  
12 prisoners receive their medications late or not at all, and suffer as a result.” *Id.* ¶ 80. “The  
13 shortcomings in the medication delivery system are rooted in overcrowding – quite simply,  
14 there are more patients requiring medications than the prison has the resources or staffing to  
15 address.” *Id.* ¶ 81.

16           Overcrowding affects the administration of both traditional medications to *Plata* class  
17 members and psychotropic medications to *Coleman* class members. *See, e.g.*, Rep. Tr. at  
18 77:21-79:24 (Stewart); Aug. 15, 2008 Stewart Supp. Report ¶ 96. As Dr. Stewart testified,  
19 “[t]here are just too many people that are prescribed too many medications” for the system to  
20 handle. Rep. Tr. at 77:19-20. Following tours of Salinas Valley State Prison, California  
21 Medical Facility, and Mule Creek State Prison, Dr. Stewart reported that:

22                     First, due to the lack of adequate staff to distribute medications  
23                     and the overwhelming number of inmates prescribed medications,  
24                     staff members do not have sufficient time to adequately monitor  
25                     whether inmates are taking medications properly. . . . Second,  
26                     the clinical staff members who distribute medications are too  
27                     understaffed to evaluate the efficacy and potential side effects of  
28                     the prescribed medications. Every patient I talked to about the  
                      medication distribution system described the same drive-by  
                      process – they received their medications in pill lines or at their  
                      cell doors from staff members who spent only a few seconds with  
                      them. The staff members never ask the patients about the  
                      efficacy of the medications or whether they are causing side  
                      effects. Third, psychiatrists are also overburdened and may

1 consist largely of contract employees that are unable to maintain  
2 consistent relationships with their patients due to constant  
movements between units or even prisons.

3 Aug. 15, 2008 Stewart Supp. Report ¶ 96; *see also id.* ¶ 95; Rep. Tr. at 670:9-673:10  
4 (Rowlett) (correctional officer discussing similar problems based on her experience at  
5 California State Prison-Solano).

6 The failure of the CDCR's medication delivery systems results in not only traditional  
7 medical problems, but also high medication non-compliance rates among patients with  
8 serious mental illness. Blood samples taken of seriously mentally ill CDCR inmates  
9 admitted to DMH inpatient care units over more than two years show that the vast majority  
10 of such inmates have little or no psychotropic medication in their systems. *See* Brewer Dep.  
11 at 135:5-137:25; *see also* Aug. 15, 2008 Stewart Supp. Report ¶¶ 98-99 (reporting  
12 information provided by Drs. Neill and Gandhi, DMH Program Directors for Salinas Valley  
13 and CMF, respectively). The Executive Director of the DMH inpatient psychiatric programs  
14 at Salinas Valley and CMF testified that this is a "serious problem," Sept. 4, 2008 Brewer  
15 Dep. at 127:17-18, the consequence of which is that acuity levels in mentally ill inmates  
16 admitted to DMH units are rising, inmates admitted to inpatient care "are taking longer to  
17 stabilize on medications" and often require orders for involuntary medication, and, upon  
18 discharge, the inmates "are then returned to the same system that fails to adequately monitor  
19 medication compliance, thereby starting the cycle all over again." Aug. 15, 2008 Stewart  
20 Supp. Report ¶ 100.

### 21 3. Specialty Medical Care

22 The CDCR is also unable to provide access to "specialty [medical] services, including  
23 in urgent (high priority) cases, in accord with [its own] policy requirements." Nov. 9, 2007  
24 Shansky Report ¶ 56. As a "result of overcrowding, the number of prisoners who need such  
25 services exceeds the capacity of the providers available to CDCR, and/or is so great that  
26 CDCR cannot adequately track and schedule such cases." *Id.* For example, at Avenal State  
27 Prison, Dr. Shansky reviewed two reports printed the day of his visit in the fall of 2007. *Id.*  
28 ¶ 61. Those reports showed 1,293 pending specialty referrals, 316 urgent and 977 routine.

1 *Id.* Of the 316 pending urgent referrals, only approximately 105 had an appointment date,  
 2 with only 2 of the 316 urgent referrals – a dismal 0.6 percent – scheduled to take place within  
 3 the fourteen-day period required by CDCR policy for such appointments. *Id.* Of the 977  
 4 pending routine referrals, only approximately 285 had a scheduled appointment date, and  
 5 only approximately 135 of the 977 routine referrals – approximately fourteen percent – were  
 6 scheduled to occur within the three-month period required by CDCR policy for such  
 7 appointments. *Id.* ¶ 62. While Avenal provides the starkest numbers, the problem exists at  
 8 other prisons as well. *E.g., id.* ¶ 65 (more than 50 percent of urgent referrals on pending list  
 9 at High Desert State Prison were pending for longer than fourteen-day period required by  
 10 CDCR policy); Sept. 10, 2008 Shansky 2d Supp. Report ¶¶ 88-94 (discussing specialty care  
 11 problems at four prisons and concluding that “[t]he demand for care, particularly for the high  
 12 priority cases, continues to overwhelm the resources available to the defendants”).

13 Prison staff at Avenal indicated that “they were not confident that the reports [of  
 14 pending specialty care referrals] were entirely accurate,” and that some referrals that  
 15 appeared as pending may have actually taken place but were not yet closed out in the system  
 16 as having been completed. Nov. 9, 2007 Shansky Report ¶ 63. However,

17 to the extent that the aging report data is incorrect, then it reflects  
 18 that the prison has more patient data than it is capable of  
 19 processing, leaving [Avenal State Prison] unable to determine  
 20 who actually needs the services, with the distinct possibility of  
 prisoners being double-scheduled (and thus delaying specialty  
 services for other prisoners still actually in need of an  
 appointment).

21 *Id.* ¶ 64. Put simply, even if the specialty care numbers are not as dire as the reports indicate  
 22 – and it would be difficult to do worse than having only 0.6 percent of pending urgent  
 23 referrals scheduled within the fourteen-day period mandated by CDCR policy – “[Avenal’s]  
 24 population exceeds its capacity for scheduling and tracking.” *Id.*

#### 25 4. Lockdowns

26 Delays in access to care are even more acute during periods when prisons are in  
 27 lockdowns. *See, e.g.,* Sept. 10, 2008 Shansky 2d Supp. Report ¶¶ 108-11 (discussing impact  
 28 of lockdowns at Pleasant Valley State Prison and High Desert State Prison). Because of

1 crowding, the California prison officials who administer the state's thirty-three adult prison  
2 institutions

3           rely largely on lockdowns to control their system. . . . [I]n 2006,  
4 they had 449 lockdowns, which averaged 12 days a lockdown.  
5 And they had 20 or so of those lockdowns that were over 60  
6 days. Those things impact upon your ability to properly deliver  
any service within an institution, including mental health and  
medical services.

7 Rep. Tr. at 218:18-25 (Beard); *see also* Nov. 9, 2007 Scott Report ¶ 63 (“Overcrowding  
8 engenders a state of perpetual crisis that shuts down non-emergency prison functions.”). As  
9 Dr. Haney explained:

10           Lockdowns are used in the California Department of Corrections,  
11 I believe, in large part because of the profound level of  
12 overcrowding at a level that is unheard of in corrections  
departments across the United States with which I’m familiar.

13           Lockdowns mean that prisoners, including EOP prisoners, if they  
14 are in a unit that is locked down, are essentially without programs  
during the periods of time that the lockdown is in place.

15           There are housing units in the California Department of  
16 Corrections that are locked down more often than they are  
unlocked.

17 Rep. Tr. at 316:23-317:9; *see also id.* at 70:4-6 (Stewart) (“The fact that there’s too many  
18 inmates at the Salinas Valley State Prison in the general population yard . . . resulted in an  
19 almost continuous lockdown.”).

20           Lockdowns require a “radically different form of medical delivery than the services  
21 provided under normal general population conditions.” Ex. D1092 at 29 (*Plata* Receiver’s  
22 May 15, 2007 Report Re: Overcrowding). When a prison is in lockdown, inmates housed in  
23 the general population are unable to “leave their housing units to go to yard clinics” to access  
24 medical care; instead, “clinical staff must go from cell to cell to see the prisoner/patient, or  
25 small groups or individual prisoners must be escorted by correctional officers to and from  
26 clinic areas.” *Id.* at 29-30. California prisons “are not staffed” for this type of situation,  
27 where staff “must escort prisoners to every service or bring the service to them.” Nov. 9,  
28 2007 Woodford Report ¶ 25.

1 Likewise, lockdowns affect the delivery of mental health care in several ways.  
 2 Inmates frequently cannot leave their cells to attend necessary treatment programs. Rep. Tr.  
 3 at 881:4-10 (Dezember); Nov. 9, 2007 Stewart Report ¶ 138; Aug. 15, 2008 Stewart Supp.  
 4 Report ¶¶ 34, 38. Additionally, lockdowns prevent staff from supervising the intake of  
 5 psychotropic medications. Aug. 15, 2008 Stewart Supp. Report ¶ 96 (noting that lockdowns  
 6 “result[] in distributions of medications through food ports or otherwise at cell doors, where  
 7 it is difficult to monitor compliance with medication regimens”). Finally, some mentally ill  
 8 prisoners “cannot handle the severe stress of locked-down confinement” and “may  
 9 decompensate or become suicidal as a result.” Aug. 15, 2008 Haney Report ¶ 166.

10 **E. Medical Records**

11 Another deficiency in the delivery of medical and mental health care to California  
 12 inmates concerns medical records. For example, Director Scott testified that the CDCR  
 13 “cannot track and transfer essential health care records, because the record system lacks the  
 14 capacity to deliver records regarding this many prisoners.” Nov. 9, 2007 Scott Report ¶ 78.  
 15 As he explained,

16 given the extraordinary number of prisoners in these facilities, it  
 17 is simply impossible to manually file so many records on a timely  
 18 basis. In my experience, such extraordinary pressure on staff also  
 19 leads to serious filing errors, which means that even records that  
 have been filed might not be available to clinicians, and might be  
 impossible ever to locate.

20 *Id.*

21 Dr. Shansky’s observations similarly revealed medical records that were “dangerously  
 22 incomplete.” Nov. 9, 2007 Shansky Report ¶ 101; *see also id.* ¶ 106 (at Avenal State Prison,  
 23 “the amount of documents generated had simply overwhelmed the staff’s capacity to timely  
 24 and properly place documents in prisoners’ [unit health records]”); *id.* ¶ 107 (at High Desert  
 25 State Prison, 107 inches of loose filing remained, and even those documents that are filed are  
 26 only placed rather than fastened into inmates’ health files, which “greatly increases the  
 27 chance of documents being lost or misplaced”); *cf.* Nov. 9, 2007 Scott Report ¶ 78 (noting  
 28 observation of “four feet of loose filing waiting to be placed in prisoners’ health records” at

1 Avenal, a prison at over 200% of design capacity). Dr. Shansky summarized his  
2 observations as follows:

3           At each of the prisons I inspected, I found that the medical  
4 records were unwieldy, rarely organized chronologically and, in  
5 general, poorly maintained. Retrieving useful information from  
6 the files invariably requires considerable time sifting through  
7 extraneous reports, misfiled documents and outdated materials.  
At the same time, certain documents that would be extremely  
useful, such as an updated “Problem List” for each file, which is  
required by the court-ordered *Plata* Policies and Procedures [to  
which defendants stipulated], are typically missing.

8 Sept. 10, 2008 Shansky 2d Supp. Report ¶ 99. Dr. Shansky further testified that “CDCR’s  
9 tracking and information systems cannot keep up with the overwhelming data requirements  
10 in the system’s overcrowded prisons.” *Id.* ¶ 102; *see also* Nov. 9, 2007 Shansky Report  
11 ¶ 110 (noting that adequate care requires timely appointments, which in turn requires an  
12 effective scheduling and tracking system, something that “CDCR has proven itself incapable  
13 of developing . . . due in large part to the sheer numbers of patients and their vast and  
14 growing need for coordinated appointments”).

15           The deficiencies in the management of medical records extend to mental health care  
16 as well. Defendants’ mental health expert Dr. Packer described several such deficiencies:

17           In several institutions there were difficulties in clinical staff  
18 obtaining charts in a timely manner (that is, the charts were not  
19 available when needed for a clinical assessment) as well as  
difficulties in updating the charts (that is, delays in notes being  
placed in the records). Staff referred to a category of “Flimsy”  
charts, meaning that they sometimes had limited information  
available when doing an assessment. The documentation I  
reviewed also described institutions in which there were  
significant numbers of charts unfiled.

22 Dec. 10, 2007 Packer Report at 19. Dr. Packer opined that the medical records problem “is a  
23 direct effect of overcrowding,” and that “[t]his problem does impact directly on the ability to  
24 provide timely and appropriate care.” *Id.* at 19-20; *see also* Rep. Tr. at 1119:2-5 (expressing  
25 his “opinion that the sheer number of inmates in the system is the most direct cause resulting  
26 in the difficulty of CDCR to manage their medical records appropriately”).

27           Plaintiffs’ expert Dr. Stewart reviewed approximately sixty medical records during his  
28 tours and reported that he “consistently found the records to be unwieldy, disorganized and

1 bulky, with loose papers floating around in the files,” and that “[i]t was exceedingly difficult  
 2 to follow the clinical course of treatment of the patients because of the size and  
 3 disorganization of the files.” Aug. 15, 2008 Stewart Supp. Report ¶ 102. He also reported “a  
 4 few instances where [he] found other patients’ records in the files [he] reviewed.” *Id.* He  
 5 described these problems as “typical in an overwhelmed and overcrowded system.” *Id.*

6 As Dr. Stewart explained,

7 [a]ccurate well organized medical records are a critical element  
 8 of medical and mental health care. They are even more essential  
 9 in a complex and overcrowded system such as the CDCR which  
 10 is characterized by frequent transfers of patients, high turnover of  
 clinical staff and overuse of contract clinicians who lack  
 familiarity with the patients and the system itself.

11 *Id.* According to Dr. Shansky, “[u]nless medical records and scheduling information are  
 12 managed, organized, and maintained effectively, appropriate health care services cannot be  
 13 provided. *Overcrowding makes it impossible* for CDCR to perform these essential  
 14 functions.” Nov. 9, 2007 Shansky Report ¶ 97 (emphasis added).

15 **F. Increasing Acuity of Mental Illness**

16 Finally, and alarmingly, the evidence shows that crowded conditions, and the bed and  
 17 staffing shortages and delays in access to necessary care that result from crowding, intensify  
 18 the acuity of mental illness among inmates throughout the California prison system. As  
 19 Dr. Stewart explained:

20 [I]nsufficient access to higher levels of care has created a system  
 21 which is overwhelmed by the acuity of its patients at every level  
 22 of care. EOP units house many patients in need of inpatient care,  
 23 MHCB’s house patients in need of inpatient hospitalization,  
 24 intermediate care facility units house many patients in need of  
 acute hospital care and so on. When and if these patients finally  
 reach the level of care they require, their mental health conditions  
 may be far more serious, resulting in longer stays and more  
 resources in order to stabilize and get well.

25 Aug. 15, 2008 Stewart Supp. Report ¶ 43 (footnote omitted); *see also id.* ¶ 88 (“It was clear  
 26 that the severe shortage of mental health beds has created a system that houses a significant  
 27 portion of *Coleman* class members at lower levels of care than the patients clinically  
 28 require.”). Dr. Stewart reported that he was “struck by the very high acuity of the patients

1 [he] encountered during [his] tours because they were much sicker, as a whole, than the  
 2 *Coleman* class members [he] encountered between 1990 and 2000,” when he served as a  
 3 court-appointed monitor at CMF. *Id.* ¶ 88. Dr. Stewart attributed this directly to  
 4 overcrowding:

5           The reality of the current MHSDS system, as demonstrated by  
 6 my interviews with these class members and the admitted  
 7 shortage of EOP, MHCB and inpatient beds, is that too many  
 8 people are housed in places that simply cannot provide them with  
 9 the level of mental health care they require. This is a direct result  
 of overcrowding – there are too many people in the system and  
 too few resources to treat them. This in turn means that the  
 acuity level at every level of care is higher than it would be in a  
 system that has sufficient inpatient beds.

10 *Id.* ¶ 91.

11           Dr. Haney similarly reported that “there is evidence that the *worsening* prison  
 12 overcrowding crisis has had a *corresponding* effect on the quality of mental health care.”  
 13 Aug. 15, 2008 Haney Report ¶ 373 (emphasis in original). At trial, he testified that mentally  
 14 ill inmates in need of higher levels of mental health care are “getting sicker as a result of  
 15 their inability to get the appropriate level of care,” Rep. Tr. at 304:16-19, and he agreed that  
 16 overcrowding in California’s prisons is resulting in more significant mental illness than one  
 17 would find at a “properly run prison with proper population” and “an adequately functioning  
 18 mental health care delivery system.” *Id.* at 305:24-306:5.

19           **G. Extreme Departures from the Standard of Care and Preventable or**  
 20           **Possibly Preventable Deaths, Including Suicides**

21           All of the above problems, caused by crowded conditions, ultimately contribute to  
 22 unacceptably high numbers of both preventable or possibly preventable deaths, including  
 23 suicides, and extreme departures from the standard of care.

24           In 2006, California had a prisoner suicide rate of 25.1 suicides per 100,000 inmates,  
 25 compared to the national average of 14 per 100,000. Ex. P58 at 9 (*Coleman* Special Master’s  
 26 Report on Suicides Completed in the CDCR in Calendar Year 2006).<sup>53</sup> In reviewing these

27           <sup>53</sup>Because the record does not contain evidence of the number of suicides in 2007 or  
 28 2008, it is unclear from the record whether California’s inmate suicide rate has risen or  
 declined since 2006. It appears, however, that the suicide rate is not appreciably lower, as

1 suicides, the Special Master found that “72.1 percent of completed suicides in 2006 involved  
2 some measure of inadequate treatment or intervention and were, therefore, most probably  
3 foreseeable and/or preventable.” *Id.* at 8. Since 2003, the percentage of suicides found to be  
4 foreseeable or preventable each year has remained relatively constant at around 75 percent,  
5 representing “marked increases over the 45 percent rate of inadequate treatment that was  
6 found for suicides that occurred in 2002.” *Id.* at 8. While we do not suggest that crowded  
7 conditions are the sole cause of the increase in the suicide rate among California inmates, the  
8 evidence demonstrates that crowding throughout the prison system has a significant effect on  
9 many of the risk factors that contribute to inmate suicides. “Major contributing factors” to  
10 foreseeable and preventable suicides include “inadequate clinical assessments, inappropriate  
11 interventions, incomplete referrals, missed appointments and appointments that were not  
12 rescheduled, unsupported diagnoses, failure to review records, assignments to inappropriate  
13 levels of mental health care, failure to provide protective housing, and the provision of  
14 inadequate or untimely resuscitation efforts.” Ex. D1281 at 680. As our discussion above  
15 makes clear, crowding is a major cause of nearly all of these factors.

16       The *Plata* Receiver also reviews inmate deaths to determine whether any deaths were  
17 preventable or possibly preventable. In 2007, of the 110 deaths considered to be unexpected  
18 and not the result of homicide or self-inflicted injuries, 44 deaths (40 percent) were found to  
19 be preventable or possibly preventable, Ex. D1233 at 8 (*Plata* Receiver’s Nov. 3, 2008  
20 Analysis of Year 2007 Death Reviews), meaning that “better medical management or a better  
21 system of care would likely have” or “may have prevented the patient’s death,” *id.* at 5.  
22 Dr. Shansky testified that this rate was “extremely high.” Rep. Tr. at 428:23-429:7. The  
23 Receiver also examined “extreme departures from the standard of care,” defined as “lapse[s]  
24 in care that a reasonable and competent clinician would not render under the same or similar  
25 circumstances.” Ex. D1233 at 5, 15. He found extreme lapses in nearly 60 percent of the

26 \_\_\_\_\_  
27 the CDCR reported 31 apparent suicides to the *Coleman* Special Master during the first ten  
28 months of 2008. *See* Ex. P171-R; Ex. P506. If annualized, this equates to approximately  
twenty-four suicides per 100,000 inmates for calendar year 2008, based on an in-state inmate  
population of 156,352.

1 inmate deaths he reviewed. *See id.* at 9-13. Dr. Shansky testified that this is an  
 2 extraordinarily high rate, and that in the Illinois prison system he would see extreme  
 3 departures from the standard of care in only five to ten percent of inmate deaths. Rep. Tr. at  
 4 428:9-17. According to Dr. Shansky, there was no question that a number of the lapses were  
 5 “related to crowding.” *Id.* at 427:17-428:4, 430:21-431:3.

6 Defendants presented evidence that California had the fourteenth lowest “average  
 7 annual illness mortality [rate] per 100,000 state prisoners from 2001 to 2004” in the United  
 8 States. Rep. Tr. at 1272:12-21 (Mumola). However, these statistics failed to control for  
 9 demographics of each state’s inmate population; the statistics are therefore of limited value in  
 10 comparing states. Aug. 27, 2008 Reingold Report ¶¶ 10-11, 15, 24. Furthermore, California  
 11 has the fourth lowest death rate among all fifty states, and the fifth lowest after controlling  
 12 for age. *Id.* ¶ 12. “Thus, while California has a very low death rate for its general  
 13 population, its death rate for state prisoners is relatively higher.” *Id.* ¶ 14. In any event,  
 14 serious deficiencies continue to exist in the California prison system such that California  
 15 inmates are not receiving adequate care. This is true regardless of where California might  
 16 rank in a valid comparison of inmate death rates among the states.

#### 17 **H. Expert Opinions Regarding Causation**

18 Based on their observations of crowded conditions in California’s prisons, including  
 19 those discussed above, as well as on their extensive experience in working in or managing  
 20 crowded prisons,<sup>54</sup> seven experts testified that crowding is the primary cause of California’s  
 21 inability to provide constitutionally adequate medical and mental health care to its inmates.<sup>55</sup>  
 22 Four of the experts are current or former state prison system administrators who have led  
 23 correctional agencies in five states, including California. Jeanne Woodford – who worked  
 24 for the CDCR for twenty-seven years in various capacities, including as warden at San

25 <sup>54</sup>*E.g.*, Nov. 9, 2007 Woodford Report ¶ 7; Nov. 9, 2007 Scott Report ¶¶ 4-5; Aug. 15,  
 26 2008 Lehman Report ¶ 7; Rep. Tr. at 263:24-267:12 (Lehman); *id.* at 209:9-14 (Beard).

27 <sup>55</sup>As we have previously explained, while “the primary cause issue is ultimately a  
 28 question of law for the three-judge court to decide, the Federal Rules of Evidence allow  
 experts to express opinions that embrace the ultimate issue in a case,” including the issue of  
 causation. Nov. 3, 2008 Order at 10-11 (citing Fed. R. Evid. 704(a) and other authority).

1 Quentin and as acting Secretary of the CDCR, Nov. 9, 2007 Woodford Report ¶ 1 – testified  
2 that she “absolutely believe[s] the primary cause is overcrowding.” Rep. Tr. at 376:3-9; *see*  
3 *also id.* at 383:4-10; Nov. 9, 2007 Woodford Report ¶ 6. Doyle Wayne Scott – who worked  
4 for thirty years for the Texas Department of Criminal Justice, the second largest prison  
5 system in the United States after California, including five years as its Executive Director,  
6 and has served as an expert consultant to the National Institute of Corrections and seven  
7 prison systems throughout the United States and Puerto Rico, Nov. 9, 2007 Scott Report  
8 ¶¶ 1, 4 – similarly testified that:

9  
10 Everything revolves around overcrowding. The deficiencies in  
11 the classification plan, the deficiencies in the unavailability of  
12 staff because they are doing other tasks associated with  
13 overcrowding problems to do onsite medical appointments or  
14 offsite medical appointments, the wear and tear on the  
infrastructure. I know there have been electrical outages because  
of the overload that the large number of offenders is causing at  
institutions. There’s also been water problems at a number of the  
institutions, and I think the Governor’s proclamation clearly  
described a lot of those issues.

15 Rep. Tr. at 152:6-15. Director Scott therefore opined that “overcrowding is the primary  
16 cause of the medical and mental health care violations in California prisons.” *Id.* at 152:1-6;  
17 *see also* Nov. 9, 2007 Scott Report ¶ 80. Joseph Lehman – who has over thirty-five years of  
18 experience in corrections, including fifteen combined years as head of corrections in  
19 Pennsylvania, Washington, and Maine, Aug. 15, 2008 Lehman Report ¶ 1 – also rendered his  
20 expert opinion that crowding “is the primary cause of the inability to provide [medical and  
21 mental health] services. It’s overwhelming the system both in terms of sheer numbers, in  
22 terms of the space available, in terms of providing healthcare.” Rep. Tr. at 270:25-271:6.  
23 Likewise, Jeffrey Beard – a licensed psychologist who has worked for the Pennsylvania  
24 Department of Corrections for over thirty-six years, including serving as its Secretary since  
25 2001, *id.* at 200:15-201:7 – testified that, in his opinion, “the biggest inhibiting factor right  
26 now in California being able to deliver appropriate mental health and medical care is the  
27 severe overcrowding of [the] system.” *Id.* at 219:7-10.

1 At least three of these four experts who had headed state prison systems had never  
2 before testified on behalf of a prisoner, and at least two of them were not paid for their time  
3 as experts in this case. Rep. Tr. at 153:12-14 (Scott) (never testified on behalf of a prisoner  
4 or class of prisoners); *id.* at 230:2-10 (Beard) (never testified for plaintiffs in thirty-six years  
5 as a corrections professional, and not paid for testimony in this case); *id.* at 273:6-10  
6 (Lehman) (never testified on behalf of prisoners in thirty-five years of experience); *id.* at  
7 385:12-14 (Woodford) (not paid for testimony in this case). They decided to testify on  
8 plaintiffs' behalf in this case because "the situation in California is so egregious," *id.* at  
9 273:11-12 (Lehman); and because "the prisons aren't safe," "nobody seems to be willing to  
10 step up to the plate and fix the problem," and "if there's anything I can do to help see that  
11 California moves in [the right] direction . . . that's why I'm here today," *id.* at 231:13-20  
12 (Beard). Secretary Woodford, the former warden at San Quentin and acting Secretary of the  
13 CDCR, explained that she testified:

14 because I truly believe that we can do better than we are in  
15 California. I think it's unbelievable that in this state that we have  
16 the kind of overcrowded conditions that we have; that we do little  
17 or nothing to prepare people for the return to society in spite of  
18 the fact that we parole 10,000 people a month from our prison  
19 system.

20 And I absolutely believe that we make people worse, and that we  
21 are not meeting public safety by the way we treat people.

22 And that I believe overcrowding is prohibiting us from providing  
23 quality medical care and mental healthcare to inmates in our  
24 system.

25 And for California to be in the shape that it's in is just  
26 unbelievable.

27 *Id.* at 385:17-386:5 (Woodford).

28 In addition to these present or former heads of state prison systems, three other experts  
testified on plaintiffs' behalf that crowding is the primary cause of the constitutional  
violations at issue in *Plata* and *Coleman*. Dr. Ronald Shansky – a physician who has worked  
primarily in correctional health care for over thirty-six years, including twelve years as  
Medical Director of the Illinois Department of Corrections and five years as a medical

1 consultant to the CDCR, and who has been involved “with over two dozen other correctional  
 2 systems as either a court-appointed expert/monitor/special master or as a consultant retained  
 3 by the correctional system,” including five years as a court-appointed receiver of the District  
 4 of Columbia Jail Medical and Mental Health Program, Nov. 9, 2007 Shansky Report ¶¶ 2-3 –  
 5 explained that:

6 the CDCR’s medical care delivery system cannot provide a  
 7 constitutional level of care because the prison system incarcerates  
 8 far more prisoners than can be adequately treated with the  
 9 resources, staffing and facilities available in the CDCR. In short,  
 it is my opinion that overcrowding is the primary cause of the  
 constitutional violations in the CDCR for *Plata* class members.

10 Sept. 10, 2008 Shansky 2d Supp. Report ¶ 7; *see also* Nov. 9, 2007 Shansky Report  
 11 ¶¶ 136-38. Dr. Shansky is “confident” in his conclusion. Rep. Tr. at 423:8-14.

12 Dr. Craig Haney – a professor of psychology at the University of California, Santa  
 13 Cruz, who has studied “the psychological effects of living and working in institutional  
 14 environments” for thirty-five years and has toured, inspected, and analyzed conditions of  
 15 confinement in prisons in twenty states, three maximum security federal prisons, and prisons  
 16 in five other countries, Aug. 15, 2008 Haney Report ¶¶ 1-3 – similarly testified that:

17 Because of the tremendous importance of overcrowding and its  
 18 impact on virtually every aspect of prison life, it is my opinion  
 19 that it is the primary cause of the continuing constitutional  
 20 violations that plague the California prison system, including the  
 CDCR’s inability to provide medical and mental health care for  
 state prisoners that meets the relevant constitutional minimum  
 standards.

21 *Id.* ¶ 17; *see also id.* ¶ 364 (overcrowding is a crisis “that now consumes the CDCR and  
 22 prevents it from discharging its constitutional responsibilities”). Dr. Haney further explained  
 23 that:

24 I don’t believe in a system this overcrowded at this magnitude of  
 25 overcrowding with overcrowding as widespread as it has been in  
 26 California for as long a period that it has been that there’s any  
 other plausible or credible explanation for the failure of the  
 system to provide constitutionally-adequate mental healthcare.

27 The court’s been monitoring this issue for many, many years.  
 28 There have been many, many court orders, and there have been

1 many activities that have been engaged in in trying to bring this  
2 system's mental health care delivery into constitutional  
compliance.

3 In the face of all of those efforts there has been this  
4 overwhelming overcrowding problem of such a degree,  
5 magnitude and duration that it has incapacitated the system's  
ability to deliver constitutionally-adequate care.

6 Rep. Tr. at 317:18-318:7.

7 Dr. Pablo Stewart – a licensed psychiatrist and clinical professor of psychiatry at the  
8 University of California, San Francisco, with over twenty years of experience in correctional  
9 psychiatry, including service as a court-appointed expert in several federal class action  
10 lawsuits concerning the delivery of mental health care in prisons and jails, Nov. 9, 2007  
11 Stewart Report ¶¶ 1-15 – testified that the “conclusion that overcrowding is the primary  
12 cause” of the constitutional violations in *Coleman* is “inescapable.” *See id.* ¶ 196; Aug. 15,  
13 2008 Stewart Supp. Report ¶ 111. Dr. Stewart's opinion is predicated on the persistent  
14 nature of the constitutional violations in *Coleman*:

15 [T]aken together, the range of Constitutional violations . . .  
16 including inadequate suicide monitoring and prevention, inability  
17 to timely access appropriate levels of care, inability to timely  
18 access mental health clinicians due to staffing shortage, and  
19 inadequate medication management practices are unusual in a  
20 system that has been under Court supervision for more than ten  
21 years. These serious, dangerous violations this late in the  
22 remedial process are typical indicators of a system plagued by  
23 severe overcrowding. In a non-crowded system, the  
Constitutional violations are more readily addressed by such  
interventions as increased staff and increased programming.  
However, in a system overwhelmed by crowding, these  
traditional remedies are woefully inadequate. This appears to be  
the case in the CDCR where remedial efforts have resulted in  
significant expansions of staffing and programming activities, yet  
the constitutional violations persist or even worsen.

24 *Id.* ¶ 112. Dr. Stewart's opinion is also based on “the fact that the percentage of persons with  
25 serious mental illness in the CDCR is increasing faster than the overall CDCR population,” a  
26 phenomenon that “is typical of overcrowded systems because . . . overcrowding creates new  
27 mental health needs and exacerbates existing mental health needs.” *Id.* ¶¶ 114, 116. Finally,  
28 Dr. Stewart found that:

1           The causal link between overcrowding and unconstitutional  
2           mental health care is clear and direct in the many CDCR housing  
3           units where space shortages from overcrowding directly result in  
4           long-term living arrangements that are harmful to the mental  
5           health of *Coleman* class members. . . . These same harsh  
6           conditions, as discussed earlier, also increase the demand for  
7           mental health services in the general population who, in a  
8           properly operating, not overcrowded system, would not need  
9           mental health services. Isolation, seclusion, idleness, violence,  
10          fear and stress plague the prisoners in the CDCR as a direct result  
11          of overcrowding. These conditions exacerbate mental illness and  
12          are serious barriers to the provision of minimally adequate mental  
13          health and medical care.

14 *Id.* ¶ 117.

15           Defendants' expert Dr. David Thomas – an ophthalmologist for almost forty years  
16           who served in various capacities at the Florida Department of Corrections for nine years,  
17           most recently as Assistant Secretary for Health Services and Director of Health Services, and  
18           who now serves as a professor of surgery and correctional medicine at Nova Southeastern  
19           University in Fort Lauderdale, Florida, Nov. 9, 2007 Thomas Report ¶¶ 1-2 – was the only  
20           expert who testified that crowding was not the primary cause of constitutional deficiencies in  
21           the delivery of medical care in California's prisons. *See, e.g.*, Rep. Tr. at 1217:11-13.  
22           Instead, Dr. Thomas testified that “the single most important item in achieving a sound  
23           Constitutional level of care is a culture that fosters providing care at that level.” Nov. 9,  
24           2007 Thomas Report ¶ 11 (emphasis omitted). In his opinion, the “empowerment of [health  
25           care] staff” – unlike in the past, when “security services dominated the prison system and  
26           program services existed only at the whim of security services” – is “the crux of having a  
27           constitutional level of health care.” Addendum to Thomas Report ¶ 1. He further explained  
28           that:

          The culture was such prior to appointing of the Receiver that this  
          was a security-driven system without regard for any other  
          programs or any other constitutional requirements. Since the  
          Receiver has been appointed, . . . there is clear indication that the  
          culture is shifting in the department to understand the need for a  
          correctional healthcare system that works on a constitutional  
          level of healthcare.

          Rep. Tr. at 1215:21-1216:3. According to Dr. Thomas, a constitutional system of delivering  
          medical care cannot be developed without the change away from a custody-oriented culture

1 that is now underway, and a reduction in crowding might make it easier to develop such a  
2 system, but it is not necessary and will not, without more, lead to a constitutionally adequate  
3 system of care. *See, e.g.*, Addendum to Thomas Report ¶ 4.

4 We find the testimony of Dr. Thomas to be unpersuasive for several reasons. First,  
5 Dr. Thomas's testimony that reducing crowding will not, without more, remedy the  
6 constitutional violations at issue in *Plata* does not mean that crowding is not the primary  
7 cause of those violations. Indeed, we find that reducing crowding is a necessary but not  
8 sufficient condition for eliminating the constitutional deficiencies in the provision of medical  
9 care to California's inmate population. Other steps will be necessary to fully remedy the  
10 deficiencies in the CDCR's medical and mental health care services. Nonetheless, a problem  
11 that has multiple causes will ordinarily still have a primary cause. As Dr. Shansky explained,  
12 "Reducing overcrowding is not a panacea, but crowding is the primary cause of the ongoing  
13 inadequate medical care in the CDCR system. Overcrowding is the one factor that  
14 negatively impacts almost every other matter that must be addressed to create a minimally  
15 adequate medical care delivery system for California's prisons." Sept. 10, 2008 Shansky 2d  
16 Supp. Report ¶ 9; *see also supra* Section IV.A.

17 Second, as Dr. Beard testified, a culture that allows "custodial interference with the  
18 delivery of care" is problematic, but "you have to realize that the culture grew out of the  
19 overcrowding." Rep. Tr. at 221:17-222:9. Crowded conditions force prison administrators  
20 "to take a strong custodial approach. . . . They have to rely on the lockdowns. They have to  
21 rely on guns, gas, those kinds of things, to control the prisons so they're safe for the staff and  
22 for their inmates." *Id.* at 222:14-21. Thus, although we agree with Dr. Thomas that a  
23 custody-dominated culture is a barrier to delivering constitutionally adequate care, we also  
24 agree with Dr. Beard that "[i]f you try to change the culture, you can't. You can't change the  
25 culture until you reduce the population and can make the institution safe." *Id.* at 222:22-24.  
26 Consequently, it is crowding and not culture that is the primary cause of the unconstitutional  
27 system of health care delivery in California's prisons.  
28

1 Third, we give less weight to the testimony of Dr. Thomas because he formed his  
2 opinions and drafted his initial report before visiting even a single prison in California. *Id.* at  
3 1220:20-22 (Thomas). Although he subsequently visited eight prisons and opined that those  
4 visits supported his initial views, he took no notes during or after those tours; did not make  
5 any audio or video recordings during the tours; reviewed fewer than ten medical records at  
6 each prison and could not recall any details of any of the medical files he reviewed; and did  
7 not recall how many staff members he talked to at each prison or whether he asked the staff  
8 members at each prison any of the same questions. *Id.* at 1228:17-1229:3, 1229:21-1231:9,  
9 1236:1-4, 1240:2-14 (Thomas).

10 Fourth, some of the testimony by Dr. Thomas was both internally inconsistent and  
11 patently incredible. For instance, Dr. Thomas testified that he believed all eight prisons he  
12 visited were “richly staffed,” yet he earlier testified that “outcome measurements of work  
13 study programs” should be used to determine staffing ratios and he had not conducted or seen  
14 any such studies of the California prison system. *Id.* at 1197:18-1198:6, 1251:2-17. He also  
15 suggested that providing treatment in a men’s restroom would be appropriate because “one  
16 has to be creative . . . in corrections,” and that treatment could also be provided in closets, *id.*  
17 at 1223:7-12, 1226:8-15, although he provided other, more plausible suggestions, such as  
18 using space more frequently on weekends or adding modular buildings.

19 Finally, even if we were to credit Dr. Thomas’s opinions in their entirety, we find  
20 such opinions to be overwhelmingly outweighed by the testimony of the numerous other,  
21 more qualified experts cited above. Defendants argue that the opinions of some of plaintiffs’  
22 experts must be discounted because of the role played by plaintiffs’ counsel in drafting the  
23 expert reports. However, upon review of all of the relevant testimony, we are convinced that  
24 the opinions contained in the expert reports are those of the experts themselves, and that  
25 plaintiffs’ counsel did not impermissibly influence any of the experts’ opinions. *See, e.g., id.*  
26 at 181:16-182:5 (Scott) (testifying that the opinions in his expert report were “mine and only  
27 mine” and that, before signing his reports, he reviewed every word, “[a]ll the way down to  
28 the grammatical remarks,” to ensure that they accurately reflected his opinions); Pls.’ Opp’n

1 to Defs.' Mot. in Limine No. 9 to Exclude Expert Reports at 2-5 (citing deposition testimony  
2 by Director Scott, Dr. Shansky, Dr. Stewart, Secretary Lehman, and Secretary Woodford  
3 concerning the preparation of their expert reports, including that counsel never asked the  
4 experts to change any of their opinions); *Marek v. Moore*, 171 F.R.D. 298, 300-302 (D. Kan.  
5 1997) (counsel's assistance in the preparation of expert reports is proper as long as the  
6 reports reflect the testimony of the expert and are signed by the experts).

7 Defendants also suggest that the court should discredit the testimony of experts who  
8 lack medical training and have never practiced correctional medicine. However, a medical  
9 background is not required to opine on the cause of constitutional violations in the delivery  
10 of medical care in a correctional environment, and plaintiffs' experts' wealth of experience in  
11 managing prisons and prison systems, including experience in doing so under crowded  
12 conditions, establishes their ability to form an expert opinion on that subject. In fact, the  
13 CDCR has previously recognized the expertise of several of plaintiffs' experts. In addition to  
14 employing Secretary Woodford for twenty-seven years, culminating in her appointment as  
15 acting Secretary, Nov. 9, 2007 Woodford Report ¶ 1, the CDCR named Dr. Beard and  
16 Secretary Lehman to its Expert Panel on Adult Offender and Recidivism Reduction  
17 Programming and employed Dr. Shansky as a medical consultant for five years. Ex. P2 at ii;  
18 Rep. Tr. at 210:15-25 (Beard); Aug. 15, 2008 Lehman Report ¶ 4; Nov. 9, 2007 Shansky  
19 Report ¶ 2. As noted earlier in this opinion and order, the CDCR employed Dr. Shansky as  
20 its own medical expert during the *Plata* evidentiary hearings regarding whether a  
21 receivership was necessary. Thus, we reject defendants' suggestion that plaintiffs' experts  
22 are not qualified. To the contrary, we find their expertise far outweighs that of Dr. Thomas.

23 Defendants also offered mental health expert Dr. Ira Packer in support of their  
24 position in *Coleman*. Dr. Packer – who is board-certified in forensic psychology and has  
25 worked for over twenty-eight years in correctional and forensic psychology, including as  
26 Deputy Mental Health Program Director for the Massachusetts Department of Corrections  
27 and as Assistant Commissioner for Forensic Mental Health in the Massachusetts Department  
28 of Mental Health, Dec. 10, 2007 Packer Report at 4-6 – testified that, with one exception,

1 crowding was not the primary cause of the constitutional violations with respect to mental  
2 health care. *Id.* at 23-24. The exception was that, like all of plaintiffs’ experts, Dr. Packer  
3 concluded that “crowding is the primary cause of the particular difficulties in providing  
4 services to the *Coleman* class at the reception centers,” *id.* at 20; that issue is therefore  
5 undisputed. As to mental health care delivery in other settings, Dr. Packer opined that  
6 “overcrowding in CDCR significantly contributes to the difficulties in providing adequate  
7 mental health services, but is not the *primary* cause of the deficiencies.” *Id.* at 8 (emphasis in  
8 original). In Dr. Packer’s opinion, the primary cause of the constitutionally inadequate  
9 mental health care in California’s prisons is that California “now has many more acutely  
10 mentally ill individuals and at a level of more severity than had been anticipated when the  
11 prisons were built,” and that the existing prison space was “not designed to meet the needs”  
12 of a mentally ill population. Rep. Tr. at 1079:11-1080:4; *see also* Dec. 10, 2007 Packer  
13 Report at 8-9.<sup>56</sup>

14         What Dr. Packer is actually saying is that lack of planning is the cause of the  
15 overcrowding in California’s prisons – but that is not the question before us. Regardless of  
16 the cause of the overcrowding, that condition is defined in terms of the capacity of the  
17 prisons, and that capacity simply is not there. Dr. Packer’s testimony principally supports  
18 our conclusion that crowding is the primary cause of the constitutional violations in the  
19 delivery of mental health care. For example, Dr. Packer testified that if crowding were  
20 defined as not having enough mental health beds to serve the current population, then  
21 crowding would be the primary cause of the ongoing mental health care violations in  
22 California’s prisons. Rep. Tr. at 1093:25-1094:6. Clear evidence establishes that, due to  
23 crowding, there is insufficient room in California’s prisons for necessary additional mental  
24 health care beds and treatment space. Accordingly, Dr. Packer’s opinion is congruent with

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25         <sup>56</sup>Dr. Packer also opined that difficulties with maintaining adequate medical records  
26 are a “direct effect of overcrowding, as the number of charts in the institutions is proportional  
27 to the population,” Dec. 10, 2007 Packer Report at 19, and he testified that “the medical  
28 record system is a paper system, and the prison is simply not able to keep up with the amount  
of work and volume that’s required in order to maintain an appropriate medical record  
system without going to an electronic process, which is not yet in place,” Rep. Tr. at  
1080:7-11.

1 our finding that crowding is the primary cause of the ongoing constitutional violations in  
2 *Coleman*.

3         Additionally, while Dr. Packer's opinion on the unanticipated nature of the influx of  
4 mentally ill prisoners into the correctional system might have had some merit at the time of  
5 the *Coleman* trial in 1993, or even at the beginning of the *Coleman* remedial phase in 1996, it  
6 is less persuasive at this late stage in the *Coleman* remedial process. The *Coleman* court has,  
7 for almost a decade, directed defendants to make adequate projections of the size of the  
8 mentally ill inmate population so that they can appropriately plan for that population's needs.  
9 The fact that it has taken defendants years to comply with those orders does not render the  
10 increasing size of the *Coleman* class unanticipated. As we explained when we denied  
11 defendants' motion for summary judgment:

12                 Defendants' inability or unwillingness to tackle the problem of  
13 the increasing prison population does not support the contention  
14 that overcrowding is not the primary cause of the unconstitutional  
15 delivery of medical or mental health care. It simply helps explain  
why overcrowding exists and has now become a problem that  
may be the primary cause of the constitutional violation.

16 Nov. 3, 2008 Order at 9-10. In fact, the efforts defendants have made since the *Coleman*  
17 remedial process began, combined with the serious ongoing problems we have discussed in  
18 this opinion, only bolster the inescapable conclusion that crowding is the primary cause of  
19 defendants' failure to deliver constitutionally adequate mental health care in their prison  
20 system.

21         All of the steps defendants have taken under the *Plata* court's supervision, as well as  
22 the steps taken under the *Coleman* court's supervision, have failed to remedy the  
23 constitutional deficiencies. The crushing inmate population has strained already severely  
24 limited space resources to the breaking point, and crowding is causing an increasing demand  
25 for medical and mental health care services, a demand with which defendants are simply  
26 unable to keep pace. It also, as the expert witnesses repeatedly told us, has created numerous  
27 barriers to the delivery of constitutionally adequate medical and mental health care.

28

1           **I. Findings and Conclusions**

2           On the basis of the clear and convincing, indeed overwhelming and overwhelmingly  
3 persuasive, evidence described above, we conclude that crowding is the primary cause of the  
4 state's unconstitutional failure to provide adequate medical and mental health care to  
5 California prisoners. Such is the opinion as well of some of the nation's foremost prison  
6 administrators, who testified that they have never previously witnessed such appalling prison  
7 conditions and that overcrowding is not only the primary cause of the constitutionally  
8 inadequate medical and mental health care in California's prisons, but also that until the  
9 problem of overcrowding is overcome it will be impossible to provide constitutionally  
10 compliant care to California's prison population. No credible evidence to the contrary was  
11 presented by defendants.

12           The evidence conclusively demonstrates the many ways in which crowding prevents  
13 the state from providing constitutionally adequate medical and mental health care in its  
14 prison system. Prison overcrowding has created a state of emergency in California's prisons,  
15 as the Governor has proclaimed. It forces prison administrators to devote most of their  
16 energy to addressing crises and has overwhelmed the prison system's management  
17 infrastructure. Crowding of reception centers at levels approaching 300% design capacity  
18 prevents the state from identifying the medical problems of entering inmates, and makes it  
19 impossible to provide necessary medical and mental health care to incoming inmates, who  
20 routinely remain in reception centers for more than sixty days and may serve their entire  
21 sentence there. Crowding has also left the California prison system without the space, beds,  
22 and medical, mental health, and custodial staff required to provide constitutionally adequate  
23 medical and mental health care in all parts of the prison system, and has prevented proper  
24 classification of inmates and appropriate housing according to their needs. Furthermore,  
25 crowding has created conditions of confinement that contribute to the spread of disease, and  
26 it requires the increased use of lockdowns as a method of prison control, further impeding the  
27 prison authorities' ability to provide needed medical and mental health care. In addition,  
28 crowding has prevented the development of an adequate medical records system. The

1 consequences of crowding are often dangerous, and on many occasions fatal. Crowding  
2 contributes to an alarming number of extreme departures from the standard of care and an  
3 unacceptably high number of inmate deaths that are preventable or possibly preventable.  
4 Likewise, crowding worsens many of the risk factors for suicide among California inmates  
5 and increases the prevalence and acuity of mental illness throughout the prison system.

6       The history of the individual *Plata* and *Coleman* cases further demonstrates the role of  
7 crowding in causing the constitutional violations at issue here. The extensive remedial  
8 efforts in *Plata* over the last seven years, beginning with the stipulated relief and culminating  
9 in the Receivership, have failed to bring the California prison system's medical care into  
10 constitutional compliance. Likewise, fourteen years of remedial efforts in *Coleman*, directed  
11 at every aspect of the mental health care problem, except crowding, have failed to ensure that  
12 California prisoners have access to constitutionally adequate mental health care. In fact, by  
13 2006, the progress that had been achieved during more than a decade of remedial work in  
14 *Coleman* was being lost because of "the inexorably expanding demand for services resulting  
15 from the bulging population." Ex. D1108 at DEFS060303.

16       The only conclusion that can be drawn from the wealth of clear and convincing  
17 evidence before this court is that the unconstitutional denial of adequate medical and mental  
18 health care to California's inmates is caused, first and foremost, by the unprecedented  
19 crowding in California's prisons. In reaching this conclusion, we need not, and do not,  
20 conclude that crowding is the exclusive cause of those violations. We recognize that other  
21 factors contribute to California's failure to provide its inmates with constitutionally adequate  
22 medical and mental health care, and that reducing crowding in the prisons will not, without  
23 more, completely cure the constitutional violations the *Plata* and *Coleman* courts have  
24 sought to remedy. We need not find that crowding is the *only* cause, but simply that it is the  
25 *primary* one. *See supra* Sections IV, IV.H. In the end, we agree with the former Executive  
26 Director of the Texas Department of Corrections Doyle Wayne Scott, who testified that  
27 "[e]verything revolves around overcrowding," Rep. Tr. at 152:6.

28

1 In short, while other factors contribute to the unconstitutional state of the California  
2 prisons' medical and mental health care system, and while there are other steps the state must  
3 take to meet its constitutional obligations, clear and convincing evidence establishes that  
4 crowding is the primary cause of the constitutional violations, and that, therefore, this court  
5 must consider, as we do below, what actions we may order be taken to remedy that condition.

6  
7 **V. NO OTHER RELIEF**

8 The Governor has proclaimed that crowding in prisons constitutes an emergency that  
9 poses a substantial risk to CDCR staff, inmates, and the general public, and that "immediate  
10 action is necessary to prevent death and harm caused by California's severe prison  
11 overcrowding." Ex. P1 at 1-2, 6. Because crowding is the primary cause of the state's  
12 inability to provide its inmates with constitutionally adequate medical and mental health care,  
13 an order requiring a reduction in prison population is the most obvious and direct method by  
14 which to bring the California prison system into constitutional compliance.

15 However, the PLRA makes such an order "the remedy of last resort." H.R. Rep. No.  
16 104-21, at 25 (1995). Before entering any prisoner release order, we must find that no other  
17 relief could remedy the constitutional violations at issue here. 18 U.S.C. § 3626(a)(3)(E)(ii).  
18 In context, it is clear that "other relief" refers to any form of relief other than a prisoner  
19 release order. *See id.* § 3626(a)(3)(E) ("The three-judge court shall enter a prisoner release  
20 order only if . . . no other relief will remedy the violation of the Federal right."). In other  
21 words, we must first determine whether the unconstitutional denial of adequate medical and  
22 mental health care to California's prisoners can be remedied through an order that does not  
23 have "the purpose or effect of reducing or limiting the prison population" and that does not  
24 "direct[] the release from or nonadmission of prisoners to a prison." *Id.* § 3626(g)(4). The  
25 PLRA does not require that a prisoner release order, on its own, will necessarily resolve the  
26 constitutional deficiencies found to exist in *Plata* and *Coleman*. All that the PLRA requires  
27 is that a prisoner release order be a necessary part of any successful remedy. If all other  
28

1 potential remedies will be futile in the absence of a prisoner release order, “no other relief  
2 will remedy the violation.” *Id.* § 3626(a)(3)(E)(ii).

3 We conclude that the constitutional deficiencies in the California prison system’s  
4 medical and mental health system cannot be resolved in the absence of a prisoner release  
5 order. Clear and convincing evidence establishes that none of the available alternatives to  
6 such an order, including the continued efforts of the *Plata* Receiver and the *Coleman* Special  
7 Master, can bring the California prison system into constitutional compliance within a  
8 reasonable period of time. We agree with the numerous experts who testified that a prisoner  
9 release order is a prerequisite to providing constitutionally adequate medical and mental  
10 health care to California prisoners. Although the CDCR and the Receiver have implemented  
11 a number of remedial programs as a result of the *Plata* and *Coleman* litigation, and  
12 defendants have sought in various ways to improve the medical and mental health care  
13 provided in California’s prisons, these efforts cannot succeed in the absence of a prisoner  
14 release order.

15 **A. Alternatives to a Prisoner Release Order**

16 1. Inadequacy of Construction as a Remedy

17 a. *Prison Construction*

18 In considering other alternatives to a prisoner release order, we first look to whether  
19 the state has a feasible prison construction plan that would render a prisoner release order  
20 unnecessary; if so, equity, if not law, would require that we refrain from entering that order.  
21 In a case involving overcrowding, the construction of additional prisons always provides a  
22 theoretical remedy because more prisons would necessarily reduce or eliminate  
23 overcrowding. To construe the PLRA to preclude the entry of a prisoner release order based  
24 on no more than such a theoretical remedy, however, would transform the conditions under  
25 which the PLRA permits prisoner release orders into an absolute bar on such orders. In  
26 short, it would eliminate overcrowding as a basis for a prisoner release order, and thus  
27 prisoner release orders themselves, because the state could, in theory, always build more  
28 prisons. Thus, what we must determine is not whether building prisons *could* solve the

1 problem, but whether prison construction offers an actual, feasible, sufficiently timely  
2 remedy for the unconstitutional state of medical and mental health care in California's  
3 prisons. Here, California has no plans to construct additional prisons in the near future and  
4 has not suggested that it does. As a result, we need not consider further the construction of  
5 additional prisons as an alternative remedy.

6 *b. Construction of Re-entry Facilities*

7 The next question is whether building re-entry facilities could serve to reduce prison  
8 overcrowding. The answer is that it could, if enough were constructed and if enough  
9 prisoners were transferred to them. Thus, whether the state determined to build such  
10 facilities voluntarily, or whether a court ordered or approved such construction, we would not  
11 issue the type of order plaintiffs seek if the planned construction, like any prison-related  
12 construction, offered an actual, feasible, and timely remedy that would render the relief  
13 sought here unnecessary. Defendants point to only one existing proposal that might offer  
14 such a partial remedy: construction of the additional re-entry facilities authorized by  
15 Assembly Bill 900 ("AB 900"). However, as we explain below, this construction plan does  
16 not provide a feasible alternative to the order sought here. More than two years after AB 900  
17 was signed into law, any reduction in the crowding of California's prisons resulting from the  
18 construction of the AB 900 re-entry facilities remains years away and would in any event  
19 likely not provide adequate relief.

20 In the first place, AB 900 construction has already been delayed for more than two  
21 years due to the absence of funding. At the start of trial not a single facility had been  
22 constructed under AB 900. *E.g.*, Rep. Tr. at 1679:18-23 (Cate); *id.* at 2460:25-2465:7  
23 (Spitzer); Ex. P750 (Sept. 17, 2008 CDCR press release following legislature's failure to  
24 pass clean-up language to AB 900); Sept. 3, 2008 Hysen Dep. at 31:15-20 (state has not even  
25 reached the "preliminary-plan" stage for any in-fill or re-entry construction under AB 900).  
26 As far as we are aware, it remains the case today, eight months later, that there is no funding  
27 for AB 900 and no ground has been broken on the AB 900-authorized re-entry facilities.  
28

1 Second, even if funding were secured in the near future, other practical concerns  
2 would lead to significant additional delays. Deborah Hysen, the CDCR's chief deputy  
3 secretary for facility planning and construction management, Sept. 3, 2008 Hysen Dep. at  
4 14:11-14, explained that environmental impact reviews, which have not yet been completed  
5 for any of the proposed building sites, "could potentially hang up projects for years," *id.* at  
6 38:8-16, 56:1-2. Delays would also result from the need to obtain necessary construction  
7 materials, *id.* at 38:17-25; permit public comment at each phase of construction, *id.* at  
8 111:9-15; and provide for seismic retrofitting, *id.* at 112:16-21. Challenges in locating space  
9 for re-entry facilities are also likely to significantly delay or prevent full implementation of  
10 AB 900. Only one location, for 500 re-entering prisoners, has been secured, *id.* at 118:19-21,  
11 but many obstacles to construction remain, and securing sites for other re-entry facilities is  
12 likely to prove more difficult because of community opposition. *E.g.*, Rep. Tr. at 221:11-16  
13 (Beard); *id.* at 2750:16-2751:10 (Runner); *id.* at 2793:8-2794:3 (Meyer); Nov. 9, 2007  
14 Woodford Report ¶ 36. Moreover, although some sites may "offer up a renovation  
15 alternative," most of the sites under consideration by the CDCR are "raw land." Sept. 3,  
16 2008 Hysen Dep. at 120:13-15. As to the latter sites, the CDCR itself estimates that "we  
17 could be looking at several years between the time that we make this recommendation to  
18 acquire the land, and occupancy." *Id.* at 120:15-18.

19 Accordingly, it will be years before any re-entry facility construction pursuant to  
20 AB 900 will be completed. It is thus clear that the proposed construction of re-entry facilities  
21 cannot bring the sort of "immediate action" that the Governor has conceded is necessary to  
22 resolve the present crisis caused by prison crowding. Ex. P1 at 6. As Dr. Haney explained,  
23 prisoners in California's prisons with medical and mental health needs face "emergency-like  
24 conditions." Rep. Tr. at 945:25.

25 There are people, prisoners, suffering throughout the entire  
26 prison system, mentally ill and medically ill prisoners who are  
27 not able to get the level of care they need. . . . Those things are  
28 urgent problems, and only a solution which can be brought to  
fruition quickly can address the kind of immediate suffering  
which is taking place throughout the system which I saw and  
other experts saw as well.

1 *Id.* at 946:1-9. Any beneficial effects of defendants' planned re-entry facility construction  
2 are simply too distant to make such construction a meaningful remedy for the emergency-like  
3 conditions in California's prisons. Moreover, it is unlikely that the number of re-entry  
4 facilities that would be constructed would be sufficient to remedy the overcrowding  
5 problems in any event. A prisoner release order would thus be necessary as well.

6 Given the serious inadequacy of the state's only existing facilities construction plan, it  
7 is also clear that no other, yet-to-be-developed plan could remedy the constitutional  
8 violations here within a reasonable period of time. The evidence before the court is thus  
9 clear and convincing that the state has no feasible plan to remedy the constitutional violations  
10 at issue in *Plata* and *Coleman* through either prison construction or re-entry facility  
11 construction, and that such construction does not provide a meaningful alternative to the type  
12 of order sought by plaintiffs in this case.

13 *c. Medical Facilities and Prison Expansion*

14 Besides re-entry facility construction, defendants identify two additional proposals to  
15 increase the capacity of the prison system: the *Plata* Receiver's medical facility construction  
16 plan and prison expansion through the construction of space for in-fill beds, as authorized by  
17 AB 900. Rep. Tr. at 1689:10-18 (Cate). For reasons similar to those discussed above, we  
18 conclude that neither the Receiver's medical facility construction plans nor the proposed  
19 AB 900 in-fill beds – prison expansion – can remedy the constitutional violations at issue in  
20 *Plata* and *Coleman*. Like the AB 900 re-entry facilities, these proposed facilities will not be  
21 realized at any point in the near future. Furthermore, their funding is threatened by the  
22 present fiscal crisis, and the proposed construction would in any event likely fall far short of  
23 remedying the problems created by the crowding of California's prisons.

24 As with the proposed re-entry facilities, any overcrowding relief resulting from the  
25 construction of medical facilities or the addition of in-fill bed space as a result of prison  
26 expansion is years away, at best. The *Plata* Receiver initially planned to start construction of  
27 the first site in February 2009 and to complete construction of necessary additional facilities  
28 by July 2013. Ex. D1100 at 64-65 (*Plata* Receiver's Sept. 15, 2008 Ninth Quarterly Report).

1 To date, however, no construction has started and no funding has been secured. Likewise, as  
2 noted already, there is no available funding for AB 900, no ground has been broken on  
3 AB 900 construction, and no new beds – in-fill *or* re-entry – have been made available.

4 The delays are compounded by the fiscal crisis now facing the state, which makes the  
5 completion of any new construction even more distant and unlikely. The Receiver and the  
6 CDCR were until a month or so ago “negotiating a potential agreement concerning the  
7 construction of health-care-focused prison facilities” that would have provided funding for  
8 necessary healthcare construction through the California Infrastructure and Economic  
9 Development Bank (I-Bank). However, the state ultimately declined to sign the agreement.  
10 Ex. 1 to Defs.’ July 1, 2009 Response to Court’s June 18, 2009 Order, filed in *Coleman*, at 1.  
11 Because the fiscal crisis has required “severe and significant cuts to vital State programs,”  
12 the state refused to enter into any agreement that would “require[] the State to seek I-Bank  
13 funding, or any other additional funding not previously appropriated by the California  
14 Legislature.” *Id.* Although defendants did state that they would use a “significant” but  
15 unspecified portion of the funds allocated by the legislature in AB 900 “to build appropriate  
16 beds for inmates with disabilities and/or other health needs,” *id.* at 2, there is no indication as  
17 to when such funds will be made available; when construction might begin; or what part, if  
18 any, of the constitutional inadequacies in delivering medical and mental health care to  
19 California inmates might be remedied by such construction. Because we have received no  
20 evidence on any of these questions, we cannot conclude that the state has any actual, feasible,  
21 timely plans for such construction, which in any event would be unlikely to render a prisoner  
22 release order unnecessary.

23 As the state’s failure to sign the agreement demonstrates, the present fiscal crisis  
24 makes any remedy that requires significant additional spending by the state chimerical – the  
25 state has said that it will not procure *any* new funds for prison hospital construction. Even if  
26 AB 900 funding were secured in the near future, however, the practical concerns described  
27 above in relation to re-entry facilities – environmental impact reviews, materials  
28 procurement, public comment, and seismic retrofitting – would lead to delays in the

1 construction of medical facilities and prison expansion. Accordingly, like the proposed re-  
2 entry facilities, neither the Receiver's constructions plan nor AB 900 prison expansion will  
3 provide inmates with relief from the emergency conditions in California's prisons in a timely  
4 fashion.

5 Beyond any funding and timeliness issues, we have no reason to believe that  
6 defendants' proposed expansion of prison facilities would reduce crowding significantly or  
7 lead to any improvements in the delivery of medical and mental health care to California  
8 inmates. The *Plata* Receiver has found that the in-fill bed plan proposed by the CDCR  
9 includes allocations of clinical space that "are wildly disparate and, in many cases obviously  
10 inadequate," and that the CDCR's plan "ignor[es] the real life differences in clinical  
11 requirement[s] based on the characteristics of the patient population, security level and escort  
12 officers requirements, the need for clinical privacy, equipment requirements, and other  
13 critical factors." Ex. D1092 at 37 (*Plata* Receiver's May 15, 2007 Report Re:  
14 Overcrowding). On a more fundamental level, the AB 900 in-fill construction plan  
15 "essentially is a prison expansion measure which increases the number of prison cells  
16 without addressing the fundamental structural issues that have caused the crisis and that have  
17 created unconstitutional conditions within the prisons." Nov. 9, 2007 Woodford Report ¶ 31.  
18 According to Secretary Woodford:

19 [t]he so-called "in-fill" beds will cause more problems than they  
20 will solve. Many of California's prisons are so big that they are  
21 effectively unmanageable. Wardens and other administrators  
22 spend much of their time responding to crises, rather than  
23 fulfilling their responsibilities to provide adequate medical and  
24 mental health care. Unless these in-fill beds stand alone with  
their own administrative and support facilities, adding thousands  
of additional prisoners to already overburdened facilities will  
only compound the burdens imposed on prison administrators  
and line staff.

25 *Id.* ¶ 39. Similarly, Director Scott explained that, because the in-fill bed numbers in  
26 defendants' construction plan are based on "housing overcrowding capacity" rather than  
27 "design build capacity,"  
28

1 [p]risoners in the new facilities . . . might not initially be living in  
2 gymnasiums or hallways, as they are now, but they will still be  
3 overcrowded. California will be in the same position with the  
4 new beds as with the old, replicating the same conditions that led  
to inadequate staffing and treatment space, inadequate out-of-cell  
time, and overworked and overstressed staff and violent,  
frustrated prisoners.

5 Aug. 13, 2008 Scott Supp. Report ¶ 17. Thus, while the construction of in-fill beds would  
6 reduce the use of “bad beds,” the principal effects of the overcrowding in California’s prisons  
7 would remain unaddressed.

8 *d. Construction as a Means of Compliance*

9 Given all of the above problems, we are convinced that neither prison expansion, nor  
10 re-entry or medical facilities construction, nor any other construction effort offers a  
11 meaningful and timely remedy for the constitutional deficiencies in the delivery of prison  
12 medical and mental health care caused by crowding. Although it might be theoretically  
13 possible for California to build its way out of its prison overcrowding problem, it is not  
14 practical to anticipate that the state will do so in a timely manner, if ever, given “the time that  
15 it takes and . . . the huge costs that it takes to do things like this.” Rep. Tr. at 254:25-255:12  
16 (Beard). Dr. Beard concluded that although construction “should be part of a plan, if you try  
17 to rely on that alone, you are probably never going to get there, because they haven’t been  
18 able to get there over the last 20 years.” *Id.* at 256:4-8; *see also, e.g., id.* at 219:11-25  
19 (Beard).

20 Nonetheless, because our order requires defendants to reduce the prison population to  
21 a specified percentage of the prison system’s design capacity, any additional capacity  
22 provided by completed construction could help the state meet its obligations and might  
23 allow it to increase the number of prisoners who could constitutionally be housed in the  
24 prison system. In such case an adjustment as to the specific terms of the population  
25 reduction order, although not to the percentage cap itself, might conceivably be appropriate.<sup>57</sup>  
26 We see little prospect for such an occurrence, however, in the reasonably near future, and

27 <sup>57</sup>Likewise, should for some reason the design capacity of California’s adult prison  
28 institutions *decrease*, the CDCR would be required to reduce the absolute population of its  
adult prison institutions by a greater number.

1 thus no prospect of remedying the constitutional violations in a timely manner, other than in  
2 accordance with the order we issue below.

3 2. Inadequacy of Additional Hiring

4 Defendants do not suggest that the constitutional deficiencies in the CDCR's system  
5 of medical and mental health care could be remedied by hiring additional medical, mental  
6 health, and custodial staff. This is not surprising, given the serious and ongoing difficulty in  
7 filling vacant positions encountered in both the *Plata* and *Coleman* remedial proceedings.  
8 *See supra* Sections II.A.5, II.B.2.c. Furthermore, as noted already, crowding itself seriously  
9 impedes the recruitment and retention of medical and mental health care staff. The working  
10 conditions for such personnel in California's overcrowded prisons are uninviting, and many  
11 potential staff members are unwilling to work under them. *See, e.g.*, Nov. 9, 2007 Stewart  
12 Report ¶ 41; Nov. 9, 2007 Shansky Report ¶ 23. Even if staff could be hired, they would  
13 have almost nowhere to work because CDCR's facilities lack the physical space required to  
14 provide medical and mental health care. *See, e.g.*, Rep. Tr. at 272:1-13 (Lehman); *id.* at  
15 501:3-7 (Shansky). Thus, the evidence is clear and convincing that hiring additional staff  
16 could not bring the CDCR's medical and mental health care into constitutional compliance in  
17 the absence of a reduction in prison crowding.

18 3. Insufficiency of the *Plata* Receivership and *Coleman* Special  
19 Mastership

20 We next consider whether the existing remedial efforts of the *Plata* and *Coleman*  
21 courts provide an alternative form of relief that could remedy the constitutional violations at  
22 issue in *Plata* and *Coleman*. Defendants argue that the delivery of medical and mental health  
23 care has improved and continues to improve under the direction of the *Plata* Receiver and the  
24 oversight of the *Coleman* Special Master. However, the *Plata* and *Coleman* courts are barred  
25 by the PLRA from ordering any remedy that involves a reduction in the prison population,  
26 18 U.S.C. § 3626(a)(3)(B), and the *Plata* Receiver and *Coleman* Special Master therefore  
27 lack the most direct and effective means of eliminating the fundamental problems that result  
28 from overcrowding, *see supra* Section IV. While improvements have been and continue to

1 be made, and the *Plata* and *Coleman* courts have continued their efforts during this three-  
2 judge court proceeding, it is clear that the Receiver and the Special Master cannot remedy the  
3 constitutional violations in the absence of a prisoner release order.

4         The *Plata* Receiver has determined that adequate care cannot be provided for the  
5 current number of inmates at existing prisons and that additional capacity is required to  
6 remedy the medical care deficiencies that exist in California's prison system. *See, e.g.,*  
7 Ex. D1133 at 27-28 (*Plata* Receiver's June 6, 2008 Turnaround Plan of Action). Defendants  
8 correctly note that the *Plata* Receiver has stated that "[f]ailure is not an option" and that  
9 "[o]ver time the CDCR's medical delivery system will be raised to constitutional levels."  
10 Ex. D1092 at 41 (*Plata* Receiver's May 15, 2007 Report Re: Overcrowding). However, the  
11 Receiver also noted that "the time this process will take, and the cost and the scope of  
12 intrusion by the Federal Court cannot help but increase, and increase in a very significant  
13 manner, if the scope and characteristics of CDCR overcrowding continue." *Id.* According to  
14 the Receiver, the creation of a system that could adequately deliver medical care to all of the  
15 inmates moving through the reception center at the California Institution for Men under the  
16 present level of overcrowding could "all but bankrupt the State of California and create a  
17 medical delivery problem in [surrounding] counties because there may not be enough  
18 competent clinicians to provide medical care for an unlimited number of State prisoners and  
19 for the public also." *Id.* Even assuming that the Receiver's comments are somewhat  
20 overstated, relying on the authority that he possesses to resolve the medical care crisis in the  
21 absence of a population reduction order does not offer a feasible alternative. There is no  
22 question that in the absence of a population reduction order a fair number of new prisons and  
23 medical facilities would be required. We have already explained that such construction  
24 could not be completed in a timely manner, even if the legislature were willing to fund it.

25         The history of the *Coleman* case demonstrates even more starkly the impossibility of  
26 establishing a constitutionally adequate mental health care delivery system at current levels  
27 of crowding. For almost a decade the *Coleman* court has issued specific orders directing  
28 defendants to develop sufficient beds for the delivery of mental health care at each level of

1 the mental health care delivery system. Despite all of those orders, defendants have far too  
2 few mental health care beds to meet present demand. The CDCR's recent refusal to sign the  
3 agreement it negotiated with the Receiver makes compliance even more unlikely, as the state  
4 had previously offered the agreement as its primary method of developing the needed mental  
5 health beds. Likewise, the *Coleman* court has issued numerous orders directing defendants  
6 to decrease the time required to transfer seriously mentally ill inmates, including those who  
7 are suicidal or otherwise in crisis, to appropriate levels of supervised care, but wait lists  
8 remain at every level. These are but two examples of the *Coleman* court's ongoing inability,  
9 despite tremendous effort, to bring the prison mental health care system into constitutional  
10 compliance. In light of this history, the evidence is clear and convincing that defendants are  
11 simply unable to meet the escalating demand for resources caused by the overcrowding in  
12 California's prisons.

13 Defendants argue that a prisoner release order will not fix the constitutional violations  
14 in the delivery of mental health care because they will need to develop appropriate treatment  
15 space and hire sufficient staff even if the total inmate population is reduced. Defendants  
16 point to the *Coleman* Special Master's findings that "[e]ven the release of 100,000 inmates  
17 would likely leave the defendants with a largely unmitigated need to provide intensive  
18 mental health services to program populations that would remain undiminished by a  
19 reduction of some 19,000 [CCCMS] inmates," and that the release of 50,000 inmates "would  
20 probably not raise staffing resources into equilibrium with the mental health caseload."  
21 Ex. D1292 at 15.

22 We agree with the Special Master that the population reduction order sought by  
23 plaintiffs is not by itself a panacea, and that defendants' efforts to provide constitutionally  
24 adequate mental health care must go beyond reducing prison overcrowding. Obviously,  
25 simply creating additional space would not solve the problem; prison authorities would be  
26 required to ensure that the space is used to provide prisoners with professionally sound  
27 medical and mental health treatment, to administer necessary medications to prisoners, and to  
28 remove the other barriers to constitutionally adequate medical and mental health care created

1 by overcrowding. However, the defendants cannot remedy the ongoing constitutional  
2 violations without significant relief from the overcrowded conditions. We find the Special  
3 Master's statement about 100,000 inmates somewhat hyperbolic. The comment about 50,000  
4 inmates more nearly approximates the remedy we deem appropriate given our obligation to  
5 adopt the least intrusive remedy. Nevertheless, as he and we have both noted, additional  
6 steps will be required after the prison population is reduced. We believe that the Special  
7 Master will be able to provide significant assistance to the state in that respect.

8       It is apparent from the extraordinary efforts undertaken by the Special Master and the  
9 Receiver, as well as the fundamental constitutional inadequacies in medical and mental  
10 health care, that a reduction in the present crowding of the California prisons is necessary if  
11 the efforts of the *Plata* Receiver and the *Coleman* Special Master to bring the medical and  
12 mental health care in California's prisons into constitutional compliance are ever to succeed.  
13 In the absence of a prisoner release order, all other remedial efforts will inevitably fail.

#### 14                   4.       Other Proposals

15       As noted in our discussion of prison construction, equitable concerns would prevent  
16 us from entering a prisoner release order if the state had plans in place that would reduce the  
17 crowding of California's prisons sufficiently to allow the remedying of the constitutional  
18 violations in the near future. However, the evidence at trial was clear and convincing that  
19 none of the state's existing plans can reduce the prisoner population to the extent necessary  
20 to permit the CDCR to bring its prison medical and mental health systems into constitutional  
21 compliance.

22       The state and one of the defendant-intervenors have suggested two different means of  
23 reducing the prison population. The first is already being implemented by the state through  
24 its program to transfer California inmates to facilities in other states. *E.g.*, Kernan Trial Aff.  
25 ¶¶ 16-17.<sup>58</sup> We do not comment on the merits of this program, although we have doubts

26                   <sup>58</sup>Defendants' out-of-state transfer program, if ordered by the court, would fall within  
27 the PLRA's definition of a prisoner release order, because it "directs the release [of inmates]  
28 of prisoners from California's adult prison institutions to out-of-state prisons would be  
functionally identical to an order requiring the transfer of prisoners from a single prison or

1 about its efficacy as applied to the mentally ill and question its possible adverse effect on  
2 prisoners moved to a location far removed from their families and friends. Still, as of  
3 August 29, 2008, approximately 4852 California inmates had been housed in out-of-state  
4 institutions, and the CDCR had plans to transfer up to a total of 3000 additional inmates to  
5 such sites. Cate Trial Aff. ¶ 47.

6 Given the severely overcrowded conditions we have already described, this planned  
7 additional reduction of 3,000 prisoners in the in-state inmate population is too small to  
8 significantly affect the provision of medical and mental health care to California's inmates.<sup>59</sup>  
9 Not surprisingly, defendants do not suggest that the transfer of even more additional inmates  
10 to out-of-state facilities would provide a meaningful alternative to the population reduction  
11 order proposed by plaintiffs. Furthermore, despite the small size of the existing transfer  
12 program, the need to monitor out-of-state facilities to ensure that all California inmates are  
13 receiving constitutionally adequate medical care has already hampered the in-state remedial  
14 process. Ex. D1100 at 48-49 (*Plata Receiver's* Sept. 15, 2008 Ninth Quarterly Report)  
15 (discussing on-site investigation and corresponding corrective action plan following the  
16 death of a California inmate being housed at a private prison in Mississippi). As the  
17 Receiver noted, out-of-state monitoring

18 has had a serious negative impact on the Office of the Receiver,  
19 drawing critical clinical personnel away from other important  
20 projects and delaying "in-state" remedial efforts. In essence,  
21 thousands of dollars of valuable clinical hours have been devoted  
22 to helping a private prison organization rework its medical  
23 delivery system (at the request of CDCR and State officials) in  
24 order to keep the out of state transfer process from collapsing.

23 jail to other institutions, and an order of that type has been held to be a prisoner release order,  
24 notwithstanding that the state, county, or city could move the affected prisoners into other  
25 institutions rather than releasing them from incarceration. *See Tyler*, 135 F.3d at 595-98  
(finding that injunction limiting the number of technical probation violators that could be  
26 housed in the city jail, thereby forcing the city to pay for their confinement elsewhere, was a  
27 prisoner release order under the PLRA).

28 <sup>59</sup>Defendants stated that "CDCR will also seek authorization to transfer [additional]  
inmates out-of-state, if necessary," Cate Trial Aff. ¶ 47, but there is no evidence regarding  
how difficult this authorization is to obtain; how long the authorization process or transfer  
process takes; what the cost of such a transfer would be; or how many additional inmates  
could realistically be dispatched to out-of-state facilities.

1 *Id.* at 49.

2       Based on this clear and convincing evidence regarding the operation of the existing  
3 out-of-state transfer program, we conclude that the transfer of inmates to out-of-state  
4 facilities would not on its own begin to provide an adequate remedy for the constitutional  
5 deficiencies in the medical and mental health care provided to California’s inmates.  
6 Moreover, given the need to ensure constitutionally adequate medical and mental health care  
7 in states as distant as Mississippi, the program may be of questionable efficacy, given the  
8 comparatively small number of prisoners who might be included.

9       A defendant-intervenor has suggested that the prison population might be reduced by  
10 transferring inmates who do not have legal status in the United States to federal custody.  
11 Runner Trial Decl. ¶ 19. However, the intervenor introduced no evidence suggesting that  
12 this transfer program could soon be implemented, that the federal government would agree to  
13 such an arrangement, or that any implementation of this program would result in a population  
14 reduction sizable enough to allow the CDCR to remedy the constitutional violations in *Plata*  
15 and *Coleman*.<sup>60</sup> The program is thus too speculative to suggest that we should abstain from  
16 entering the type of prisoner release order set forth below.

17       **B. Expert Testimony**

18       The testimony we received from the experts overwhelmingly rejected the claim that  
19 alternatives such as construction of prisons or other facilities or the transfer of small numbers  
20 of prisoners could render a prisoner release order unnecessary. Director Scott succinctly and  
21 persuasively summarized the testimony of the experts in stating that “unless the population is  
22 [substantially] reduced, the state will remain in crisis verging on catastrophe and will remain  
23 utterly unable to provide adequate medical and mental health care to the prisoners in its  
24 custody.” Nov. 9, 2007 Scott Report ¶ 6; *see also id.* ¶ 3 (“[W]ithout substantially reducing  
25 its prisoner population, California will never be able to generate the custodial support  
26 services necessary to provide prisoners with basic medical and mental health care.”).  
27 Secretary Woodford, the former head of the CDCR who also served as warden at San

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28       <sup>60</sup>*See infra* note 82.

1 Quentin State Prison, Nov. 9, 2007 Woodford Report ¶ 1, similarly testified that, “[u]ntil the  
2 population is reduced substantially there is no realistic hope that the unconstitutional  
3 conditions will be eliminated,” *id.* ¶ 46; *see also id.* ¶ 6 (“[N]othing short of a reduction in  
4 the prison population will effectively address these issues.”). Woodford explained that, in  
5 her experience as a manager of both an individual institution and the entire department:

6 [W]e would come up with wonderful ideas and have great  
7 planning, but overcrowding interfered with our ability to  
8 implement any of those ideas, to bring resolution to any of the  
9 problems that we’re facing in both [*Plata* and *Coleman*]. And  
the overcrowding was every day, more and more inmates coming  
into the system.

10 Rep. Tr. at 376:3-15. Thus, according to Woodford, “without addressing the issue of  
11 overcrowding, the Department of Corrections will never be able to provide appropriate  
12 medical or mental healthcare and . . . sustain any kind of quality constitutionally-adequate  
13 medical or mental healthcare.” *Id.* at 385:6-10.

14 Other experts also agreed with Secretary Woodford’s and Director Scott’s opinions.  
15 For example, Dr. Beard opined that, while he believes CDCR staff and leadership generally  
16 “want to do the right thing,” he does not believe they are capable of providing  
17 constitutionally adequate care under the current crowded conditions. *Id.* at 251:12-23,  
18 259:5-12. Similarly, Secretary Lehman testified that “you cannot provide adequate  
19 healthcare and mental healthcare under the current situation of crowding within the State of  
20 California,” *id.* at 271:22-25, and that “a reduction in the population is a necessary condition”  
21 for providing such care. Aug. 15, 2008 Lehman Report ¶ 11. And Dr. Shansky testified that:

22 The CDCR, in concert with the Receiver, cannot simultaneously  
23 develop a competent medical care delivery system in facilities  
24 that lack necessary space and staffing, and address the growing  
25 needs of an ever-increasing number of patients. Until the  
existing overcrowding situation is addressed, CDCR is locked  
into a “crisis-response” approach where it can focus only on  
putting out “fires” rather than system-building.

26 Nov. 9, 2007 Shansky Report ¶ 138. “The limitations on the CDCR, including staffing,  
27 administrative resources and especially treatment space, are so severe that the only avenue  
28 for building a constitutional health care delivery system is to reduce the demand on the

1 system by lowering the number of patients it serves.” Sept. 10, 2008 Shansky 2d Supp.  
2 Report ¶ 8. One of defendant-intervenors’ experts agreed that “the necessary constitutional  
3 medical and mental health services can’t be provided with today’s overcrowding.” Rep. Tr.  
4 at 2202:4-6 (Bennett).

5 The mental health experts who testified also agreed that a reduction in crowding is a  
6 prerequisite to providing constitutionally adequate care. Dr. Stewart testified that, “due to  
7 the extreme nature of the overcrowding, which negatively impacts all aspects of the mental  
8 health and medical care system that is currently causing *Coleman* class members needless  
9 suffering, as well as death, . . . the only remedy that would help the system move into  
10 constitutional compliance” is reducing the population. *Id.* at 2207:22-2208:2. Dr. Stewart  
11 based his conclusion on “the persistence of the [Eighth Amendment] violations [in *Coleman*]  
12 after years of very close court monitoring,” and on statements by the *Coleman* Special  
13 Master “in several places that the progress that was made early on in the *Coleman* matter has  
14 been undermined by current population pressures that exist.” *Id.* at 2208:12-19. Dr. Stewart  
15 testified that defendants’ plans to remedy the persistent problems that pose barriers to  
16 constitutional compliance are inadequate mainly because the plans “will take years to  
17 implement, if they are even able to be implemented at all, given the current degree of the  
18 population pressures.” *Id.* at 2208:21-2209:4.

19 Dr. Haney also concluded that the only remedy for the ongoing Eighth Amendment  
20 violations in the delivery of mental health and medical care is a substantial reduction of the  
21 CDCR inmate population, Aug. 15, 2008 Haney Report ¶¶ 364-378; Rep. Tr. at 945:14-19,  
22 and provided several reasons for his conclusion. The first was “the urgency of the problem  
23 itself, and the unacceptably time-consuming nature of alternative solutions.” Aug. 15, 2008  
24 Haney Report ¶ 367. As Dr. Haney testified, mentally ill inmates suffering in the  
25 “emergency-like conditions” of California’s prisons cannot await relief for an additional four  
26 or five years, the time projected by defendants’ best-case scenario for the construction of  
27 additional mental health facilities. Rep. Tr. at 945:22-946:16; *see also* Aug. 15, 2008 Haney  
28 Report ¶ 367. Dr. Haney also identified other problems with the proposed construction

1 plans: They are insufficient, by themselves, to address the range of mental health care  
2 delivery problems caused by crowding; do not take into account the conditions in which  
3 CCCMS inmates are housed; do not provide sufficient EOP space; and do not “realistically  
4 address” the “massive” staffing increases that will be required. Rep. Tr. at 947:16-948:14.  
5 Finally, Dr. Haney opined that, for the past twenty-eight years, the CDCR has taken the  
6 same basic approach to overcrowding and its impacts on mental health and medical care and,  
7 while conditions have occasionally improved over that period, “the system has gotten worse  
8 not better.” *Id.* at 948:18-949:8. Delivery of services is now so stressed by the  
9 “overwhelming press of the numbers in the system” that the CDCR’s method of addressing it  
10 “has finally run its course, and it is time . . . to address the issue at its cause, and the cause of  
11 it is overcrowding.” *Id.* at 949:13-17 (Haney).

12 Defendants emphasize testimony that it is possible to provide constitutionally  
13 adequate care in a crowded prison system. *E.g.*, Rep. Tr. at 286:15-18 (Lehman) (testifying  
14 that it is possible to provide adequate care “at some level” of overcrowding); *id.* at 1216:21-  
15 1217:3 (Thomas) (testifying that such care can be provided in “extremely overcrowded  
16 conditions”); Nov. 9, 2007 Thomas Report ¶ 6 (same); Rep. Tr. at 1080:12-24 (Packer)  
17 (testifying that, “although overcrowding exacerbates the problems” in providing appropriate  
18 mental health care, such care can be provided “if appropriate facilities and programs are  
19 developed”). Although for the reasons previously stated we are skeptical of Dr. Thomas’s  
20 testimony, we credit the remaining testimony to the extent that it states that the inmate  
21 population need not be reduced to 100% design capacity before constitutional levels of care  
22 can be provided. We find, however, that California’s prison system is now so overcrowded  
23 that it is impossible to provide adequate care without a substantial reduction in crowding. As  
24 Secretary Lehman persuasively explained, no state “has experienced anything close” to the  
25 level of crowding in California – a level that makes it impossible to provide constitutionally  
26 adequate medical and mental health care. *Id.* at 286:19-287:1; *see also id.* at 297:1-17  
27 (Haney) (testifying that California has been operating at 190% design capacity, which is “an  
28 unheard of amount of overcrowding”); Nov. 9, 2007 Scott Report ¶ 3 (overcrowding crisis in

1 California is “unprecedented in scope”). Moreover, Dr. Packer’s opinion that  
2 constitutionally adequate mental health care can be provided in an overcrowded prison  
3 setting is significantly qualified by his testimony that the provision of constitutionally  
4 adequate care in such settings is contingent upon the development of “appropriate facilities,”  
5 and that simply retrofitting prison space that was not originally designed for delivery of  
6 mental health care is unlikely to lead to “a program that is sufficient.” *See* Rep. Tr. at  
7 1080:18-1082:12.

8         Additionally, although defendants’ two experts testified that adequate care can be  
9 provided in overcrowded settings and that they themselves have been able to do so, the  
10 systems in which they worked had prison population controls in place. Dr. Packer testified  
11 that he was able to provide appropriate mental health care in the overcrowded Massachusetts  
12 jail facilities he supervised. *Id.* at 1086:6-12. However, he admitted that “there was some  
13 effort on the part of the courts to not send in some of the mentally ill inmates into the system.  
14 And, frankly, in my opinion the most effective procedure we had was that we provided  
15 mental health services at the courts, and we diverted mentally ill people away from the jail.”  
16 *Id.* at 1086:17-23. Thus, he explicitly opined that the diversion of mentally ill prisoners – a  
17 remedy falling within the PLRA’s definition of a prisoner release order – would be the most  
18 effective interim remedy. *Id.* at 1086:25-1087:14; *cf. id.* at 1084:17-18 (testifying that new  
19 construction is required to get the level of mental health care “to the level that really needs to  
20 be”). Similarly, during the time in which Dr. Thomas served as a physician with the Florida  
21 Department of Corrections, the department operated under statutory population controls that  
22 capped the population at prison hospitals and infirmaries at 100% design capacity and the  
23 general prison population at 150% design capacity. *Id.* at 1250:1-1251:1. Consequently, in  
24 light of the overwhelming expert testimony to the contrary, we do not find persuasive the  
25 testimony by either Dr. Packer or Dr. Thomas that constitutional levels of medical and  
26 mental health care can be established in California’s prisons without first reducing the  
27 California prisoner population to well below 190% design capacity.

28

1           **C.     Findings and Conclusions**

2           The evidence establishes that “[r]educing the population in the system to a  
3 manageable level is the only way to create an environment in which other reform efforts,  
4 including strengthening medical management, hiring additional medical and custody staffing,  
5 and improving medical records and tracking systems, can take root in the foreseeable future.”  
6 Sept. 10, 2008 Shansky 2d Supp. Report ¶ 10. Other forms of relief are either unrealistic or  
7 depend upon a reduction in prison overcrowding for their success. Accordingly, we find, by  
8 clear and convincing evidence, that no relief other than a prisoner release order is capable of  
9 remedying the constitutional deficiencies at the heart of these two cases.

10  
11       **VI.    NARROWLY DRAWN, LEAST INTRUSIVE REMEDY THAT EXTENDS NO**  
12       **FURTHER THAN NECESSARY**

13           Plaintiffs have demonstrated that crowding is the primary cause of the  
14 unconstitutional denial of medical and mental health care to California prisoners, and that no  
15 relief other than a prisoner release order can remedy those constitutional violations.  
16 Accordingly, plaintiffs have met the PLRA’s requirements for the entry of a prisoner release  
17 order. *See* 18 U.S.C. §§ 3626(a)(3)(E)(i), (ii). However, any relief this court orders must  
18 also meet the PLRA’s general standard for prospective relief. Specifically, the relief must be  
19 “narrowly drawn, extend[] no further than necessary to correct the violation of the Federal  
20 right, and [be] the least intrusive means necessary to correct the violation of the Federal  
21 right.” *Id.* § 3626(a)(1)(A). Plaintiffs seek an order requiring the state to reduce the  
22 population of its adult institutions to 130% of their combined design capacity. We find that  
23 the scope and form of the relief proposed by plaintiffs comports with the PLRA. Although  
24 we believe that plaintiffs’ request for a cap of 130% is reasonable and finds considerable  
25 support in the record, there is some evidence that a reduction in the population to a level  
26 somewhat higher than 130% of the system’s design capacity but lower than 145% might  
27 provide the relief from overcrowding necessary for the state to correct the constitutional  
28 violations at issue. Notwithstanding the weight of the evidence, we cannot say with certainty

1 that a cap as low as 130% is necessary, although we are persuaded that the cap must not be  
 2 much higher. Because any relief we order must extend no further than necessary, and  
 3 because we are convinced that a cap of no higher than 137.5% is necessary, we order  
 4 defendants to reduce the prisoner population to 137.5% of the adult institutions' total design  
 5 capacity.<sup>61</sup>

6 **A. Scope of Relief**

7 Our remedy "must of course be limited to the inadequac[ies] that produced the  
 8 injur[ies] in fact that the plaintiff[s] ha[ve] established." *Lewis*, 518 U.S. at 357. In this  
 9 proceeding, those injuries involve the state's longstanding and knowing failure to provide its  
 10 prisoners with the minimal level of medical and mental health care required by the  
 11 Constitution. The *Plata* court found that "the California prison medical system is broken  
 12 beyond repair"; that the "future injury and death" of California prisoners is "virtually  
 13 guaranteed in the absence of drastic action"; and that the state had failed to address those  
 14 problems despite having "every reasonable opportunity" to do so. Oct. 3, 2005 FF&CL in  
 15 *Plata*, 2005 WL 2932253, at \*1. Likewise, the *Coleman* court found that the state was  
 16 deliberately indifferent to the fact that

17 seriously mentally ill inmates in the California Department of  
 18 Corrections daily face an objectively intolerable risk of harm as a  
 19 result of the gross systemic deficiencies that obtain throughout  
 20 the Department. . . . [I]nmates have in fact suffered significant  
 21 harm as a result of those deficiencies; seriously mentally ill  
 inmates have languished for months, or even years, without  
 access to necessary care. They suffer from severe hallucinations,  
 they decompensate into catatonic states, and they suffer the other  
 sequela to untreated mental disease.

22 *Coleman*, 912 F. Supp. at 1316, 1319.

23 With the identified constitutional violations in mind, we first consider the propriety of  
 24 plaintiffs' request for a systemwide cap. "'The scope of injunctive relief is dictated by the  
 25 extent of the violation established.' The key question . . . is whether the inadequacy  
 26 complained of is in fact 'widespread enough to justify system wide relief.'" *Armstrong*, 275

27 <sup>61</sup>As noted already, our opinion and order is limited to the CDCR's thirty-three adult  
 28 prison institutions and does not include camps, community correction centers, or Department  
 of Mental Health state hospitals.

1 F.3d at 870 (quoting *Lewis*, 518 U.S. at 359). In other words, a systemwide remedy like that  
2 requested by plaintiffs is appropriate only if plaintiffs have established systemwide injury  
3 and impact. *See, e.g., Columbus Bd. of Educ. v. Penick*, 443 U.S. 449, 463-65 (1979);  
4 *Armstrong*, 275 F.3d at 871; *Smith v. Ark. Dep't. of Corr.*, 103 F.3d 637, 645-46 (8th Cir.  
5 1996). “[I]solated violations affecting a narrow range of plaintiffs” cannot support  
6 systemwide relief. *Armstrong*, 275 F.3d at 870; *see also Lewis*, 518 U.S. at 359 (finding  
7 systemwide relief inappropriate where plaintiffs had shown only two violations).

8       There can be no serious dispute that a systemwide remedy is appropriate in this case.  
9 As we have already noted, the constitutional violations identified by the *Plata* and *Coleman*  
10 courts exist throughout the California prison system and are the result of systemic failures in  
11 the California prison system. *See* Nov. 3, 2008 Order at 7. Numerous reports issued by the  
12 *Plata* Receiver and the *Coleman* Special Master document the systemic nature of those  
13 problems. Not surprisingly, defendants have never contended that the problems at issue in  
14 *Plata* and *Coleman* are institution-specific. Accordingly, a systemwide remedy is  
15 appropriate.

16       Similarly, we conclude that a single systemwide cap rather than a series of institution-  
17 specific caps or a combination of systemwide and institution-specific caps is appropriate.  
18 Although institution-specific caps would be tailored to each institution’s needs and  
19 limitations, an institution-by-institution approach to population reduction would interfere  
20 with the state’s management of its prisons more than a single systemwide cap, which permits  
21 the state to continue determining the proper population of individual institutions. Unless and  
22 until it is demonstrated that a single systemwide cap provides inadequate relief, we will limit  
23 the relief we order to that form of order.

24       To be certain, the relief sought by plaintiffs extends further than the identified  
25 constitutional violations in one regard: Any population reduction plan developed by the state  
26 is likely to affect inmates without medical conditions or serious mental illness. However,  
27 there is no feasible prisoner release order that would reduce overcrowding without affecting  
28

1 some inmates outside the *Plata* and *Coleman* classes. Thus, we have no doubt that the relief  
2 we order contravenes no principle of law or equity in that regard.

3 Accordingly, the systemwide scope of plaintiffs' requested relief is properly tailored  
4 to the identified constitutional violations, at least at this first stage of the court's attempt to  
5 bring the system into compliance with the Constitution's mandate.

6 **B. Form of Relief**

7 We next consider the form of relief proposed by plaintiffs. Plaintiffs seek an order  
8 requiring the state to reduce its prison population to a specified percentage of the system's  
9 design capacity within two years. Initially, the state would be required to develop a plan to  
10 reduce the population to the designated percentage. After considering the proposed plan and  
11 any objections from plaintiffs or intervenors, we would enter a final order incorporating the  
12 state's proposal if it is feasible, with any appropriate modifications or amendments we may  
13 deem necessary. We would then retain jurisdiction to ensure compliance with the order or  
14 make further changes as necessary in order to allow the state to attain the actual reduction in  
15 the prison population set forth in our order within the specified time.

16 The Supreme Court described the nearly identical procedure used in *Bounds v. Smith*,  
17 430 U.S. 817 (1977), as an "exemplar of what should be done" in crafting systemwide  
18 prospective relief. *Lewis*, 518 U.S. at 363. In *Bounds*, the district court found that the state's  
19 failure to provide legal research facilities unconstitutionally denied its inmates access to the  
20 courts. *Bounds*, 430 U.S. at 818. However,

21 [r]ather than attempting to dictate precisely what course the State  
22 should follow [to remedy the constitutional violation], the court  
23 charged the Department of Correction with the task of devising a  
24 Constitutionally sound program to assure inmates access to the  
courts. It left to the State the choice of what alternative would  
most easily and economically fulfill this duty.

25 *Id.* at 818-19 (internal quotations omitted). "The State responded with a proposal, which the  
26 District Court ultimately approved with minor changes, after considering objections raised by  
27 the inmates." *Lewis*, 518 U.S. at 362-63 (citing *Bounds*, 430 U.S. at 819-20).

1 In both *Bounds* and *Lewis*, the Supreme Court praised the *Bounds* lower court's  
2 remedial approach, finding that it "scrupulously respected the limits on [the court's] role"  
3 and preserved the prison administrators' "wide discretion within the bounds of constitutional  
4 requirements." *Bounds*, 430 U.S. at 832-33; *Lewis*, 518 U.S. at 363. The relief requested by  
5 plaintiffs here demonstrates the same respect for this court's limited role and for the need to  
6 preserve the state's "wide discretion" in managing its prisons. As in *Bounds*, plaintiffs'  
7 proposal would permit the state to develop the necessary population reduction plan in the  
8 first instance. As we describe *infra*, the state would not be required to throw open the doors  
9 of its prisons, but could instead choose among many different options or combinations of  
10 options for reducing the prison population. The state's options include, *inter alia*, the  
11 following: enhancing good time and program participation credits; diverting technical parole  
12 violators and certain offenders with short sentences; reducing the length of parole  
13 supervision; implementing evidence-based rehabilitative programming; or implementing  
14 sentencing reforms, perhaps by means of a sentencing commission or by otherwise changing  
15 outmoded or counterproductive sentencing practices. Many of these options have already  
16 been proposed at various times by defendants themselves. *See, e.g.*, Rep. Tr. at 1694:19-  
17 1699:15 (Cate) (discussing Governor Schwarzenegger's proposed reforms, including the  
18 elimination of parole supervision and enhanced good time and program participation credits);  
19 *see also* Ex. P3 at 77 (noting that fifteen reports presented to the state between 1990 and  
20 2007, some of which were prepared by state-established commissions or committees,  
21 recommended sentencing reform and the establishment of a sentencing commission).

22 Plaintiffs' proposed order would permit the state to choose among many available  
23 means of achieving the prescribed population reduction, thereby maximizing the state's  
24 flexibility and permitting the state to comply with the cap in a manner that best accords with  
25 the state's penal priorities. For this reason, an order requiring a systemwide population  
26 reduction to a specified percentage is preferable to an order or series of orders requiring  
27 particular methods of population reduction, such as the reform of the parole system or the  
28 overhaul of the state's sentencing policies. By asking the state to develop a remedial plan in

1 the first instance, the relief sought by plaintiffs exhibits the deference to state expertise  
2 required by the PLRA and *Lewis* and limits this court’s intrusion into ““the minutiae of  
3 prison operations.”” *Lewis*, 518 U.S. at 362 (quoting *Bell v. Wolfish*, 441 U.S. 520, 562  
4 (1979)). The population reduction order sought by plaintiffs is thus “the least intrusive  
5 means necessary to correct the [constitutional] violation[s]” at issue in this proceeding.  
6 18 U.S.C. § 3626(a)(1)(A).<sup>62</sup>

7 **C. The Required Population Reduction**

8 Finally, we consider plaintiffs’ specific request that we order defendants to reduce  
9 California’s prisoner population to 130% of the system’s design capacity. At the outset, we  
10 note that choosing the percentage of design capacity to which the prison population should  
11 be reduced is “not an exact science.” Rep. Tr. at 976:3-4 (Haney). As plaintiffs’ expert  
12 Dr. Craig Haney explained, “there’s nothing magical” about any specific percentage,  
13 including 100%, *id.* at 976:7-8, but the likelihood of bringing the system into constitutional  
14 compliance increases as the prison population nears 100% design capacity, *id.* at 976:8-15.  
15 Our task is further complicated by the fact that defendants have not presented any evidence  
16 or arguments suggesting that we should adopt a percentage other than 130% design capacity.  
17 Nonetheless, both the PLRA and general equitable principles require this court to ensure that  
18 the population reduction sought by plaintiffs extends no further than necessary to rectify the  
19 unconstitutional denial of medical and mental health care to California’s prisoners.

20 Although plaintiffs seek a cap at 130% design capacity, the evidence at trial  
21 demonstrated that even a prison system operating at or near only 100% design capacity faces  
22 serious difficulties in providing inmates with constitutionally sufficient medical and mental  
23 health care. First, California’s prisons were not designed to provide medical and mental  
24 health care for the numbers now housed therein. Instead, the physical space for health care

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25 <sup>62</sup>Of course, *Bounds* involved the initial remedial response to a recently identified  
26 constitutional violation, whereas *Plata* and *Coleman* have been in their remedial phases for a  
27 number of years. We do not believe this distinction would justify a departure from the  
28 remedial model praised in *Bounds* and *Lewis*, in which the state is given the first opportunity  
to develop a remedial plan. It may, however, along with the nature of the constitutional  
violations and of plaintiffs’ injuries, affect the length of time in which the state is required to  
develop and implement the plan.

1 in California's prisons was devised on the assumption that the prisons' populations would not  
2 exceed 100% of their design capacity. Rep. Tr. at 271:8-10 (Lehman) ("The physical space  
3 provided [in each institution] is based on the hundred percent population as opposed to 200  
4 percent."). As defendants' witness Robin Dezember noted, the state's prisons "were not  
5 designed and made no provision for any expansion of medical care space beyond the initial  
6 100% of capacity," and "none of the 19 CDCR institutions planned and built in the boom of  
7 the 80s and 90s gave any thought to the space that might be needed for mental health  
8 purposes." Dezember Trial Aff. ¶ 72 (internal quotations omitted). Shockingly, this failure  
9 to account for the effect of overcrowding on the ability of prisons to deliver medical and  
10 mental health continued even after the state knew that they would be filled to 200% of their  
11 design capacity. Ex. D1092 at 21-22 (*Plata Receiver's May 15, 2007 Report Re:*  
12 *Overcrowding*) (noting that a new prison built in 2005 was designed to provide medical care  
13 for a population equal to 100% design capacity notwithstanding the CDCR's existing plan to  
14 house a population equal to 200% design capacity in the new prison).

15 The mismatch between the physical design of the prisons and their present  
16 overcrowding accounts for many of the space-related obstacles to the provision of  
17 constitutionally sufficient medical and mental health care. According to Secretary Lehman,  
18 the former head of corrections in Washington, Maine, and Pennsylvania, this mismatch  
19 leaves California's prisons without the physical space to provide medical and mental health  
20 care to the number of prisoners now housed in those overcrowded institutions. In the  
21 absence of sufficient space the prisons are "simply not able to provide the [healthcare]  
22 services that [are] required." Rep. Tr. at 271:10-11.

23 More generally, any prison operating at 100% design capacity stretches the limits of  
24 its physical design. According to Dr. Haney, "prisons were virtually always designed  
25 sparsely . . . so that a prison that was reaching 100% of its capacity really was pushing  
26 against the limits of the number of prisoners that it could safely and humanely hold."  
27 Aug. 15, 2008 Haney Report ¶ 380. This is especially true in the context of space allocated  
28 for purposes other than housing, including medical and mental health care. "[P]rison design

1 traditionally maximized housing capacities and minimized space allocated to programming  
2 needs, opportunities, and demands.” *Id.* As a result, “[w]hen a prison beg[ins] to operate at  
3 or near its [design] capacity, there [is] typically little or no space available to pursue all but  
4 the most basic programming options.” *Id.*

5 Finally, numerous witnesses testified that a prison system must operate *below* 100%  
6 design capacity to function properly. Secretary Woodford, former head of CDCR and  
7 warden at San Quentin, stated that a five percent vacancy rate is necessary “[t]o manage the  
8 movement of prisoners appropriately.” Nov. 9, 2007 Woodford Report ¶ 14. “Without the  
9 flexibility that this vacancy rate provides, it is very difficult to ensure that prisoners are  
10 housed appropriately for their medical and mental health needs.” *Id.* In addition, three  
11 witnesses for the defendant-intervenors testified that jails require a vacancy rate of at least  
12 five or ten percent to operate properly. According to San Mateo County Sheriff Gregory  
13 Munks, jails operate properly only when at or below their “functional capacity,” which is  
14 five to ten percent lower than their design capacity. *See* Rep. Tr. at 1776:15-20 (Munks); *see*  
15 *also id.* at 1776:20-23 (functional capacity “takes account [of] having the room for  
16 classification, being able to move inmates around, [and] keep[ing] them separated based on  
17 classification, based on needs, based on gang affiliation”). Lieutenant Stephen Smith of the  
18 Los Angeles County Sheriff’s Department testified that jails cannot operate safely or  
19 properly if every bed is filled, and that he would expect the same result in prisons. *Id.* at  
20 1837:5-1838:6 (Smith). According to Lieutenant Smith, “A hundred percent of your  
21 capacity is really a misnomer. . . . [Y]ou’re at a hundred percent capacity when you are at 90  
22 percent. You need a ten percent vacancy factor to just facilitate movement, and those type of  
23 issues because of the margins.” *Id.* at 1845:16-21. Likewise, Gary Graves, the acting  
24 County Executive for Santa Clara County, testified that a fifteen percent vacancy rate is  
25 generally necessary in Santa Clara County’s jail system. *Id.* at 2275:3-6.

26 This testimony establishes that, when a prison or jail’s population reaches 100%  
27 design capacity, its administrators lose the flexibility required to classify inmates and to  
28 move prisoners in accordance with their needs. We have already noted that overcrowding

1 prevents the state from providing constitutionally adequate medical and mental health care in  
2 part by preventing the proper classification of inmate medical and mental health needs,  
3 limiting the state's ability to bring inmates to required appointments and services, and  
4 preventing the state from transferring inmates into necessary clinical placements.

5 Accordingly, the testimony suggests that the state's ability to provide constitutionally  
6 adequate medical and mental health care is hampered at 100% design capacity.

7 Despite this evidence, plaintiffs do not seek an order capping the prison system's  
8 population at 100% design capacity. Instead, they seek a cap at 130% design capacity,  
9 acknowledging that constitutionally adequate medical and mental health care can be provided  
10 in such circumstances. Plaintiffs' proposed population limit is drawn from a  
11 recommendation by the Governor's own prison reform personnel. To implement the prison  
12 building and prison reform projects authorized by AB 900, the Governor established a series  
13 of strike teams, and Deborah Hysen became head of the Facilities Strike Team in May 2007.  
14 Sept. 3, 2008 Hysen Dep. at 12:8-10, 15-17. In that role, Ms. Hysen suggested that the  
15 CDCR impose two limits on the state prison population. First, she suggested that new prison  
16 beds built pursuant to AB 900 be allocated in a manner that would limit overcrowding to no  
17 more than 145% design capacity. Ex. P128 at 1, 6 (Aug. 13, 2007 AB 900 Strike Team  
18 memo). Hysen acknowledged that housing prisoners at 145% design capacity "does not meet  
19 federal guidelines nor national standards," but she nonetheless believed that a reduction in  
20 overcrowding to 145% design capacity would "begin to moderate and control the  
21 department's overcrowding practices." *Id.* at 6. As a long-term goal, however, Hysen  
22 suggested that the prison system's population should not exceed 130% design capacity, the  
23 federal standard for prison overcrowding. *Id.*; Hysen Dep. at 94:13-24. Ms. Hysen also  
24 suggested that the CDCR consider "establishing planning capacity and oversight mechanisms  
25 to prevent the occurrence of exceeding this [130%] threshold." Ex. P128 at 6.

26 Plaintiffs' experts testified that the 130% cap recommended by Ms. Hysen would be  
27 sufficient to remedy the constitutional violations here. Secretary Lehman testified that  
28 "housing California prisoners at 130% design capacity will give prison officials and staff the

1 ability to provide the necessary programs and services for California’s prisoners.” Aug. 15,  
2 2008 Lehman Report ¶ 20. Doyle Wayne Scott, the former executive director of the Texas  
3 Department of Criminal Justice, testified that Ms. Hysen’s 130% recommendation was “a  
4 realistic and appropriate place for CDCR to be, to ensure that its prisons are safe and provide  
5 legally required services,” Aug. 13, 2008 Scott Supp. Report ¶ 18. Secretary Woodford also  
6 agreed with Ms. Hysen’s recommended 130% cap. Aug. 15, 2008 Woodford Supp. Report  
7 ¶ 3.

8 Notably, however, both Director Scott and Secretary Woodford qualified their  
9 endorsement of the 130% cap by stating that certain facilities could not provide  
10 constitutionally sufficient medical and mental health care when filled to 130% design  
11 capacity. Woodford noted that “different (and particularly older) facilities might require  
12 slightly lower population limitations, based on the quality of infrastructure and availability of  
13 treatment space, for example.” *Id.* According to Scott, “[W]hile [130%] might be  
14 appropriate for new construction, it should be used carefully in CDCR’s old, decaying  
15 facilities, with their failing infrastructure. Crowding prisoners at 130% is an appropriate goal  
16 for CDCR, speaking broadly, but some facilities might only be able to support and provide  
17 appropriate health care for smaller numbers.” Aug. 13, 2008 Scott Supp. Report ¶ 18.

18 Although Director Scott and Secretary Woodford suggested that a 130% limit might  
19 be too high in certain instances, other evidence suggested that a cap above 130% might be  
20 sufficient. For example, Dr. Ronald Shansky testified that the Illinois prison medical system  
21 was brought into constitutional compliance at 140% design capacity. Rep. Tr. at 479:2-16.  
22 Similarly, the Corrections Independent Review Panel determined in 2004 that the California  
23 prison system’s “operable capacity” was 145% of its design capacity. Ex. P4 at 124. The  
24 Panel’s estimate was prepared by a group of experienced California prison wardens, who  
25 suggested that a system operating at 145% design capacity could “support full inmate  
26 programming in a safe and secure environment.” *Id.*

27 Numerous witnesses testified, however, that the Panel’s operable capacity estimate  
28 suffers from a potentially fatal flaw for purposes of measuring the constitutional

1 requirements relating to medical and mental health care. Operable capacity does not take  
2 into account the ability to provide that care. Thus, the wardens did not consider prisoner  
3 medical or mental health needs in reaching their estimate. *See* Ex. P4 at 161 n.3; Nov. 9,  
4 2007 Scott Report ¶ 46 (“[The expert panel’s] definitions [of design capacity, operational  
5 capacity, and maximum safe and reasonable capacity], however, still fail to look at the  
6 capability of a system or individual facility to adequately and legally care for the medical and  
7 mental health needs of its population . . .”). According to Dr. Stewart, “The [maximum  
8 operable capacity] incorporated educational, vocational, substance abuse, and other  
9 rehabilitation programming, but did not account for programming associated with mental  
10 health or medical treatment. . . . When mental health treatment needs are taken into account,  
11 the maximum operable capacity will be lower.” Aug. 15, 2008 Stewart Supp. Report  
12 ¶¶ 126-27. Likewise, Dr. Haney reported that

13 the Panel’s estimate of [maximum operable capacity] did *not*  
14 specifically contemplate, take into account, or attempt to  
15 calculate the *additional* space and staffing levels that would be  
16 required to provide constitutionally adequate mental health and  
17 medical care. . . . When these crucial mental health and medical  
18 treatment needs are taken into account – as they must be in any  
calculation aimed at addressing the primary cause of these  
continuing constitutional violations – then the appropriate  
percentage for maximum operable capacity would certainly be  
lower than the Panel’s and wardens’ estimates of 145%.

19 Aug. 15, 2008 Haney Report ¶¶ 383, 385.

20 Plaintiffs’ experts convincingly demonstrated that, in light of the wardens’ failure to  
21 consider the provision of medical and mental health care to California’s inmates and in light  
22 of their reliance on maximum operable capacity, which does not consider the ability to  
23 provide such care, the Panel’s 145% estimate clearly exceeds the maximum level at which  
24 the state could provide constitutionally adequate medical and mental health care in its  
25 prisons. Unfortunately, plaintiffs’ experts did not calculate the extent to which the operable  
26 capacity of California’s prisons exceeds the percentage necessary for the provision of  
27 constitutionally adequate medical and mental health care. *See* Aug. 15, 2008 Stewart Supp.  
28 Report ¶ 127 (stating only that the maximum operable capacity of California’s prisons is

1 lower than 145%); Aug. 15, 2008 Haney Report ¶ 385 (same); *see also* Aug. 15, 2008 Haney  
2 Report ¶ 385 (describing 145% as “a very conservative estimate of [maximum operable  
3 capacity]” that is “the outer limit or maximum capacity *in a range* that is intended to  
4 eliminate the constitutional violations that are at issue here” (last emphasis added)). Even  
5 more unfortunately, as noted earlier, defendants introduced no evidence suggesting that the  
6 population of California’s prisons should be reduced to some level above 130%.

7         Although there is strong evidence that a prison system operating at even 100% design  
8 capacity will have difficulty providing adequate medical and mental health care to its  
9 inmates, the evidence before the court establishes that California’s prisoner population *must*  
10 be reduced to some level between 130% and 145% design capacity if the CDCR’s medical  
11 and mental health services are ever to attain constitutional compliance. The evidence in  
12 support of a 130% limit is strong: Both national standards and the Governor’s own strike  
13 team, which adopted those standards, suggest 130% design capacity as a reasonable upper  
14 limit on the prison system’s population. However, we cannot determine from the evidence  
15 whether the national standard selected by the Governor’s strike team represents a judgment  
16 regarding the mandates of the Constitution or whether it merely reflects a policy that ensures  
17 desirable prison conditions. Other, far less persuasive evidence at trial suggested that  
18 California might be able to remedy the constitutional violations at issue in *Plata* and  
19 *Coleman* if the population of the CDCR’s adult institutions were reduced to 140% or  
20 somewhere else lower than 145% design capacity. Exercising the caution and restraint  
21 required by the PLRA, we credit this evidence to the extent it suggests that the limit on  
22 California’s prison population should be somewhat higher than 130% but lower than 145%.  
23 Rather than adopting the 130% limit requested by plaintiffs, we will out of caution require a  
24 reduction in the population of California’s adult prison institutions to only 137.5% of their  
25 combined design capacity – a population reduction halfway between the cap requested by  
26 plaintiffs and the wardens’ estimate of the California prison system’s maximum operable  
27 capacity absent consideration of the need for medical and mental health care. At the adult  
28 institutions’ present design capacity of 79,828, Ex. P135 (CDCR weekly population report as

1 of August 27, 2008), this equates to a population of just below 110,000.<sup>63</sup> Should the state  
2 prove unable to provide constitutionally adequate medical and mental health care after the  
3 prison population is reduced to 137.5% design capacity, plaintiffs may ask this court to  
4 impose a lower cap.<sup>64</sup> Similarly, should it appear that the provisions set forth in the plan  
5 adopted by the court will not achieve the expected population reduction, plaintiffs may seek  
6 to have the plan amended.

7  
8 **VII. POTENTIAL POPULATION REDUCTION MEASURES AND THEIR**  
9 **IMPACT ON PUBLIC SAFETY AND THE OPERATION OF THE CRIMINAL**  
10 **JUSTICE SYSTEM**

11 Before we enter a population reduction order, we must give “substantial weight to any  
12 adverse impact on public safety or the operation of a criminal justice system caused by the  
13 relief.” 18 U.S.C. § 3626(a)(1)(A). To aid us in meeting this requirement, the parties  
14 devoted nearly ten days of trial to this issue and submitted hundreds of exhibits. The  
15 impressive collection of evidence before the court included testimony from former and  
16 current heads of corrections of five states; top academic researchers in the field of  
17 incarceration and crime; CDCR officials; and county officials, district attorneys, probation  
18 officers, and sheriffs from across California. We also had the benefit of many state-  
19 commissioned reports that proposed various measures for safely reducing the overcrowding  
20 in California’s prison system. Indeed, four of plaintiffs’ experts – Dr. Austin, Dr. Beard, Dr.  
21 Krisberg, and Secretary Lehman – had previously been appointed by the CDCR to serve as  
22 members of the Expert Panel on Adult Offender Recidivism Reduction Programming. We  
23 give substantial consideration to the report from this panel, which recommended a number of

24 <sup>63</sup>Of course, our order is based on a percentage of design capacity. If the CDCR  
25 closes existing prisons or constructs new prisons or prison beds, the system’s design capacity  
26 will change, and our order will therefore require a prison population than just below 110,000.  
*See supra* Section V.A.1.d.

27 <sup>64</sup>We recognize that certain institutions and programs in the system require a  
28 population far below 137.5% design capacity. We trust that any population reduction plan  
developed by the state in response to our opinion and order will properly account for the  
particular limitations and needs of individual institutions and programs.

1 measures that it believed would help to safely reduce overcrowding in California's prisons,  
2 as a necessary first step to reducing recidivism; it included a list of ten related reforms that  
3 have been repeatedly recommended to the state, Ex. P2 at 77, some of which we discuss  
4 below.

5 We begin by emphasizing the nature of the order this court issues herein. The order  
6 requires the state to reduce California's prison population to 137.5% design capacity within  
7 two years and to submit a plan within 45 days to implement our order. As we discuss below,  
8 there are a number of population reduction measures that will not have an adverse impact on  
9 public safety and that in fact may improve public safety, all of which have been previously  
10 recommended to the state, in various reports, by experts it retained to examine ways to  
11 reduce California's high recidivism rate.<sup>65</sup> Any or all of these measures may be included in  
12 the state's plan. Whichever solutions it ultimately chooses, the evidence is clear that the state  
13 can comply with our order in a manner that will not adversely affect public safety. Indeed,  
14 the evidence is clear that the state's continued failure to address the severe crowding in  
15 California's prisons would perpetuate a criminogenic prison system that itself threatens  
16 public safety.

17 In addressing the potential impact on public safety of our population reduction order,  
18 we do not ignore the serious fiscal crisis presently facing the state of California. We are  
19 aware that California will not through its ordinary budget process increase its expenditures in  
20 order to ameliorate or resolve the constitutional issues it confronts. However, as we explain  
21 below, a reduction in California's prison population would produce significant savings, some  
22 of which, even with a budget reduction, could be used to fund effective rehabilitative and re-  
23 entry programming in the prisons and to help county and local governments meet any  
24 additional costs resulting from their expansion of existing programs in order to meet the

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25  
26 <sup>65</sup>The state recidivism rate is the ratio of the number of felons returned to prison  
27 during a specific period to the number of felons paroled during the same period, times one  
28 hundred. Ex. DI-600 at 4. The CDCR's statistics on recidivism show return-to-prison rates  
within three years, and they include returns for technical parole violations. Rep. Tr. at  
1373:3-20 (Woodford). California's recidivism rate is one of the highest in the country. See  
Aug. 15, 2008 Bennett Report ¶ 58; Aug. 15, 2008 Austin Report ¶¶ 9-11; Ex. P2 at 88.

1 needs of persons affected by a population reduction order who may require county or local  
2 services. Even if the state were not to use any savings for such purposes, population  
3 reduction could be accomplished without any significant adverse impact on public safety or  
4 the operation of the criminal justice system. A number of the population reduction measures  
5 that have been recommended by the various expert committees do not require any substantial  
6 additional expenditures, and, in many instances, any additional burdens on county and local  
7 governments resulting from the prison population reduction would fall within current  
8 fluctuations in the demand for existing services.

9 In any event, we cannot now determine with finality whether the population reduction  
10 plan the state will propose in response to our order would have an adverse impact upon  
11 public safety or the operation of the criminal justice system. We do know, however, that the  
12 state *could* comply with our population reduction order without a significant adverse impact  
13 upon public safety or the criminal justice system's operation; the evidence before us clearly  
14 establishes its ability to do so. We will consider the impact of the state's actual population  
15 reduction plan before approving it or any modified or substitute plan. Whatever plan we do  
16 adopt will be consistent with our obligation to accord substantial weight to any adverse  
17 impact involved.

18 **A. Criminogenic Nature of Overcrowded Prisons**

19 As an initial matter, we conclude that the current combination of overcrowding and  
20 inadequate rehabilitation or re-entry programming in California's prison system itself has a  
21 substantial adverse impact on public safety and the operation of the criminal justice system.  
22 A reduction in the crowding of California's prisons will have a significant positive effect on  
23 public safety by reducing the criminogenic aspects of California's prisons.

24 Defendants do not credibly dispute the above conclusion, although they argue that  
25 California's criminal justice system is no different from that of other jurisdictions. In a  
26 certain sense they are correct. For example, California's incarceration rate for prisoners  
27 sentenced to more than one year in state or federal prisons is about 475 per 100,000  
28 residents, close to the national average. *Cate Trial Aff.* ¶ 22. California does not incarcerate

1 felons at an unusually high rate, *id.* ¶¶ 23-24, and the average prison sentence imposed and  
2 served in California is lower than the national average, *id.* ¶ 25. However, as convincingly  
3 explained by Professor Joan Petersilia, an expert on the California prison system and a  
4 member of the CDCR’s Rehabilitation Strike Team,<sup>66</sup> “the similarities end once an individual  
5 has been sentenced to prison. California truly is different when it comes to the way inmates  
6 are housed, the way they are treated while incarcerated, the way they are released, and the  
7 way their parole is handled and revoked.” Ex. P5 at 9 (May 2006 California Policy Research  
8 Center Report, “Understanding California Corrections”). As a consequence, although  
9 California spends billions of dollars on its prison system, it has “one of the highest return-to-  
10 prison rates in the nation.” *Id.* at ix. In 2005, 66% of offenders released from the California  
11 prison system returned to prison within three years. *Id.* At least two experts reported that  
12 California’s recidivism rate is at 70 percent. Aug. 15, 2008 Bennett Report ¶ 58; Nov. 9,  
13 2007 Austin Report ¶ 42.

14       The evidence clearly establishes that, because of overcrowding, the state is limited in  
15 its capacity to classify inmates properly according to their security risk or programming  
16 needs. *See, e.g.*, Rep. Tr. at 2013:21-23 (Lehman); *id.* at 145:15-18 (Scott); *id.* at 225:21-  
17 227:13 (Beard); Aug. 15, 2008 Lehman Report ¶ 8; Nov. 9, 2007 Woodford Report ¶ 13. In  
18 addition, a December 2007 report from the CDCR’s Rehabilitation Strike Team found that  
19 “fully 50% of all exiting California prisoners did not participate in *any* rehabilitation or work  
20 program nor did they have a work assignment, during their entire prison term . . . .”  
21 Ex. P113 at 13 (December 2007 report, “Meeting the Challenges of Rehabilitation in  
22 California’s Prison and Parole System: A Report from Governor Schwarzenegger’s  
23 Rehabilitation Strike Team”) (hereinafter “Rehabilitation Strike Team Report”) (emphasis in  
24 original); *see also* Sept. 22, 2008 Marquart Supp. Report ¶ 5 (“[O]f the 134,000 prisoners  
25 who exited California’s prisons in 2006, only 7% participated in substance abuse programs  
26 and only 10% participated in vocational education while incarcerated.”). The CDCR’s

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27  
28 <sup>66</sup>The Rehabilitation Strike Team was established by Governor Schwarzenegger to develop and implement prison and parole programs for the CDCR. Ex. P113 at 10.

1 Undersecretary of Programs Kathryn Jett believed that the same remained true as of August  
2 2008. Rep. Tr. at 1731:4-8.

3 Witnesses for plaintiffs and defendant-intervenors with substantial experience  
4 administering or studying correctional and law enforcement systems testified that, in such  
5 conditions, high-risk inmates do not rehabilitate and low-risk inmates learn new criminal  
6 behavior.<sup>67</sup> *E.g.*, Rep. Tr. at 1580:5-9 (Beard) (“They are probably getting worse with the  
7 environment that they’re in, associating with the higher risk people and with the  
8 overcrowding, with the violence, those lower risk people are probably going to be more  
9 likely to reoffend.”); *id.* at 1052:19-1053:9 (Powers) (Stanislaus County Chief Probation  
10 Officer) (testifying that, as a probation officer, he would prefer to treat offenders in the  
11 community because offenders come out of prison worse than when they went in); *id.* at  
12 2777:2-19 (Meyer) (Yolo County Chief Probation Officer) (“When I toured the prisons with  
13 the intervenors some time ago, I was actually shocked about how almost nothing positive is  
14 going on, how crowded it was. It’s an issue that – that it seems like they produce additional  
15 criminal behavior.”); *see also id.* at 385:23-25 (Woodford) (“I absolutely believe that we  
16 make people worse, and that we are not meeting public safety by the way we treat people.”).  
17 California’s prisons, in other words, are serving as “crime school[s].” *Id.* at 2014:1  
18 (Lehman).

19 According to Secretary Lehman, the former head of corrections in Washington,  
20 Maine, and Pennsylvania, “there’s only one term you can use” to describe California’s  
21 overcrowded prisons: “criminogenic.”<sup>68</sup> *Id.* at 2013:18-2014:1. The criminogenic  
22 environment in the prison system means that “[e]ach year, California communities are  
23 burdened with absorbing 123,000 offenders returning from prison, often more dangerous  
24 than when they left.” Ex. P3 at 17 (Jan. 2007 Little Hoover Commission Report, “Solving  
25 California’s Corrections Crisis: Time is Running Out”). This situation presents a clear threat

26 <sup>67</sup>Low-risk inmates are those with low risks of reoffending, whereas high-risk inmates  
27 are those with high risks of reoffending. *See* Rep. Tr. at 1170:25-1171:22 (Powers).

28 <sup>68</sup>Something that is “criminogenic” contributes to the occurrence of crime. *See* Rep.  
Tr. at 2013:19-20 (Lehman).

1 to public safety and the operation of the criminal justice system. *See* Rep. Tr. at 1580:17-19  
2 (Beard); *id.* at 974:11-22 (Haney).

3       The state has recently attempted to reduce these criminogenic effects by implementing  
4 a new case management system. However, the CDCR is still in the preliminary stages of  
5 implementing this new programming. As of August 2008, there was no system in the prisons  
6 “to deliver the right inmate to the right program,” Rep. Tr. at 1727:23-24 (quoting Jett  
7 Dep.), and, at the time of trial, the case management system was in “its infancy,” *id.* at  
8 1713:3-5 (Jett).

9       Defendants do not dispute the overwhelming evidence that overcrowding in prisons  
10 itself threatens public safety, nor could they. In fact, in his 2006 Prison Overcrowding State  
11 of Emergency Proclamation, Governor Schwarzenegger found that “overcrowding causes  
12 harm to people and property, leads to inmate unrest and misconduct, reduces or eliminates  
13 programs, and increases recidivism as shown within this state and in others.” Ex. P1 at 2.  
14 The contention by defendants’ expert Dr. James Marquart that “there is no clear evidence  
15 that overcrowding by itself automatically leads to violence,” Aug. 14, 2008 Marquart Prelim.  
16 Report at 7-8, is unpersuasive, but in any event, it does not directly contradict the evidence  
17 that crowding increases recidivism. Moreover, even if Dr. Marquart is correct that there is  
18 no “systematic empirical investigation” confirming the “pernicious effects” of overcrowding,  
19 Aug. 27, 2008 Marquart Rebuttal Report ¶ 3, we credit the testimony of correctional and law  
20 enforcement experts who have seen and studied the conditions in California prisons and  
21 convincingly opined that they do adversely affect public safety.

22       Accordingly, we find that California’s overcrowded prisons are criminogenic and, as  
23 the Governor declared in his State of Emergency Proclamation, Ex. P1 at 2, have an adverse  
24 effect on public safety. Mitigating prison overcrowding could improve public safety by  
25 rendering possible the proper classification of inmates and the expansion and targeting of  
26 rehabilitation programming. *See* Ex. P2 at 9-10 (June 2007 CDCR Expert Panel on Adult  
27 Offender Recidivism Reduction Programming Report to the California State Legislature, “A  
28

1 Roadmap for Effective Offender Programming in California”) (recommending population  
2 reduction measures in order to reduce recidivism rates).

3 **B. Potential Population Reduction Measures**

4 There was overwhelming agreement among experts for plaintiffs, defendants, and  
5 defendant-intervenors that it is “absolutely” possible to reduce the prison population in  
6 California safely and effectively. Rep. Tr. at 2189:9-23 (Bennett) (Sonoma County  
7 corrections expert); *see, e.g., id.* at 2101:24-2102:1 (Krisberg) (plaintiffs’ expert); *id.* at  
8 1995:8-20 (Marquart) (defendants’ expert); *id.* at 2012:20-25 (Lehman) (plaintiffs’ expert);  
9 *id.* at 1327:3-6 (Woodford) (plaintiffs’ expert).

10 Plaintiffs proposed several measures to reduce the prison population. The first, the  
11 expansion of the good time credits system, would allow eligible low- to moderate-risk  
12 inmates to be released a few months early in exchange for complying with prison rules and  
13 participating in rehabilitative, education, or work programs. The second and third, the  
14 diversion of technical parole violators and of low-risk offenders with short sentences, would  
15 keep low-risk offenders in community correctional systems rather than incarcerating them in  
16 prison for a few months. The fourth, the expansion of evidence-based rehabilitative  
17 programming, would reduce the prison population by addressing offenders’ rehabilitative  
18 needs, thus lowering their likelihood of reoffending.<sup>69</sup>

19 Many of the witnesses presented by defendant-intervenors objected to simply  
20 throwing open the prison doors and releasing inmates early in a generic manner, erroneously  
21 assuming that such a remedy might be contemplated or ordered by the court. *See, e.g.,* Rep.  
22 Tr. at 1087:16-22 (Packer) (“When they said ‘prison release,’ I thought they were literally  
23 releasing people from the prison.”); *id.* at 1052:8-12 (Powers) (stating that he prefers his  
24 population reduction proposal to “let’s throw the door open, and in six months from now we  
25 will be there”); Aug. 15, 2008 Bennett Report ¶ 13 (“The wholesale release of inmates would

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26  
27 <sup>69</sup>Plaintiffs also propose shortening the length of parole supervision, which would  
28 have a more immediate and direct impact on the distribution of parole resources than on the  
prison population. For that reason, we discuss this proposal separately. *See infra*  
Section VII.C.3.

1 only shift the crowding problem to the counties and provide nothing more than temporary  
2 relief to the state.”); Bay Stip. ¶ 7 (Director of San Mateo County Department of Housing)  
3 (“I am assuming that the prisoner release order is a one-time event and not part of a pattern of  
4 shorter sentences for a class of prisoners.”). However, many of the same witnesses, as well  
5 as others presented by defendants and defendant-intervenors, testified that they supported  
6 other measures for reducing the prison population, including measures substantially similar  
7 to those proposed by plaintiffs. *E.g.*, Rep. Tr. at 1086:20-1087:22 (Packer) (recommending  
8 diversion of mentally ill inmates from the prisons); *id.* at 1041:12-1045:11 (Powers) (stating  
9 that a prison population reduction could be achieved safely by investing in probation); Aug.  
10 15, 2008 Bennett Report ¶¶ 68-71, 75-76 (recommending systemic changes, including  
11 reducing return to incarceration as a sanction for technical parole violations and enhancing  
12 community-based sanctions programs); *see also* Buddress Trial Decl. ¶ 3 (San Mateo County  
13 Chief Probation Officer) (supporting population reduction measures proposed by plaintiffs’  
14 expert Dr. Krisberg); Dalton Am. Trial Decl. ¶¶ 17-26 (Los Angeles County Sheriffs’  
15 Department, Director of Bureau of Operations for Bureau of Offender Programs and  
16 Services) (recommending diversion to community corrections, sentencing reform, diversion  
17 of technical parole violators, and re-entry programming); Rep. Tr. at 2770:23-2771:10  
18 (Meyer) (testifying that, if appropriate programs were funded, the population could be  
19 reduced by about 30% while crime was also reduced); Dumanis Trial Decl. ¶¶ 16-20 (San  
20 Diego District Attorney) (supporting re-entry programming and rehabilitative and diversion  
21 programs); Boesch Trial Decl. at 13 (San Mateo County Assistant County Manager)  
22 (supporting rehabilitation programs and graduated sanctions).

23 We do not suggest that plaintiffs’ proposed methods are the only ways to reduce the  
24 prison population without adversely affecting public safety and the criminal justice system.  
25 We have discussed some other methods earlier, *supra* Section V.A.4 (discussing the state’s  
26 proposals to transfer inmates out of state or into federal custody), and will discuss others  
27 later, *supra* Section VII.B.5 (discussing, *inter alia*, sentencing reform and modifications of  
28 criminal statutes). There are other proposals as well that have been recommended by various

1 state commissions or bodies that may be worthy of consideration. Our discussion here is not  
2 necessarily exhaustive.

3 First, we consider plaintiffs' four proposed population reduction measures. They are  
4 substantially similar to those proposed by the Governor and many correctional experts. We  
5 find credible the evidence that these measures, properly implemented, would not adversely  
6 impact public safety or the operation of the criminal justice system. We also find that these  
7 measures are feasible, and that they could achieve the population reduction required to  
8 achieve constitutional levels of medical and mental health care delivery.

9 1. Early Release Through Expansion of Good Time Credits

10 California, like the federal government and nearly every other state, has a system  
11 through which inmates can earn credits to reduce their prison sentences by complying with  
12 prison rules or by participating in rehabilitative, education, or work programs. *See, e.g.*, Rep.  
13 Tr. at 1398:6-15 (Austin); *id.* at 1549:23-1550:14 (Beard). California's inmates can earn  
14 credits off their prison sentences through "participation in work, educational, vocational,  
15 therapeutic or other prison activities" and for good behavior. Cal. Penal Code §§ 2931,  
16 2933.<sup>70</sup> CDCR Undersecretary Jett testified that the purpose of California's good time  
17 credits system is to provide an incentive for inmates to participate in education and work  
18 programs because those programs can reduce recidivism. Rep. Tr. at 1724:6-16.

19 Experts presented by plaintiffs, defendants, and defendant-intervenors all supported  
20 the expansion of this good time credits system. Secretary Lehman and Secretary Woodford  
21 both recommended the expansion of the credit system as a way to reduce the prison  
22 population without adversely affecting public safety. *See* Aug. 15, 2008 Lehman Report  
23 ¶ 13; Rep. Tr. 1326:21-1327:2, 1361:2-13 (Woodford). The public safety experts for  
24 defendants and defendant-intervenors criticized generic early release programs but testified  
25 that they were not opposed to the good time credits system. *See* Rep. Tr. at 1991:22-25

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27  
28 <sup>70</sup>These credits are referred to, variously, as earned good time credits, good time  
credits, earned credits, time credits, or earned time credits.

1 (Marquart) (stating that he is not opposed to granting earned credits for compliance with  
2 prison rules);<sup>71</sup> Aug. 15, 2008 Bennett Report ¶ 79; Rep. Tr. at 1015:21-1016:2 (Rodriguez).

3 Defendants themselves have proposed the expansion of earned good time credits, and  
4 they would “[o]f course not” propose plans that would endanger public safety. *Id.* at 1685:3-  
5 15 (Cate); *id.* at 1921:14-1922:1 (Kernan). The Governor’s 2008 and 2009 budget proposals  
6 included an enhancement in the award of good time credits for up to four months for each  
7 program successfully completed by an eligible inmate, reasoning that “[i]ncentivizing  
8 program participation and completion will reduce inmate violence within the CDCR and will  
9 facilitate the inmate’s reintegration into society.” Ex. P780 at 18 (Governor’s Budget,  
10 Special Session 2008-09); Jan. 16, 2009 Sturges Decl., Ex. A at 28 (2009-10 Governor’s  
11 Budget).<sup>72</sup> The Corrections Independent Review Panel chaired by former Governor  
12 Deukmejian also recommended the expansion of the earned time credits system as one  
13 component of comprehensive reform of the prison system. Ex. P4 at 122, 130. The CDCR  
14 Expert Panel made the same recommendation. *See* Ex. P2 at ix, 92.

15 Expansion of the good time credits system would reduce the prison population by  
16 allowing inmates to shorten their lengths of stay in prison by a few months. The evidence  
17 indicates that such moderate reductions in prison sentences do not adversely affect either  
18 recidivism rates or the deterrence value of imprisonment. According to Dr. Austin, a  
19 correctional sociologist and plaintiffs’ expert, criminologists have known “for many, many,  
20 many years” that generally “there is no difference in recidivism rates by length of stay” in  
21 prison, so reducing the length of stay by a “very moderate period of time” – four to six  
22 months – would have no effect on recidivism rates. Rep. Tr. at 1387:1-11. Other experts,  
23 including an expert for defendants and an expert for defendant-intervenors, agreed with the

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24  
25 <sup>71</sup>Dr. Marquart criticized the earned credit system implemented in Texas in his expert  
26 report, *see* Aug. 14, 2008 Marquart Report at 19, but testified that he was not opposed to  
earned credits more generally. As we discuss below, Dr. Marquart’s testimony on this issue  
is contradictory and unreliable.

27 <sup>72</sup>We do not consider here other proposed measures in budget messages submitted by  
28 the Governor post-trial. We are aware, however, that they contain additional proposals for  
reducing the prison population safely.

1 proposition that there is no statistically significant relationship between an individual's  
2 length of stay in prison and his recidivism rate. *E.g., id.* at 1325:11-16 (Woodford); *id.* at  
3 1995:21-24 (Marquart); *id.* at 1154:18-24 (Powers); *see also* Ex. DI-204 at 1 (April 2007  
4 National Council on Crime and Delinquency report, "Effect of Early Release from Prison on  
5 Public Safety: A Review of the Literature"). Dr. Austin's study of the CDCR data confirmed  
6 that this is true of inmates in California's prisons. Aug. 27, 2008 Austin Supp. Report  
7 ¶¶ 4-8.<sup>73</sup> Similarly, a moderate reduction in an inmate's length of stay in prison would not  
8 affect the deterrence value of imprisonment. According to two correctional experts,  
9 including one presented by a defendant-intervenor, "certainty of punishment" and "the  
10 quickness with which penalties are brought to bear" have a much bigger effect on deterrence  
11 than a marginal difference in the level of sanctions. Rep. Tr. at 2106:2-7 (Krisberg)  
12 ("There's a pretty large consensus that minor reductions [in sanctions] are not going to make  
13 a big difference."); *id.* at 2194:19-2195:18 (Bennett) (testifying that "[i]t's not the severity of  
14 the sanction that's important" but "the certainty and the immediacy of it").

15 Defendants' expert Dr. Marquart opined as a general proposition that shortening the  
16 length of stay in prison by "advancing good time credits" could negatively impact recidivism  
17 because it might reduce the opportunity for inmates to complete rehabilitation programming.  
18 *E.g.,* Aug. 14, 2008 Marquart Prelim. Report at 20-21.<sup>74</sup> Dr. Marquart's opinion amounts, at  
19 most, to a note about the factors that should be considered in designing an effective expanded  
20 good time credits system. It is entitled to little, if any, weight as an observation about the  
21 possible negative effect on public safety of such a system. First, as noted above,  
22 approximately 50% of the 134,000 inmates released from California's prisons annually are  
23 currently released without the benefit of any rehabilitation programming and, in fact,

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24  
25 <sup>73</sup>In fact, some evidence suggests that properly targeted early release programs can  
actually reduce recidivism rates. *E.g.,* Sept. 8, 2008 Krisberg Report at 5.

26 <sup>74</sup>Dr. Marquart stated that shortening the inmates' lengths of stay might present a  
27 particular problem with respect to inmates in conservation camps who are trained to fight  
28 fires. Aug. 14, 2008 Marquart Prelim. Report at 21. It appears, however, that his concern  
with respect to these inmates is not that their recidivism rates would increase but that "their  
release could severely impact the services these inmates render to the state." *Id.*

1 evidence shows that inmates with shorter sentences are especially unlikely to benefit from  
2 such programming at this time.<sup>75</sup> See Ex. P113 at 13 (Rehabilitation Strike Team Report);  
3 Ex. P5 at 76. Thus, for at least 50% of the inmates released from California's prisons each  
4 year, an expanded good time credits program would not, at present, reduce their  
5 opportunities to complete rehabilitation programs.

6 More important, defendants are at the beginning stages of expanding rehabilitation  
7 programming in the state's prison system. The CDCR has recently begun to implement an  
8 evidence-based system of rehabilitation programming to reduce recidivism, and it has also  
9 taken steps to increase utilization of existing educational, vocational, and substance abuse  
10 programs. Rep. Tr. at 1710:20-1711:19, 1714:19-1715:1 (Jett). The evidence is clear that  
11 expanded rehabilitation programming, and expanded inmate participation in such  
12 programming, is a necessary component of California's goal of reducing its high recidivism  
13 rate. One of the proposals advanced by Defendant Governor Schwarzenegger in his 2008-09  
14 budget would authorize the CDCR to provide "up to four months of earned credit for each  
15 program successfully completed by an eligible inmate." Ex. P780 at 18. Thus, the Governor  
16 contemplates *completion* of rehabilitation programs as one of the foundations of an expanded  
17 earned good time credits system.

18 We also reject the testimony that inmates released early from prison would commit  
19 additional new crimes. Even aside from the fact that many of these individuals would be less  
20 likely to reoffend because they benefitted from completing rehabilitative programs, the  
21 weight of the evidence showed that, because length of stay is unrelated to recidivism, all else  
22 being equal the likelihood that a person who is released a few months before his original  
23 release date will reoffend is the same as if he were released on his original release date. See,  
24 e.g., Rep. Tr. at 1966:20 -1967:5 (Marquart); *id.* at 2653:2-15 (Yim) (Chief of Correctional

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25  
26 <sup>75</sup>Inmates with short sentences who participate in San Diego County's community re-  
27 entry program are receiving some rehabilitation programming in prison. San Diego,  
28 however, is the only county that has implemented such a program since the 2005 passage of  
Senate Bill 618, which authorized them. At the time of the trial, San Diego's program had  
only 389 inmate-participants. Rep. Tr. at 987:9-16 (Rodriguez) (San Diego County Deputy  
District Attorney).

1 Services Division of the Los Angeles County Sheriff's Department). Shortening the length  
2 of stay in prison thus affects only the timing and circumstances of the crime, if any,  
3 committed by a released inmate – i.e., whether it happens a few months earlier or a few  
4 months later. *Id.* at 1329:16-19 (Woodford); *id.* at 2319:1-23 (Dyer) (City of Fresno Police  
5 Chief); *id.* 1569:11-20 (Beard); *id.* 2163:12-19 (Krisberg); *see also id.* at 1769:5-13  
6 (Hoffman) (CDCR's Director of Adult Parole Operations) (testifying that returning technical  
7 parole violators to prison only postpones victimization and crime). Although there might be  
8 an increase in arrests in the initial months of an early release, *see, e.g.*, Austin Aug. 15, 2008  
9 Report ¶¶ 93-95; Austin Aug. 27, 2008 Report ¶ 9, this increase represents only a  
10 concentration in the number of arrests that would have happened in any event and does not  
11 affect the total number of arrests. While the victims of crimes may be different, and we do  
12 not underestimate the significance of early release to those victims, our concern under the  
13 PLRA is to consider the overall impact on public safety, which we find would be no  
14 different.

15 Thus, the testimony by defendant-intervenors regarding the increased arrests that  
16 followed early releases in two counties and one city does not undermine our conclusion that  
17 early release through an expanded good time credits program could be implemented without  
18 adversely affecting public safety. Defendant-intervenors' witnesses offered the following  
19 testimony. In Orange County in the 1990s inmates were released early due to court-ordered  
20 population caps, and a number were rearrested for crimes committed during the time they  
21 would otherwise have been in custody. Ex. DI-628 (July 1, 1997 Sheriff's Presentation on  
22 Theo Lacy [Jail] Expansion to Orange County Board of Supervisors); *see also* Dostal Decl.  
23 ¶ 11 (Executive Director of Administrative Services for Orange County Sheriff's  
24 Department); Dostal Supp. Decl. ¶ 2. In Los Angeles County, 10% of those released from  
25 jail pursuant to an early release program were rearrested during the period of early release,  
26 including 16 for murder, over a five-year period. Rep. Tr. 1811:18-1812:4, 1824:14-15  
27 (Smith) (Lieutenant in Los Angeles County Sheriff's Department Custody Support Services  
28 Division). While this evidence may suggest an accelerated arrest pattern, it does not show an

1 increase in the overall crime rate. Chief Dyer of the Fresno Police Department testified that  
2 when an increased number of parolees were released in 2005 as part of an earned credits  
3 program, the city experienced an increase in crime, *id.* at 2329:20-2330:11, but his testimony  
4 again did not reveal whether the crime represented only a temporary bulge, whether other  
5 factors affecting crime remained unchanged, or whether a risk assessment tool – which  
6 measures the probability that an offender will recidivate, *see id.* at 2128:24-2129:1, 2132:6-  
7 2134:13 (Krisberg) – was used to target low- to moderate-risk inmates for release.

8 In fact, empirical evidence from California’s communities demonstrates that early  
9 release programs – as well as diversion, a population reduction measure we discuss in more  
10 detail below – do not increase crime. Dr. Krisberg reviewed data provided by California and  
11 the FBI and concluded that such programs, which were instituted in twenty-one California  
12 counties between 1996 to 2006, resulted in approximately 1.7 million inmates released by  
13 court order but did not result in a higher crime rate. Sept. 8, 2008 Krisberg Report at 10.  
14 This is persuasive evidence that the early release program proposed by plaintiffs poses no  
15 threat to public safety or the operation of the criminal justice system.

16 Furthermore, if the good time credits system is expanded and programming enhanced,  
17 it is likely that recidivism will decrease. Expansion of the good time credits system could  
18 include an “increase in the number of credits that prisoners can earn for participation in  
19 programs, or being in compliance with a case management plan.” Rep. Tr. at 1387:16-18  
20 (Austin). Such an incentive contributes to a decline in recidivism because “it gives [inmates]  
21 what they need [in order] to keep them out of prison in the future,” *id.* at 1549:21-22 (Beard),  
22 as determined by an evidence-based assessment of the underlying factors, such as addiction  
23 or lack of vocational skills, that may have driven the inmate’s criminal behavior. *Id.* at  
24 1550:18-1551:19 (Beard); *see also id.* at 1398:21-1399:1 (Austin) (reducing sentence length  
25 due to inmate’s completion of an education program is a “win-win” because it lowers the  
26 length, and therefore the cost, of incarceration and lowers the likelihood of the inmate’s  
27 recidivism upon release). The evidence tendered thus confirms the conclusion of the CDCR  
28 Expert Panel that “the public safety benefits of [expanding good time credits] will be a vast

1 improvement over California's current practice of releasing offenders who have not  
2 completed rehabilitation programming." Ex. P2 at 12.

3       Based on all of the above, we conclude that shortening an inmate's length of stay in  
4 prison would not increase recidivism rates, and that shortening the length of stay through  
5 earned credits would give inmates incentives to participate in programming designed to  
6 lower recidivism. We credit the opinions of the numerous correctional experts that the  
7 expansion of good time credits would not adversely affect but rather would benefit the public  
8 safety and the operation of the criminal justice system. We also note that this is the view of  
9 the Governor, who has recommended the adoption of an earned credit program as a means to  
10 better "facilitate the inmate[s'] reintegration into society." Ex. P780 at 18 (Governor's  
11 Budget, Special Session 2008-09).

## 12               2.       Diversion of Technical Parole Violators

13       California has a "very abnormal practice" of sending a high number of technical  
14 parole violators to prison for a short of amount of time.<sup>76</sup> Rep. Tr. 1434:12-14 (Austin);  
15 Aug. 15, 2008 Austin Report ¶ 13 (explaining that California's re-arrest rate for parolees is  
16 similar to other states, but the high use of imprisonment for parole violations produces a high  
17 return to prison rate). In California, more than 70,000 parolees are returned to prison each  
18 year for technical parole violations, approximately 17,000 of whom are "pure technical  
19 violators" who have not been arrested for a new crime but have only violated a term or  
20 condition of their parole. Ex. P5 at 72-74; Rep. Tr. at 1739:18-19 (Hoffman).

21       Evidence – including testimony from Thomas Hoffman, Director of the CDCR's  
22 Division of Adult Parole Operations – overwhelmingly showed that California's practice of  
23 sending parole violators back into the state prison system for an average of four months and  
24 incarcerating them during that time in crowded reception centers endangers public safety and  
25 burdens the criminal justice system. *See, e.g.*, Rep. Tr. at 1769:5-13 (Hoffman) (agreeing

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26  
27       <sup>76</sup>Technical parole violators are those parolees who have violated their conditions of  
28 supervised release but have not been convicted of new crimes. Aug. 15, 2008 Austin Report  
¶ 12. The category includes those who have been arrested for new crimes but were not  
prosecuted or convicted. *Id.*

1 that “this churning pattern just postpones victimization and crime” and testifying that “we  
2 know it’s not working”); Ex. P113 at 78 (Rehabilitation Strike Team Report) (“This system  
3 of ‘catch and release’ makes little sense from either a deterrence, incapacitation, treatment, or  
4 economic standpoint.”). According to research by Professor Petersilia, this high return-to-  
5 prison rate for parole violators “is creating a destructive situation by constantly cycling  
6 offenders in and out of prison and their home communities in a way that blurs the distinction  
7 between the two and combines the worst elements of each.” Ex. P5 at 75. Professor  
8 Petersilia found that, among other negative effects, this “churning” or “catch-and-release”  
9 disrupts the inmate’s ability to participate in community-based rehabilitative programs,  
10 encourages the spread of prison-gang culture in communities, wastes parole processing  
11 resources, and reduces the deterrent value of prison by “transform[ing] a trip to prison into  
12 . . . a trivial and short-lived intrusion on day-to-day criminality.” *Id.* at 76. Secretary  
13 Woodford, the former acting Secretary of the CDCR, agreed with this assessment, based on  
14 her experience administering California prisons in various capacities, including as warden at  
15 San Quentin. Rep. Tr. at 1316:23-1317:11; *see also* Ex. D1196 at DEFS021721 (Integrated  
16 Strategy to Address Overcrowding in CDCR’s Adult Institutions) (“[C]hurning is costly,  
17 does little or nothing to promote public safety and frustrates real efforts at rehabilitation.”).  
18 Dr. Gilligan, plaintiffs’ mental health expert, testified that this practice has a particularly  
19 adverse impact on the mentally ill, who are not given adequate treatment or transition plans  
20 because of the short length of their return to prison. Aug. 15, 2008 Gilligan Report ¶ 33.

21 This churning, and its adverse effects, could be stopped in several ways. One is to use  
22 a parole revocation instrument to determine whether parole violators should be sent back to  
23 prison. Rep. Tr. at 1385:11-21 (Austin); Aug. 15, 2008 Austin Report ¶ 52. Such an  
24 instrument has been implemented in a number of states, including Pennsylvania, South  
25 Carolina, New Jersey, Oregon, Georgia, Iowa, Kansas, South Dakota, and Texas.<sup>77</sup> *Id.*; Rep.  
26 Tr. at 1564:4-1565:8 (Beard). The CDCR has already started implementing reform of the

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27  
28 <sup>77</sup>Washington State has a law that prevents technical parole violators from being  
returned to prison. Aug. 15, 2008 Lehman Report ¶ 16.

1 parole system and has developed a “Parole Violation Decision Making Instrument.” *Id.* at  
2 1678:15-25 (Cate); Hoffman Trial Aff. ¶¶ 8-13; Ex. D1198 (Sept. 30, 2008 Letter from  
3 Jessica R. Devencenzi, Deputy Attorney General, to Michael Bien, Rosen Bien & Galvan,  
4 LLP). Secretary Cate called the use of the parole revocation instrument one of the “best  
5 practices” in the area of parole reform. Rep. Tr. at 1706:9-14 (Cate). Dr. Austin noted a  
6 number of other ways to reduce the return of technical parole violators to prison, including  
7 prohibiting parole violators from being readmitted to prison for technical violations, reducing  
8 the period of parole supervision, and instituting an incentive program for parole agents.  
9 Aug. 15, 2008 Austin Report ¶¶ 51-54. The Governor has proposed placing all “non-serious,  
10 non-violent, non-sex offenders” on summary parole. *See* Ex. P780 at 18 (Governor’s  
11 Budget, Special Session 2008-09); Jan. 16, 2009 Sturges Decl. ¶ 2 & Ex. A at 28 (2009-10  
12 Governor’s Budget); Ex. P328 at 178 (Governor’s Budget Summary 2008-09). All of these  
13 options may be considered by the state and implemented in a manner that would be  
14 consistent with its ultimate objectives.

15       The use of a “best practices” instrument, as well as other methods referred to above, to  
16 reduce the number of parole violators returned to the state prison system, if properly  
17 implemented, would not have an adverse impact on public safety or on the criminal justice  
18 system. At the very least, slowing the flow of technical parole violators to prison would  
19 mitigate the dangerous crowding at reception centers and ease the burden on the parole  
20 processing system. It would free up space in the reception centers so that those centers could  
21 be used for their original purpose: sorting inmates into the right correctional settings. It  
22 would give parolees a better opportunity to participate in continued rehabilitative  
23 programming in the community, and it would likely improve a system that currently  
24 “undercut[s] the deterrent effect of serving prison time.” Ex. P5 at 76. We agree, for  
25 example, with the assertion of the CDCR’s Director of Adult Parole Operations that the use  
26 of a parole revocation instrument in California would “reduce future victimization, increase  
27 public safety, and enhance the ability of offenders to become more productive members of  
28 the community.” Hoffman Trial Aff. ¶ 10.

1           Additionally, public safety would improve if technical parole violators who are not  
2 returned to prison were diverted to alternative sanctions in the community, including drug  
3 treatment, day reporting centers, electronic monitoring, and, if necessary, county jail.<sup>78</sup> *See*  
4 Rep. Tr. at 1318:21-1319:2 (Woodford). The CDCR already has alternative sanctions  
5 programs and is working on expanding the scope and availability of such programs.  
6 Hoffman Trial Aff. ¶¶ 19-25. Many of these programs address the offender’s criminogenic  
7 factors and can thus reduce recidivism. *Id.* The use of graduated sanctions would serve the  
8 same deterrent purpose as imprisonment while effectively reducing recidivism. *See*  
9 Woodford Aug. 15, 2008 Supp. Report ¶ 32 (“Sanctions other than incarceration are effective  
10 in punishing many prisoners and at the same time reducing the risk of recidivism.”); Rep. Tr.  
11 at 2194:19-2195:18 (Bennett) (“We need to have meaningful, immediate, certain sanctions.  
12 And it doesn’t have to be a return to prison. We can develop sanctions at the local level. . . .  
13 We can have a more effective sanction without interrupting individuals’ lives and returning  
14 them to prison.”). Former CDCR Secretary James Tilton stated that he believed that these  
15 alternative community sanctions programs would improve public safety over time. Sept. 3,  
16 2008 Tilton Dep. at 153:4-154:3.

17           CDCR officials and experts overwhelmingly supported the use of the parole  
18 revocation instrument and the diversion of technical parole violators to alternative sanctions  
19 in the community. Scott Kernan, the CDCR’s Undersecretary of Operations, stated that  
20 “[t]hese efforts have proven to reduce prison population while maintaining public safety.”  
21 Kernan Trial Aff. ¶ 23. Experts for plaintiffs, defendants, and defendant-intervenors testified  
22 in favor of the diversion of technical parole violators. *E.g.*, Aug. 15, 2008 Lehman Report  
23 ¶ 16; Rep. Tr. at 1993:6-8 (Marquart); *id.* at 2194:19-2195:18 (Bennett); Buddress Trial  
24 Decl. ¶ 3. The Governor’s Rehabilitation Strike Team urged the use of the parole violation  
25 instrument and diversion, concluding that “[s]imilar ‘best practices’ proposals have worked  
26 in other states to better prepare inmates for re-entry, reduce prison returns, protect public  
27 safety, and reduce the costs of corrections.” Ex. P113 at 17, 89-90. The three reports of

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28 <sup>78</sup>We discuss the likely impact of these measures on the counties *infra* Section VII.C.

1 independent commissions presented to the state – the CDCR Expert Panel Report, the  
2 Corrections Independent Review Panel Report, and the Little Hoover Commission Report –  
3 also recommended the diversion of technical parole violators. *See* Ex. P2 at 47-49; Ex. P3 at  
4 31; Ex. P4 at 154, 158-59. In fact, according to the CDCR Expert Panel, fifteen reports  
5 published since 1990 on California’s prison crisis have recommended the diversion of  
6 technical parole violators. Ex. P2 at 77.

7 We conclude that simply slowing the flow of technical parole violators to prison,  
8 thereby substantially reducing the churning of parolees, would by itself improve both the  
9 prison and parole systems, and public safety. Diversion of parole violators to community  
10 alternative sanctions programs would serve to significantly reduce recidivism. We therefore  
11 find that diverting parole violators to alternative community sanctions programs would  
12 reduce the prison population while having a positive rather than a negative effect on public  
13 safety and the operation of the criminal justice system.

### 14 3. Diversion of Low-Risk Offenders with Short Sentences

15 Plaintiffs also propose reducing the prison population by diverting low-risk offenders  
16 with short sentences for community sanctions. Rep. Tr. 1385:22-1386:21 (Austin); Aug. 15,  
17 2008 Austin Supp. Report ¶¶ 58-61.

18 According to Dr. Austin, a substantial number of inmates enter the California prison  
19 system with sentences of less than twenty-four months, the largest group of which are those  
20 with a sixteen-month sentence, many of whom have already served up to seven months of  
21 their sentence in a county jail. Rep. Tr. 1386:2-1386:12; Aug. 15, 2008 Austin Supp. Report  
22 ¶ 60 & tbl. 5. Under current policies, these inmates can halve the remaining periods of their  
23 sentences by earning work credits, with the result that these inmates serve only a few months  
24 in state institutions – an amount comparable to that served by technical parole violators.  
25 Rep. Tr. 1386:2-1386:12. Like the technical parole violators, these inmates are unlikely to  
26 participate in any meaningful programming during their short term of imprisonment. *See*  
27 Aug. 15, 2008 Austin Report ¶ 60 (“A diversion program would eliminate a short period of  
28

1 imprisonment within the CDCR (during which the prisoner is unlikely to become involved in  
2 any meaningful programming). . . .”).

3         Instead of incarcerating all of these offenders, the CDCR could use risk assessment  
4 instruments to identify low-risk offenders and divert these offenders to community  
5 correctional programs to serve their sentences. *See* Rep. Tr. 1386:13-21 (Austin). The state  
6 might also consider implementing incentive-based funding for community corrections,  
7 similar to that adopted by California in the 1960s, when the state provided fiscal rewards to  
8 counties that reduced the number of people being sent to prison. *See* Rep. Tr. at 1042:4-14  
9 (Powers). This would require the diversion of only a portion of the funds that adoption of the  
10 reforms discussed herein would save the state.

11         A number of correctional and law enforcement experts opined that the diversion of  
12 low-risk offenders would not have an adverse impact on public safety or the operation of the  
13 criminal justice system. Secretary Woodford stated, based on her prior experiences as the  
14 chief probation officer of San Francisco, warden of San Quentin, and acting Secretary of the  
15 CDCR, that California “incarcerates many more prisoners than is necessary for the safety of  
16 the public.” Aug. 15, 2008 Woodford Supp. Report ¶ 32. She stated that there are  
17 intermediate sanctions available, and that California would have safer communities if it used  
18 those sanctions rather than incarceration in appropriate circumstances. *Id.* The use of such  
19 intermediate sanctions would not significantly affect deterrence, as sanctions short of  
20 imprisonment have deterrent value so long as they are “meaningful, immediate, and certain.”  
21 *See, e.g.*, Rep. Tr. at 2194:19-2195:18 (Bennett).

22         Law enforcement officials from the counties also testified that diversion could  
23 improve public safety if implemented correctly. *See, e.g.*, James Trial Decl. ¶¶ 6-7 (Orange  
24 County Assistant Sheriff); Rep. Tr. at 2369:5-12 (Dyer); Buddress Trial Decl. ¶¶ 10-11.  
25 According to these local law enforcement officials, offenders who have not been to prison  
26 “are easier to program [and] treat . . . before they have been exposed to (and potentially  
27 trained by) more hardened and experienced criminals in the state prison system.” James  
28 Trial Decl. ¶ 20; *see also* Rep. Tr. at 1052:16-1053:10 (Powers) (“[S]o you put someone who

1 is a low risk, low level person into an environment[] with high risk individuals, they don't  
2 naturally get better. They gravitate up. So when they come out, they are worse off.”).  
3 According to the testimony of law enforcement and county officials, many counties now  
4 successfully divert offenders from jail to substance abuse programs, correctional day  
5 reporting centers, and electronic monitoring. *See, e.g., id.* at 2276:19-2277:1 (Graves); *id.* at  
6 2798:3-24 (Hennessey) (City and County of San Francisco Sheriff); Dalton Am. Trial Decl.  
7 ¶¶ 33-35. Thus, successful models for community corrections are already in place, and,  
8 although the characteristics of the populations that they currently serve may be different from  
9 the prison population, they can be expanded to serve an increase in diverted offenders with  
10 proper funding and coordination between the state and the counties. *See, e.g.,* Aug. 15, 2008  
11 Garner Report at 6 (Director of Santa Clara County Department of Alcohol and Drug  
12 Services) (“Local treatment systems exist in every county and with adequate state funding  
13 they can be expanded to accommodate the proposed increase in clients resulting from early  
14 release of prisoners.”); Meyer Am. Trial Decl. ¶ 69. An expert for the law enforcement  
15 intervenors testified that if the state were to establish such programs on a statewide or  
16 county-by-county level, the prison population could be reduced, by that reform alone, by  
17 about 30%, as a conservative estimate, in two to five years. Rep. Tr. at 2771:4-10 (Meyer).<sup>79</sup>

18 The opinion of these California correctional and law enforcement experts was  
19 confirmed by Dr. Beard, the Secretary of the Pennsylvania Department of Corrections, who  
20 testified regarding Pennsylvania’s success in implementing an intermediate punishment  
21 program that diverts offenders from jails and prisons to substance abuse programs. *Id.* at  
22 1554:20-1556:20. A study of that program found that inmates in the program had lower  
23 recidivism rates than those sent to county jails or state prisons. *Id.* at 1555:2-5. Dr. Beard  
24 testified that “the research is really clear out there that community-based programming is  
25 actually more effective than prison-based programming.” *Id.* at 1555:21-23. Such  
26 programming can contribute to rehabilitation without taking the offender away from the

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27 <sup>79</sup>The witnesses for defendant-intervenors expressed concern that neither the state nor  
28 the counties have the funds to expand the community correctional system. We address this  
concern below. *Infra* Section VII.C.

1 community and creating the problems of re-entry upon release from prison. *Id.* at 1556:1-14.  
2 According to Dr. Austin, other states, including Ohio and Michigan, have also successfully  
3 adopted diversion programs without an adverse effect on crime. *E.g., id.* at 1399:2-15.

4 There was testimony that some individuals on electronic monitoring or in other  
5 alternative programs have committed crimes, *e.g., id.* at 1179:23-1180:3 (Powers), and we  
6 acknowledge that diversion programs cannot stop all crime. But, again, the individuals to be  
7 diverted are those who would have been released from prison a few months later in any  
8 event, after being exposed to “more hardened and experienced criminals.” James Trial Decl.  
9 ¶ 20. Thus, the incidents that have occurred during participation in alternative programs do  
10 not undermine the weight of the testimony that diversion programs have an overall positive  
11 effect on public safety and the operation of the criminal justice system.

12 We therefore conclude that the diversion of offenders to community correctional  
13 programs has significant beneficial effects on public safety and the operation of the criminal  
14 justice system as compared to the current system, including preventing the exposure of  
15 offenders to criminogenic conditions, providing effective rehabilitation, and avoiding a  
16 disruption in the offender’s life that creates re-entry problems upon release.

17 4. Expansion of Evidence-Based Rehabilitative Programming in Prisons or  
18 Communities

19 Every witness, from the CDCR’s Undersecretary of Programming to law enforcement  
20 officers and former heads of correctional systems, testified that an increase in the availability  
21 of evidence-based rehabilitative programming – i.e., programs that research has proven to be  
22 effective in reducing recidivism, Rep. Tr. at 1042:19-1043:14 (Powers) – in the prisons or in  
23 the communities would reduce the prison population and have a positive impact on public  
24 safety. *See, e.g., id.* at 1721:16-22 (Jett); *id.* at 1159:14-19 (Powers); *id.* at 1962:15-23  
25 (Marquart); *id.* at 2009:15-2010:1 (Lehman); *id.* at 2728:6-18 (Runner); *id.* at 2385:2-14  
26 (Pacheco) (Riverside County District Attorney); Meyer Am. Trial Decl. ¶¶ 46-52. Research  
27 from Washington State concluded that an expansion of evidence-based programming would  
28 reduce the prison population, while leading to a net decrease in the crime rate. *See*

1 Ex. D1331 at 15 (Oct. 2006 Washington State Institute for Public Policy report, “Evidence-  
2 Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs,  
3 and Crime Rates”).

4 Experience demonstrates the benefits of evidence-based programming. Missouri and  
5 Washington have successfully and safely reduced prison populations through such  
6 programming. *See* Rep. Tr. at 2767: 21-2768:11 (Meyer). Moreover, the evidence from the  
7 law enforcement intervenors and county intervenors overwhelmingly showed that there are  
8 already models for successful evidence-based programs all over California, from Yolo  
9 County to San Diego County, that have reduced recidivism and thus improved public safety  
10 in those communities. *See, e.g., id.* at 2784:25-2785:4 (Meyer); *id.* at 2803:19-2804:1  
11 (Hennessey); Rodriguez Trial Decl. ¶¶ 20-21; Aug. 15, 2008 Bennett Report app. C ch.3  
12 (“Chapter Three: Alternatives to Incarceration” from July 2007 “Sonoma County, California:  
13 Corrections Master Plan”). As Chief Probation Officer Meyer stated, successful models “are  
14 on the shelf” and ready to be implemented. Rep. Tr. 2784:25-2785:4.

15 As discussed above, the CDCR has also already begun to design and implement an  
16 expansion of rehabilitation services for inmates and parolees. *See* Jett Trial Aff. ¶¶ 6-13;  
17 Ex. P79 (July 15, 2008 California Rehabilitation Oversight Board Biannual Report). We  
18 agree with Undersecretary Jett, who oversees this process, that its successful implementation  
19 would lead to a reduction in recidivism and a reduction in the prison population. *See* Jett  
20 Trial Aff. ¶ 13.<sup>80</sup> Improvements in the implementation of the process will become  
21 increasingly likely as the reduction in the prison population occurs. The two functions are, in  
22 practicality, related.

23 Based on the overwhelming and uncontroverted evidence, we find that additional  
24 rehabilitative programming would result in a significant population reduction while  
25 improving public safety and reducing the burden on the criminal justice system. If  
26 implemented in conjunction with any or all of the population reduction measures described

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27  
28 <sup>80</sup>Successful implementation of such programming will, of course, require space that  
is currently not available in California’s prisons.

1 above, such programming would enhance the likelihood that recidivism will decline as the  
2 prison population is decreased. Moreover, if implemented within the state prison institutions,  
3 such programming would have a synergistic effect on the ability of inmates to reduce their  
4 sentences by earning good time credits.

5           5.     Sentencing Reform and Other Potential Population Reduction Measures

6           The evidence at trial focused primarily on the potential effects of the population  
7 reduction measures proposed by plaintiffs. However, there are other means as well by which  
8 the state could reduce its prisoner population, and the state is in no way bound by plaintiffs'  
9 proposals. For example, Expert Panel co-chair Professor Joan Petersilia reported that fifteen  
10 studies have been issued regarding California prisons since 1990, all containing essentially  
11 the same ten recommendations. Ex. P2 at 77-79. Those recommendations include not only  
12 the four population reduction measures proposed by plaintiffs, but also reformation of the  
13 state's determinate sentencing regime "to reward prisoners for participating in rehabilitation  
14 programs and allow the system to retain prisoners who represent a continued public safety  
15 risk," the creation of a sentencing reform commission "authorized to design new sentencing  
16 statutes into a workable system that balances uniformity of sentencing with flexibility of  
17 individualization," and the release or diversion of certain "[s]ub-populations, such as women,  
18 the elderly and the sick" from prison to community-based facilities. *Id.* at 77. Also, as noted  
19 above, the state has suggested that its prison population might be reduced through the  
20 transfer of inmates out of state or into federal custody. The state is certainly free to include  
21 any of these alternatives in its proposed population reduction plan should it be able to  
22 establish the feasibility and the positive effects of such programs, especially their  
23 compatibility with public safety.

24           Like plaintiffs' proposed population reduction measures, the other measures discussed  
25 by Professor Petersilia generally would have a positive effect on public safety. In particular,  
26 the repeated recommendation that the state establish a sentencing commission and reform its  
27 determinate sentencing regime reflects an urgent need for the state to reconsider its  
28 counterproductive sentencing practices. As the Little Hoover Commission reported,

1 California’s present sentencing regime is a “chaotic labyrinth of [sentencing] laws with no  
2 cohesive philosophy or strategy.” Ex. P3 at 35. The state’s sentencing laws promote  
3 certainty in the length of sentences at the expense of public safety: Because release at a  
4 particular date is certain, offenders have little incentive to improve themselves in prison or  
5 while on parole,<sup>81</sup> and offenders must be released even if they pose a serious threat to the  
6 community. *Id.* at 34. In addition, sentencing judges and prison authorities have little ability  
7 to ensure that sentences and conditions of incarceration reflect the circumstances of a  
8 particular crime and offender. Similarly, characteristics suggesting that the offender presents  
9 a low-risk of recidivism or would more effectively serve his sentence in a correctional setting  
10 besides prison, including the fact that the offender is elderly or infirm, cannot be considered.  
11 “[California sentencing] law treats many crimes alike, even when the circumstances of an  
12 individual case or the characteristics of the offender might warrant a different resolution that  
13 would better benefit victims and the community.” *Id.* at 36. Furthermore, the present system  
14 leads to “overreliance on the most expensive sanction – state prison – instead of local  
15 correctional alternatives that could provide more effective and efficient punishment.” *Id.*  
16 Finally, the “countless increases in the length of criminal sentences” over the last few  
17 decades do not reflect a coherent sentencing policy and also may not serve the state’s  
18 sentencing goals. *Id.* at 33, 35, 48. Public safety is not benefitted by blindly approving of  
19 the continued incarceration of prisoners who pose little threat of committing further crimes.  
20 Like a number of other official bodies, the Little Hoover Commission recommended that a  
21 sentencing commission be established to “develop sentencing guidelines, as well as post  
22 release supervision and revocation guidelines that [would] become law unless rejected by a  
23 majority vote of the Legislature,” *id.* at 48.

24 The establishment of a sentencing commission is but one approach to addressing the  
25 problems in the state’s sentencing laws; there are undoubtedly others. Regardless of the  
26 approach adopted by the state, however, it is clear that California’s sentencing regime ill-

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27  
28 <sup>81</sup>However, according to the Commission, “incentives can be built into the existing  
sentencing structure to improve public safety and offender outcomes.” *Id.* at 37.

1 serves the state's interests, and that the overcrowding crisis in California's prisons provides  
2 an opportunity for the state to reconsider its sentencing practices. Numerous reports have  
3 recommended sentencing reform and established that such reform would, if implemented,  
4 have a positive impact upon public safety. *See id.* at 38-42 (describing the positive public  
5 safety effects in various states of their use of a sentencing commission). Given the fact that  
6 legislative bodies tend to vote only to increase sentences and not to reduce them, however,  
7 and given the questionable nature of California's initiative process, there appears to be little  
8 or no hope of a serious review of sentencing laws or policies in the absence of some  
9 extraordinary state action.

10         The state might also consider changing the criminal law itself. For example, the  
11 Governor has proposed adjusting the threshold value at which certain property crimes  
12 become felonies to reflect inflation since 1982. Ex. P780 at 18 (Governor's Budget: Special  
13 Session 2008-09); Jan. 16, 2009 Sturges Decl. Ex. A at 28 (2009-10 Governor's Budget).  
14 Such a change would reclassify crimes falling below the adjusted threshold as misdemeanors.  
15 Likewise, the state might consider permitting low-risk offenders, such as the elderly or the  
16 infirm, to serve the latter portions of their sentences in community corrections facilities or on  
17 house arrest. Both of these proposals would reduce the prison population by diverting certain  
18 offenders to alternative placements rather than prison. Both have also been endorsed by state  
19 officials, a strong indication that the proposals would not have an adverse effect on public  
20 safety.

21         The parties introduced no evidence as to the effect on public safety of the transfer of  
22 inmates out-of-state or into federal custody, so we cannot consider those measures in detail at  
23 this time. As we have already explained, however, the out-of-state transfer program  
24 proposed by defendants is far too small, by itself, to make more than a dent in the problem of  
25 overcrowding, and the additional resources required to monitor the medical and mental  
26 health care provided to transferred inmates could eliminate any benefits that otherwise result  
27 from such transfers. Furthermore, by moving inmates far away from their places of residence  
28 and making contact with families and friends unavailable, such transfers may reduce the

1 inmates' prospects for rehabilitation. The transfer of undocumented aliens to federal custody  
 2 might involve a larger number of inmates, but this suggestion was not sufficiently developed  
 3 to permit any extended analysis of its effect upon public safety and the operation of the  
 4 criminal justice system.<sup>82</sup>

### 5 **C. Impact of Proposed Measures on Communities**

6 Law enforcement and other witnesses from the communities testified that plaintiffs'  
 7 proposed prisoner release order would result in an overwhelming increase in the number of  
 8 crimes, arrests, and jail inmates, thus adversely affecting their ability to investigate,  
 9 prosecute, and punish crime. We cannot accept their opinions, however, to the extent that  
 10 they are based on the assumption that a "prisoner release order" would involve such drastic  
 11 measures as a mass early release and/or a ban on the admission of new offenders to prison.  
 12 We credit the concern of some witnesses, however, that resources at the community level are  
 13 strained, particularly because of the current fiscal crisis. *See, e.g.,* Cogbill Trial Decl.  
 14 ¶¶ 29-38 (Sonoma County Sheriff-Coroner); Boesch Trial Decl. at 8-9 (San Mateo County  
 15 Assistant County Manager); Aug. 15, 2008 Graves Report at 3-4. Nonetheless, as we discuss  
 16 below, the evidence demonstrates that the fears regarding increased crime, arrests, and jail  
 17 populations are largely unjustified, and that there are ways to achieve a reduction in  
 18 California's prison population without unduly burdening the already limited resources of  
 19 local communities.

#### 20 1. Investigation and Prosecution of Crime

21 Defendant-intervenors presented credible evidence that California's local law  
 22 enforcement resources are currently overtaxed. There are not enough judges, prosecutors,  
 23 public defenders, police officers, or resources to support their necessary work, and the

24 <sup>82</sup>The only evidence in the record on this proposal is testimony from one witness,  
 25 California State Senator George Runner, that California prisons house roughly 30,000 illegal  
 26 aliens, which is disproportionately high when compared to other states, and that federal  
 27 reimbursement is insufficient to cover the costs of housing these inmates. Runner Trial Decl.  
 28 ¶¶ 6, 19; Rep. Tr. at 2728:19-2729:12. We received no testimony on the feasibility of  
 transferring all or even a portion of these inmates to federal custody, and no testimony  
 regarding any potential impact on public safety or the operation of the criminal justice system  
 of such a transfer, including whether the prisoners might be swiftly deported and just as  
 swiftly re-cross the border into California shortly thereafter.

1 situation has worsened with the economic downturn. *See, e.g.*, Rep. Tr. at 2197:5-2199:9  
2 (Bennett); *id.* at 1856:13-21 (Word) (City of Vacaville Police Chief); Word Trial Decl. ¶ 25.  
3 The courts are severely clogged with cases and are several years behind on trials. *See Meyer*  
4 *Am. Trial Decl.* ¶ 43; Ryan Trial Decl. ¶ 28 (Amador County Sheriff-Coroner). Any  
5 significant increase or concentration in crime would likely further hamper investigations and  
6 prosecutions. *See, e.g.*, Ryan Trial Decl. ¶¶ 27-28; Dumanis Trial Decl. ¶ 33; Dyer *Am.*  
7 *Report* ¶ 28; Rep. Tr. at 1179:5-17 (Powers).

8         The population reduction measures described above, however, would not result in the  
9 significant increase in crime that many witnesses opposed to the measures believe would  
10 occur. As explained above, many witnesses wrongly assumed that this court would require a  
11 sudden mass release of one-third of California's prisoners or a ban on accepting new or  
12 returned prisoners. *See, e.g.*, Rep. Tr. at 1052:8-12 (Powers); Aug. 15, 2008 Bennett Report  
13 ¶¶ 13,18. That approach was not proposed by any party, nor would it be approved by the  
14 court.

15         Many witnesses also testified that, at present, a large number of crimes are committed  
16 by parolees, *see, e.g.*, Rep. Tr. at 2331:1-8 (Dyer); parolees have a high rate of recidivism,  
17 *e.g.*, Meyer *Am. Trial Decl.* ¶¶ 39-40;<sup>83</sup> and more crimes occur than are reported to the  
18 police, *e.g.*, Rep. Tr. at 1506:21-1507:20, 1508:11-19 (Austin). The parolees who would be  
19 released early to communities under the proposed measures, however, are the ones who are  
20 least likely to commit further offenses and who along with their fellow parolees would be  
21 released in any event a few months later. Indeed, the evidence describing the criminogenic  
22 nature of the California prisons suggests that the longer an inmate remains incarcerated, the  
23 more likely he is to reoffend upon release. *See, e.g.*, Rep. Tr. at 1580:5-9 (Beard); *id.* at  
24 2013:14-2014:1 (Lehman); Ex. P3 at 17. The relevant question for us to examine is not the  
25 absolute impact of the current population of parolees on local criminal justice systems, but  
26

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27         <sup>83</sup>This testimony does not take into account that the recidivism rate for parolees is high  
28 in California in part because the state returns most technical parole violators to prison. *See*  
Aug. 15, 2008 Austin Report ¶13.

1 the relative impact on the criminal justice system of the additional parolees in the community  
2 because of the proposed population reduction order.

3 The evidence shows that any such impact would be small. The expanded award of  
4 good time credits proposed by Dr. Austin, for example, would result in only a temporary  
5 increase in the return of parolees to communities during the initial period of implementation.  
6 Rep. Tr. at 1408:13-21 (Austin); Aug. 15, 2008 Austin Report ¶¶ 93-94. Although the  
7 increase in parolees could result in a temporary increase in arrests during the initial period of  
8 accelerated release, these arrests would represent an increase of only approximately 0.3%  
9 during that period. Rep. Tr. at 1490:17-1491:25; *see also* Aug. 27, 2008 Austin Supp. Report  
10 at 10; Rep. Tr. at 1479:13-1480:5. Similarly, the impact of the proposed diversion of  
11 technical parole violators and low-risk offenders on the total number of arrests in each  
12 county, and statewide, would be an increase of less than 1%. *See* Aug. 27, 2008 Austin  
13 Supp. Report at 10. All of these individuals would in any event be released to the  
14 community after a fairly short period of incarceration, following their going through the  
15 churning process, in which they are subjected to criminogenic influences. Further, all of the  
16 figures noted above are consistent with the testimony described earlier that plaintiffs'  
17 proposed population reduction measures do not threaten public safety or the operation of the  
18 criminal justice system.

19 Any increase in the arrests of parolees resulting from the population reduction  
20 measures would actually be smaller than that calculated by Dr. Austin and by many  
21 defendant-intervenors. These witnesses assumed that prisoners released due to good time  
22 credits or diverted to alternative sanctions would recidivate at a rate of 70% over a three-year  
23 period, the average recidivism rate for all prisoners in California. *See, e.g.*, Rep. Tr. at  
24 2628:8-25 (Austin); Dyer Am. Report ¶ 18; Dostal Trial Decl. ¶ 14. However, if a risk  
25 assessment instrument were used to implement such measures, the CDCR would be able to  
26 identify low-risk inmates whose likelihood of recidivism would be considerably lower than  
27 that of the average inmate. Rep. Tr. at 2628:8-25 (Austin); *id.* at 2133:8-11 (Krisberg) ("If  
28 one is selecting low risk inmates, you would expect the recidivism rate would be lower

1 because that 70 percent rate consists of people with much higher risk and people with lower  
2 risk.”). According to Director Hoffman, low-risk inmates have an average recidivism rate of  
3 just 17%. Rep. Tr. at 1750:1-6. Furthermore, as we found above, it is likely that recidivism  
4 rates would begin to drop as plaintiffs’ proposed measures were implemented. The proposed  
5 population reduction measures would therefore not result in a significant additional burden  
6 on the ability of law enforcement officers to investigate or prosecute crime.

7           2.     Effect on Jail Population

8           Defendant-intervenors also presented credible evidence that California’s jails are, for  
9 the most part, already overcrowded, resulting in adverse public safety and criminal justice  
10 effects. Thirty-two of California’s county jails are under some type of court-ordered  
11 population cap, Rep. Tr. at 2198:3-9 (Bennett); Ex. DI-774,<sup>84</sup> and many that are not have  
12 inmate populations close to or above their design capacity. *E.g.*, Rep. Tr. at 2684:22-23,  
13 2686:15-22 (Ryan); Boesch Trial Decl. at 12. As expected, this overcrowding – even at  
14 levels much lower than in the state prison system – has limited the counties’ capacity to  
15 provide services in the jails or to maintain a safe correctional environment for the detainees,  
16 the staff, and the community. *See, e.g.*, Boesch Trial Decl. at 12; Munks Trial Decl. ¶¶ 7-9;  
17 Rep. Tr. at 2702:5-17 (Ryan); Dostal Trial Decl. ¶¶ 15, 17.

18           As a result of this crowding problem, counties already routinely engage in the early  
19 release of jail inmates. *See, e.g.*, Rep. Tr. 1803:23-1804:9 (Smith) (stating that in 2007, Los  
20 Angeles County released about 50,000 inmates early from its jails); Rep. Tr. at 2364:17-19  
21 (Dyer); Rep. Tr. at 2378:13-18 (Pacheco); James Trial Decl. ¶ 19; Ingrassia Trial Decl.  
22 ¶¶ 12-13 (Sheriff’s Commander assigned to San Diego County Sheriff’s Detention Services  
23 Bureau). County law enforcement officials testified that any significant limit on the prison  
24 population would force them to initiate the early release of jail inmates or to expand extant  
25 early release programs to include higher-risk inmates. *See, e.g.*, Rep. Tr. at 2388:8-2391:16  
26 (Pacheco); *id.* at 2668:7-14 (Christianson) (Stanislaus County Sheriff-Coroner); Munks Trial

27 \_\_\_\_\_  
28 <sup>84</sup>Many of the caps for the county jails are set at or near 100% design capacity. *See*  
Ex. DI-774.

1 Decl. ¶¶ 11-12; Ingrassia Trial Decl. ¶ 12. According to these witnesses, such early releases  
2 lower the deterrence value of incarceration, increase crime, reduce incentives for offenders to  
3 participate in programming, and result in a high failure-to-appear rate for pre-trial defendants  
4 who are not incarcerated. *See, e.g.*, Aug. 15, 2008 Bennett Report ¶ 27; Rep. Tr. at 1179:18-  
5 1180:3 (Powers); *id.* at 1819:9-1821:19 (Smith).

6 We need not determine whether an acceleration of early release from jails would have  
7 the pernicious effects anticipated by the law enforcement witnesses because evidence shows  
8 that any increase in parolees and probationers resulting from plaintiffs' proposed population  
9 reduction measures would not have a significant effect on the population of the county jails.  
10 These measures would adversely affect the jail population only if the additional parolees or  
11 probationers in the community were incarcerated in jail for arrests for new crimes or as a  
12 sanction for failing to complete community-based diversion programs. As Sheriff Munks of  
13 San Mateo County noted, however, only "a very, very small percentage of th[e]  
14 overcrowding [in jails] is attributable to parolees who have been arrested and returned to  
15 [the] jail." *Id.* at 1790:16-17 (Munks). Given the small adverse effect that the increase in  
16 parolees and probationers would have on the total arrests in each county, this increase is not  
17 likely to have a significant effect on the county jail population.<sup>85</sup> *See id.* at 1409:2-23  
18 (Austin); *see also id.* at 1830:21-1831:23 (Smith) (population reduction order of 52,000  
19 inmates, even when calculated using the high 67.5% recidivism rate, would result in an  
20 increase of only 20 admissions a day in the Los Angeles County jail system, which books  
21 from 300 to 1,100 inmates every day). The diversion of technical parole violators could even  
22 serve to reduce the jail population because those offenders would no longer have to be kept  
23 in county jail pending their transfer to CDCR facilities. Aug. 15, 2008 Austin Report ¶ 88.

24  
25  
26 <sup>85</sup>We reject some of the witnesses' calculations of the impact of a population reduction  
27 order on the county jails. Sheriff Munks, for example, agreed during trial that the method he  
28 used to calculate the impact of a population reduction order on the jail population was  
inconsistent with the county's current experience with parolees. Rep. Tr. at 1794:19-22.  
Sheriff-Coroner Christianson admitted that he did not know how his staff calculated the  
estimated impact on his jail population. *Id.* at 2680:4-7.

1 In any event, the implementation of plaintiffs' proposed population reduction measures  
2 would not significantly exacerbate overcrowding in the various county jails.

3 3. Effect on Parole Supervision Resources

4 Plaintiffs' proposed population reduction measures would result in an increase in the  
5 population of parolees in the community at any given moment. Defendant-intervenors argue  
6 that the parole departments would not be able to supervise the increased number of parolees,  
7 and that inadequate supervision would lead to an increase in recidivism. They presented  
8 evidence that, even at present, parole departments are overburdened and cannot adequately  
9 supervise the parolees, leading to parolees' failure to integrate into society. *See, e.g.,* Dyer  
10 Am. Report ¶¶ 6, 32; Rep. Tr. at 1856:13-21 (Word).

11 The evidence shows, however, that many of the current problems with parole  
12 supervision are created by the poor allocation of resources. California's parole system is  
13 significantly out of step with that of the other states. California is the only state that puts  
14 every inmate leaving the prison system on parole, usually for one to three years. Rep. Tr. at  
15 1756:16-22 (Hoffman); Ex. P113 at 75 (Rehabilitation Strike Team Report). "The upshot is  
16 that California's parole system is so overburdened that parolees who represent a serious  
17 public safety risk are not watched closely enough, and those who wish to go straight cannot  
18 get the help they need." Ex. P113 at 15.

19 The evidence conclusively showed that public safety would not be adversely affected  
20 by releasing low-risk, nonserious, nonviolent offenders from the prison system without  
21 placing them on parole supervision. Such individuals can be identified using a risk  
22 assessment tool. *See* Rep. Tr. at 1406:6-1407:10 (Austin). Hoffman, the CDCR's Director  
23 of Adult Parole Operations, testified that "the science and evidence . . . do[] support a  
24 conclusion that there is a percentage of the parole population that shouldn't be supervised or  
25 supervised very little; that at the low end of the spectrum supervision is counter productive."  
26 *Id.* at 1758:6-10. Secretary Woodford also opined that reducing the supervision of low-risk  
27 offenders would reduce recidivism and crime, *see id.* at 1323:9-24 (Woodford), and the  
28 Rehabilitation Strike Team's report reached the same conclusion, Ex. P113 at 15-17. Most

1 of the states in the country do not supervise low-risk offenders at all. Rep. Tr. at  
2 1759:23-1760:7 (Hoffman).

3 Parole could also be shortened to one year for those who comply with their terms of  
4 release and meet certain other criteria. This “earned discharge” strategy for parolees would  
5 provide incentives for parolees to conform to their parole supervision requirements or to  
6 participate in programming. Ex. P2 at 13 (CDCR Expert Panel Report); Ex. P113 at 82-84  
7 (Rehabilitation Strike Team Report); Ex. P600 at CDCR015633 (CDCR Division of Adult  
8 Parole Operations, “White Paper: Earned Discharge”); *see also* Aug. 15, 2008 Austin Report  
9 ¶ 53. At the same time, it would not adversely affect recidivism because there is no proven  
10 relationship between time on parole and recidivism. Aug. 15, 2008 Austin Report ¶ 77. It  
11 would also allow the CDCR to reallocate resources to moderate- and high-risk offenders  
12 “who require, and benefit from, improved supervision and evidence based programming.”  
13 Ex. P600 at CDCR015633. Such strategies have been successful across the nation in  
14 lowering recidivism rates. *Id.* Both the Governor’s Rehabilitation Strike Team and the  
15 CDCR Expert Panel recommended implementing the earned discharge strategy for parolees  
16 as a way to improve the parole system and reduce recidivism. Ex. P2 at 13; Ex. P113 at  
17 16-17.

18 Based on this evidence, we find that shortening the length of parole or limiting the use  
19 of parole for certain offenders would ease the present burden on the parole system. These  
20 reform efforts would also improve the public safety impact of the parole system by  
21 concentrating resources on high-risk offenders who need supervision and by offering  
22 incentives to all offenders to participate in rehabilitative programming.

23 Both Dr. Austin and the CDCR Expert Panel included parole reform along the lines  
24 described above in their packages of measures to reduce the prison population without  
25 adversely affecting public safety or the operation of the criminal justice system. We find  
26 their recommendations persuasive, and conclude that the implementation of parole reform –  
27 which is already in progress – would allow local parole systems to safely absorb any increase  
28 in the number of parolees resulting from the proposed population reduction measures.

1                   4.     Impact on Community Corrections, Rehabilitative Services, and  
2                             Re-entry Programs

3             Defendant-intervenors also argued that the influx of parolees and probationers in  
4 communities as a result of plaintiffs' proposed population reduction measures would strain  
5 the community corrections system, rehabilitative services, and re-entry programs. They  
6 presented evidence that there are not enough community correctional resources to supervise  
7 or provide services to offenders who are diverted from the prison system to the  
8 communities.<sup>86</sup> *E.g.*, Rep. Tr. at 2384:3-14 (Pacheco); *id.* at 1030:3-21 (Powers); Cogbill  
9 Trial Aff. ¶¶ 35-36. The caseload for probation officers in Los Angeles County, for example,  
10 is upwards of 1000:1, while the recommended caseload is between 30:1 and 50:1. Dalton  
11 Am. Trial Decl. ¶ 32; *see also* Meyer Am. Trial Decl. ¶¶ 18, 20. Many cases are largely  
12 unsupervised, so that the officers can focus on cases that require more intense supervision or  
13 on emergency situations. *E.g.*, Meyer Am. Trial Decl. ¶¶ 20, 24; Rep. Tr. at 1030:7-21  
14 (Powers).

15             Defendant-intervenors also presented evidence that both diverted offenders and  
16 offenders coming out of California's prisons and reentering the communities have significant  
17 needs in the areas of mental health, substance abuse treatment, other medical services, family  
18 services, employment, and housing. *See, e.g.*, Cogbill Trial Decl. ¶ 29; Dalton Am. Trial  
19 Decl. ¶¶ 30-31; Johnson Trial Decl. ¶ 2 (Director of San Mateo County Human Services  
20 Agency); Oct. 16, 2008 Bennett Supp. Report at 2-4; Ex. DI-218 at 1 (Report of the Re-Entry  
21 Policy Council). Evidence shows that counties lack the resources to meet those needs even  
22 now. *See* Rep. Tr. at 2073:15-2074:14 (Conklin) (San Diego County Sheriff's Department  
23 Detentions Chief Mental Health Clinician); *id.* at 2456:7-14 (Pena) (Santa Clara County  
24 Director of Mental Health); *id.* at 2492:13-22 (Garner); *id.* at 2511:25-2512:5 (Bataille)  
25 (defendants' expert); Aug. 15, 2008 Graves Report at 5-6; Cogbill Trial Decl. ¶ 7; Pena Trial

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26  
27             <sup>86</sup>The increase in the population of probationers would not occur as a result of the  
28 expansion of earned credits or the diversion of technical parole violators. It would occur  
only if the state decides to reduce the prison population by diverting low-risk offenders to  
probation.

1 Decl. ¶¶ 11, 15; Aug. 15, 2008 Pena Report at 3-5; Word Trial Decl. ¶ 26; James Trial Decl.  
2 ¶ 34.<sup>87</sup> The gap between the needs and availability of services contributes to the high level of  
3 recidivism among parolees. Cogbill Trial Decl. ¶ 7.

4 Because the community re-entry and rehabilitation services in most counties, if not all,  
5 are inadequate to serve the current population, those released into the communities as a result  
6 of the proposed population reduction measures would either not receive services in the  
7 community promptly or would displace other people who are currently receiving services.  
8 *See* Rep. Tr. at 2495:5-13 (Garner); *id.* at 2699:23-2700:3 (Ryan). Such a result could be  
9 mitigated, however, through a population reduction plan that created only a gradual increase  
10 in the number of parolees or probationers in each county. Moreover, the increased needs in  
11 each county resulting from the population reduction measures proposed by plaintiffs are  
12 likely to fall within normal fluctuations in the number of people served by the counties. *See,*  
13 *e.g.*, Rep. Tr. at 2442:2-8 (Pena) (stating that the Santa Clara mental health system serves a  
14 dynamic population of between 17,000 and 19,000 clients each year); Pena Trial Decl. ¶ 18  
15 (estimating that the proposed population reduction order would result in an additional 100 to  
16 700 individuals in Santa Clara County needing mental health services).

17 Furthermore, overwhelming evidence establishes that diversion would be successful  
18 and that the proposed population reduction measures would have no adverse effect – and  
19 would in fact improve public safety – if the state were to divert some portion of the savings  
20 generated by the population reduction to community corrections, rehabilitation, and re-entry  
21 resources. *See, e.g.*, Rep. Tr. at 1828:2-19 (Smith) (opining that his concerns would be  
22 ameliorated if the state redirected funding to the counties); *id.* at 1573:1-1574:3 (Beard)  
23 (testifying that funding community services could compensate for the 0.3% increase in  
24 arrests of parolees). The programs are already in place, and better coordination between the

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25  
26 <sup>87</sup>Although community public mental health programs are not intended to serve  
27 parolees, Rep. Tr. at 2550:9-19 (Bataille), parolees still rely on county services at times. *See,*  
28 *e.g., id.* at 2432:16-22 (Pena) (testifying that in Santa Clara, approximately 60% of parolees  
receiving state outpatient services also accessed county services); *id.* at 2550:24-25 (Bataille)  
(testifying that county systems still triage parolees in need of psychiatric emergency  
services).

1 state and the counties, alongside additional funding, could make these services available to a  
2 larger portion of the population. *See, e.g.*, Aug. 15, 2008 Garner Report at 6; Meyer Am.  
3 Trial Decl. ¶ 69. In any event, as noted already, the additional demand for community  
4 resources created by a population reduction is likely to fall within existing fluctuations in  
5 demand, and thus would not result in any significant changes at the county or local level.

6 We have no question that the entire criminal justice system and the state itself, as well  
7 as the local communities, would be well-served if the state would help fund some of the  
8 county programs that are designed to help parolees, probationers, and other persons  
9 convicted of criminal offenses with problems such as drug and alcohol addiction, mental  
10 illness, job training, and rehabilitation generally. Such programs would certainly help to  
11 reduce the crime rate and make the local communities safer places in which to live. Whether  
12 to do so, however, is a question as to how the state wishes to expend its resources that must  
13 be answered by the state's elected officials and not by this court. We can only note that  
14 should the officeholders of California and their constituents wish to raise the level of safety  
15 of the state's communities by increasing the availability of programs that facilitate the  
16 orderly re-entry into society by former prisoners, they are free to appropriate the necessary  
17 funds to do so in a manner that will not divert such funds from other important societal  
18 needs. There is no bar to the people's financing of projects they deem desirable through new  
19 tax revenues or the issuance of additional state bonds.

20 5. Impact on Integrity of Criminal Justice System

21 David Bennett, a criminal justice consultant and expert witness for Defendant-  
22 Intervenor Sonoma County, opined that “[t]he closing of the front door to the prisons and  
23 resulting jail overcrowding, combined with a reduced capacity to locally sentence lower level  
24 offenders (such as misdemeanants) will *compromise the criminal justice system's ability to*  
25 *hold offenders accountable.*” Aug. 15, 2008 Bennett Report ¶ 30 (emphasis in original). He  
26 anticipated that this would result in a loss of system integrity because, among other negative  
27 effects, offenders would not be held accountable for criminal behavior, district attorneys  
28

1 might stop prosecuting certain crimes, and judges might modify sentences to accommodate  
2 the overcrowding in jails. *Id.* ¶¶ 35-37.

3 Bennett's opinion was based on the assumption that a population reduction order  
4 would involve closing the front door of the prisons. *Id.* ¶ 30. None of the measures proposed  
5 by plaintiffs or considered here would require such an extreme result. Moreover, as  
6 illustrated above, the measures would not result in a loss of deterrence or cause an increase in  
7 jail overcrowding; they would simply affect where offenders serve their sentences and  
8 whether they might be released a few months earlier, with no effect on the state's ability or  
9 incentive to arrest, prosecute, or imprison new offenders. We thus find that a prison  
10 population reduction could be achieved without the negative impact on the integrity of the  
11 criminal justice system predicted by Bennett.

#### 12 6. Weight To Be Given Public Safety

13 As demonstrated above, we have given substantial weight to the question of the effect  
14 of our order upon public safety and the operation of the criminal justice system. While we  
15 conclude that there is no adverse effect, were we in error and were there in fact some adverse  
16 effect, it would be small, given the number and types of individuals to be released early or  
17 diverted to non-prison settings, and given the number of counties, and the size of the state  
18 and its population. Even considering the possibility of a minor adverse effect, we would, in  
19 view of the extremely serious injuries that continue to result from the long-standing  
20 constitutional violations at issue, be required to grant (with the modification set forth in our  
21 order) the relief that plaintiffs seek.

#### 22 **D. Feasibility Notwithstanding the Present Fiscal Crisis**

23 In concluding that the plaintiffs' proposed population reduction measures could safely  
24 reduce the population of California's prisons, and that such a reduction would not have a  
25 significant adverse effect in California's communities, we do not ignore the state's current  
26 economic difficulties. The fiscal crisis does not, however, alter our conclusions.

27 There will be a substantial fiscal savings to the state as a result of the reduction in the  
28 size of the prison population. According to Deputy Cabinet Secretary Robert Gore, the

1 approximate cost of housing a prisoner is \$43,000 per year. Ex. P163 at DEFS036906  
2 (Jan. 10, 2008 Mem. from Robert Gore re: Governor's CDCR Rehabilitation Strike Team  
3 Final Report). Under the order establishing a population cap, the size of the prison  
4 population will be reduced by approximately 46,000. The changes leading to that reduction  
5 recommended by plaintiffs, such as an increase in good time credits followed by early  
6 release, diverting technical parole violators and modifying parole requirements, and diverting  
7 low-risk offenders with short sentences, involve no fiscal cost. Other changes recommended  
8 by various state commissions and committees can also be adopted without any state funding.  
9 There are other state actions that all agree would help reduce crime significantly on both a  
10 short- and a long-term basis if taken along with the prisoner reduction measures. They  
11 involve helping fund community re-entry programs, such as drug and alcohol treatment, job  
12 training, mental health therapy, and half-way houses. Although California's prison  
13 population could be reduced without adopting or strengthening such local programs, the  
14 benefit to the state of investing in them would be considerable. Whether or not to make such  
15 an investment, however, is, as we observed previously, a matter for state officials, not the  
16 court, to decide. In any event, the present fiscal crisis would be alleviated rather than  
17 worsened by a prisoner release order.

18 **E. Inclusion of Mentally Ill Inmates in Any Population Reduction Order**

19 The state has suggested that, should we issue a population reduction order, we should  
20 nonetheless exempt seriously mentally ill inmates from release pursuant to our order.  
21 However, there is no public safety reason to treat mentally ill inmates differently from other  
22 inmates as a categorical matter.

23 Under the current system, mentally ill inmates are regularly released when their prison  
24 sentences end. Although these inmates reportedly have higher recidivism rates than non-  
25 mentally ill inmates, evidence shows that mentally ill inmates who are released do not, by  
26 virtue of their mental illness, present any higher risk than other released inmates. Much of  
27 the high recidivism is attributable to noncompliance with parole conditions related to the  
28 disorganization produced by mental illness. Ex. P715 at 5 (July 2007 CDCR Division of

1 Adult Parole Operations report entitled “Mentally Ill Parolee Population”). Dr. Gilligan, a  
2 psychiatrist and an expert on mentally ill offenders, testified that, based on research  
3 throughout the United States and also in California specifically, mentally ill parolees are not  
4 more likely to commit violent crimes after discharge than are non-mentally ill parolees.  
5 Aug. 15, 2008 Gilligan Report ¶¶ 34, 36-39; Rep. Tr. at 1608:12-25 (Gilligan). Rather, the  
6 risk factors for violence, such as substance abuse, family dysfunction, and character  
7 disorders, are comparable for the mentally ill and non-mentally ill. Aug. 15, 2008 Gilligan  
8 Report ¶ 40. Defendants’ expert Dr. Packer agreed that “the research literature does not  
9 suggest that mentally ill offenders pose a higher risk of violence than their non-mentally ill  
10 counterparts.” Oct. 1, 2008 Packer Addendum at 1. Another expert for defendants Gale  
11 Bataille, the former director of the of Behavioral Health and Recovery Services for San  
12 Mateo County, testified that mental illness has a high rate of co-occurrence with substance  
13 abuse, which is a predictor of violence, but agreed that mental illness by itself is not a  
14 significant indicator of violence. Bataille Rebuttal Report at 2; Rep. Tr. at 2514:6-20; *see*  
15 *also* Oct. 1, 2008 Packer Addendum at 2 (stating that “mental illness is a risk factor for  
16 violence, particularly if the individual also abuses substances and has acute psychotic  
17 symptoms,” but opining that “[t]his does *not* mean that mentally ill inmates should, by virtue  
18 of their mental illness, be considered higher risk than other inmates” (emphasis in original)).

19 The testimony from the mental health care experts was unanimous that mentally ill  
20 people who are receiving proper mental health treatment pose no greater risk to the  
21 community than those who are not mentally ill. Rep. Tr. at 2209:25-2210:23 (Stewart);  
22 Oct. 1, 2008 Packer Addendum at 1-2; Rep. Tr. at 1640:4-10 (Gilligan); Bataille Rebuttal  
23 Report at 2; *see also* Ex. DI-219 at 6 (June 2006 UCLA Integrated Substance Abuse Program  
24 Neuropsychiatric Institute report entitled “Final Report on the Mental Health Services  
25 Continuum Program of the California Department of Corrections and Rehabilitation – Parole  
26 Division”). Therefore, population reduction measures involving the successful diversion of  
27 offenders and technical parole violators to community mental health programs instead of  
28 prison would not have a negative impact on public safety. The diversion of mentally ill

1 technical parole violators might even improve public safety because the current churning of  
2 mentally ill parole violators in and out of crowded prison reception centers is especially  
3 disruptive to their treatment needs and re-entry success. Aug. 15, 2008 Gilligan Report  
4 ¶¶ 32-33; Aug. 15, 2008 Stewart Supp. Report ¶ 136.

5 Numerous witnesses for defendants supported the diversion of mentally ill offenders.  
6 Dr. Packer, defendants' mental health expert, did not support the mass early release of the  
7 mentally ill but recommended diversion of mentally ill offenders to community-based  
8 programs as an effective population reduction measure. Rep. Tr. at 1086:15-1087:22.  
9 Director Bataille also supported community diversion. See Aug. 15, 2008 Bataille Prelim.  
10 Report at 19. Director Hoffman testified that the CDCR has, consistent with public safety,  
11 already stopped returning parolees to custody for technical violations resulting from their  
12 mental illness when programs are available. Rep. Tr. at 1766:15- 1767:19; Hoffman Trial  
13 Aff. ¶ 29; Ex. D1195 (Jan. 12, 2007 Mem. from CDCR Secretary James E. Tilton to the  
14 Division of Adult Parole Operations). He also stated that, like all other parolees, mentally ill  
15 parole violators can be given intermediate sanctions using the "Parole Violation Decision  
16 Making Instrument." Hoffman Trial Aff. ¶ 30.

17 The disagreement among the experts centered not on whether diversion would be  
18 harmful to public safety, but on whether California's communities had sufficient community  
19 mental health programs to support the early release or diversion of mentally ill parolees.  
20 Plaintiffs' experts testified that the impact of the inclusion of some *Coleman* class members  
21 in the population reduction measures would not be significant. Dr. Stewart calculated that,  
22 assuming a reduction in the prison population by 50,000 inmates, there would be about  
23 10,000 more *Coleman* class members in the community over a period of time. Out of that  
24 group, about 8,500 people would be at the CCCMS level and would need minimal care in the  
25 community. Rep. Tr. at 2211:3-15. About 650 additional people per year would need  
26 enhanced outpatient care, but that would not pose a significant burden on the current system,  
27 which serves 69,000 people. *Id.* at 2211:18-2212:7. Finally, only 100 additional people each  
28 year would need DMH-level care, which would not be a significant additional burden on a

1 system that currently treats 43,000 people annually. *Id.* at 2212:8-21. Dr. Stewart also  
2 testified that the number of people needing care may be lower because the class members’  
3 mental health conditions would improve once they left prison. *id.* at 2211:18-2212:21; *see*  
4 *also* Aug. 27, 2008 Gilligan Rebuttal Report ¶¶ 10-11.

5 Defendants’ experts contested these numbers and their significance. Dr. Packer stated  
6 that it is not necessarily true that mentally ill inmates will do better outside of prisons and  
7 opined that it is more common for some mentally ill individuals to function at a higher level  
8 while in prison. Oct. 1, 2008 Packer Addendum at 3. Dr. Packer also testified that elements  
9 for successful release – pre-release planning, coordination with community providers, access  
10 to systems of care in the community, and availability of community programs – are not  
11 currently fully functioning within the CDCR, and that an accelerated release of mentally ill  
12 prisoners would exacerbate those problems. *Id.* at 2. Director Bataille opined that most  
13 California communities are not prepared for, or capable of, providing the community mental  
14 health and treatment services necessary to support an accelerated release of mentally ill  
15 inmates, and that the problem is not only funding but also a lack of trained professional staff.  
16 *See* Aug. 15, 2008 Bataille Prelim. Report at 5-18. Other witnesses testified that counties are  
17 unable to serve their mentally ill populations now. *See, e.g.*, Rep. Tr. at 2456:7-17 (Pena);  
18 Dalton Trial Decl. ¶ 31; Conklin Trial Decl. ¶ 41; Meyer Am. Trial Decl. ¶¶ 64-65.

19 We credit the testimony that community mental health programs are overburdened in  
20 many, if not most, California communities. Still, the *Coleman* class may safely be included  
21 in the state’s population reduction measures in any number of ways. For example, as  
22 Director Bataille suggested, a diversion or earned credits program could be structured so that  
23 only those mentally ill individuals with the greatest level of psychiatric stability and the  
24 greatest potential to “voluntarily” follow up on outpatient care would be eligible, at least  
25 until appropriate community programming is in place. Aug. 15, 2008 Bataille Prelim. Report  
26 at 4.

27 Moreover, credible evidence demonstrates that treating mentally ill offenders outside  
28 prison is more effective and less costly than treating them in prison. *See* Gilligan Rebuttal

1 Report ¶ 11 (stating that “mental health treatment in the community is more likely to be  
2 successful and effective than similar treatment would be in the social environment of the  
3 prison”); Rep. Tr. at 1747:9-16, 1753:24-1755:5 (Hoffman) (affirming that providing mental  
4 health care for parolees is cheaper than providing it for inmates); *id.* at 2450:14-2451:7  
5 (Pena) (acknowledging that it costs about \$24,000 less per year to provide a therapeutic bed  
6 in the community than to incarcerate a mentally ill person). There was also unrebutted  
7 testimony that it is easier to recruit and hire qualified mental health professionals in civil  
8 hospital and clinic settings than in prisons. Aug. 27, 2008 Gilligan Rebuttal Report ¶ 17. In  
9 light of the abysmal quality of the mental health care presently available to California’s  
10 inmates, it is unlikely that any mentally ill inmates released by the state will find their mental  
11 health treatment seriously compromised by their release from prison.

12 We recognize that expanding community programming would require an increase in  
13 professional staff at the community level; however, as with other types of programming, this  
14 would require a shift in, rather than an infusion of, resources. The state has already begun to  
15 expand parolee services, *see* Hoffman Trial Aff. ¶ 32, and also has a roadmap for further  
16 expansion of programming in the CDCR Expert Panel Report. Defendants’ expert Director  
17 Bataille agreed that a population reduction could be achieved and sustained by following the  
18 recommendations contained in the CDCR Expert Panel Report, including its  
19 recommendation for expanding the communities’ capacity to provide programming.  
20 Aug. 15, 2008 Bataille Prelim. Report at 19. Collaboration between the mental health and  
21 criminal justice systems could also begin to address the resource gap. *See* Rep. Tr. at  
22 2534:7-2535:11 (Bataille).

23 On the basis of this evidence, we conclude that mentally ill inmates could, under  
24 appropriate conditions, be included in the proposed population reduction measures without  
25 any adverse effect on public safety or the operation of the criminal justice system.

#### 26 **F. Empirical Evidence on Incarceration and Crime Rates**

27 We acknowledge the concern of some law enforcement officials that incarceration  
28 serves the interest of incapacitation over the life of a repeat offender. *See, e.g., id.* at

1 1181:5-13 (Powers). To that extent, there is likely some correlation between incarceration  
2 rates and crime rates. Indeed, according to plaintiffs' experts, some studies have concluded  
3 that every ten percent increase in the incarceration rate results in a two to four percent  
4 decrease in the crime rate, *id.* at 1582:1-3 (Beard); *id.* at 2032:4-12 (Lehman), and that  
5 massive incarceration rates have contributed to a 25% reduction in violent crime across the  
6 United States, *id.* at 1447:18-1450:23 (Austin).

7 This testimony does not, however, persuade us that California's prison population  
8 could not be reduced without adversely affecting public safety.<sup>88</sup> First, even if we credit  
9 these studies, population reduction measures could still have a net positive impact on the  
10 crime rate. For example, defendants introduced Exhibit D1331, a report by the Washington  
11 State Institute for Public Policy, for the proposition that incarceration rates and crime rates  
12 correlate. *See* Rep. Tr. 2030:14- 2032:12 (questioning of Dr. Lehman by defendants' counsel  
13 and related colloquy with the court). That same report, however, concluded that the decrease  
14 in recidivism resulting from an expansion of evidence-based programming would outweigh  
15 any potential adverse impact on crime rates resulting from decreased incarceration rates. *See*  
16 Ex. D1331 at 15.

17 Second, the evidence supported Dr. Austin's testimony that there is still disagreement  
18 as to the validity of the research connecting incarceration rates to crime rates, Rep. Tr. at  
19 1450:20-23, and that "[r]esearch on crime and incarceration does not consistently indicate  
20 that the massive use of incarceration has reduced crime rates," Aug. 15, 2008 Austin Report  
21 ¶ 20. In fact, with regard to the relationship between incarceration and crime in California,  
22 both defendants' expert Dr. Marquart and Professor Petersilia concluded that the decline in  
23 violent crime in California in the past decade "is not likely to be a function of the state's  
24 approach to corrections." Rep. Tr. 2001:9-2002:18 (Marquart) (agreeing that "it would be a

25 <sup>88</sup>We also note that the same studies referred to by plaintiffs' experts found that  
26 increasing the incarceration rate becomes counterproductive once the incarceration rate  
27 reaches a certain inflection point. *E.g.*, Rep. Tr. at 1582:1-13 (Beard); *see also id.* at  
28 1447:18-1450:23 (Austin). At its present incarceration rate of 470 per 100,000, California is  
close to the inflection point at which further incarceration would not be productive. *Id.* at  
1582:1-13 (Beard).

1 mistake to conclude that the decline in the California crime rate is a result of its incarceration  
2 policies”); Ex. P5 at 2. As we have already noted, it is likely that “[t]he overwhelming and  
3 undisputed negative side effects of incarceration and crowding far outweigh the potential,  
4 unproven benefits of incarceration” in California. Aug. 15, 2008 Austin Report ¶ 23.

5 Moreover, Dr. Austin and Dr. Krisberg testified that the historical data and empirical  
6 research regarding early release programs across the country show no significant relationship  
7 between crime rates and early releases. Aug. 15, 2008 Austin Report ¶¶ 19, 27-42; Rep. Tr.  
8 at 2159:20-2162:7 (Krisberg); *see also* Ex. DI-204 at 1. Their testimony, like that of  
9 Dr. Beard and Secretary Lehman, who both implemented prison population reduction  
10 measures in other prison systems, confirms that it is possible to lower the prison population  
11 without an adverse impact on crime or public safety. For example, in Washington, the state  
12 legislature prohibited sending technical parole violators to prison, instituted graduated  
13 sanctions, and expanded good time credits. Rep. Tr. at 2004:24-2005:14, 2006:23-2007:18  
14 (Lehman). Secretary Lehman, the former secretary of corrections in Washington, testified  
15 that these measures did not have any “deleterious effect on crime” or public safety. *Id.* at  
16 2008:18-2009:14.

17 Secretary Lehman further testified that, during his tenure as secretary of corrections in  
18 Pennsylvania, sentencing reforms that made it more likely for an offender to be diverted into  
19 the community did not have any adverse impact on public safety. *Id.* at 2007:19-2008:24.  
20 Dr. Beard, the current secretary of corrections in Pennsylvania, testified that he had “spent a  
21 lot of time in the last seven years studying what other states have done and looking for ways  
22 that we can better manage our population from a public safety perspective, from a population  
23 control perspective, and from a cost perspective.” *Id.* at 1552:19-24. He played a role in  
24 passing legislation in Pennsylvania that allowed for, among other things, intermediate  
25 punishment instead of incarceration, incentive credits for evidence-based programming, and  
26 parole reform. *Id.* at 1549:10-1550:14, 1552:1-18. Rather than having an adverse impact,  
27 these reform measures have served to improve public safety. *Id.* at 1552:19-1553:3.  
28

1 Dr. Austin – who has thirty years of experience in correctional planning and research  
2 and has personally worked with correctional systems in eight states to reduce their prisoner  
3 populations, Nov. 9, 2007 Austin Report ¶¶ 2, 5 – similarly testified that a number of  
4 population reduction measures have been adopted in various states without an adverse impact  
5 on public safety: diversion of technical violators in Kansas and Washington, Rep. Tr. at  
6 1392:21-1393:5, 1399:11-15; good time credits in Illinois,<sup>89</sup> Nevada, Maryland, and Indiana,  
7 *id.* at 1398:11-1399:1, 1399:11-15;<sup>90</sup> and implementation of “large community corrections  
8 diversion programs” in Ohio and Michigan, where “the state basically is paying the counties  
9 to hold people at the county level who otherwise would go to prison,” *id.* at 1399:5-15. In  
10 Nevada, the legislature expanded the award of good time credits to prisoners, probationers,  
11 and parolees in 2007, which reduced the prison population without any known increase in  
12 crime, arrests, or court filings as of July 2008. Aug. 15, 2008 Austin Report ¶ 36. In New  
13 York, the prison population decreased due in part to the expansion of programs awarding  
14 good time credits, and not only did the crime rate not increase, it “declined substantially.”  
15 *Id.* ¶¶ 27-28.

16 Dr. Krisberg also reviewed empirical research analyzing early release programs over  
17 the past twenty years in Canada, California, Washington, Wisconsin, Illinois, Texas,  
18 Colorado, Montana, Michigan, and Florida, and found that such programs do not endanger  
19 public safety. Sept. 8, 2008 Krisberg Report at 4-5. Dr. Krisberg reported that early release  
20 produced lower recidivism rates for released inmates when the release targeted low-risk  
21 offenders and made provisions for community-based supportive services. *Id.*

22 <sup>89</sup>Dr. Austin’s report regarding Illinois stated his opinion that early release should only  
23 be used as a short-term measure for prison overcrowding. Ex. DI-785 at 3614 (James Austin,  
24 *Using Early Release to Relieve Prison Crowding: A Dilemma for Public Policy*, 32 Crime  
25 *Delinquency* 404 (1986)). Nonetheless, the article concluded that there was an overall cost  
26 savings to the state as a result of early release, with “relatively lower costs to local public  
27 criminal justice agencies stemming from arrests of the early releases.” *Id.* at 3700. This is  
28 not inconsistent with Dr. Austin’s testimony in this case.

29 <sup>90</sup>Although Dr. Austin stated that he did not endorse early release as a long-term  
30 remedy, Rep. Tr. 2610: 8-2611:1, it was not clear whether his testimony on that point related  
31 to the expansion of good time credits or generic release. In any event, he testified that the  
32 prison population could be lowered safely through the expansion of good time credits and  
33 other measures. Aug. 15, 2008 Austin Report ¶ 43.

1 District Attorney Pacheco of Riverside County opined that a generic early release  
2 program from California prisons would increase crime, as it had in other jurisdictions like  
3 Florida, Illinois, Philadelphia, and Los Angeles. Rep. Tr. at 2380:20-2381:9. His opinion,  
4 however, appeared to be based largely on newspaper articles reporting specific crimes that  
5 occurred during the early release period, and not on a broader analysis of crime rates. *See*  
6 Pacheco Decl. ¶ 23 & Ex. C. Moreover, Mr. Pacheco discussed only a generic early release  
7 and failed to consider whether some of the adverse impacts he fears would be mitigated by  
8 basing early release decisions on an improved system of earned credits or by instituting a  
9 diversion program or other measures proposed by plaintiffs. *See* Rep. Tr. at 2379:17-23  
10 (discussing only generic early release).

11 Dr. Marquart, defendants' sole witness on population reduction measures and public  
12 safety, stated that he opposed any prisoner release order in part because the early release  
13 measures implemented in Texas in the 1980s to meet a 95% population cap caused an  
14 increase in crime.<sup>91</sup> *Id.* at 1956:14-20, 23-24, 1957:12-18. However, he also testified that he  
15 did not know how much of the increase in crime was attributable to the early release  
16 program, as opposed to other factors. *Id.* at 1984:16-1985:9. Indeed, the basis for  
17 Dr. Marquart's opposition to any reduction in the prison population appeared to be not the  
18 Texas experience but, instead, his opinion that he "didn't know what the consequences would  
19 be, not that it would be a disaster," *id.* at 1990:22-24. According to Dr. Marquart, reducing  
20 the prison population could have a negative impact on public safety, it could have no impact,  
21 or it could have a positive impact. *Compare id.* at 1990:17-24; *with id.* at 1995:8-20. Such  
22 equivocal testimony is not helpful to the court. In any event, Dr. Marquart stated that he was  
23 not opposed to the expansion of good time credits, parole reform, or evidence-based  
24 programming, and further stated that the prison population could be reduced in a safe manner  
25 through proper programming. *Id.* at 1991:22-1993:18, 1994:17-25. The Texas prison

26 <sup>91</sup>Neither the number of inmates who were released early nor the length of time by  
27 which their incarceration was shortened is apparent from Dr. Marquart's testimony.  
28 Dr. Austin, however, stated that his recommended amount of good time credits is less than  
the amount awarded to Texas prisoners between 1980 and 1989, and the amount presently  
awarded in that state. Aug. 27, 2008 Austin Supp. Report ¶ 20(e).

1 population, in fact, has recently been reduced safely by diverting technical parole violators  
2 and increasing the state's parole grant rate using risk-based guidelines. Aug. 27, 2008 Austin  
3 Supp. Report ¶ 20.

4 To the extent that District Attorney Pacheco, Dr. Marquart, or any other witness  
5 opined that *any* population reduction measure applied to California prisons would result in an  
6 adverse public safety impact, we reject that opinion. If anything, such testimony shows only  
7 that the CDCR should implement population reduction measures mirroring those of the  
8 jurisdictions that have successfully and safely reduced their inmate populations. We credit  
9 the testimony from experts who, through careful study and experience in a number of  
10 jurisdictions, arrived at the opinion that a population reduction, through a combination of  
11 earned credits, parole reform, and diversion, could be accomplished in a manner that  
12 preserves public safety and the operation of the criminal justice system. Moreover,  
13 California's present system of churning inmates into and out of overcrowded and  
14 criminogenic prisons itself poses a threat to public safety. Thus, any increase in the crime  
15 rate associated with lowered incarceration rates could be substantially offset, and perhaps  
16 entirely eliminated, by the public safety benefits of ridding the system of churning and  
17 reducing the criminogenic effect of spending time in California prisons.

#### 18 **G. Findings and Conclusions**

19 We take seriously our duty to consider public safety, and we have done so. We do not  
20 construe this PLRA requirement, however, to preclude a population reduction order based on  
21 a possibility that the order *might* have an adverse impact on public safety or the operation of  
22 the criminal justice system, no matter how small. If that were enough to prevent the court  
23 from ordering a population cap, no court would ever be able to impose such a remedy, thus  
24 contravening the congressional intent that a population cap be ordered if "it is truly necessary  
25 to prevent an actual violation of a prisoner's federal rights." H.R. Rep. No. 104-21, at 25.

26 Based on our detailed findings examining the evidence from correctional and public  
27 safety experts around the state and across the country, we are confident that a prison  
28 population reduction to 137.5% design capacity can be achieved in California without a

1 meaningful adverse impact on public safety or the operation of the criminal justice system.<sup>92</sup>  
2 The evidence and testimony from plaintiffs, defendants, and defendant-intervenors  
3 overwhelmingly showed that there are ways for California to reduce its prison population  
4 without such an adverse impact, and that a less crowded prison system would in fact benefit  
5 public safety and the proper operation of the criminal justice system.

6 The population reduction measures that we specifically considered include the  
7 expansion of earned credits, the diversion of technical parole violators, the diversion of low-  
8 risk offenders to community corrections, and the expansion of evidence-based programming.  
9 These measures were recommended not only by plaintiffs' experts but also by experts for  
10 defendants and defendant-intervenors, the Governor, CDCR officials, and the CDCR Expert  
11 Panel. Because these measures either have no impact on or reduce the recidivism rate, they  
12 would not adversely affect public safety. Furthermore, unlike measures such as  
13 indiscriminately and suddenly releasing inmates or closing prison doors to further admission,  
14 the measures we considered would not have a significant adverse impact on the operation of  
15 the criminal justice system. Any adverse impact on community resources resulting from  
16 these measures could readily be mitigated by parole reform and the reallocation of funding  
17 and resources. It follows from the many reports we have discussed that other methods of  
18 reducing the prison population such as sentencing reform and the release of members of  
19 groups that are least likely to recidivate, such as the aged and the infirm as well as low-risk  
20 prisoners nearing the end of their sentences, do not pose any threat to public safety.

21 Other jurisdictions have successfully reduced their prison populations through  
22 measures similar to those proposed by plaintiffs and the other reforms discussed herein, and  
23 we find that California could also do so. In fact, California could do so perhaps more easily

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24 <sup>92</sup>*Duran*, 760 F.2d 756, a pre-PLRA case, does not suggest a different outcome. In  
25 *Duran*, the court of appeals vacated the district court's order directing the release of pretrial  
26 detainees after finding that the order would adversely affect the public interest. *Duran*  
27 involved the release of detainees without the use of any risk-based instrument, and the  
28 uncontested evidence before that court showed that many of the released inmates would  
become fugitives or commit felonies while awaiting trial. *See id.* at 757-58. By contrast, the  
evidence before this court establishes that California could reduce its prison population  
without any adverse effect on public safety or the operation of the criminal justice system.  
Accordingly, the balance of interests in this case differs substantially from that in *Duran*.

1 than other jurisdictions because of its current, unproductive incarceration policies, such as  
2 returning most technical parole violators to prison and denying judges the ability to tailor  
3 sentences to the risks and needs of particular offenders.

4 One of the most persuasive pieces of evidence before us is the report of the Expert  
5 Panel on Adult Offender Recidivism Reduction Programming, which was convened by the  
6 CDCR in 2007 to suggest strategies for reducing California's high recidivism rate. Ex. P2 at  
7 vii. The panel consisted of CDCR's Chief Deputy Secretary for Adult Programs, academic  
8 researchers, consultants, and former and current secretaries of corrections in Pennsylvania,  
9 Arizona, Washington, Ohio, and Maine. *Id.* at ii. The report recommended a comprehensive  
10 set of measures that would reduce California's prison population while also reducing  
11 recidivism.

12 The CDCR Expert Panel concluded that, if the CDCR were to follow its  
13 recommendations to divert technical parole violators, implement parole reform, and expand  
14 good time credits, these changes alone would serve to reduce the prison population by  
15 between 38,500 and 43,500 inmates, and the parole population would be reduced by 6,500 to  
16 11,500. *Id.* at 95. The panel expected an additional reduction in the prison population of  
17 about 2,194 to 4,388 from evidence-based programming initiatives. *Id.* at 97.<sup>93</sup> After  
18 accounting for the costs of the additional programming recommended by the panel, full  
19 implementation of its recommendations would still save the state between \$561 and \$684  
20 million a year.<sup>94</sup> *Id.* at 99. The proposed reduction resulting from the above measures alone  
21 would fall within the range necessary to comply with a 137.5% population cap. Other means  
22 suggested by the state and others, including the expert committees and the numerous other  
23 official committees, could reduce the prison population even further.

24 <sup>93</sup>As of August 27, 2008, the CDCR was housing 156,352 inmates in prison  
25 institutions designed to hold 79,828 inmates. Ex. P135 (CDCR weekly population report as  
of August 27, 2008).

26 <sup>94</sup>James Tilton, then the CDCR Secretary, endorsed the CDCR Expert Panel's  
27 recommendations, but with a reservation as to the estimated impact on the prison population.  
Rep. Tr. at 2614:20-2615:2 (Austin); Ex. P49 (Sept. 25, 2007 Letter from Secretary James E.  
28 Tilton, California Department of Corrections and Rehabilitation, to the Hon. Denise  
Ducheny).

1 Secretary Lehman, who was a member of the CDCR Expert Panel, testified that use of  
2 the measures proposed in the Panel report could reduce California's prison population  
3 without causing any adverse impact. Rep. Tr. at 2012:20-25. Secretary Woodford and  
4 Dr. Austin testified that it is possible to reach 130% design capacity without adversely  
5 impacting public safety. *Id.* at 1321:19-1322:5 (Woodford); *id.* at 1384:3-12 (Austin).  
6 Dr. Austin called this a "moderate" reduction in the state's prison population, because  
7 California "has got this big bulge" of unnecessary and unproductive incarceration, which is  
8 "an easier target" for reduction. *Id.* at 1434:9-1435:4. Although Dr. Austin recommended  
9 that, to achieve a reduction of 50,000 prisoners, California should change its sentencing laws  
10 so that second strikers serve 65% to 70% of their sentences rather than 80% as required  
11 currently, *id.* at 1436:18-20, 2568:2-3, he also stated that there are other ways to achieve that  
12 reduction, *id.* at 2570:14-25, a reduction somewhat larger than that which we order.

13 Next, some law enforcement officials testified that the prison population could be  
14 reduced safely by about 30% – approximately the same size reduction we order here – simply  
15 by offering incentives for the communities to expand their local correctional systems. *Id.* at  
16 2771:4-10 (Meyer); *see also id.* at 1042:4-14 (Powers). Their opinion was based on the  
17 state's experience in the 1960s, when the state paid counties to reduce the number of people  
18 being sent to prison, and the counties were able to achieve a 30% general reduction in the  
19 state prison population through the expansion of community-level programming and  
20 probation resources. *See id.* at 1042:4-14 (Powers).

21 We should note finally that, regardless of the conclusion of the overwhelming  
22 majority of the experts that adoption of the population control measures described above  
23 would not adversely affect public safety, they all strongly recommend that the state, in  
24 addition to strengthening its own rehabilitative programs, should help establish or improve  
25 local community programs designed to assist probationers, parolees, and released prisoners  
26 (whether released as the result of the expiration of their terms or otherwise) to re-enter  
27 society. Such programs, as noted earlier, should include drug and alcohol rehabilitation,  
28 mental health treatment, and job training.

1           There is no doubt that the adoption of these programs would help increase public  
2 safety above its current level, including after issuance of our population reduction order.  
3 Clearly, a failure by the state to comply with the experts' recommendations to take these  
4 steps would be regrettable and would be contrary to the interests of public safety. Still,  
5 unlike the population cap we order here, which our analysis shows is required by the United  
6 States Constitution, the decision whether to adopt these rehabilitative measures is left to the  
7 Governor and the Legislature. Whether a failure to adopt them would be acceptable, in view  
8 of the effect on public safety, is a question that ultimately the people of California will be  
9 required to answer.

10           In sum, the four recommendations in the CDCR Expert Panel report adopted as  
11 proposals by plaintiffs provide a means for the state to safely reduce the prison population to  
12 137.5% design capacity. The population could be reduced even further with the reform of  
13 California's antiquated sentencing policies and other related changes to the laws. We are  
14 therefore satisfied that the state has available methods by which it could readily reduce the  
15 prison population to 137.5% design capacity or less without an adverse impact on public  
16 safety or the operation of the criminal justice system. Accordingly, even after giving  
17 "substantial weight to any [potential] adverse impact on public safety or the operation of a  
18 criminal justice system caused by" our population reduction order, 18 U.S.C.  
19 § 3626(a)(1)(A), we conclude that our order meets the requirements of the PLRA.

## 20 21 **VIII. CONCLUSION**

22           The massive 750% increase in the California prison population since the mid-1970s is  
23 the result of political decisions made over three decades, including the shift to inflexible  
24 determinate sentencing and the passage of harsh mandatory minimum and three-strikes laws,  
25 as well as the state's counterproductive parole system. Unfortunately, as California's prison  
26 population has grown, California's political decision-makers have failed to provide the  
27 resources and facilities required to meet the additional need for space and for other  
28 necessities of prison existence. Likewise, although state-appointed experts have repeatedly

1 provided numerous methods by which the state could safely reduce its prison population,  
2 their recommendations have been ignored, underfunded, or postponed indefinitely. The  
3 convergence of tough-on-crime policies and an unwillingness to expend the necessary funds  
4 to support the population growth has brought California's prisons to the breaking point. The  
5 state of emergency declared by Governor Schwarzenegger almost three years ago continues  
6 to this day, California's prisons remain severely overcrowded, and inmates in the California  
7 prison system continue to languish without constitutionally adequate medical and mental  
8 health care.

9       Federal courts do not intervene in state affairs lightly. Principles of federalism,  
10 comity, and separation of powers require federal courts to refrain from addressing matters of  
11 state government in all but the most pressing of circumstances. Even then, federal courts  
12 must proceed cautiously, giving the states every opportunity to meet their federal  
13 constitutional and statutory obligations voluntarily. Unfortunately, during the 8 years of the  
14 *Plata* litigation and the 19 years of the *Coleman* litigation, the political branches of  
15 California government charged with addressing the crisis in the state's prisons have failed to  
16 do so. Instead, the rights of California's prisoners have repeatedly been ignored. Where the  
17 political process has utterly failed to protect the constitutional rights of a minority, the courts  
18 can, and must, vindicate those rights. *See* John Hart Ely, *Democracy and Distrust* 103, 173  
19 (1980). We do so here, recognizing the seriousness of our action and with the hope that  
20 California's leadership will act constructively and cooperatively, and follow the mandate of  
21 this court and the PLRA, so as to ultimately eliminate the need for further federal  
22 intervention.

**ORDER**

1  
2           Within 45 days, defendants shall provide the court with a population reduction plan  
3 that will in no more than two years reduce the population of the CDCR's adult institutions to  
4 137.5% of their combined design capacity. Should any of defendants' proposed population  
5 reduction measures require the waiver of any provisions of state law, the state shall so advise  
6 the court, and shall explain why the requested waiver is permissible under 18 U.S.C.  
7 § 3626(a)(1)(B). In preparing their plan, defendants shall consult with plaintiffs, intervenors,  
8 and other relevant stakeholders, including the *Coleman* Special Master and the *Plata*  
9 Receiver. Should such consultation fail to resolve any objections to the proposed population  
10 reduction plan, plaintiffs and intervenors shall file their objections no more than 20 days after  
11 defendants file their proposed plan, and defendants shall file responses to such objections no  
12 more than 10 days thereafter. Defendants shall set forth in their proposal the effective dates  
13 of the various actions they propose to undertake and their estimate of the reduction in  
14 population they expect to achieve after six, twelve, eighteen, and twenty-four months. The  
15 court will consider all of the written submissions and make any necessary modifications or  
16 changes to defendants' proposed plan before issuing a population reduction plan as an order  
17 of the court. The court may before doing so request clarification on any matters and conduct  
18 any further hearings it deems necessary. However, given that this court issued a preliminary  
19 ruling on this matter almost six months ago so as to "give the parties notice of the likely  
20 nature of [this] opinion, and [] allow them to plan accordingly," Feb. 9, 2009 Tentative  
21 Ruling at 1, the court will look with disfavor upon any effort to postpone or delay an  
22 expeditious resolution of the terms of the population reduction plan, including the submission  
23 of a proposed plan by the state and the issuance of the order adopting the final plan. The  
24 court will not grant any stay of the proceedings prior to the issuance of the final population  
25 reduction plan, but will entertain motions to stay implementation of that plan pending the  
26 resolution of any appeal to the Supreme Court. We will retain jurisdiction over this matter to  
27 ensure compliance with the population reduction plan and to consider any subsequent  
28 modifications made necessary by changed circumstances.

1 **IT IS SO ORDERED.**

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3 Dated: 08/04/09

  
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STEPHEN REINHARDT  
UNITED STATES CIRCUIT JUDGE  
NINTH CIRCUIT COURT OF APPEALS

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7 Dated: 08/04/09

  
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LAWRENCE K. KARLTON  
SENIOR UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF CALIFORNIA

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11 Dated: 08/04/09

  
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THELTON E. HENDERSON  
SENIOR UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF CALIFORNIA

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1 EDMUND G. BROWN JR.  
 Attorney General of California  
 2 JONATHAN L. WOLFF  
 Senior Assistant Attorney General  
 3 DANIELLE F. O'BANNON  
 KYLE A. LEWIS  
 4 Deputy Attorney General  
 State Bar No. 201041  
 5 455 Golden Gate Avenue, Suite 11000  
 San Francisco, CA 94102-7004  
 6 Telephone: (415) 703-5724  
 Fax: (415) 703-5677  
 7 E-mail: Kyle.Lewis@doj.ca.gov

JERROLD C. SCHAEFER – 39374  
 PAUL B. MELLO – 179755  
 S. ANNE JOHNSON – 197415  
 SAMANTHA D. WOLFF – 240280  
 RENJU P. JACOB – 242388  
 HANSON BRIDGETT LLP  
 425 Market Street, 26th Floor  
 San Francisco, CA 94105  
 Telephone: (415) 777-3200  
 Facsimile: (415) 541-9366  
 E-mails:  
 jschaefer@hansonbridgett.com  
 pmello@hansonbridgett.com  
 ajohnson@hansonbridgett.com  
 swolff@hansonbridgett.com  
 rjacob@hansonbridgett.com

8 *Attorneys for Defendants*

9  
 10 IN THE UNITED STATES DISTRICT COURTS  
 11 FOR THE EASTERN DISTRICT OF CALIFORNIA  
 12 AND THE NORTHERN DISTRICT OF CALIFORNIA  
 13 UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES  
 14 PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

16 RALPH COLEMAN, et al.,  
 Plaintiffs,  
 17 v.  
 18 ARNOLD SCHWARZENEGGER, et al.,  
 19 Defendants.

No. 2:90-cv-00520 LKK JFM P  
**THREE-JUDGE COURT**

20 MARCIANO PLATA, et al.,  
 Plaintiffs,  
 21 v.  
 22 ARNOLD SCHWARZENEGGER, et al.,  
 23 Defendants.

No. C01-1351 TEH  
**THREE-JUDGE COURT**  
**DEFENDANTS' POPULATION  
 REDUCTION PLAN**  
**To: Three-Judge Court**

1           On August 4, 2009, the Three-Judge Court ordered Defendants to “provide the Court with a  
2 population reduction plan” within 45 days. (*Plata* Doc. 2197.) Defendants filed a notice of  
3 appeal and request for stay in the U.S. Supreme Court. (*Plata* Doc. 2224.) The stay was denied  
4 by the U.S. Supreme Court on September 11, 2009; the appeal is still pending and a jurisdictional  
5 statement will be filed in due course. Therefore, as required by the Three-Judge Court’s order,  
6 Defendants submit the attached “population reduction plan.” (*See* Exhibit A.) Defendants also  
7 submit “California Department of Corrections and Rehabilitation Achievements & Improvements  
8 Introduced During Three-Judge Court Proceeding.” (*See* Exhibit B.)

9           The submission of the attached “population reduction plan,” as required by the Three-Judge  
10 Court, is not an admission that this Court’s order meets the requirements of the Prison Litigation  
11 Reform Act (PLRA). As will be argued in the U.S. Supreme Court, the Three-Judge Court erred  
12 in its rulings and orders. Thus, the submission of this plan does not constitute waiver of any issue  
13 previously raised before this Court and which may be raised in the U.S. Supreme Court,  
14 including, but not limited to, whether the three-judge court was properly convened; whether the  
15 Court misconstrued the PLRA’s requirement that crowding is the primary cause of the violation  
16 of a federal right; whether the population cap of 137.5% satisfies the PLRA’s “least intrusive”  
17 and “narrowly drawn” requirements; and whether the Court improperly refused to permit the  
18 State from introducing evidence “relevant only to determining whether the constitutional  
19 violations found by the *Plata* and *Coleman* courts were ‘current and ongoing.’”  
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Dated: September 18, 2009

Respectfully submitted,

EDMUND G. BROWN JR.  
Attorney General of California  
JONATHAN L. WOLFF  
Senior Assistant Attorney General

/s/ Kyle A. Lewis

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KYLE A. LEWIS  
Deputy Attorney General  
*Attorneys for Defendants*

HANSON BRIDGETT LLP

/s/ Paul B. Mello

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Paul B. Mello  
*Attorneys for Defendants*

# **EXHIBIT A**

**September 18, 2009 Plan for Prison Population Management  
as Required by the August 4, 2009 Court Order**

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**PURPOSE AND BACKGROUND**

On August 4, 2009, this Court ordered the *Coleman v. Schwarzenegger* and *Plata v. Schwarzenegger* defendants (State Defendants) to “provide the court with a population reduction plan that will in no more than two years reduce the population of the CDCR’s [California Department of Corrections and Rehabilitation’s] adult institutions to 137.5% of their combined design capacity.” Without waiving any appellate rights, State Defendants present this submission to the Three-Judge Court as required by the August 4, 2009 Order.

This “population reduction plan” (Plan) foremost represents the State’s course of action to reform the State’s prison policies and system. It also outlines the corresponding decrease in prison population that will occur as a result of the reforms identified in the plan. The following list of reforms, which are described in greater detail below, have either been implemented since the Three-Judge Court trial ended in December 2008, or will be implemented due to recent legislation that the Administration worked with the Legislature to obtain:

- **Implemented the Parole Violation Decision Making Instrument Statewide.** *Using scientific research to make evidenced-based decisions to send low risk offenders to appropriate programs and high risk offenders back to prison.*
- **Discharged Deported Parolees.** *Eliminated the wasteful and costly supervision for over 12,000 offenders who should be prosecuted by federal, not state, authorities if they illegally return.*
- **Parole Reform.** *New legislation aimed at reducing the churning and providing for better, targeted parole supervision of the State’s most dangerous offenders.*
- **Enhanced Credit Earning.** *New legislation that encourages the completion of rehabilitative programs.*
- **Community Corrections.** *New legislation will provide fiscal incentives to keep low-level offenders local rather than returning them to prison.*
- **Parole Reentry Courts.** *New legislation that allows for intensive monitoring for parole violators in the community rather than returning them to prison.*
- **Increasing the Number of Inmates Housed Out-Of-State.** *Increasing the total number of inmates housed at out-of-state institutions, which currently stands at approximately 8,000.*
- **AB 900 Amendments.** *Recent legislation allows for funding and construction to start. Defendants prevailed in litigation that tried to stall construction*

- **Developed Bed Plan Which Will Increase Capacity to Address Crowding and Health Care Concerns.** *Includes new level IV infill, new healthcare infill, reception center beds, mental health beds, reentry facilities, and the conversion of Department of Juvenile Justice facilities.*
- **Expanding and Improving Clinical Care at Existing Prisons.** *Addressing health care capacity concerns including clinical and program space by allocating \$500 million in AB 900 money.*

Since the time of this Court's tentative ruling and with even greater urgency since August 4, 2009, the State Defendants have studied a variety of measures that would reduce the prison population. The State Defendants believe that reducing the prison population to 137.5% within a two-year period cannot be accomplished without unacceptably compromising public safety. However, the Plan submitted here proposes mechanisms to safely reach a population level of 137.5% over time, and will achieve a more efficient capacity within 2-3 years than there is presently.<sup>1</sup>

The Plan has three parts: (1) the Plan describes recently obtained legislative authority and administrative changes designed to reduce the prison population; (2) the Plan describes the construction projects both underway and planned that will, upon completion, increase housing capacity and services to the severely mentally and/or medically ill populations housed in CDCR's instate adult institutions; and (3) the Plan addresses additional planned legislative reforms. CDCR estimates that when it implements the reforms for which it already has authority, the average daily prison population (ADP) at CDCR's adult instate institutions will be reduced by approximately 28,000 in three years. This reduction will result in an estimated population of approximately 155% at the existing 33 adult institutions. The State Defendants anticipate that in five years, the ADP will be reduced by approximately 34,000 resulting in an estimated population of approximately 147%. Moreover, if the Administration's planned legislative reforms are enacted, the crowding rate at the institutions would fall to 139% after three years, and 132% after five years.

Not only will the State lower its population through smart prison reforms and increase operational capacity through prison construction, the State is also committed to building beds specifically for the *Plata* and *Coleman* class members to accelerate the already dramatic improvements in the delivery of healthcare to CDCR's inmate-patients. In fact, over 5,800 beds

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<sup>1</sup> That it is theoretically possible to reduce the prison population to 137.5% within two years says nothing about whether it would satisfy all of the PLRA's requirements to do so. For instance, a plan calling for the release of one in every four inmates at random or that inmates draw lots for their release would allow the 137.5% figure to be achieved within two years, if not instantaneously. But there is no doubt that such measures are not required by, much less would they satisfy, the PLRA because, among other reasons, they would provide no assurance of public safety. Thus, to submit a plan that would achieve the full population reduction within two years, without ensuring that the other requirements of the PLRA are satisfied, would be far less appropriate than the plan submitted here.

will be built with the specific and focused purpose of benefiting the class members of these cases. These beds are in addition to approximately 3,700 beds that will be constructed to meet general population needs at existing prisons, and 8,000 beds in reentry facilities throughout the state. Moreover, the general population and reentry beds will also have a full complement of healthcare space. Additionally, the State plans to spend roughly a half billion dollars in a healthcare improvement project at some of the existing institutions, which will accelerate the already dramatic improvements in healthcare delivery. Finally, these efforts will improve the operable capacity in CDCR's adult instate institutions which will, in turn, improve the rate of capacity in which CDCR can appropriately double cell inmates.

Lastly, this Plan represents current day projections. Future events and circumstances, including, but not limited to, further economic downturns, an increase in crime, voter-approved changes to the criminal justice system, and other unanticipated events, may require changes to this Plan.

## I.

### LEGISLATIVE AND ADMINISTRATIVE REFORMS

#### A. **PRE-CUSTODY REFORMS:** California Community Corrections Performance Incentives Act of 2009

California typically sends about 19,000 probation violators to prison each year, representing approximately 40% of all new prison admissions from the courts.<sup>2</sup> Unfortunately, California's prior funding model encouraged this high rate of probation failure. According to a recent report by the Legislative Analyst's Office, California's funding model provided "an unintended incentive for local agencies to revoke probation failures to state prison instead of utilizing alternative community-based sanctions."<sup>3</sup> That same report recommended that California instead establish a fiscal incentive program for probation success so that California could reduce the number of probationers entering the state prison system by rewarding those probation departments that demonstrate success.

The recent passage of Senate Bill 18 (SB 18)<sup>4</sup> creates exactly such a system of rewards for probation success. It establishes the California Community Corrections Performance Incentives Act of 2009. The community corrections program created by this act will authorize counties to receive funding for implementing and expanding evidence-based programs for felony probationers. Counties will be required to track specific probation outcomes and, depending on the success of those outcomes, may be eligible for "probation failure reduction incentive payments" or "high performance grants."

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<sup>2</sup> "Achieving Better Outcomes For Adult Probation," Legislative Analyst's Office (May 29, 2009) at 20.

<sup>3</sup> *Id.* at 3.

<sup>4</sup> Sen. Bill No. 18 (2009 3d Ex. Sess.)

The new funding model created by SB 18 will provide sustainable funding for improved, evidence-based probation supervision practices. By incentivizing probation success, California will lower the number of probationers sent to prison each year.

State Defendants estimate this program will net an approximate 1,915 reduction in CDCR's ADP once fully implemented in or about Fiscal Year 2010-2011.

## **B. IN-CUSTODY REFORMS: Credit Earning Enhancements**

The passage of SB 18 also provides a number of credit earning enhancements. First, it provides one day of sentence credit for every day served in county jail from the time of sentencing. Current law provides one day of credit for every two days served in county jail. Second, it provides eligible inmates up to six weeks of credit per year for completion of approved programs. This approach to incentivizing good behavior for program completions has been suggested by several experts including the Expert Panel Report. Third, it provides that all parole violators returned to custody who are otherwise eligible should receive one day of credit for each day served. Currently, only some violators receive such credit. Fourth, it provides two days of credit for every one day served once the inmate is endorsed to transfer to a fire camp, rather than providing such credit only after the inmate actually participates in the camp. Finally, it provides a consistent rule of one day of credit for every day served for all eligible inmates, whether those inmates are on a waiting list for a full-time assignment, participating in college, or undergoing reception center processing, so long as the inmate is discipline-free during that time. Current law provides a similar credit structure, but does so through the existence, for example, of a "bridging program," whereby inmates in reception centers sign up for self-study programs and receive credit. This legislation makes credit earning consistent while obviating the need for a bridging program.

State Defendants estimate this program will net an approximate 4,556 reduction in CDCR's ADP once fully implemented in or about Fiscal Year 2010-2011.

## **C. PAROLE REFORMS**

### **1. "Summary Parole"**

The enactment of SB 18 creates a new program of "summary parole" whereby CDCR is prohibited from returning to prison, placing a parole hold, or reporting to the Board of Parole Hearings, any parolee who meets all of the following conditions: (1) is not a sex offender<sup>5</sup>; (2) has not been committed to prison for a sexually violent offense<sup>6</sup>; (3) has no prior conviction for a sexually violent offense; (4) has no instant or prior convictions that are violent<sup>7</sup> or serious<sup>8</sup>; (5)

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<sup>5</sup> California Penal Code, § 290, et seq. Subsequent references will be to the Penal Code unless otherwise noted.

<sup>6</sup> California Welfare and Institutions Code section 6600, subd. (b).

<sup>7</sup> § 667.5, subd. (c).

has not been found guilty of a serious disciplinary offense as defined by CDCR during his or her current term of imprisonment; (6) is not a validated prison gang member or associate, as defined in CDCR regulations; (7) has not refused to sign any written notification of parole requirements or conditions; and (8) has not been determined to pose a high risk to reoffend pursuant to a validated risk assessment tool.<sup>9</sup> All other offenders will be subject to traditional parole supervision upon release from prison.

The State Defendants anticipate that “summary parole” will reduce CDCR’s institutional population because, when fully implemented, CDCR will be precluded from revoking parole and returning approximately 35,000 parolees to prison for parole violations.

Defendants estimate this program will net an approximate 4,180 reduction in CDCR’s ADP once fully implemented in or about Fiscal Year 2010-2011.

## **2. The Parole Violation Decision Making Instrument**

SB 18 requires that CDCR employ a parole violation decision making instrument (PVDMI) to determine the most appropriate sanctions for parolees who violate conditions of parole. The instrument standardizes departmental decision-making by properly accounting for both the severity of the parole violation and the offender’s risk to reoffend as determined by a validated risk assessment tool. This legislation comports with the recommendations of numerous expert reports, including the Rehabilitation Strike Team Report to the Governor, the California Expert Panel Report, and the Little Hoover Commission.

In fact, CDCR has already developed precisely such a tool and will have it fully deployed and in use throughout the State prior to the effective date of SB 18. CDCR’s PVDMI receives risk information from the California Static Risk Assessment (CSRA), a validated risk assessment tool developed by CDCR in conjunction with the University of California, Irvine, Center of Evidence-Based Corrections. The CSRA predicts recidivism based on static demographic and criminal history information received from the California Department of Justice. The use of the PVDMI allows CDCR to preserve correctional resources by maximizing the use of alternative parole violation sanctions while reserving incarceration for only the most dangerous parolees for whom the scientific research dictates such a result. CDCR’s pioneering work in both developing the CSRA and employing it as part of the CDCR’s PVDMI has been recognized by the California Administrative Office of the Courts, which has asked CDCR to assist in the development of the Courts’ own risk assessment tool.

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<sup>8</sup> § 1192.7, subd. (c).

<sup>9</sup> CDCR intends to employ the California Static Risk Assessment tool, a validated tool that predicts an offender’s risk to reoffend on the basis of static information received from CDCR and the California Department of Justice.

Although CDCR will not identify a population reduction associated with this reform at this time, the PVDMI is an effective tool in placing parolees in the right programs and returning the high risk parole violators to prisons thereby increasing public safety while decreasing recidivism.

### **3. Reentry Courts**

SB 18 also authorizes CDCR to collaborate with the California Administrative Office of the Courts to establish and expand drug and mental health reentry courts for parolees. These reentry courts will provide an option for parolees with drug and mental health needs to receive highly structured treatment in the community, under the close supervision of their parole agent and the court, rather than being returned to prison for violations that may be related to those needs. The legislation provides that for participating parolees, the court, with the assistance of the parolee's parole agent, "shall have exclusive authority to determine the appropriate conditions of parole, order rehabilitation and treatment services to be provided, determine appropriate incentives, order appropriate sanctions, lift parole holds, and hear and determine appropriate responses to alleged violations." The court proceedings will feature a dedicated calendar, non-adversarial proceedings, and a highly structured approach featuring frequent drug and alcohol testing to ensure the best chance of parole success.

The implementation of the reentry courts should have a significant impact on reducing the number of mentally ill inmates in CDCR because it should reduce the number of parolees with mental illness returning to prison.

State Defendants estimate this program will reduce CDCR's ADP by approximately 435 inmates once fully implemented in or about Fiscal Year 2010-2011.

## **D. ADMINISTRATIVE CHANGES**

### **1. California's Out-of-State Correctional Facility Expansion**

Defendants will expand the California Out-of-State Correctional Facility (COCF) program, which has as its primary purpose removing non-traditional beds and relieving crowding by transferring CDCR inmates to contracting out-of-state facilities. The COCF program has been in place since October 2006 and CDCR currently maintains approximately 8,000 inmates in out-of-state facilities. CDCR intends to expand the program to allow transfer of additional inmates out-of-state. CDCR maintains a robust quality assurance system over the program to ensure all inmates transferred out-of-state are able to obtain all appropriate services.

State Defendants estimate this program will net an additional approximate 1,250 reduction in CDCR's ADP in or about Fiscal Year 2009-2010, a 2,200 total reduction in CDCR's ADP in or about Fiscal Year 2010-2011, and a 2,500 total reduction in CDCR's ADP once fully implemented in or about Fiscal Year 2011-2012.

## **2. Community Correctional Facilities Utilization**

State Defendants intend to better utilize existing private Community Correctional Facilities (CCFs) to assist in the reduction of the prison population. CDCR established thirteen CCFs throughout California to house low-level inmates. CCFs prepare these inmates for their return to the community on parole. Robust oversight of the CCFs is already in place. However, CCFs have been underutilized by CDCR in the past, primarily because appropriate male inmates are also eligible for other types of housing, including minimum security facilities and camps. Yet, there is an abundance of female inmates who are eligible for placement into these facilities. Recognizing this, CDCR intends to increase its use of CCFs by converting three CCFs to female facilities.

State Defendants estimate this program will net an approximate 800 inmate reduction in CDCR's ADP once fully implemented in or about Fiscal Year 2010-2011.

## **3. Commutations of Sentence**

The Governor will review cases of certain deportable inmates under his discretionary constitutional clemency authority. A commutation of sentence would result in an inmate's early release from prison and deportation.

Defendants estimate this program will reduce CDCR's ADP by approximately 600 once fully implemented.

## **4. Discharge of Deported Parolees**

Earlier this year CDCR implemented a new policy to discharge from parole the over 12,000 criminal aliens who have served their full state prison sentences and, upon release to parole, have been deported by the federal government. Previously, California had retained those criminal aliens on parole, even after their deportation. Under CDCR's new policy, those parolees have been discharged and additional parolees will be discharged from parole on an ongoing basis as CDCR receives confirmation of their deportation from the federal government. This new policy has resulted in fewer parolees being returned to state prison for parole violations and provides an incentive for federal prosecution of these offenders.

State Defendants estimate this policy will net an approximate 271 reduction in CDCR's ADP once fully implemented in or about Fiscal Year 2010-2011.

## **5. Alternative Sanctions for Violations of Parole**

CDCR will make greater use of electronic monitoring systems such as global positioning systems (GPS), for parole violators in lieu of revocation and re-incarceration. The expanded use

of GPS and other electronic monitoring systems will permit CDCR to monitor those offenders outside of state prison for parole violations.

State Defendants estimate this program will net an approximate 119 reduction in CDCR's ADP in or about Fiscal Year 2009-2010, a 891 reduction in CDCR's ADP in or about Fiscal Year 2010-2011, and a 1,000 reduction in CDCR's ADP once fully implemented in or about Fiscal Year 2011-2012.

## **II.**

### **INCREASED CAPACITY**

Assembly Bill 900 (AB 900) was passed by a bipartisan Legislature and signed into law by Governor Schwarzenegger on May 3, 2007. AB 900 allocates \$7.6 billion, of which \$6.4 billion is designed to reform CDCR by reducing prison overcrowding, increasing rehabilitation programs, and providing more beds for all inmates, including those requiring medical and mental health care. AB 900's comprehensive plan immediately relieved overcrowding by providing for additional out-of-state transfers, which are authorized to continue until July 1, 2011. AB 900 also provides for new rehabilitation programs and re-entry facilities to ease parolees' transition back into California communities, thereby reducing recidivism, relieving prison overcrowding, and ensuring public safety.

#### **A. INFILL PROJECTS**

Construction projects will result in new annex housing units and renovation of existing facilities. These projects will add bed capacity as well as additional office and treatment space to relieve operational pressures throughout CDCR institutions.

Newly constructed facilities are planned in stand-alone units and will operate semi-autonomously from the main institutions, though some space and/or functions, such as administrative services, may be shared by the main institutions to ensure the newly constructed facilities are fully serviced. Each newly constructed facility will have appropriate programming space and staffing for the population to be served.

Renovated facilities primarily represent current or former juvenile correctional facilities that are being repurposed to serve an adult male population. All renovated facilities will also provide for the reduction of nontraditional beds, and will have the requisite amount of programming space and staff for their intended populations. A description of each project follows by phase of

funding as outlined in AB 900.<sup>10</sup> There are a few projects that are not funded through the AB 900 appropriation and those projects are noted.

1. Kern Valley State Prison

This project will result in 930 new beds in a Level IV semi-autonomous facility at the existing Kern Valley State Prison site, with the addition of five housing units on 33 acres using the 270 design celled-bed prototype. This construction will include space for rehabilitative programming (i.e., vocational, academic, substance abuse), work opportunities, and a health services building of approximately 22,000 square feet. A portion of these beds will be wheelchair-compliant beds.

This project will be submitted to the Joint Legislative Budget Committee (JLBC) for its approval in Fall 2009 with a request for State Public Works Board (PWB) approval and interim financing from the Pooled Money Investment Board (PMIB) to immediately follow. Necessary environmental impact review (EIR) documents are already underway. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, these beds should come on line in or about Fiscal Year 2012-2013.

2. Heman G. Stark Conversion

This project renovates an existing 1,200-cell Department of Juvenile Justice facility in Chino. It includes the installation of design elements necessary to house an adult male population (i.e., lethal electrified fence, guard towers, etc.), ADA improvements, expanded or new administrative support buildings, and a new health services building. This plan provides for double-celling a portion of the facility and envisions approximately 1,800 beds. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, 700 beds should come on line in or about Fiscal Year 2009-2010, and 1,100 beds in or about Fiscal Year 2010-2011.

3. Reception Center – Southern California

This project will result in 943 new beds in a cell-design semi-autonomous facility with five housing units, including the support space necessary to house reception center inmates. This project will also include a health services building to accommodate this population. Its location will be at one of the Southern California prisons where CDCR's need for additional reception center beds is greatest. A portion of these beds will be wheelchair-compliant beds.

The Reception Center Prototype initial planning is complete and siting options are underway. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, these beds should come on line in Fiscal Year 2012-2013.

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<sup>10</sup> CDCR is currently pursuing legislation to redirect \$1 billion from its infill funding appropriation under AB 900 to the healthcare funding appropriation. The figures set forth in this Plan assume (and require) passage of that legislation and that the proposed consolidated care center facility will be funded with the \$1 billion in funds redirected from the infill appropriation.

4. Department of Juvenile Justice Conversion – Paso Robles

This project renovates a former juvenile justice facility located in Paso Robles. This facility currently includes both dorms and an existing 270-celled prototype. The intended capacity is approximately 899 beds which includes some double-celling of the population. This is intended for a general population facility with a health-care mission and will serve elderly inmates with healthcare needs. The scope of work would include a new lethal electrified fence to increase the security level of the facility from a Level 1 to a Level II, as well as building code updates, ADA improvements, and an expanded healthcare facility. A portion of these beds will be wheelchair-compliant beds.

This project will be submitted to the JLBC in Fall 2009 for approval and will subsequently be submitted to the State PWB and the PMIB for approval and financing. The EIR document is already underway. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, these beds should come on line in Fiscal Year 2011-2012.

5. Wasco State Prison – Level IV Celled Facility

This project builds a 1,896 bed Level IV semi-autonomous celled facility based on CDCR's 180-design prototype. This project includes eight housing units, support and programming space planned for available land located on the unused land at the existing prison in Wasco. This project will also include a Correctional Treatment Clinic (CTC) to serve the population and a portion of the overall beds will be wheelchair-compliant.

This project is currently proposed for funding in Phase 2 of AB 900. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, these beds should come on line in Fiscal Year 2012-2013.

6. Department of Juvenile Justice Conversion – Northern California

This project renovates a former juvenile justice facility located in Northern California at a site to be determined. The intended capacity is approximately 1,133 beds which includes some double-celling of the population. The facility is intended for a general population facility with a health care mission and will serve inmates with medical outpatient needs and inmates requiring Enhanced Outpatient Program mental health services. CDCR is consulting with the *Plata* Receiver to identify an appropriate site and the appropriate scope for the project.

This project is currently proposed for funding in Phase 2 of AB 900. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, these beds should come on line in Fiscal Year 2013-2014.

**B. HEALTHCARE PROJECTS**

The healthcare projects described below include renovation and expansion of existing facilities to add housing, office, and/or treatment space to further meet the healthcare needs of CDCR's adult inmates at its existing prisons. Several of these projects are being constructed pursuant to specific court orders. Also, many of these projects are being planned in consultation with the *Plata* Receiver.

1. Northern Consolidated Care Facility

This project provides for a large healthcare facility serving a medical and mental health population to include specialized housing, treatment, and support space at a location in Northern California to be selected among several sites that have already been identified and for which environmental documents are underway. This facility would provide approximately 1,702 new beds serving high acuity medical and mental health patients. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, these beds should come on line in or about Fiscal Year 2011-2012.

2. San Quentin State Prison – Correctional Treatment Center (Building 22)

This project is a renovation and replacement of the existing infirmary at San Quentin State Prison and will include a Correctional Treatment Center providing 41 medical and mental health beds. Assuming no obstacles arise, anticipated completion is in or about January 2010.

3. California Men's Colony – Mental Health Crisis Beds

This project builds a 50-bed mental health crisis facility on available land at the California Men's Colony in San Luis Obispo. This project scope and schedule are being coordinated with the Special Master in the *Coleman* case. Assuming no obstacles arise, anticipated completion is in or about October 2012.

4. California State Prison, Lancaster – Enhanced Outpatient Program

This project builds additional treatment and office space to increase by 150 the number of Enhanced Outpatient Program mental health inmate patients served at California State Prison, Lancaster. This project's scope and schedule are being coordinated with the Special Master in the *Coleman* case. Assuming no obstacles arise, anticipated completion is in or about September 2012.

5. California Medical Facility – Intermediate Care Facility

This project builds a 64-bed Intermediate Care Facility to serve mental health patients on the grounds of the California Medical Facility. This project scope and schedule are being coordinated with the Special Master in the *Coleman* case. Assuming no obstacles arise, anticipated completion is in or about November 2012.

6. California Medical Facility – Enhanced Outpatient Program

This project builds office and treatment space to serve 658 Enhanced Outpatient Program mental health inmate patients on the grounds of the California Medical Facility. This project's scope and schedule are being coordinated with the Special Master in the *Coleman* case. Assuming no obstacles arise, anticipated completion is in or about April 2013.

7. California State Prison, Sacramento – Enhanced Outpatient Program

This project builds office and treatment space to serve 192 Enhanced Outpatient Program mental health inmate patients on the grounds of California State Prison, Sacramento. This project scope and schedule are being coordinated with the Special Master in the *Coleman* case. This project is not funded through AB 900. Assuming no obstacles arise, anticipated completion is in or about November 2011.

8. San Quentin State Prison – Condemned Inmate Complex Correctional Treatment Center

This project builds 1,152 beds in a new Condemned Inmate Complex on the grounds of San Quentin. This project will include a Correctional Treatment Center serving the medical and mental health needs of the inmate population. CDCR will submit this project for funding in Fall of 2009 and expects to award contracts and break ground in March 2010. This project is not funded through AB 900. Assuming no obstacles arise, anticipated completion is in or about Fiscal Year 2011-2012.

9. Salinas Valley State Prison – Enhanced Outpatient Program

This project intends to add office and treatment space to serve 96 Enhanced Outpatient Program mental health inmate patients on the grounds of Salinas Valley State Prison. This project's scope and schedule are being coordinated with the Special Master in the *Coleman* case. This project is not funded through AB 900. Assuming no obstacles arise, anticipated completion is in or about April 2013.

10. California Institute for Women – Psychiatric Services Unit

This project intends to renovate existing housing at the California Institute for Women in Chino to provide housing and treatment for a 20-bed Psychiatric Services Unit serving the mentally ill offender population. This project scope and schedule are being coordinated with the Special Master in the *Coleman* case. This project is not funded through AB 900. Assuming no obstacles arise, anticipated completion is in or about February 2011.

11. California State Prison, Sacramento – Psychiatric Services Unit

This project provides office and treatment space to serve 152 Psychiatric Services Unit mental health inmate patients on the grounds of the California State Prison, Sacramento. This project scope and schedule are part of the construction projects proposed in the *Coleman* case.

12. Salinas Valley State Prison – Enhanced Outpatient Program Administrative Segregation Unit

This project was originally planned to add both housing and treatment space to serve approximately 72 Enhanced Outpatient Program mental health inmate patients in the administrative segregation unit at Salinas Valley State Prison. The scope of the project as developed by CDCR has been denied by the Joint Legislative Budget Committee, which directed CDCR to develop an alternative that would provide only office and treatment space for that population. CDCR is currently exploring alternate options to comport with this direction. CDCR will seek relief from the *Coleman* court to modify the project as appropriate.

13. California State Prison, Corcoran – Enhanced Outpatient Program

This project will add office and treatment space to serve an additional 45 Enhanced Outpatient Program mental health inmate patients on the grounds of California State Prison, Corcoran. This project's scope and schedule are being coordinated with the Special Master in the *Coleman* case.

14. Southern California Crisis Beds

This project will site a new 50-bed crisis facility at either the Heman Stark facility in Chino or another Southern California prison. These beds were to be located initially at the Consolidated Care Facility. However, given the need to add additional crisis beds in Southern California, this project is now a stand-alone unit. State Defendants intend to consult with the Special Master in the *Coleman* case. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, these beds should come on line in or about Fiscal Year 2012-2013.

15. California Institute for Women – 45 Bed Intermediate Care Facility

This project will build a new 45-bed intermediate care facility at the California Institute for Women to serve the mental health population for female adults in the custody of CDCR. Preliminary plans are complete with this project and it is currently in the working drawings phase, with construction to be funded by AB 900 funds. This project's scope and schedule are being coordinated with the Special Master in the *Coleman* case. State Defendants are currently evaluating their long-term need for this project.

**C. REENTRY PROJECTS**

Pursuant to AB 900, reentry projects provide for the design and operation of secure community reentry facilities located in communities throughout the state. These facilities will hold a maximum of 500 inmates who are within 6-12 months of being released. These facilities will be autonomous facilities and have been designed to facilitate an intensive rehabilitative programming environment and include healthcare treatment space for the population to be served.

To date, eleven counties have agreed to locate a reentry facility to serve their population. The first reentry facilities are being planned in the counties of Kern, Madera, San Joaquin (to also serve Amador and Calaveras), San Luis Obispo (to also serve Santa Barbara and San Benito), and San Bernardino. A reentry facility planned for San Diego is currently being sited. Additional counties have expressed interest in supporting reentry facilities in their communities.

Assuming no obstacles arise, Defendants estimate this program will build approximately 500 beds in or about Fiscal Year 2010-2011, 2,500 additional beds in or about Fiscal Year 2012-2013, 2,500 additional beds in or about Fiscal Year 2013-2014, and 2,500 additional beds in or about Fiscal Year 2014-2015.

## California Department of Corrections and Rehabilitation

## Population Management Plan: Table I

| Fiscal Year                                       | FY 08/09       | FY 09/10       | FY 10/11       | FY 11/12       | FY 12/13       | FY 13/14       | FY 14/15       |
|---------------------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| <b>Spring Population Projections<sup>1</sup></b>  | <b>167,985</b> | <b>172,232</b> | <b>172,205</b> | <b>174,003</b> | <b>175,177</b> | <b>177,317</b> | <b>178,915</b> |
| <b>Institution Population Reduction Measures</b>  |                |                |                |                |                |                |                |
| <b>Probation Reform</b>                           |                |                |                |                |                |                |                |
| Community Corrections                             |                | 479            | 1,915          | 1,915          | 1,915          | 1,915          | 1,915          |
| <b>Sentencing Reform</b>                          |                |                |                |                |                |                |                |
| Enhanced Credit Earning                           |                | 660            | 4,180          | 4,180          | 4,180          | 4,180          | 4,180          |
| <b>Executive Authority</b>                        |                |                |                |                |                |                |                |
| Expansion of Out-Of-State Placements <sup>2</sup> |                | 1,250          | 2,200          | 2,500          | 2,500          | 2,500          | 2,500          |
| Expanded Utilization of Private Prisons           |                | 400            | 800            | 800            | 800            | 800            | 800            |
| ICE Commutations                                  |                | 300            | 600            | 600            | 600            | 600            | 600            |
| <b>Parole Reform</b>                              |                |                |                |                |                |                |                |
| Summary Parole                                    |                | 966            | 4,556          | 4,556          | 4,556          | 4,556          | 4,556          |
| Discharge of Deported Parolees                    |                | 279            | 271            | 271            | 271            | 271            | 271            |
| Alternative Parole Sanctions                      |                | 119            | 891            | 1,000          | 1,000          | 1,000          | 1,000          |
| Parole Reentry Courts                             |                | 50             | 435            | 435            | 435            | 435            | 435            |
| <b>New Construction<sup>3</sup></b>               |                |                |                |                |                |                |                |
| DJJ Renovations                                   |                | 700            | 1,800          | 2,700          | 2,700          | 3,800          | 3,800          |
| Reentry                                           |                |                | 500            | 500            | 3,000          | 5,500          | 8,000          |
| Infill                                            |                | 64             | 64             | 704            | 6,850          | 6,850          | 6,850          |
| <b>Total Population Reduction</b>                 |                | <b>5,267</b>   | <b>18,212</b>  | <b>20,161</b>  | <b>28,807</b>  | <b>32,407</b>  | <b>34,907</b>  |
| <b>Institution Population<sup>4</sup></b>         | <b>150,655</b> | <b>149,635</b> | <b>132,416</b> | <b>132,292</b> | <b>123,022</b> | <b>120,388</b> | <b>117,346</b> |
| <b>Institution Crowding Rate</b>                  | <b>189%</b>    | <b>188%</b>    | <b>166%</b>    | <b>166%</b>    | <b>155%</b>    | <b>151%</b>    | <b>147%</b>    |

The population in FY 08/09 is based on the actual population count on July 1, 2009. The projections in FY 09/10 and thereafter assume the transfer of any backlogged inmates into state custody.

<sup>2</sup> Assumes cooperation from *Plata, Coleman, Perez,* and *Armstrong* courts.

<sup>3</sup> The beds identified on this table reflect the actual capacity for which they are being built. The double celling rate of these facilities vary by project. However, whatever the double celling rate, the beds or projects are being designed with an appropriate amount of program and clinical space to accommodate that number of inmates.

<sup>4</sup> Excludes inmates in camps, private facilities and out-of-state facilities.

### III.

#### ADDITIONAL LEGISLATIVE REFORMS

This Administration has demonstrated its willingness to reform the State's prisons, and the Administration will continue to push for meaningful reforms like the reforms adopted in SB 18. The following reforms, however, cannot be accomplished administratively, and they will require legislative changes.<sup>11</sup>

##### A. ADDITIONAL CALIFORNIA OUT-OF-STATE CORRECTIONAL FACILITY EXPANSION

In addition to the 2,500 bed expansion set forth above, State Defendants will work with the Legislature to remove the existing clause that calls for the termination of the COCF program in 2011. With this legislative change, State Defendants estimate they will be able to expand the COCF program by an additional 5,000 inmates reducing its ADP by that amount.

##### B. PROPERTY CRIME THRESHOLDS

Numerous property crimes in California are punishable alternatively as a misdemeanor or a felony, depending on the dollar amount of the taking. For example, grand theft is punishable as a felony when the amount stolen exceeds \$400, but is punishable as a misdemeanor when the amount stolen is \$400 or less. In most cases, the threshold for these wobblers (crimes that may be prosecuted as either misdemeanors or felonies) was established over 20 years ago. As time has passed and inflation risen, increasing numbers of these wobblers have become prosecutable as felonies, thereby resulting in greater numbers of offenders eligible for prison sentences rather than jail sentences.

For thirty-nine of these property crimes, SB 18 increased the dollar threshold to present-day values. For example, property crimes where the threshold was set at \$400 were increased to \$950. The aim was to expose lesser number of offenders to felony prosecution and prison terms and thereby reduce the prison population. However, Senate Bill 18 left the threshold for grand

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<sup>11</sup> The Court's August 4, 2009 order stated, "[s]hould any of defendants' proposed population reduction measures require the waiver of any provisions of state law, the state shall so advise the court, and shall explain why the requested waiver is permissible under 18 U.S.C. § 3626(a)(1)(b)." This Court did not permit Defendants to introduce evidence regarding whether there are any current and ongoing violations of federal rights. Plaintiffs were also not required to prove, nor did they prove, that there are any current and ongoing violations. Thus, the State Defendants do not assert that state law waivers are permissible here, because State Defendants believe that the statutory requirements authorizing such waivers have not been satisfied. Furthermore, because the recent improvements to healthcare and the plans set forth throughout this submission provide a form of relief correcting alleged federal violations, the State Defendants do not seek the waiver of any State law under the PLRA (*see* 18 U.S.C. s 3626(a)(1)(B)(ii)-(iii)).

theft itself unchanged, an omission that does not capture the impact of that offense, and also undermines the effect of having changed many other property crimes because they could alternatively be charged as grand theft. The State Defendants seek legislation to increase the threshold of grand theft to \$950. If fully implemented, Defendants estimate this program will net an approximately 2,700 reduction in CDCR's ADP.

### **C. ALTERNATIVE CUSTODY PROGRAM**

The Administration will seek legislation to establish a program of alternative custody options for lower-risk offenders. Certain offenders would be eligible to serve the last 12 months of their sentence under house arrest with GPS monitoring. House arrest may include placement in a residence, local program, hospital, or treatment center. Eligible inmates include inmates with 12 months or less remaining to serve, elderly inmates, and medically infirm inmates. Inmates are ineligible for alternative custody if they have a current or prior conviction for a violent offense, are required to register as a sex offender, have a history of escape, or pose a high risk to reoffend pursuant to the California Static Risk Assessment. If fully implemented, Defendants estimate this program will net an approximately 4,800 reduction in CDCR's ADP.

### **D. SENTENCING COMMISSION**

The Administration will seek legislation creating a permanent, independent sentencing commission that would set sentencing guidelines each year. The guidelines would later go into effect unless rejected by the Legislature and the Governor. The Commission would be a regulatory and research body housed within the Administrative Office of the Courts that would review the entire California Code in light of empirical statewide sentencing data, recidivism rates, risk assessments, and population projections, to accurately forecast public safety impacts and correctional costs for all sentencing proposals. The commission would create coherent and equitable sentence guidelines that rest explicitly on the goal of coordinating sentences with available correctional resources. Many states have sentencing commissions and most experts recommend establishment of sentencing commissions.

Under the Administration's proposal, a sentencing commission would consist of thirteen voting members, subject to staggered 3-year terms, including a balance of law enforcement officials, judges, researchers, and defense lawyers. The Commission would present the Legislature and the Governor with a set of sentencing and parole rules, along with recommended statutory changes, by 2013. The Commission would thereafter publish reports on its sentencing research. In the event any court orders a reduction in inmate population, the Commission would develop recommendations for court compliance.

### **E. AB 900 CONSTRUCTION ACCELERATION**

CDCR has collaborated with the *Plata* Receiver in his part as construction coordinator to develop CDCR's plan for healthcare beds, and has drafted legislation to enable CDCR to accelerate all of its construction authorized under AB 900 using alternative delivery methods. If the Legislature authorizes these amendments, CDCR would be able to expedite the construction of new capacity, including new healthcare facilities, and the construction of treatment and other support spaces to meet the needs of the class members.

Population Management Plan: Table II

| Fiscal Year                                       | FY 08/09       | FY 09/10       | FY 10/11       | FY 11/12       | FY 12/13       | FY 13/14       | FY 14/15       |
|---------------------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| <b>Spring Population Projections<sup>1</sup></b>  | <b>167,985</b> | <b>172,232</b> | <b>172,205</b> | <b>174,003</b> | <b>175,177</b> | <b>177,317</b> | <b>178,915</b> |
| <b>Institution Population Reduction Measures</b>  |                |                |                |                |                |                |                |
| <b>Probation Reform</b>                           |                |                |                |                |                |                |                |
| Community Corrections                             |                | 479            | 1,915          | 1,915          | 1,915          | 1,915          | 1,915          |
| <b>Sentencing Reform</b>                          |                |                |                |                |                |                |                |
| Enhanced Credit Earning                           |                | 660            | 4,180          | 4,180          | 4,180          | 4,180          | 4,180          |
| Property Crime Thresholds                         |                |                | 2,700          | 2,700          | 2,700          | 2,700          | 2,700          |
| Alternative Custody                               |                |                | 2,400          | 4,800          | 4,800          | 4,800          | 4,800          |
| <b>Executive Authority</b>                        |                |                |                |                |                |                |                |
| Expansion of Out-Of-State Placements <sup>2</sup> |                | 1,250          | 2,200          | 7,500          | 7,500          | 7,500          | 7,500          |
| Expanded Utilization of Private Prisons           |                | 400            | 800            | 800            | 800            | 800            | 800            |
| ICE Commutations                                  |                | 300            | 600            | 600            | 600            | 600            | 600            |
| <b>Parole Reform</b>                              |                |                |                |                |                |                |                |
| Summary Parole                                    |                | 966            | 4,556          | 4,556          | 4,556          | 4,556          | 4,556          |
| Discharge of Deported Parolees                    |                | 279            | 271            | 271            | 271            | 271            | 271            |
| Alternative Parole Sanctions                      |                | 119            | 891            | 1,000          | 1,000          | 1,000          | 1,000          |
| Parole Reentry Courts                             |                | 50             | 435            | 435            | 435            | 435            | 435            |
| <b>New Construction<sup>3</sup></b>               |                |                |                |                |                |                |                |
| DJJ Renovations                                   |                | 700            | 1,800          | 2,700          | 2,700          | 3,800          | 3,800          |
| Reentry                                           |                |                | 500            | 500            | 3,000          | 5,500          | 8,000          |
| Infill                                            |                | 64             | 64             | 704            | 6,850          | 6,850          | 6,850          |
| <b>Total Population Reduction</b>                 |                | <b>5,267</b>   | <b>23,312</b>  | <b>32,661</b>  | <b>41,307</b>  | <b>44,907</b>  | <b>47,407</b>  |
| <b>Institution Population<sup>4</sup></b>         | <b>150,655</b> | <b>149,635</b> | <b>127,316</b> | <b>119,792</b> | <b>110,522</b> | <b>107,888</b> | <b>104,846</b> |
| <b>Institution Crowding Rate</b>                  | <b>189%</b>    | <b>188%</b>    | <b>160%</b>    | <b>151%</b>    | <b>139%</b>    | <b>136%</b>    | <b>132%</b>    |

<sup>1</sup> The population in FY 08/09 is based on the actual population count on July 1, 2009. The projections in FY 09/10 and thereafter assume the transfer of any backlogged inmates into state custody.

<sup>2</sup> Assumes cooperation from *Plata, Coleman, Perez,* and *Armstrong* courts.

<sup>3</sup> The beds identified on this table reflect the actual capacity for which they are being built. The double ceiling rate of these facilities vary by project. However, whatever the double ceiling rate, the beds or projects are being designed with an appropriate amount of program and clinical space to accommodate that number of inmates.

<sup>4</sup> Excludes inmates in camps, private facilities and out-of-state facilities.

**IV.**

**CONCLUSION**

As required by the August 4, 2009 order, but without waiving its appellate rights, the State Defendants submit this Plan to reduce the State's prison population through smart reforms that do not compromise public safety.

# **EXHIBIT B**

**California Department of Corrections and Rehabilitation**  
**Achievements & Improvements Introduced During Three-Judge Court Proceeding**

During the course of the Three-Judge Court proceeding, Defendants introduced the following evidence detailing the California Department of Corrections and Rehabilitation's (CDCR) achievements and improvements. Those include:

**I. Improvements in the Delivery of Medical Care**

A. Funding:

1. In FY 1994-95, \$344 million was expended for inmate health care or \$2,714 per inmate per year (in 1994 dollars). (Trial Aff. of Todd Jerue, 10/30/08, (Jerue Aff.) *Plata v. Schwarzenegger* Dock. No. 1632 at ¶ 6.)
2. In FY 2005-06, \$1.252 billion was expended for inmate health care or \$7,601 per inmate per year (in 2005 dollars). (*Id.* at ¶ 7.)
3. In FY 2006-07, \$1.635 billion was expended for inmate health care or \$9,759 per inmate per year (in 2006 dollars). (*Id.* at ¶ 8; Trial Transcript (Trial Tr.), 12/3/08, at 1210:4-13; 1213:17-22; 1215:20-1216:20.)
4. In FY 2007-08, \$2.249 billion was expended for inmate health care or \$13,778 per inmate per year (in 2007 dollars). (*Id.* at ¶ 9.)

B. Improvements in Death Review and Death Review Programs:

1. The number of alleged preventable asthma deaths went from 6 in 2006 to 0 in 2007. (Trial Tr., 11/20/08, at 450:20-451:2.)
2. The number of alleged preventable deaths went from 18 in 2006 to 3 in 2007. (*Id.* at 486:16-22; 487:2-5; 12/10/07 Deposition of Ronald Shansky (Shansky Dep.) at 74:7:16.)
3. Deaths have trended down in the last 10 quarters. (Trial Tr., 11/20/08, at 454:21-455:12.)

C. Staffing Increases:

1. Physicians: CDCR's physician staffing has increased dramatically, and is within 5% of the Receiver's goal to fill 90% of physician positions. (Trial Tr., 11/20/08, at 445:7-446:14; 447:9-448:5.) Between November 2007 and August 2008, CDCR hired 62 full-time state employed primary care physicians. (Defendants' Trial Exhibit (Defs.' Tr. Ex.) 1235 – Staffing Progress for Medical and Mental Health at 3.)

2. Chief Physicians and Surgeons: Between October 2005 and August 2008, the number of full-time state employed Chief Physicians and Surgeons rose from 10 to 28. (*Id.* at 2.)
3. Physician Assistants: The number of Physician Assistants rose from 1 in April 2006 to 13 in August 2008. (*Id.* at 4.)
4. Nurse Practitioners: The number of Nurse Practitioners rose from 11 in October 2005 to 44 in August 2008. (*Id.* at 5.)
5. Registered Nurses: The number of registered nurses rose from 818 in October 2005 to 1556 in August 2008. Staffing of registered nurses has increased and is now within 2% of the Receiver's statewide goal to fill 90% of nursing positions. (Trial Tr., 11/20/08, at 445:7-446:14; 447:9-448:5.)
6. Licensed Vocational Nurses: The number of licensed vocational nurses rose from 4 in May 2007 to 937 in August 2008. (Defs.' Tr. Ex. 1235 at 7.)
7. Correctional Officers: The number of correctional officers employed by the department rose from 20,741 in October 2005 to more than 24,090 in August 2008. (*Id.* at 8.)

D. During the *Plata v. Schwarzenegger* Receivership, other improvements include:

1. New screening and assessment processes at reception and release;
2. New health care access units -- that include large numbers of correctional officers charged with ensuring inmate access to medical care;
3. Establishing new and better health care scheduling and patient-inmate tracking systems;
4. Redesigning and improving sick call processes, forms, and staffing models;
5. Improved chronic care systems;
6. Improved emergency response plans and systems;
7. Improved provision of and access to specialty care and hospital services;
8. Improved medical clinical leadership and management;
9. Improved peer review and death review programs;
10. Establishment of a comprehensive, safe, and efficient pharmacy program -- including continued development of the drug formulary and the rollout of a

computerized pharmacy operating system designed to improve medication management in CDCR institutions;

11. Establishing standardized health records practices -- ultimately leading to the use of electronic medical records; and

12. Establishing effective radiology and laboratory services.

(Defs.' Tr. Ex. 1100 – Receiver's Ninth Quarterly Report, 09/15/08, *Plata* Dock. No. 1472 at 8-12, 15-24, 33-34, 40-41, 51-58.)

## II. Improvements in the Mental Health Care Delivery System

### A. Enhanced Screening, Diagnosis, and Treatment Procedures

1. Since 1997, Defendants have used a uniform set of policies and procedures to provide care to mentally ill inmates. (Trial Aff. of Robin Dezember, 10/30/08, (Dezember Aff.) *Plata v. Schwarzenegger* Dock. No. 1715 at ¶ 15.)
2. CDCR now identifies and classifies a significantly greater proportion of its inmates as belonging to the *Coleman* class than it did when the *Coleman* litigation began. In August 2008, CDCR classified 20% of its inmates as severely mentally ill, up from 7.9% in 1994. (*Id.* at ¶¶ 70, 71.)
3. The treatment programs or 'levels of care' provided by Defendants have increased in size and in specificity. Under the Revised Program Guide, Defendants now provide distinct levels of care and programs reflecting the mental health care and housing needs of *Coleman* class members. (Defs'. Trial Ex. 1273—*Coleman* F&Rs, 6/6/94 at 43-44; *see also* Dezember Aff., ¶ 70.)

### B. Mental Health Bed Increases

1. In 1994, the CDCR mental health care system was limited to a few institutions and involved some 3,200 designated mental health care beds. (Defs.' Trial Ex. 1273 - *Coleman* F&Rs, 6/6/94, at 43-44; Dezember Aff., ¶ 70.) Now, the CDCR mental health care system extends to each CDCR institution across the State and involves some 30,382 beds across all levels of care. (Dezember Aff., ¶ 75; Defs.' Trial Ex. 1247 - Chart of CDCR Facilities.)
2. There are now three state mental hospitals and two psychiatric programs available for inpatient care. (Trial Tr., 11/21/08, at 758:13-22; 759:9-760: 5.) These facilities include Atascadero, Coalinga, and Patton State Hospitals and psychiatric programs at CDCR's California Medical Facility and Salinas Valley State Prison institutions. (Trial. Aff. of Cynthia Radavsky, 10/30/08 (Radavsky Aff.) *Plata v. Schwarzenegger* Dock. No. 1657 at ¶ 14; Trial Tr., 11/21/08, at 758:13-22, 759:9-760:5.)

3. Defendants have systematically added mental health beds at individual institutions, with a resulting decrease in wait lists for mental health beds. For instance, the activation of 64 Psychiatric Services Unit beds in 2008 resulted in a decrease in the waiting list from 79 to 22. Likewise, the activation of 50 Mental Health Crisis beds in 2008 contributed to a decrease in the waiting list for such beds from 301 to 16. Kern Valley State Prison recently added 96 sensitive need Enhanced Outpatient Program (EOP) beds, which allowed EOP patients to be moved from administrative segregation to those beds. (Dezember Aff., ¶ 74; Defs.' Trial Ex. 1186 - Kern Valley State Prison Activation Mem., Aug. 2008.)

#### C. Mental Health Staffing Increases

1. CDCR has increased its number of mental health clinicians, including psychiatrists, psychologists, and social workers, from 314 positions in 1994 to 2396 positions in 2008. (Dezember Aff. ¶ 48; *see* Defs.' Ex. 1269 - Chart of 1994 Mental Health Care Positions; Defs.' Trial Ex. 1235 - CDCR 2008 Mental Health Care Positions; Defs.' Trial Ex. 1246, CDCR Chart of Mental Health Positions.)
2. Both CDCR and the Department of Mental Health (DMH) have used new pay parity packages to drive stronger recruiting strategies for mental health clinical staff. (Dezember Aff., ¶¶ 57, 58; Radavsky Aff., ¶ 28; Trial Tr., 11/21/08 at 812:11-813:13.)
3. CDCR now employs approximately 2400 correctional officers in dedicated "access to care" units to provide escort for inmates to their medical and mental health appointments. (Trial Tr., 12/10/08, at 1894:20-1895:6.)

#### D. Suicide Prevention Program Improvements

1. At the underlying trial, the *Coleman* court found that Defendants' 1990 suicide prevention program for CDCR institutions would have been sufficient if adequately staffed. (Dezember Aff. ¶ 30; Defs.' Trial Ex. 1273 - *Coleman* F & R, 6/6/94, *Coleman* Dock. No. 547 at 75:1-6.) Defendants have significantly increased mental health staffing since the underlying trial. (Dezember Aff., ¶ 48; *see* Defs.' Trial Ex. 1269 - Chart of 1994 Mental Health Care Positions; Defs.' Trial Ex. 1235.)
2. The *Coleman* court found in 2005 that suicides occurred at higher rates within administrative segregation areas. CDCR worked with the *Coleman* Special Master and Plaintiffs' counsel to develop improved suicide prevention strategies for administrative segregation areas. The *Coleman* court approved and Defendants have implemented a multidisciplinary and comprehensive approach to reducing suicides. (Dezember Aff., ¶¶ 32-41; *see* Defs.' Trial Ex. 1279 - *Coleman* Order, 6/9/05, *Coleman* Dock. No. 1668; Defs.' Trial Ex. 1280 - *Coleman* Stipulated Order, 2/13/06, *Coleman* Dock. No. 1760; Defs.' Trial Ex.

1282 -*Coleman* Order, 6/8/06, *Coleman* Dock. No. 1830; Defs.' Trial Ex. 1311 - *Coleman* Stipulated Order, 7/5/06, *Coleman* Dock. No. 1872.)

3. The performance and efficacy of these suicide prevention programs is measured by CDCR's internal investigations and analyses of any inmate suicides within its institutions. (Dezember Aff. ¶¶ 35-36.)
- E. Mental Health Records System - Defendants are continuing to work to improve CDCR's mental health recordkeeping systems. According to current estimates, new information technology will be implemented within 18-24 months. (Dezember Aff. ¶¶ 90-91.)
- F. Pharmacy System - The Coordinated Courts vested the *Plata* Receiver with leadership responsibility over the pharmacy function of the medical and mental health services delivery system. (Defs.' Trial Ex. 1299, Coordinated Cts' Order, 6/28/07.) The *Plata* Receiver has contracted with Maxor National Pharmacy Services Corporation to install the necessary pharmacy services in each institution. (*Id.*)

### III. CDCR Inmate Mortality Rates

- A. CDCR had the 14th best mortality rate nationally. (Trial Tr., 11/19/08, at 244:7-27.)
- B. From 2001 to 2004, the average annual mortality rate for all illnesses per 100,000 state prisoners was 223 nationwide, 181 for States in the west region, and 170 for California. Thirty-six states had higher mortality rates than California during this period. (Trial Tr., 12/3/08, at 1271:9-1272:21.)

### IV. Relevant California Criminal Justice Statistics

- A. California does not incarcerate felons at an unusually high rate. Currently, California sends fewer than 20% of convicted felons to prison - the national average is 40%. (Trial Aff. of Mathew Cate, 10/30/08, (Cate Aff.), *Plata* Dock. No. 1717 at ¶¶ 23-24.) California's incarceration rate - the number of prison inmates per state residents - is only slightly above the national average. California's incarceration rate is about 470 per 100,000. The national average is 445 per 100,000. (Cate Aff. ¶ 22, Defs.' Tr. Ex. 1257 - Prisoners in 2006 Bulletin, Appendix Table No. 6.)
- B. California does not keep people in prison longer than average. The average prison sentence imposed in California is 47.2 months and the average amount of time served is 23.9 months. (Cate Aff. ¶ 25.) The average prison sentence imposed nationwide for all state courts is 57 months and the average amount of time served is 32 months. (*Id.*; Defs.' Trial Ex. 1221 - State Court Sentencing of Convicted Felons 2004 - Statistical Tables.)
- C. The increase in the prison population from 1997 to 2007 is almost exclusively made up of an increase in the number of inmates convicted of crimes against persons. (Cate

Aff. ¶ 18.) There has been a decrease in the number of drug offenders in California's prisons in the same 10 year period - from 41,459 to 33,738. (Cate Aff. ¶ 18.)

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IN THE UNITED STATES DISTRICT COURTS  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
AND THE NORTHERN DISTRICT OF CALIFORNIA  
UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES  
PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

RALPH COLEMAN, et al.,  
Plaintiffs,  
v.  
ARNOLD SCHWARZENEGGER,  
et al.,  
Defendants.

NO. CIV S-90-0520 LKK JFM P  
**THREE-JUDGE COURT**

MARCIANO PLATA, et al.,  
Plaintiffs,  
v.  
ARNOLD SCHWARZENEGGER,  
et al.,  
Defendants.

NO. C01-1351 TEH  
**THREE-JUDGE COURT**  
**ORDER REJECTING**  
**DEFENDANTS' POPULATION**  
**REDUCTION PLAN AND**  
**DIRECTING THE SUBMISSION**  
**OF A PLAN THAT COMPLIES**  
**WITH THE AUGUST 4, 2009**  
**OPINION AND ORDER**

On August 4, 2009, this three-judge court issued an opinion and order finding that plaintiffs had met their burden under the Prisoner Litigation Reform Act, 18 U.S.C. § 3626, of establishing that crowding was the primary cause of the constitutionally inadequate medical and mental health care systems at issue in the underlying cases and that a prisoner release order was necessary to remedy those violations. Having determined that such an

1 order was narrowly tailored, extended no further than necessary, and was the least intrusive  
2 means possible to correct the constitutional violations at issue, we ordered defendants to  
3 present the court within 45 days with a plan “that will in no more than two years reduce the  
4 population of the CDCR’s adult institutions to 137.5% of their combined design capacity.”  
5 Aug. 4, 2009 Opinion & Order at 183.

6 On September 18, 2009, defendants provided this court with a “Population Reduction  
7 Plan.” The plan defendants provided does not comply with our August 4, 2009 order.  
8 Rather than reducing the population of the CDCR’s adult institutions to 137.5% of their  
9 combined design capacity within two years, it provides for a reduction of the population of  
10 those institutions to 166% of their combined design capacity in that period. Additionally,  
11 defendants’ plan fails to set forth effective dates for the various actions proposed and fails to  
12 provide estimates of the reduction in population they expect to achieve after six, twelve,  
13 eighteen, and twenty-four months; instead, it provides estimates of the fiscal year in which  
14 actions may take effect and estimated population reductions for each fiscal year through  
15 2014/15. In light of these inadequacies, defendants’ September 18, 2009 Population  
16 Reduction Plan is REJECTED.

17 Plaintiffs’ response urges this court to initiate contempt proceedings against  
18 defendants on the basis of their failure to comply with our August 4, 2009 order. Action on  
19 this request is STAYED pending further proceedings detailed below.

20 The Court VACATES the deadline in its August 4, 2009 Opinion and Order for  
21 defendants to file a response to the objections of plaintiffs and intervenors to defendants’  
22 proposed population reduction plan. Instead, defendants shall, within 21 days of this order,  
23 submit a population reduction plan that complies with this court’s August 4, 2009 Opinion  
24 and Order and that, most important, provides for a reduction of the prison population to  
25 137.5% of design capacity within two years. Defendants are reminded that they “shall set  
26 forth in their proposal the effective dates of the various actions they propose to undertake and  
27 their estimate of the reduction in population they expect to achieve after six, twelve,  
28 eighteen, and twenty-four months.” *Id.*

1           Additionally, defendants shall set forth the following in their response to this order:  
2 First, defendants shall (1) explain the calculations through which they obtained the estimates  
3 of the population reductions associated with each action that they propose; (2) identify the  
4 assumptions underlying those calculations; and (3) explain why those assumptions are  
5 reasonable.

6           Second, in accordance with the request of Intervenor California Correctional Peace  
7 Officers' Association, this court takes judicial notice of a September 17, 2009 press release  
8 issued by CDCR and publicly available on the CDCR website. The press release describes a  
9 reduction of \$250 million in rehabilitation programs for adult offenders, and identifies that  
10 reduction as eliminating over one-third of the budget for such programs.<sup>1</sup> Defendants'  
11 September 18 Population Reduction Plan relies on that programming for some of its  
12 reductions. To the extent that the population reduction plan that defendants submit within 21  
13 days of this order relies on rehabilitation programs, whether for earning credit towards  
14 release or otherwise, defendants shall explain how the September 17, 2009 budget reduction  
15 and any planned additional reductions in funding for such programs affect their estimates of  
16 population reductions associated with that plan. Additionally, defendants shall advise the  
17 court on a continuing basis of all budget reductions announced or implemented in 2009 that  
18 (1) affect the provision of medical or mental health services at CDCR's adult institutions, and  
19 (2) otherwise affect the size of the population of CDCR's adult institutions.

20           Third, defendants shall advise the court of the specific measures that the state will take  
21 to ensure public safety through reentry and diversionary programs, including programs  
22 provided for incarcerated inmates, post-incarceration programming, and programs for  
23 persons diverted from incarceration. The state shall catalogue and provide descriptions of  
24 current programs, including the number of persons served by each program, and shall also  
25 provide details of any programs planned for the future and the specific implementation dates

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26  
27 <sup>1</sup>See Press Release, California Department of Corrections and Rehabilitation, CDCR  
28 Reduces Offender Rehabilitation Programs (September 17, 2009) available at  
[http://www.cdcr.ca.gov/News/2009\\_Press\\_Releases/Sept\\_17\\_Programs.html](http://www.cdcr.ca.gov/News/2009_Press_Releases/Sept_17_Programs.html) (last visited  
October 8, 2009) (Ex. A to CCPOA Req. for Jud. Notice).

1 of such future programs. Moreover, our August 4, 2009 Opinion and Order recognized the  
2 necessary role of community-level rehabilitation and reentry programs for ensuring the safe  
3 and successful implementation of population reduction measures, and noted that the decision  
4 lies with California's elected officials whether to allocate state funds to communities to  
5 promote and support such programs and the crime reduction and gains to public safety that  
6 accompany them. *See* Aug. 4, 2009 Opinion & Order at 164-66. Defendants shall advise the  
7 court on a continuing basis of the measures that the state is taking to support and assist  
8 counties and other community-level providers of rehabilitation and reentry programs in  
9 providing such programs, and of any steps that it may have taken or will be taking to  
10 increase, reduce, or eliminate such support or assistance since January 2009 and in each  
11 succeeding six-month period.

12 Fourth, the court takes judicial notice that Defendant Schwarzenegger is reported to  
13 have submitted a plan to the California State Legislature providing for a population reduction  
14 of 37,000 over two years. That such a plan was submitted by the Governor was widely  
15 reported in the press, including in an article written by Defendant Matthew Cate.<sup>2</sup>  
16 Defendants shall advise the court of: (1) whether the plan submitted to the legislature by the  
17 Governor provided for a prison population reduction of 37,000 prisoners, and, if not, the  
18 correct estimate of the prison population reduction for which this plan provided; (2) the  
19 estimated reduction for which this plan provided in the population of CDCR's adult  
20 institutions expressed as a percentage of the combined design capacity of those institutions;  
21 (3) the specifics of the plan submitted to the legislature, including the population reduction  
22 actions proposed therein, the date that each such action would be implemented under that  
23 plan, and defendants' estimate of the reduction in population that such a plan would achieve  
24 after six, twelve, eighteen, and twenty-four months; (4) whether this plan was adopted by the  
25 California State Senate, and, if modified, the estimated population reduction associated with

26 <sup>2</sup>*See* Matthew Cate, *Prisons: it's time to reduce and reform the population*, Capitol  
27 Weekly, August 13, 2009, available at  
28 [http://www.capitolweekly.net/article.php?\\_c=ybp9m22r8xx2n4&xid=y6x62x72akddqo&don e=.ybxkujml11kc1t](http://www.capitolweekly.net/article.php?_c=ybp9m22r8xx2n4&xid=y6x62x72akddqo&don e=.ybxkujml11kc1t) (last visited October 8, 2009) (Ex. B to Evenson Decl. in Supp. of Pls.' Response).

1 the plan as it was adopted by the Senate; and (5) whether, if adopted by the Senate, the plan  
2 was submitted to a vote of the California State Assembly in the form adopted by the Senate,  
3 and, if so, whether it failed in the Assembly by a formal recorded vote and what such  
4 recorded vote was. Additionally, defendants shall explain the calculations through which  
5 they obtained the estimates of the population reductions associated with each action proposed  
6 in the plan submitted to the California State Legislature; identify the assumptions underlying  
7 those calculations; and explain why those assumptions are reasonable.

8 Defendants are reminded that our August 4 order provided that “should any of  
9 defendants’ proposed population reduction measures require the waiver of any provisions of  
10 state law, [defendants] shall so advise the court, and shall explain why the requested waiver  
11 is permissible under 18 U.S.C. §3626(a)(1)(B).” Aug. 4, 2009 Opinion & Order at 183.  
12 Should state law limit defendants’ ability to implement any measures that would, in their  
13 view, aid in achieving the constitutionally required prison population reduction explained in  
14 our August 4, 2009 Opinion and Order, defendants shall so notify this court, and in such  
15 notification describe the specific provisions of state law at issue and explain how those  
16 provisions limit their ability to implement such measures. Even if defendants contend that  
17 state law waivers are not permissible in this instance, *see* Defs.’ Sept. 18, 2009 Population  
18 Reduction Plan at 16 n.11, they must identify those waivers of state law that would be  
19 required to implement their proposals to reduce the prison population in compliance with our  
20 order.

21 Plaintiffs shall forthwith commence preparation of an alternative population reduction  
22 plan. Should defendants fail to submit a timely population reduction plan that complies with  
23 the August 4, 2009 Opinion and Order and with this order, this court shall, in addition to any  
24 other action it may take, order plaintiffs to provide the court within 14 days with a population  
25 reduction plan that will in no more than two years reduce the population of the CDCR’s adult  
26 institutions to 137.5% of their design capacity. Should any of the population reduction  
27 measures plaintiffs propose in such a plan require the waiver of any provisions of state law,  
28 they shall so advise the court, and shall explain why the requested waiver is permissible

1 under 18 U.S.C. §3626(a)(1)(B). Intervenor California Correctional Peace Officers'  
 2 Association may also submit any proposals or suggestions it may have for compliance with  
 3 the August 4, 2009 Opinion and Order at such time as any population reduction plan by  
 4 plaintiffs is due to be submitted, or within seven days thereafter.

5 This court is unaware of any excuse for the state's failure to comply with our  
 6 August 4, 2009 Opinion and Order but, as noted earlier, will stay any sanctions, including  
 7 possible contempt proceedings, pending defendants' response to this order. We will view  
 8 with the utmost seriousness any further failure to comply with our orders. As has been made  
 9 clear, this court would prefer that the state develop its own plan to meet the constitutionally  
 10 required prison reduction goals explained in our August 4, 2009 Opinion and Order. We  
 11 have afforded the state every opportunity to do so, even at the cost of delaying the reduction  
 12 of the overcrowding of California's prisons – a reduction that is necessary to the elimination  
 13 of the unconstitutional medical and mental health conditions that lie at the heart of these  
 14 proceedings, and that will, in addition, significantly reduce the prison system's criminogenic  
 15 effects so detrimental to public safety and welfare. Should the state again fail to submit a  
 16 population reduction plan that complies with our August 4, 2009 Opinion and Order, the  
 17 court will be left with no alternative but to develop a plan independently and order it  
 18 implemented forthwith.

19  
 20 **IT IS SO ORDERED.**

21  
 22 Dated: 10/21/09

  
 \_\_\_\_\_  
 STEPHEN REINHARDT  
 UNITED STATES CIRCUIT JUDGE  
 NINTH CIRCUIT COURT OF APPEALS

23  
 24  
 25  
 26 Dated: 10/21/09

  
 \_\_\_\_\_  
 LAWRENCE K. KARLTON  
 SENIOR UNITED STATES DISTRICT JUDGE  
 EASTERN DISTRICT OF CALIFORNIA

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Dated: 10/21/09



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THELTON E. HENDERSON  
SENIOR UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF CALIFORNIA

1 EDMUND G. BROWN JR.  
Attorney General of the State of California  
2 DAVID S. CHANEY  
Chief Assistant Attorney General  
3 JONATHAN L. WOLFF  
Senior Assistant Attorney General  
4 DANIELLE F. O'BANNON  
KYLE A. LEWIS – State Bar No. 201041  
5 Deputy Attorneys General  
455 Golden Gate Avenue, Suite 11000  
6 San Francisco, CA 94102-7004  
Telephone: (415) 703-5724  
7 Facsimile: (415) 703-5843  
kyle.lewis@doj.ca.gov

HANSON BRIDGETT LLP  
JERROLD C. SCHAEFER - 39374  
PAUL B. MELLO – 179755  
S. ANNE JOHNSON – 197415  
SAMANTHA D. WOLFF – 240280  
RENJU P. JACOB - 242388  
425 Market Street, 26th Floor  
San Francisco, CA 94105  
Telephone: (415) 777-3200  
Facsimile: (415) 541-9366  
jschaefer@hansonbridgett.com  
pmello@hansonbridgett.com  
ajohnson@hansonbridgett.com  
swolff@hansonbridgett.com  
rjacob@hansonbridgett.com

8 Attorneys for Defendants  
9

10 **UNITED STATES DISTRICT COURT**  
11 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
12 **AND THE NORTHERN DISTRICT OF CALIFORNIA**  
13 **UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES**  
14 **PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE**

15 RALPH COLEMAN, et al.,  
16 Plaintiffs,  
17 v.  
18 ARNOLD SCHWARZENEGGER, et al.,  
19 Defendants.

No. 2:90-cv-00520 LKK JFM P

**THREE-JUDGE COURT**

20 MARCIANO PLATA, et al.,  
21 Plaintiffs,  
22 v.  
23 ARNOLD SCHWARZENEGGER, et al.,  
24 Defendants.

No. C01-1351 TEH

**THREE-JUDGE COURT**

**DEFENDANTS' RESPONSE TO THREE-  
JUDGE COURT'S OCTOBER 21, 2009  
ORDER**

**To: Three-Judge Court**

1 In its order dated October 21, 2009, this Three-Judge Court rejected Defendants'  
2 September 18, 2009 Population Reduction Plan and ordered Defendants to submit a  
3 new population reduction plan that complies with the Three-Judge Court's August 4,  
4 2009 Order. Specifically, Defendants were ordered to create a new plan that "provides  
5 for a reduction of the prison population to 137.5% of design capacity within two years."  
6 (Oct. 21, 2009 Order at 2:24-25.) In addition, the October 21, 2009 Order also requires  
7 Defendants to respond to several inquiries by the Court relating to: (1) the calculations  
8 with respect to Defendants' proposed population reduction measures included in the  
9 new plan; (2) the effect, if any, of the September 17, 2009 California Department of  
10 Corrections and Rehabilitation's (CDCR) reduced budget in rehabilitation programs; (3)  
11 measures the State will take to ensure public safety through reentry and diversionary  
12 programs; and (4) Governor Schwarzenegger's budget proposal submitted to the  
13 California State Legislature aimed at addressing California's historic budget deficit that  
14 could provide for a population reduction of up to 37,000 inmates.

15 As required by the Three-Judge Court's October 21, 2009 Order, Defendants  
16 submit the following documents:

- 17 1. Attached as Exhibit A is "State Defendants' November 12, 2009 Response  
18 to the Court's October 21, 2009 Order to Reduce Prison Population to  
19 137.5% of Design Capacity" (Defendants' Response).
- 20 2. Attached as Exhibit B is the declaration of Jay Atkinson, Research  
21 Manager II for the Estimates and Statistical Analysis Section, Offender  
22 Information Services Branch, CDCR. Mr. Atkinson's declaration is  
23 responsive to the Three-Judge Court's first inquiry regarding the  
24 calculations through which Defendants obtained the estimates of the  
25 population reductions associated with the proposed actions in Defendants'  
26 Response.
- 27 3. Attached as Exhibit C is the declaration of David Lewis, Deputy Director,  
28 Fiscal Services for CDCR. Mr. Lewis's declaration is similarly responsive

1 to the Three-Judge Court's first inquiry regarding the calculations through  
2 which Defendants obtained the estimates of the population reductions  
3 associated with the proposed actions in Defendants' Response. Mr.  
4 Lewis's declaration is also responsive to the Three-Judge Court's second  
5 inquiry regarding whether the September 17, 2009 CDCR budget reduction  
6 of \$250 million in rehabilitation programs will affect any estimated  
7 reductions included in Defendants' Response, to the extent Defendants'  
8 Response relies on rehabilitation programs. Lastly, Mr. Lewis's declaration  
9 is responsive to the Three-Judge Court's fourth inquiry regarding Governor  
10 Schwarzenegger's budget proposal previously submitted to the California  
11 Legislature that called for a reduction of up to 37,000 inmates over a two-  
12 year period aimed at addressing California's historic budget deficit.

13 4. Attached as Exhibit D is the declaration of Scott Kernan, Undersecretary of  
14 Operations for CDCR. Mr. Kernan's declaration is responsive to the Three-  
15 Judge Court's first inquiry regarding the calculations through which  
16 Defendants obtained the estimates of the population reductions associated  
17 with the proposed actions in Defendants' Response.

18 5. Attached as Exhibit E is the declaration of Sharon Aungst, Chief Deputy  
19 Secretary of the Division of Correctional Health Care Services for CDCR.  
20 Ms. Aungst's declaration is responsive to the Three-Judge Court's second  
21 inquiry regarding all budget reductions, announced or implemented in  
22 2009, that affect CDCR's provision of medical or mental health services  
23 and otherwise affect the size of the inmate population.

24 6. Attached as Exhibit F is the declaration of Robert Ambroselli, Acting  
25 Director, Division of Adult Parole Operations for CDCR. Mr. Ambroselli's  
26 declaration is responsive to the Three-Judge Court's third inquiry regarding  
27 the specific measures that the State will take to ensure public safety  
28 through reentry and diversionary programs, including a catalogue of

1 current programs.

2 7. Attached as Exhibit G is the declaration of Elizabeth Siggins, Acting Chief  
3 Deputy for Adult Programs, CDCR. Ms. Siggins's declaration is similarly  
4 responsive to the Three-Judge Court's third inquiry regarding the measures  
5 that the State is taking to support and assist counties and other  
6 community-level providers of rehabilitation and reentry programs and of  
7 any steps it will take or has taken to increase, reduce, or eliminate support  
8 or assistance.

9 The submission of the attached Defendants' Response and declarations, as  
10 required by the Three-Judge Court's October 21, 2009 Order, is not an admission that  
11 this Court's order meets the requirements of the Prison Litigation Reform Act (PLRA).  
12 Nor is the submission of the attached documents an admission that Defendants'  
13 September 18, 2009 Population Reduction Plan was not in compliance with this Court's  
14 August 4, 2009 Order.

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1 As will be argued in the U.S. Supreme Court, the Three-Judge Court erred in its  
2 rulings and orders. Thus, the submission of these attachments, including Defendants'  
3 Response, does not constitute waiver of any issue previously raised before this Court  
4 and which may be raised in the U.S. Supreme Court, including, but not limited to,  
5 whether the Three-Judge Court was properly convened; whether the Three-Judge Court  
6 misconstrued the PLRA's requirement that crowding is the primary cause of the violation  
7 of a federal right; whether the population cap of 137.5% of design capacity satisfies  
8 PLRA's "least intrusive" and "narrowly drawn" requirements; and whether the Three-  
9 Judge Court improperly refused to permit the State from introducing evidence "relevant  
10 only to determining whether the constitutional violations found by the *Plata* and *Coleman*  
11 courts were 'current and ongoing.'" (Aug. 4, 2009 Opinion and Order, at 54 fn. 42.)

12 DATED: November 12, 2009

HANSON BRIDGETT LLP

14 By: /s/ Paul B. Mello

15 PAUL B. MELLO

Attorneys for Defendants

16 Arnold Schwarzenegger, et al.

17 DATED: November 12, 2009

EDMUND G. BROWN JR.

18 Attorney General of the State of California

19  
20 By: /s/ Kyle Lewis

KYLE LEWIS

21 Deputy Attorney General

Attorneys for Defendants

22 Arnold Schwarzenegger, et al.

**EXHIBIT A**

STATE OF CALIFORNIA —DEPARTMENT OF CORRECTIONS AND REHABILITATION

ARNOLD SCHWARZENEGGER, GOVERNOR

**OFFICE OF LEGAL AFFAIRS**

Benjamin T. Rice  
General Counsel  
P.O. Box 942883  
Sacramento, CA 94283-0001



November 12, 2009

Mr. Paul Mello  
Hanson Bridgett LLP  
425 Market Street  
San Francisco, CA 94244-2550

Dear Mr. Mello:

Attached please find Defendants' response to the October 21, 2009, Three-Judge Court Order.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben T. Rice", with a long horizontal flourish extending to the right.

BENJAMIN T. RICE  
General Counsel, Office of Legal Affairs  
California Department of Corrections and Rehabilitation

Attachments

**STATE DEFENDANTS' NOVEMBER 12, 2009 RESPONSE TO THE THREE-JUDGE COURT'S OCTOBER 21, 2009 ORDER TO REDUCE PRISON POPULATION TO 137.5% OF DESIGN CAPACITY**

**BACKGROUND AND SUMMARY OF RESPONSE**

On August 4, 2009, this Court ordered the State to produce a prisoner reduction plan that would, within two years, reduce the State's prison population to 137.5% of design capacity – i.e., a reduction of more than 40,000 prisoners over a two-year period.<sup>1</sup> Defendants subsequently presented the Three-Judge Court with a plan to safely reduce the State's prison population over time. It did not achieve the prisoner reduction that the Court desired on the timeframe the Court ordered, because the State's plan (the September 18, 2009 Plan) reflected the State's goal to implement long-term prison reform that enhanced public safety and reduced the prison population. Although the State's plan significantly reduced the prison population over time while the number of State prisoners was projected to increase, to be sure, this plan was not designed as a short-term fix for prison crowding. But the Court rejected the State's plan and ordered the State to present a new plan that, "most important, provides for a reduction of the prison population to 137.5% of design capacity within two years."

Without waiving any appellate rights, conceding the appropriateness of the Three-Judge Court's prior rulings and findings, or admitting that the prisoner release order issued by the Three-Judge Court can be implemented without substantially adversely impacting public safety and the operation of the criminal justice system, Defendants submit this Response as required by the Three-Judge Court's October 21, 2009 order to meet the court-selected population figure of 137.5% of design capacity for California's prisons by the end of 2011.

In this Response to the Three-Judge Court's October 21, 2009 order, Defendants continue to propose the following items from their September 18, 2009 Plan, for which they already had the authority through legislation or executive or administrative powers:

1. Pre-Custody Reforms: California Community Corrections Performance Incentives Act of 2009.
2. In-Custody Reforms: Credit-Earning Enhancements.
3. Parole Reforms: (a) "Summary Parole;" (b) Parole Violation Decision Making Instrument; and (c) Reentry Courts.
4. Administrative Changes: (a) California Out-of-State Correctional Facility Expansion; (b) Community Correctional Facilities Utilization; (c) Commutations of Sentences;

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<sup>1</sup> Based on the evidence at the time of trial, the Three-Judge Court estimates the prisoner reduction to be approximately 46,000 inmates. Because the actual prison population fluctuates over time, the estimated reduction does as well.

(d) Discharge of Deported Parolees; and (e) Alternative Sanctions for Violations of Parole.

5. Increased capacity through construction of new infill projects, healthcare projects, conversion of former Division of Juvenile Justice sites, and reentry projects.

Several of the reforms identified above were recently enacted by the State's executive and legislative branches. Moreover, the Defendants committed in their September 18, 2009 Plan, and remain committed now, to seeking additional State law changes through the State Legislature. Nonetheless, in rejecting the State's September 18, 2009 Plan, the Court ordered the State to identify State laws that limit the Defendants' ability to implement population reduction measures, and suggested that it might waive State laws to achieve the reduction it desires. Although the Defendants have complied with the Court's order, they do not believe it is appropriate for this federal Court to waive State laws. However, the prisoner reduction that this Court seeks – a reduction of more than 40,000 prisoners in two years – can only be accomplished if the State Legislature enacts new laws and/or this Court orders changes to State laws, as discussed in this Response. Thus, Defendants present the following proposals to reach the court-ordered population figure of 137.5% of design capacity within two years. Some of these proposals were included in the September 18, 2009 Plan, but the State Defendants had no ability to implement them at that time absent additional legislation or court orders:

1. Additional inmates housed in out-of-state facilities.
2. Changing of property crime thresholds.
3. Establishing alternate custody options for low-risk offenders.
4. Accelerating construction projects under AB 900.
5. Additional use of private in-state facilities.
6. County jail time for enumerated felonies.

The following discussion contains two sections: (1) a section discussing the proposals from the September 18, 2009 Plan that require no additional legislation or court orders; and (2) a section discussing the additional proposals, some of which were originally included in the September 18, 2009 Plan, that require either legislation or court orders to accomplish. The Table at the end of this Response sets forth the population reduction figures in six-month increments as required by the Three-Judge Court's order. In general, these estimates represent CDCR's best effort to project future impacts to a population that is dynamic and will change in ways that are not known today. Submitted concurrently with this Response are declarations addressing the Court's questions posed in its October 21, 2009 Order.

## SECTION ONE

### **PROPOSALS FROM THE SEPTEMBER 18, 2009 PLAN THAT REQUIRE NO ADDITIONAL LEGISLATION OR COURT ORDERS TO IMPLEMENT**

Defendants maintain that the September 18, 2009 Plan is the most effective way to safely and responsibly reduce its population and the elements of that plan are the foundation for this Response. Below, Defendants summarize the proposals of the September 18, 2009 Plan and address the questions from the Three-Judge Court's October 21, 2009 order. (Other answers are in the concurrently-filed declarations.) Specifically, this Court directed Defendants to set forth effective dates and to estimate reductions in population expected after six, twelve, eighteen, and twenty-four months after implementation. (Oct. 21, 2009 Order at 2:25-28.) Also, this Court ordered Defendants to "(1) explain the calculations through which they obtained the estimates of the population reductions associated with each action that they propose; (2) identify the assumptions underlying those calculations; and (3) explain why those assumptions are reasonable." (*Id.* 3:2-5.)

To respond to the Three-Judge Court, Defendants submit a Table that estimates the impact of the proposals in six month increments. As demonstrated in the Table, there will be a period of time during which Defendants will ramp up the programs and therefore it appears as though there is a delayed realization of the population reduction.

For each eligible number, in generating estimates of the impact on the reduction in average daily population (ADP), Defendants generated estimates based on eligible populations and factored in a ramp-up period, overlap with other programs, etc., in an attempt to obtain the most reasonable and reliable population reduction estimates. For the population reduction measures, CDCR chose to conservatively estimate the impact in order to pick the most reliable and achievable numbers. (*See generally* Decl. of Jay Atkinson describing the methodology employed by CDCR in calculating its population reduction estimates, filed concurrently.)

## I.

### **LEGISLATIVE AND ADMINISTRATIVE REFORMS**

#### **A. PRE-CUSTODY REFORMS: California Community Corrections Performance Incentives Act of 2009**

The recent passage of Senate Bill 18 (SB 18)<sup>2</sup> creates a system of rewards for probation success by establishing the California Community Corrections Performance Incentives Act of 2009. The community corrections program created by this act will authorize counties to receive funding for implementing and expanding evidence-based programs for felony probationers. Counties will be required to track specific probation outcomes and, depending on the success of those outcomes, may be eligible for "probation failure reduction incentive payments" or "high

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<sup>2</sup> Sen. Bill No. 18 (2009 3d Ex. Sess.). The third extraordinary legislative session ended on October 26, 2009. These proposals become law and operative on January 25, 2010.

performance grants.” The new funding model created by SB 18 will sustain funding for improved, evidence-based probation supervision practices. By incentivizing probation success, California will lower the number of probationers sent to prison each year.

Defendants estimate this program will net an approximate 1,915 reduction in CDCR’s ADP by December 31, 2011. Defendants were able to estimate this reduction by utilizing information in CDCR’s Offender Information Services Branch’s (OISB) data warehouse. CDCR’s OISB compiles and retains summary statistical information about inmates and parolees. The OISB data reflected that CDCR receives approximately 19,150 new admissions as a result of felony probation revocations in a calendar year. CDCR then made the assumption that the average return for revocation was one year and took the conservative estimate that this program would have a ten percent success rate.

#### **B. IN-CUSTODY REFORMS: Credit Earning Enhancements**

The passage of SB 18 also provides a number of credit earning enhancements. First, it provides one day of sentence credit for every day served in county jail from the time of sentencing. Prior to the passage of SB 18, the law provided one day of credit for every two days served in county jail. Second, it provides eligible inmates up to six weeks of credit per year for completion of approved programs. This approach to incentivizing good behavior for program completions has been suggested by several experts, including in the Expert Panel Report. Third, it provides that all parole violators returned to custody who are otherwise eligible should receive one day of credit for each day served. Prior to the new law, only some violators received such credit. Fourth, it provides two days of credit for every one day served once the inmate is endorsed to transfer to a fire camp, rather than providing such credit only after the inmate actually participates in the camp. Finally, it provides a consistent rule of one day of credit for every day served for all eligible inmates, whether those inmates are on a waiting list for a full-time assignment, participating in college, or undergoing reception center processing, so long as the inmate is discipline-free during that time. Previously, the law provided a similar credit structure, but did so through the existence, for example, of a “bridging program,” whereby inmates in reception centers sign up for self-study programs and receive credit. This legislation makes credit earning consistent while obviating the need for a bridging program.

Defendants estimate this program will net an approximate 2,921 reduction in CDCR’s ADP by December 31, 2011. The reduction in ADP for this proposal at the six, twelve, eighteen and twenty-four month mark can be found on Table 1. Defendants estimated the ADP reduction for this legislation by utilizing data at CDCR’s OISB. CDCR has a simulation model that is used to create population projections for the future. This particular proposal is one that can use the simulation model to determine a net effect on the population on a month by month basis. Insofar as this proposal overlaps the proposal to house individuals in county jail who are convicted of certain enumerated offenses, CDCR discounted the reduction from this proposal by 15%.

## C. PAROLE REFORMS

### 1. "Summary Parole"

The enactment of SB 18 creates a new program of "summary parole" whereby CDCR is prohibited from returning to prison, placing a parole hold, or reporting to the Board of Parole Hearings, any parolee who meets all of the following conditions: (1) is not a sex offender;<sup>3</sup> (2) has not been committed to prison for a sexually violent offense;<sup>4</sup> (3) has no prior conviction for a sexually violent offense; (4) has no instant or prior convictions that are violent<sup>5</sup> or serious;<sup>6</sup> (5) has not been found guilty of a serious disciplinary offense as defined by CDCR during his or her current term of imprisonment; (6) is not a validated prison gang member or associate, as defined in CDCR regulations; (7) has not refused to sign any written notification of parole requirements or conditions; and (8) has not been determined to pose a high risk to reoffend pursuant to a validated risk assessment tool.<sup>7</sup> Other offenders will be subject to traditional parole supervision upon release from prison.

Defendants anticipate that "summary parole" will reduce CDCR's institutional population because, when fully implemented, CDCR will be precluded from revoking parole and returning low risk parolees to prison for parole violations.

Defendants estimate this program will net an approximate 4,556 reduction in CDCR's ADP by December 2011. Defendants estimated the 4,556 reduction in ADP by first identifying the total number of adult parolees in 2008 that were non-serious, non-violent, non-sex offenders, with no prior serious or violent offenses, which was converted to a percentage and applied to the Spring 2009 Population Projections number of parolees to give an updated number of applicable parolees. Then using data from OISB, the percentage of this population that were low and moderate risk were applied to estimate the applicable parole population. Then it was assumed that a like percentage of the total number of parole violators who return to custody (PV-RTC) would not go to prison, and this determined the total expected prison ADP reduction. Then it was assumed that it would take approximately five months for the total impact of the ADP reduction to be realized so that was calculated to reduce the ADP in 2009-10. The 4,556 number is based on the best knowledge available at the time. Of course, actual implementation may vary from these numbers. Factors that could not be accounted for include: 1) crimes that do not show up on OBIS such as those committed in other states that may render an individual ineligible; and

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<sup>3</sup> California Penal Code, § 290, et seq. Subsequent references will be to the Penal Code unless otherwise noted.

<sup>4</sup> California Welfare and Institutions Code, section 6600(b).

<sup>5</sup> § 667.5 (c).

<sup>6</sup> § 1192.7 (c).

<sup>7</sup> CDCR intends to employ the California Static Risk Assessment tool, a validated tool that predicts an offender's risk to reoffend on the basis of static information received from CDCR and the California Department of Justice.

2) changes in local prosecutorial behavior resulting in some of these offenders coming to prison with a longer sentence as a parole violator with a new term (PV-WNT).

## **2. The Parole Violation Decision Making Instrument**

Senate Bill 18 requires that CDCR employ a parole violation decision making instrument (PVDMI) to determine the most appropriate sanctions for parolees who violate conditions of parole. As stated in more detail in the September 18, 2009 Plan, the PVDMI is an effective tool in placing parolees in the right programs and returning the high risk parole violators to prisons thereby increasing public safety while decreasing recidivism.

At this time, CDCR does not have sufficient information upon which to base a reduction in population. However, the decision making instrument has produced uniform, policy driven responses to violations of parole. In this way, CDCR can effect a cultural change at the field level to afford security to field staff that the CDCR administration supports and encourages the use of interim sanctions in response to violations of parole. It is too early in its implementation to identify a drop in returns to custody at this time though CDCR is hopeful that it will begin to see the impact of this policy in the near future.

## **3. Reentry Courts**

Senate Bill 18 also authorizes CDCR to collaborate with the California Administrative Office of the Courts to establish and expand drug and mental health reentry courts for parolees. These reentry courts will provide an option for parolees with drug and mental health needs to receive highly structured treatment in the community, under the close supervision of their parole agent and the court, rather than being returned to prison for violations that may be related to those needs. The legislation provides that for participating parolees, the court, with the assistance of the parolee's parole agent, "shall have exclusive authority to determine the appropriate conditions of parole, order rehabilitation and treatment services to be provided, determine appropriate incentives, order appropriate sanctions, lift parole holds, and hear and determine appropriate responses to alleged violations."

The implementation of the reentry courts may have a significant impact on reducing the number of mentally ill inmates in CDCR because it should reduce the number of parolees with mental illness returning to prison.

Defendants anticipate a reduction of 435 ADP by December 2011. This ADP estimate was developed during the budget process, and it was associated with a \$10 million budget reduction. CDCR does not have any additional information to provide on how effective this program will be in reducing returns to custody.

## **D. ADMINISTRATIVE CHANGES**

### **1. California's Out-of-State Correctional Facility Expansion**

Defendants will expand the California Out-of-State Correctional Facility (COCF) program, which has as its primary purpose removing non-traditional beds and relieving crowding by transferring CDCR inmates to contracted out-of-state facilities. The COCF program was established in October 2006 under the Governor's Prison Overcrowding State of Emergency Proclamation. Assembly Bill 900 similarly authorized CDCR to transfer inmates out of state, but imposed additional restrictions on the transfer of inmates with medical and mental health conditions. CDCR currently maintains approximately 8,000 inmates in out-of-state facilities. Beginning in approximately February 2010, the COCF program will expand and CDCR has signed contracts to include up to 2,416 new Level III beds. By approximately January 2011, CDCR anticipates housing a total of 10,468 inmates at out-of-state facilities. The COCF program has been tremendously successful.

### **2. Community Correctional Facilities Utilization**

Defendants intend to better utilize existing private Community Correctional Facilities (CCFs) in California to assist in the reduction of the prison population. CDCR established thirteen CCFs throughout California to house low-level inmates. CCFs prepare these inmates for their return to the community on parole. Robust oversight of the CCFs is already in place. However, CCFs have been underutilized by CDCR in the past, primarily because appropriate male inmates are also eligible for other types of housing, including minimum security facilities and camps. Yet, there appears to be an abundance of female inmates who are eligible for placement into these facilities.

Accordingly, CDCR recently closed three of these male facilities. The Information for Bid (IFB) will be sent out on or about January 27, 2010, with the last day for bidders' letters of inquiry on February 12, 2010.

Defendants estimate this program will net an approximate 800 inmate reduction by December 31, 2011.

### **3. Commutations of Sentence**

The Governor will review cases of certain deportable inmates under his discretionary constitutional clemency authority. A commutation of sentence would result in an inmate's release from State custody into federal custody and deportation.

Defendants estimate this program will reduce CDCR's ADP by approximately 600 by December 31, 2011.

#### **4. Discharge of Deported Parolees**

Earlier this year CDCR implemented a new policy to discharge from parole the over 12,000 criminal aliens who have served their full state prison sentences and, upon release to parole, have been deported by the federal government. Previously, California had retained those criminal aliens on parole, even after their deportation. Under CDCR's new policy, those parolees have been discharged and additional parolees will be discharged from parole on an ongoing basis as CDCR receives confirmation of their deportation from the federal government. This new policy has resulted in fewer parolees being returned to state prison for parole violations and provides an incentive for federal prosecution of these offenders.

This proposal was in effect earlier this year and was accounted for in the new Fall 2009 Population Projections set forth in the Table at the end of this Response. Accordingly, the numbers previously stated in the September 18, 2009 Plan (at pp. 14, 19.) are not set forth separately in the Table.

#### **5. Alternative Sanctions for Violations of Parole**

CDCR will make greater use of electronic monitoring systems such as global positioning systems (GPS), for parole violators in lieu of revocation and re-incarceration. The expanded use of GPS and other electronic monitoring systems will permit CDCR to monitor those offenders outside of state prison for parole violations.

Defendants estimate this program will net an approximate 1,000 reduction in CDCR's ADP by December 31, 2011. This reduction reflects an assumption that CDCR will begin diverting offenders in March 2010, and that it will be able to acquire 300 GPS units per month until September 2010, when there will be 2,000 units in use. If the system truly diverted inmates for every day they would have otherwise spent in prison, the reduction in ADP would actually be 2,000. The 50% discount assumes that there will be processing time between offenders that wear the device and that, on average, a revocation action to prison would have been shorter than the time given to an inmate to wear GPS as a sanction.

## **II.**

### **INCREASED CAPACITY**

Assembly Bill 900 (AB 900) was passed by a bipartisan Legislature and signed into law by Governor Schwarzenegger on May 3, 2007. AB 900 allocates \$7.6 billion, of which \$6.4 billion is designed to reform CDCR by reducing prison overcrowding, increasing rehabilitation programs, and providing more beds for all inmates, including those requiring medical and mental health care. AB 900's comprehensive plan immediately relieved overcrowding by providing for additional out-of-state transfers. AB 900 also provides for new rehabilitation programs and re-entry facilities to ease parolees' transition back into California communities, thereby reducing recidivism, relieving prison overcrowding, and ensuring public safety.

The descriptions below are almost entirely the same as was presented to this Court in the State's September 18, 2009 Plan. Where numbers or timelines have changed, Defendants identify the discrepancy for the relevant project(s).

## A. INFILL PROJECTS

Construction projects will result in new annex housing units and renovation of existing facilities. These projects will add bed capacity as well as additional office and treatment space to relieve operational pressures throughout CDCR institutions.

Newly constructed facilities are planned in stand-alone units and will operate semi-autonomously from the main institutions, though some space and/or functions, such as administrative services, may be shared by the main institutions to ensure the newly constructed facilities are fully serviced. Each newly constructed facility will have appropriate programming space and staffing for the population to be served.

Renovated facilities primarily represent current or former juvenile correctional facilities that are being repurposed to serve an adult male population. All renovated facilities will also provide for the reduction of nontraditional beds, and will have the requisite amount of programming space and staff for their intended populations. A description of each project follows by phase of funding as outlined in AB 900.<sup>8</sup> There are a few projects that are not funded through the AB 900 appropriation and those projects are noted.

### 1. Kern Valley State Prison

This project will result in 930 new beds in a Level IV semi-autonomous facility at the existing Kern Valley State Prison site, with the addition of five housing units on 33 acres using the 270 design celled-bed prototype. This construction will include space for rehabilitative programming (i.e., vocational, academic, substance abuse), work opportunities, and a health services building of approximately 22,000 square feet. A portion of these beds will be wheelchair-compliant beds.

This project will be submitted to the Joint Legislative Budget Committee (JLBC) for its approval in early 2010 with a request for State Public Works Board (PWB) approval and interim financing from the Pooled Money Investment Board (PMIB) to immediately follow. Necessary environmental impact review (EIR) documents are already underway. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, these beds should come on line in or about Fiscal Year 2012-2013.

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<sup>8</sup> CDCR is currently pursuing legislation to redirect \$1 billion from its infill funding appropriation under AB 900 to the healthcare funding appropriation. The time lines set forth in this Response may change depending upon passage of that legislation. In addition, Defendants anticipate funding the proposed Consolidated Care Facility with the \$1 billion in funds redirected from the infill appropriation.

2. Reception Center – Southern California

This project will result in 943 new beds in a cell-design semi-autonomous facility with five housing units, including the support space necessary to house reception center inmates. This project will also include a health services building to accommodate this population. Its location will be on the grounds of the California Institute for Men in Chino where CDCR's need for additional reception center beds is greatest. A portion of these beds will be wheelchair-compliant beds.

The Reception Center Prototype planning is being coordinated with the proposed renovation at the Heman G. Stark facility. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, these beds should come on line in or about Fiscal Year 2012-2013.

3. Wasco State Prison – Level IV Celled Facility

This project builds a 1,896 bed Level IV semi-autonomous celled facility based on CDCR's 180-design prototype. This project includes eight housing units, with support and programming space planned for available land located on the unused land at the existing prison in Wasco. This project will also include a Correctional Treatment Center (CTC) to serve the population and a portion of the overall beds will be wheelchair-compliant.

This project is currently proposed for funding in Phase 2 of AB 900. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, these beds should come on line in or about Fiscal Year 2012-2013.

**B. DIVISION OF JUVENILE JUSTICE RENOVATIONS**

1. Heman G. Stark Conversion

This project renovates an existing 1,200-cell Department of Juvenile Justice facility in Chino. It includes the installation of design elements necessary to house an adult male population (i.e., lethal electrified fence, guard towers, etc.), ADA improvements, expanded or new administrative support buildings, and a new health services building. This plan provides for double-celling a portion of the facility and envisions approximately 1,800 beds. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, 700 beds should come on line in or about December 2010, and 1,100 beds in or about June 2011.

The description above, submitted as a part of the September 18, 2009 Plan, differs slightly from the November 6, 2009 long-range bed plan submitted in the *Coleman* court. The September 18, 2009 Plan set out to establish the net gain of 1,800 beds to the adult male population. These beds are being phased into CDCR's design capacity based on the vacancy of DJJ's ward population at Stark. The November 6, 2009 *Coleman* filing, on the other hand, reflects that these beds will be renovated to provide bed and treatment space for a designated EOP and medical population and reflects only the number of beds specific to the *Coleman* population. These mental health beds will come on line in or about Fiscal Year 2013-2014. CDCR continues to work on developing the scope of this project with the *Plata v.*

*Schwarzenegger* Receiver and the *Coleman* Special Master. The activation schedule submitted in the *Coleman* filing reflects full activation for the *Coleman* population.

2. Department of Juvenile Justice Conversion – Paso Robles

This project renovates a former juvenile justice facility located in Paso Robles. This facility currently includes both dorms and an existing 270-celled prototype. The intended capacity is approximately 899 beds which includes some double-celling of the population. This is intended for a general population facility with a health-care mission and will serve elderly inmates with healthcare needs. The scope of work would include a new lethal electrified fence to increase the security level of the facility from a Level I to a Level II, as well as building code updates, ADA improvements, and an expanded healthcare facility. A portion of these beds will be wheelchair-compliant beds.

This project is anticipated to be submitted to the JLBC in Fall 2009 for approval and will subsequently be submitted to the State PWB and the PMIB for approval and financing. The EIR document is already underway. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, these beds should come on line in or about Fiscal Year 2012-2013.

3. Department of Juvenile Justice Conversion – DeWitt

This project renovates a former juvenile justice facility located in Stockton. The intended capacity is approximately 1,133 beds which includes some double-celling of the population. The facility is intended for a general population facility with a health care mission and will serve inmates with medical outpatient needs and inmates requiring Enhanced Outpatient Program mental health services. CDCR is consulting with the *Plata* Receiver to identify the appropriate scope for the project.

This project is currently proposed for funding in Phase 1 of AB 900. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, these beds should come on line in or about Fiscal Year 2013-2014.

## C. HEALTHCARE PROJECTS

The healthcare projects described below include renovation and expansion of existing facilities to add housing, office, and/or treatment space to further meet the healthcare needs of CDCR's adult inmates at its existing prisons. Several of these projects are being constructed pursuant to specific court orders. Also, many of these projects are being planned in consultation with the *Plata* Receiver.

1. Northern Consolidated Care Facility

This project provides for a large healthcare facility serving a medical and mental health population to include specialized housing, treatment, and support space at the site of the former Karl Holton Juvenile Correctional Facility in Stockton and for which an environmental document has been filed with the State Clearinghouse. This facility would provide approximately 1,722

new beds serving high acuity medical and mental health patients, including mental health crisis beds.

The population number and occupancy dates for this project have been refined since the September 18, 2009 Plan. The bed number has increased from 1,702 to 1,722 and the occupancy date for the project has been set out to Fiscal Year 2013-2014. The original schedule submitted in the September 18, 2009 Plan was predicated on the *Plata* Receiver's delivery method. The current schedule, however, is based on that authority currently maintained by CDCR for design bid/build approach to construction.

2. San Quentin State Prison – Correctional Treatment Center (Building 22)

This project is a renovation and replacement of the existing infirmary at San Quentin State Prison and will include a Correctional Treatment Center providing 41 medical and mental health beds. Assuming no obstacles arise, anticipated completion is in or about January 2010.

3. California Men's Colony – Mental Health Crisis Beds

This project builds a 50-bed mental health crisis facility on available land at the California Men's Colony in San Luis Obispo. This project scope and schedule are being coordinated with the Special Master in the *Coleman* case. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, Defendants anticipate first occupancy in these beds in August 2012 with full occupancy by October 2012 as reflected in the activation schedule submitted with the *Coleman* November 6, 2009 long-range bed plan.

4. California State Prison, Lancaster – Enhanced Outpatient Program

This project builds additional treatment and office space to increase by 150 the number of Enhanced Outpatient Program mental health inmate patients served at California State Prison, Lancaster. This project's scope and schedule are being coordinated with the Special Master in the *Coleman* case. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, Defendants anticipate activation of this treatment and office space in July 2012 with full activation by mid September 2012 as reflected in the activation schedule submitted with the *Coleman* November 6, 2009 long-range bed plan.

5. California Medical Facility – Intermediate Care Facility

This project builds a 64-bed Intermediate Care Facility to serve mental health patients on the grounds of the California Medical Facility. This project scope and schedule are being coordinated with the Special Master in the *Coleman* case. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, anticipated completion is in or about November 2012 as reflected in the activation schedule submitted with the *Coleman* November 6, 2009 long-range bed plan.

6. California Medical Facility – Enhanced Outpatient Program

This project adds 67 Enhanced Outpatient Program – General Population beds and builds office and treatment space to serve 600 Enhanced Outpatient Program – General Population inmate-patients on the grounds of the California Medical Facility. This project's scope and schedule are being coordinated with the Special Master in the *Coleman* case. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, anticipated completion is in or about April 2013 as reflected in the activation schedule submitted with the *Coleman* November 6, 2009 long-range bed plan.

7. California State Prison, Sacramento – Enhanced Outpatient Program

This project builds office and treatment space to serve 192 Enhanced Outpatient Program mental health inmate patients on the grounds of California State Prison, Sacramento. This project scope and schedule are being coordinated with the Special Master in the *Coleman* case. This project is not funded through AB 900. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, anticipated completion is in or about November 2011 as reflected in the activation schedule submitted with the *Coleman* November 6, 2009 long-range bed plan.

8. San Quentin State Prison – Condemned Inmate Complex Correctional Treatment Center

This project builds 1,152 beds in a new Condemned Inmate Complex on the grounds of San Quentin. This project will include a 24-bed Correctional Treatment Center serving the medical and mental health needs of the inmate population. CDCR will submit this project for funding in Fall of 2009 and expects to award contracts and break ground in March 2010. This project is not funded through AB 900. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, anticipated completion is in or about Fiscal Year 2011-2012.

9. Salinas Valley State Prison – Enhanced Outpatient Program

Defendants identified two Salinas Valley State Prison (SVSP) projects in their September 18, 2009 Plan: 1) a 96-Bed Enhanced Outpatient Program – General Population (EOP-GP) project that would convert an existing housing unit to provide EOP-GP housing for 96 EOP-GP inmates, and would expand the existing mental health services building to provide the additional treatment and office space needed for this increased EOP-GP capacity;<sup>9</sup> and 2) a 72-bed EOP Administrative Segregation Unit (ASU) that would provide housing, treatment, and office space for 72 EOP-ASU inmate-patients.

After careful analysis and, in consultation with the *Coleman* Special Master as well as the *Plata* Receiver, CDCR determined that the most feasible alternative would be to replace the two SVSP projects with a new consolidated project that will provide treatment and office space for 300 inmate-patients.

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<sup>9</sup> This project was scoped to include the existing 192 EOP-GP inmate-patients, plus an additional 96 EOP-GP beds.

This new project, known as the 300 EOP-GP Treatment and Office Space A-Quad Project, will require the design and construction of a new treatment and office building on "A" yard and the relocation of all EOP-GP inmate-patients to that yard. This project will result in 12 more EOP-GP beds than CDCR's previous plan.<sup>10</sup> The 72-bed EOP-ASU unit will stay in its current location; that is, Buildings D1 and D2.<sup>11</sup> The existing Mental Health treatment space located on Facility D will accommodate the 72-bed EOP-ASU unit, and thereby negate the need for construction of treatment space for that population.

On November 6, 2009, Defendants sought approval from the *Coleman* Court to replace the two SVSP court-ordered projects with the new SVSP 300 EOP-GP Treatment and Office Space A-Quad Project. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, anticipated completion is in or about October 2013.

#### 10. California Institute for Women – Psychiatric Services Unit

This project intends to renovate existing housing at the California Institute for Women in Chino to provide housing and treatment for a 20-bed Psychiatric Services Unit serving the mentally ill offender population. This project scope and schedule are being coordinated with the Special Master in the *Coleman* case. This project is not funded through AB 900. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, anticipated completion is in or about February 2011 as reflected in the activation schedule submitted with the *Coleman* November 6, 2009 long-range bed plan.

#### 11. California State Prison, Sacramento – Psychiatric Services Unit

This project provides office and treatment space to serve 152 Psychiatric Services Unit mental health inmate patients on the grounds of the California State Prison, Sacramento. This project scope and schedule are part of the construction projects proposed in the *Coleman* case.

If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, anticipated completion is in or about May 2013 as reflected in the activation schedule submitted with the *Coleman* November 6, 2009 long-range bed plan.

#### 12. California State Prison, Corcoran – Enhanced Outpatient Program

This project will add office and treatment space to serve an additional 45 Enhanced Outpatient Program mental health inmate patients on the grounds of California State Prison, Corcoran.

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<sup>10</sup> The current EOP-GP Treatment and Office Space and Housing Unit Conversion Project is designed to provide treatment and office space for the existing 192 EOP-GP inmate-patients, plus an additional 96 inmate-patients, for a total of 288 beds. The new 300 EOP-GP Treatment and Office Space A-Quad Project is designed to serve 300 inmate-patients, for an increase of 12 beds.

<sup>11</sup> The 72-bed EOP-ASU unit consists of 45 existing EOP-ASU beds as well as the 27 new beds that are part of Defendants' short-term bed plan filed on May 26, 2009, and which Defendants propose to make permanent.

If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, anticipated completion is in or about April 2013 as reflected in the activation schedule submitted with the *Coleman* November 6, 2009 long-range bed plan.

### 13. Southern California Crisis Beds

This project will site a new 60-bed unit, 30 beds of which will be designed as mental health crisis beds, at the Heman Stark facility in Chino. These beds were to be located initially at the Consolidated Care Facility. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, these beds should come on line in or about Fiscal Year 2013, as reflected in the activation schedule submitted with the *Coleman* November 6, 2009 long-range bed plan.

### 14. California Institute for Women – 45 Bed Intermediate Care Facility

This project will build a new 45-bed intermediate care facility at the California Institute for Women to serve the mental health population for female adults in the custody of CDCR. Preliminary plans are complete with this project and it is currently in the working drawings phase, with construction to be funded by AB 900 funds. The project scope and schedule are being coordinated with the *Coleman* Special Master. If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, anticipated completion is in or about March 2012, as reflected in the activation schedule submitted with the *Coleman* November 6, 2009 long-range bed plan.

## **D. REENTRY PROJECTS**

Pursuant to AB 900, reentry projects provide for the design and operation of secure community reentry facilities located in communities throughout the state. These facilities will hold a maximum of 500 inmates who are within 6-12 months of being released. These facilities will be autonomous facilities and have been designed to facilitate an intensive rehabilitative programming environment and include healthcare treatment space for the population to be served.

To date, eleven counties have agreed to locate a reentry facility to serve their population. The first reentry facilities are being planned in the counties of Kern, Madera, San Joaquin (to also serve Amador and Calaveras), San Luis Obispo (to also serve Santa Barbara and San Benito), and San Bernardino. A reentry facility planned for San Diego is currently being sited. Additional counties have expressed interest in supporting reentry facilities in their communities.

If requisite approvals are obtained, there are no legal challenges, and there are no construction delays, Defendants estimate this program will build approximately 500 beds in or about Fiscal Year 2010-2011, 500 additional beds in or about Fiscal Year 2012-2013, 1,500 additional beds in or about Fiscal Year 2013-2014, and 5,500 additional beds in or about Fiscal Year 2014-2015.

## SECTION TWO

### ADDITIONAL REFORMS THAT REQUIRE EITHER FURTHER LEGISLATION OR FEDERAL COURT ORDERS

The Administration has demonstrated its willingness to reform the State's prisons, and the Administration will continue to push for meaningful reforms like the reforms adopted in SB 18. The following measures, however, cannot be accomplished administratively, and they will require legislative changes or federal court orders. The Defendants believe that it is not appropriate for this Federal Court to effect State law changes, and that such changes should be implemented by the State's executive and legislative branches. Moreover, as the Defendants pointed out in the September 18, 2009 Plan, they believe that State law waivers are not permissible here.<sup>12</sup> Nonetheless, pursuant to the Court's October 21, 2009 order, Defendants now identify, wherever possible, State laws that, if waived or changed by federal court order, would allow the Defendants to implement additional reduction measures.

#### A. ADDITIONAL CALIFORNIA OUT-OF-STATE CORRECTIONAL FACILITY EXPANSION

In addition to the 2,416 bed expansion set forth above, Defendants will work with the Legislature to remove the existing clause that calls for the termination of the out-of-state program. The 2006 Prison Overcrowding State of Emergency Proclamation suspended the consent provisions of Penal Code section 11191. However, it is unclear the extent to which CDCR will be able to rely on the Emergency Proclamation in the future for out of state transfers, and section 11191, which becomes operative on July 1, 2011, makes clear that inmates must consent to out of state transfers. This Court could immediately and indefinitely waive the consent provisions in section 11191 to allow out of state transfers to continue uninterrupted. Additionally, this Court could immediately waive the provisions in section 11191 requiring attorney consultations, which entails a costly and time consuming process. The Court could also waive the provisions of section 11191 that restrict CDCR's ability to transfer out of state inmates with serious medical and mental health conditions, and inmates in the mental health delivery system at the Enhanced Outpatient Program level of care or higher. These waivers would allow CDCR to continue to transfer inmates out of state indefinitely, expand the pool of inmates eligible for transfer, and expedite the transfer process. They would also facilitate CDCR entering

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<sup>12</sup> The Court's August 4, 2009 order stated, "[s]hould any of defendants' proposed population reduction measures require the waiver of any provisions of state law, the state shall so advise the court, and shall explain why the requested waiver is permissible under 18 U.S.C. § 3626(a)(1)(b)." The State's September 18, 2009 Plan pointed out that this Court did not permit Defendants to introduce evidence regarding whether there are any current and ongoing violations of federal rights. Plaintiffs were also not required to prove, nor did they prove, that there are any current and ongoing violations. Thus, the State Defendants continue to preserve their objection that state law waivers are impermissible here, because State Defendants believe that the statutory requirements authorizing such waivers have not been satisfied. Furthermore, because the recent improvements to healthcare and the plans set forth throughout this submission provide a form of relief correcting alleged federal violations, the State Defendants have not and do not affirmatively seek the waiver of any State law under the PLRA (*see* 18 U.S.C. § 3626(a)(1)(B)(ii)-(iii)).

into additional contracts, or establishing long-term contracts, with out-of-state facilities willing to house CDCR inmates.

With these changes, State Defendants estimate they will be able to expand the out-of-state program by approximately 1,500 beds by December 31, 2011, reducing its ADP by that amount.

## **B. PROPERTY CRIME THRESHOLDS**

Numerous property crimes in California are punishable alternatively as a misdemeanor or a felony, depending on the dollar amount of the taking. For example, grand theft is punishable as a felony when the amount stolen exceeds \$400, but is punishable as a misdemeanor when the amount stolen is \$400 or less. In most cases, the threshold for determining the type of sentence imposed was established over 20 years ago. As time has passed and inflation risen, increasing numbers of these wobblers have become prosecutable as felonies, thereby resulting in greater numbers of offenders eligible for prison sentences rather than jail sentences.

For thirty-nine of these property crimes, SB 18 increased the dollar threshold to present-day values. For example, property crimes where the threshold was set at \$400 were increased to \$950. The aim was to expose fewer offenders to felony prosecution and prison terms and thereby reduce the prison population. However, SB 18 left the threshold for grand theft itself unchanged, an omission that does not capture the impact of that offense, and also undermines the effect of having changed many other property crimes because they could alternatively be charged as grand theft. Defendants seek legislation to increase the threshold of grand theft to \$950. If fully implemented, Defendants estimate this program will net an approximately 2,152 reduction in CDCR's ADP.

This is not a proposal for which a Court order could waive the appropriate change in state law as an affirmative action is required. Absent additional legislation, Defendants would require a court order requiring them to refuse admission of any person into state prison who was convicted of a felony that did not meet the \$950 threshold. This proposal would reduce the ADP at CDCR's adult institutions by 2,152 in December 2011.

The estimates for this proposal were obtained by a file review of 577 cases of inmates who were sent to prison based on the violations of specific state code sections. The files were then reviewed to determine the number of inmates that would not have been returned to custody if the property threshold was raised in value. This number was then projected out to all of similarly situated inmates to arrive at an anticipated reduction in ADP.

## **C. ALTERNATIVE CUSTODY PROGRAM**

The Administration will seek legislation to establish a program of alternative custody options for lower-risk offenders. Certain offenders would be eligible to serve the last 12 months of their sentence under house arrest with GPS monitoring. House arrest may include placement in a residence, local program, hospital, or treatment center. Eligible inmates include inmates with 12 months or less remaining to serve, elderly inmates, and medically infirm inmates. The custody criteria is:

- non-violent (current and prior terms)
- non-serious (current and prior terms)
- no sex offenders
- low or moderate risk on the California Static Risk Assessment
- no immigration hold
- did not serve a Security Housing Unit term during current term of incarceration
- no guilty finding for serious rules violations listed in Title 15, section 3315, subdivision (a)(3)(A) through (a)(3)(C), during current term of incarceration
- no history of escape
- no holds, warrants, detainers
- no stay in a Psychiatric Services Unit housing during current term of incarceration

Absent additional legislation, this Court would need to waive Penal Code section 1170(a), which requires a term of imprisonment in State prison. Additionally, the Court may need to waive article I, sections 28(a)(5) and 28(f)(5) of the California Constitution.

The State estimates that this program will net an approximate 4,800 reduction in ADP by December 2011. The 4,800 ADP number is an estimate based on both eligible inmates in prison at the time (in July 2009, when the estimate was completed) and eligible new admissions projected to come into prison. The latter projection is based on a FY 08/09 intake cohort from court. This 4,800 ADP estimate also reflects a 35% discount for file review ineligibility (based on sample file reviews), a 3% discount to account for homeless parolees (based on Division of Adult Parole Operations' records for homeless parolees who would otherwise meet the criteria), and a 10% discount for those who would be unwilling to volunteer. The ADP figure is also based on an estimated length of sentence for the eligible population.

#### **D. AB 900 CONSTRUCTION ACCELERATION**

CDCR has cooperated with the *Plata* Receiver to develop CDCR's plan for healthcare beds, and has drafted legislation to enable CDCR to accelerate all of its construction authorized under AB 900 using alternative delivery methods. If the Legislature authorizes these amendments, CDCR would be able to expedite the construction of new capacity, including new healthcare facilities, and the construction of treatment and other support spaces to meet the needs of the *Plata* and *Coleman* class members.

Further, if so ordered by the Three-Judge Court, the following waivers of state laws may allow the State to complete some previously identified projects more expeditiously:

1. California Environmental Quality Act (CEQA) (Public Resources Code sections 21000- 21177): The State's environmental review process is lengthy, and it invariably extends the timeframe to complete any of CDCR's construction projects. For example, with respect to the projects proposed in the State's November 6, 2009 Long-Range Mental Health Bed Plan, the CEQA process in many instances lengthens the construction timeline by more than 200 days, and in one instance (the Heman G. Stark conversion) by more than 450 days. Additionally, the

environmental review process may result in litigation, which can further extend the timeframe for completing construction projects.

Waiving the CEQA process could potentially expedite construction on these projects. However, it is unknown whether the Joint Legislative Budget Committee would approve a project or if bond counsel would offer an unqualified bond opinion regarding the validity of AB 900 bonds if the Court waived the State's environmental review process. The authorization in AB 900 provides the only funding available for many of CDCR's projects. Joint Legislative Budget Committee approval is required under AB 900 and an unqualified bond opinion is necessary to market the bonds.

2. Public Contract Code (PCC) sections generally covering the approval and competitive bidding rules and requirements for State contracts:

- a. Part 1 (sections 1100 et seq.) - General Administrative Provisions.
- b. Part 2, Chapter 2, Article 2 (sections 10295 et seq.) - Approval of Contracts.
- c. Part 2, Chapter 2, Article 3 (sections 10300 et seq.) - Competitive Bidding and Other Acquisition Procedures.
- d. Part 2, Chapter 2, Article 4 (sections 10335 et seq.) - Contracts for Services.
- e. Part 2, Chapter 3 (sections 12100 et seq.) - Acquisitions of IT Goods and Services.
- f. Part 2, Chapter 3.5 (sections 12120 et seq.) - Acquisitions of Telecommunication Goods and Services.

## **E. HOUSE INMATES IN PRIVATE FACILITIES**

An additional possible method to reduce the population to 137.5% of design capacity is to rapidly increase the number of available prison beds by expediting leasing, building, and/or operating new beds through establishment of private vendor contracts to house inmates and operate private correctional facilities in the State. Such waivers of state law would help expedite the contracting process and make available private correctional facilities ready for operation by a private vendor by August 2011.

The following is the list of waivers that would be required to achieve the most expedited establishment of newly constructed prison beds:

1. California Environmental Quality Act (CEQA) (Public Resources Code sections 21000- 21177) - In order for the vendor to provide housing and operation services pursuant to the above-described contract with CDCR, the vendor would need to construct one or more correctional facilities. CEQA applies to discretionary "projects" proposed to be carried out or approved by public agencies. Arguably, the contract between CDCR and the vendor may trigger CEQA in that the contract may be deemed an approval by CDCR of CEQA "projects" (including construction of a new facility). The CEQA compliance process is a time-consuming process

and construction of new correctional facilities by the vendor would be further delayed if legal actions are brought to challenge the adequacy of CEQA compliance.

2. Public Contract Code (PCC) sections generally covering the approval and competitive bidding rules and requirements for State contracts (except for public works projects):

- a. Part 1 (sections 1100 et seq.) - General Administrative Provisions.
- b. Part 2, Chapter 2, Article 2 (sections 10295 et seq.) - Approval of Contracts.
- c. Part 2, Chapter 2, Article 3 (sections 10300 et seq.) - Competitive Bidding and Other Acquisition Procedures.
- d. Part 2, Chapter 2, Article 4 (sections 10335 et seq.) - Contracts for Services.
- e. Part 2, Chapter 3 (sections 12100 et seq.) - Acquisitions of IT Goods and Services.
- f. Part 2, Chapter 3.5 (sections 12120 et seq.) - Acquisitions of Telecommunication Goods and Services.

3. Article VII of the California Constitution - Civil service hiring requirements.

4. State Civil Service Act (Government Code sections 18500 et seq.) - The purpose of this Act is to facilitate the operation of Article VII of the Constitution.

5. Government Code section 19130 - Enumerated exceptions to the civil service hiring requirements. Waiver of this section would be needed to avoid any potential argument, even after waiver of the Article VII and the State Civil Service Act, that the existence of this section implies that contracting for personal services is not permissible unless the conditions under section 19130 are met.

The above list is a preliminary list of State laws that, if waived, would allow Defendants to expedite the process of contracting with vendors to operate private correctional facilities. However, given more time, other state law waivers or other federal court orders may be needed to accomplish this proposal.

If these waivers were obtained, it is estimated that CDCR could build, lease or contract for facilities for private vendors and reduce the population at the existing 33 adult institutions by 5,000 ADP by December 31, 2011.

#### **F. JAIL TIME FOR ENUMERATED FELONIES**

The Administration will seek legislation for the following enumerated offenses listed below that would allow the offenses to be charged as felonies, but would limit the maximum sentences to 366 days which could only be served in county jail. Thus, while convictions would result in imprisonment in county jail, the offenses would remain felonies within the meaning of section 17 of the Penal Code. This proposal does not apply to anyone who has a prior conviction set forth

in Penal Code Section 1192.7(c) or have not suffered a strike within the meaning of Penal Code Section 667.5.

Absent legislation, the Court would have to order that CDCR not accept to State prison those enumerated crimes listed in this proposal.

The crimes for this proposal would be as follows:

- Health and Safety Code section 11350, subdivision (a). Possession of a controlled substance, including cocaine.
- Health and Safety Code section 11377, subdivision (a). Possession of a controlled substance, including methamphetamine.
- Penal Code section 476a. Check fraud.
- Penal Code section 487, subdivisions (b) and (c). Miscellaneous grand theft provisions involving agriculture, labor and real property.
- Penal Code sections 496 and 496d. Receiving stolen property.
- Penal Code section 666. Petty theft with a prior conviction of a certain offense.
- Penal Code section 667.5. Theft with a prior felony conviction of a certain offense.

The reduction in the ADP as a result of this proposal would be 11,815 by December 2011. To determine the reduction of ADP for this proposal, CDCR utilized data in OBIS. Specifically, CDCR looked at the number of admits to CDCR for these particular crimes. CDCR then estimated a reduction in ADP based on the average length of sentence for these individuals.

Three Judge Court-Ordered Response: Table 1

| Fiscal Year                                        | Current        | Jun-2010       | Dec-2010       | Jun-2011       | Dec-2011       | Dec-2012       | Dec-2013       |
|----------------------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| <b>Fall Population Projections<sup>1</sup></b>     | <b>168,427</b> | <b>167,453</b> | <b>167,535</b> | <b>169,345</b> | <b>170,164</b> | <b>171,940</b> | <b>174,001</b> |
| <b>Institution Population Reduction Measures</b>   |                |                |                |                |                |                |                |
| <b>Probation Reform</b>                            |                |                |                |                |                |                |                |
| Community Corrections                              | 0              | 0              | 900            | 1,915          | 1,915          | 1,915          | 1,915          |
| <b>Sentencing Reform</b>                           |                |                |                |                |                |                |                |
| Enhanced Credit Earning                            | 0              | 2,814          | 3,021          | 2,807          | 2,921          | 3,142          | 3,419          |
| <b>Executive Authority</b>                         |                |                |                |                |                |                |                |
| Expansion of Out-Of-State Placements <sup>2</sup>  | 0              | 1,434          | 2,352          | 2,416          | 2,416          | 2,416          | 2,416          |
| Expanded Utilization of Private Prisons            | 0              | 0              | 0              | 400            | 800            | 800            | 800            |
| ICE Commutations                                   | 0              | 300            | 600            | 600            | 600            | 600            | 600            |
| <b>Parole Reform</b>                               |                |                |                |                |                |                |                |
| Summary Parole                                     | 0              | 3,323          | 4,556          | 4,556          | 4,556          | 4,556          | 4,556          |
| Alternative Parole Sanctions                       | 0              | 119            | 600            | 1,000          | 1,000          | 1,000          | 1,000          |
| Parole Reentry Courts                              | 0              | 0              | 50             | 435            | 435            | 435            | 435            |
| <b>New Construction<sup>3</sup></b>                |                |                |                |                |                |                |                |
| DJJ Renovations                                    | 0              | 700            | 700            | 1,800          | 1,800          | 2,700          | 2,700          |
| Reentry                                            | 0              | 0              | 0              | 500            | 500            | 500            | 1,000          |
| Infill (including Healthcare)                      | 0              | 64             | 125            | 125            | 125            | 1,436          | 7,111          |
| <b>Further Legislation/Court-Ordered Authority</b> |                |                |                |                |                |                |                |
| Property Crime Thresholds                          | 0              | 425            | 1,700          | 2,121          | 2,152          | 2,152          | 2,152          |
| Alternative Custody                                | 0              | 0              | 1,200          | 3,000          | 4,800          | 4,800          | 4,800          |
| No-Prison Felonies                                 | 0              | 7,753          | 11,633         | 11,815         | 11,815         | 11,815         | 11,815         |
| Private In-State Prisons                           | 0              | 0              | 0              | 2,000          | 5,000          | 5,000          | 5,000          |
| Expansion of Out-Of-State                          | 0              | 0              | 0              | 0              | 1,500          | 2,500          | 3,600          |
| <b>Total Population Reduction</b>                  | <b>0,000</b>   | <b>16,932</b>  | <b>27,437</b>  | <b>35,490</b>  | <b>42,335</b>  | <b>45,767</b>  | <b>53,319</b>  |
| <b>Institution Population<sup>4</sup></b>          | <b>150,978</b> | <b>133,072</b> | <b>123,623</b> | <b>117,298</b> | <b>109,462</b> | <b>107,806</b> | <b>99,720</b>  |
| <b>Institution Crowding Rate</b>                   | <b>190%</b>    | <b>167%</b>    | <b>155%</b>    | <b>147%</b>    | <b>137.5%</b>  | <b>135%</b>    | <b>125%</b>    |

<sup>1</sup> The current population is based on the actual population count on November 4, 2009. The projections in June 2010 and thereafter assume the transfer of any backlogged inmates into state custody.

<sup>2</sup> Assumes cooperation from *Plata, Coleman, Perez*, and *Armstrong* courts.

<sup>3</sup> The beds identified on this table reflect the actual capacity for which they are being built. The double ceiling rate of these facilities vary by project. However, whatever the double ceiling rate, the beds or projects are being designed with an appropriate amount of program and clinical space to accommodate that number of inmates. Additionally, increases in capacity in 2014 and 2015 are not reflected in this chart.

<sup>4</sup> Excludes inmates in camps, private facilities and out-of-state facilities.

**EXHIBIT B**

1 EDMUND G. BROWN JR.  
 Attorney General of the State of California  
 2 DAVID S. CHANEY  
 Chief Assistant Attorney General  
 3 JONATHAN L. WOLFF  
 Senior Assistant Attorney General  
 4 DANIELLE F. O'BANNON  
 KYLE A. LEWIS – State Bar No. 201041  
 5 Deputy Attorneys General  
 455 Golden Gate Avenue, Suite 11000  
 6 San Francisco, CA 94102-7004  
 Telephone: (415) 703-5724  
 7 Facsimile: (415) 703-5843  
 kyle.lewis@doj.ca.gov  
 8 Attorneys for Defendants

HANSON BRIDGETT LLP  
 JERROLD C. SCHAEFER - 39374  
 PAUL B. MELLO – 179755  
 S. ANNE JOHNSON – 197415  
 SAMANTHA D. WOLFF – 240280  
 RENJU P. JACOB - 242388  
 425 Market Street, 26th Floor  
 San Francisco, CA 94105  
 Telephone: (415) 777-3200  
 Facsimile: (415) 541-9366  
 jschaefer@hansonbridgett.com  
 pmello@hansonbridgett.com  
 ajohnson@hansonbridgett.com  
 swolff@hansonbridgett.com  
 rjacob@hansonbridgett.com

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 10 **UNITED STATES DISTRICT COURT**  
 11 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
 12 **AND THE NORTHERN DISTRICT OF CALIFORNIA**

13 **UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES**  
 14 **PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE**

15 RALPH COLEMAN, et al.,  
 16 Plaintiffs,  
 17 v.  
 18 ARNOLD SCHWARZENEGGER, et al.,  
 Defendants.

No. 2:90-cv-00520 LKK JFM P  
**THREE-JUDGE COURT**

20 MARCIANO PLATA, et al.,  
 21 Plaintiffs,  
 22 v.  
 23 ARNOLD SCHWARZENEGGER, et al.,  
 Defendants.

No. C01-1351 TEH  
**THREE-JUDGE COURT**  
**DECLARATION OF JAY ATKINSON IN  
 SUPPORT OF DEFENDANTS'  
 RESPONSE TO THREE-JUDGE  
 COURT'S OCTOBER 21, 2009 ORDER**

**To: Three-Judge Court**

1 I, JAY R. ATKINSON, declare as follows:

2 1. I am the Chief of the Offender Information Services Branch of the California  
3 Department of Corrections and Rehabilitation (CDCR). I have been employed in this  
4 position for since July 2009. I have been with the Offender Information Services Branch  
5 of CDCR since 1999, and have assisted in gathering data maintained by CDCR on  
6 numerous occasions. I am competent to testify to the matters set forth in this  
7 declaration, and if called upon to do so, I would and could so testify. I submit this  
8 declaration in support of Defendants' Response to the Three-Judge Court's October 21,  
9 2009 Order.

10 2. As Chief of the Offender Information Services Branch, I am responsible for  
11 management and oversight of the Offender Information Services Branch which supplies  
12 research and analysis to CDCR and outside agencies regarding population estimates  
13 and projections.

14 3. CDCR's Offender Information Services Branch (OISB) compiles and  
15 retains summary statistical information about inmates and parolees. As described  
16 below, CDCR was able to estimate the reductions corresponding to the proposed  
17 measures included in Defendants' November 12, 2009 Response to the Court's October  
18 21, 2009 Order to Reduce Prison Population to 137.5% of Design Capacity (Defendants'  
19 Response) by utilizing information contained within OISB's data warehouse.

20 4. **California Community Corrections Performance Incentives Act of**  
21 **2009**. This program, established by the recent passage of Senate Bill 18 (SB 18),  
22 creates a system of rewards for probation success. The community corrections program  
23 established by this Act authorizes counties to receive funding for implementing and  
24 expanding evidence-based programs for felony probationers. By incentivizing probation  
25 success, California will lower the number of probationers sent to prison each year.

26 5. Defendants estimate that the California Community Corrections  
27 Performance Incentives Act of 2009 will net an approximate 1,915 reduction in CDCR's  
28 average daily population (ADP) by December 31, 2011. Defendants were able to

1 estimate this reduction by utilizing OISB data that reflected that CDCR receives  
2 approximately 19,150 new admissions per calendar year as a result of felony probation  
3 revocations. CDCR then made the assumption that the average return for revocation  
4 was one year and took the conservative estimate that this program would have a ten  
5 percent success rate. This reasonable calculation results in an ADP reduction in 1,915  
6 that would be realized in full in by December 2011.

7       **6. Credit Earning Enhancements.** The passage of SB 18 also provides a  
8 number of credit earning enhancements. These enhancements include: one day of  
9 sentence credit for every day served in county jail from the time of sentencing; up to six  
10 weeks of credit per year for completion of approved programs; day-for-day credit for  
11 parole violators who are returned to custody and are otherwise eligible; two days' credit  
12 for every one day served once an inmate is endorsed to transfer to a fire camp; and one  
13 day of credit for every day served for all eligible inmates (regardless of whether an  
14 inmate is on a waiting list for a full-time assignment, participating in college, or  
15 undergoing reception center processing).

16       **7.** Defendants estimate the Credit Earning Enhancements will net an  
17 approximate 2,921 reduction in CDCR's ADP by December 31, 2011. Defendants were  
18 able to estimate this reduction by utilizing OISB data. CDCR has a simulation model that  
19 is used to create population projections for the future. This particular proposal is one  
20 that can use the simulation model to determine a net effect on the population on a  
21 month-by-month basis. Insofar as this proposal overlaps the proposal to house  
22 individuals in county jail who are convicted of certain enumerated offenses, CDCR  
23 discounted the reduction from this proposal by 15%.

24       **8. The Parole Violation Decision-Making Instrument.** The Parole Violation  
25 Decision-Making Instrument (PVDMI) helps determine the most appropriate sanctions for  
26 parolees who violate the conditions of parole. The PVDMI is effective in placing  
27 parolees in the right programs and returning the high risk parole violators to prisons,  
28 thereby increasing public safety while decreasing recidivism. CDCR does not have

1 sufficient information upon which to base a reduction in population, and therefore  
2 Defendants do not identify a population reduction associated with this reform measure.

3       9.     **Property Crime Thresholds.** Defendants seek legislation to increase the  
4 threshold of grand theft from \$400 to \$950. If grand theft and other property crimes  
5 listed in SB 18 are fully implemented, Defendants estimate this program will result in an  
6 ADP reduction of approximately 2,152 by December 2011. Absent additional legislation,  
7 Defendants would require a court order requiring them to refuse admission of any person  
8 into state prison who was convicted of a felony that did not meet the \$950 threshold.  
9 The estimates for this proposal were obtained by a file review of 577 cases of inmates  
10 who were sent to prison based on the violations of specific state code sections. The files  
11 were then reviewed to determine the number of inmates that would not have been sent  
12 to state prison if the property threshold was raised in value. This number was then  
13 projected out to all of similarly situated inmates to arrive at an anticipated reduction in  
14 ADP.

15       10.    **Alternative Custody Program.** The Administration will seek legislation to  
16 establish a program of alternative custody options for lower-risk offenders. Certain  
17 offenders would be eligible to serve the last 12 months of their sentence under house  
18 arrest with GPS monitoring. The State estimates that this program will net an  
19 approximate 4,800 reduction in ADP by December 2011. This estimate is based on both  
20 eligible inmates in prison at the time (in July 2009, when the estimate was completed)  
21 and eligible new admissions projected to come into prison. The latter projection is based  
22 on a Fiscal Year 2008-09 intake cohort from court. This 4,800 ADP estimate also  
23 reflects a 35% discount for file review ineligibility (based on sample file reviews), a 3%  
24 discount to account for homeless parolees (based on Division of Adult Parole  
25 Operation's records for homeless parolees who would otherwise meet the criteria), and a  
26 10% discount for those who would be unwilling to volunteer. The ADP figure is also

27 ///

28 ///

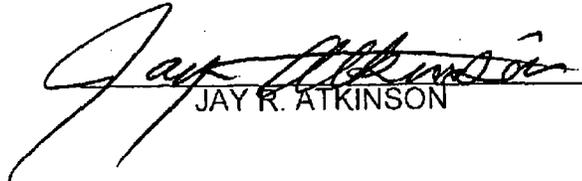
1 based on an estimated length of sentence for the eligible population.

2

3 I declare under the penalty of perjury under the laws of the State of California  
4 that the foregoing is true and correct. Executed in Sacramento, California on November  
5 12, 2009.

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JAY R. ATKINSON

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EXHIBIT C

1 EDMUND G. BROWN JR.  
Attorney General of the State of California  
2 DAVID S. CHANEY  
Chief Assistant Attorney General  
3 JONATHAN L. WOLFF  
Senior Assistant Attorney General  
4 DANIELLE F. O'BANNON  
KYLE A. LEWIS – State Bar No. 201041  
5 Deputy Attorneys General  
455 Golden Gate Avenue, Suite 11000  
6 San Francisco, CA 94102-7004  
Telephone: (415) 703-5724  
7 Facsimile: (415) 703-5843  
kyle.lewis@doj.ca.gov

HANSON BRIDGETT LLP  
JERROLD C. SCHAEFER - 39374  
PAUL B. MELLO – 179755  
S. ANNE JOHNSON – 197415  
SAMANTHA D. WOLFF – 240280  
RENJU P. JACOB - 242388  
425 Market Street, 26th Floor  
San Francisco, CA 94105  
Telephone: (415) 777-3200  
Facsimile: (415) 541-9366  
jschaefer@hansonbridgett.com  
pmello@hansonbridgett.com  
ajohnson@hansonbridgett.com  
swolff@hansonbridgett.com  
rjacob@hansonbridgett.com

8 Attorneys for Defendants  
9

10 UNITED STATES DISTRICT COURT  
11 FOR THE EASTERN DISTRICT OF CALIFORNIA  
12 AND THE NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES  
14 PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

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No. 2:90-cv-00520 LKK JFM P  
THREE-JUDGE COURT

20 MARCIANO PLATA, et al.,  
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No. C01-1351 TEH  
THREE-JUDGE COURT  
DECLARATION OF DAVID LEWIS IN  
SUPPORT OF DEFENDANTS'  
RESPONSE TO THREE-JUDGE  
COURT'S OCTOBER 21, 2009 ORDER

To: Three-Judge Court

1 I, DAVID LEWIS, declare as follows:

2 1. I am the Deputy Director, Fiscal Services for the California Department of  
3 Corrections and Rehabilitation (CDCR). I am competent to testify to the matters set forth  
4 in this declaration, and if called upon to do so, I would and could so testify. I submit this  
5 declaration in support of Defendants' Response to the Three-Judge Court's October 21,  
6 2009 Order.

7 2. I have been the Deputy Director of Fiscal Services/Acting Deputy Director,  
8 Fiscal Services for 14 months. I have been employed by CDCR for the past two years.  
9 As Deputy Director of Fiscal Services, I am responsible for overseeing all of CDCR's  
10 budgeting and accounting functions. As such, I am responsible for overseeing the  
11 development and implementation of CDCR's budget, proposing changes to the budget,  
12 and tracking expenditures.

13 3. Before working at CDCR, I worked as a consultant on public safety for the  
14 California State Senate for nearly two years. I also worked at the Department of Finance  
15 for four years. A significant amount of my work for the State Senate and the Department  
16 of Finance related to CDCR.

17 4. I was involved in informally estimating the reductions in the average daily  
18 population (ADP) of California's adult prisons that would have resulted from reform  
19 measures that were previously proposed by the Governor in April and May of this year.

20 5. At the beginning of 2009, California faced a two-year projected budget  
21 deficit of approximately \$41.6 billion. In response, Governor Schwarzenegger reduced  
22 CDCR's budget by \$400 million. As a result of this budget reduction (and subsequent  
23 budget reductions), several budget measures were presented to the Legislature in order  
24 to accommodate CDCR's reduced budget. The proposed budget measures were aimed  
25 at reducing spending, in part by reducing certain programs and the number of inmates  
26 housed in CDCR institutions. The monetary savings obtained by the proposed budget  
27 measures were not re-directed in any way to other programs, including rehabilitative  
28 programs, and were not re-directed to local communities. Instead, the monetary savings

1 were required in order to meet CDCR's reduced overall budget and address California's  
2 historic budget deficit.

3 6. The April 2009 budget proposals were aimed at addressing the budget  
4 reduction, not at reducing the population of California's adult prisons to 137.5% of design  
5 bed capacity in two years. Thus, formal population projections were not completed.  
6 However, in the course of estimating cost savings that would be realized, informal  
7 estimates of the possible reduction resulting from each measure were made by CDCR.

8 7. I assisted in analyzing the informal estimates of the possible reduction in  
9 the April 2009 proposed reform measures. Estimates of population savings were done  
10 using a variety of methods. To estimate the population related to changes in parole, the  
11 estimate was created by using the total parole population and excluding populations  
12 based on certain factors including the risk factor, and current and prior crimes, a similar  
13 percentage was also applied to the total prison population at that time. To estimate the  
14 impact of alternative sanctions an estimate of the time frame to roll out the program was  
15 used. Other estimates were created by the Offender Information Services Branch using  
16 established methodologies.

17 8. The April 2009 proposed reform measures included the following: (1)  
18 increase the monetary threshold for felony property crimes, including grand theft, with an  
19 estimated reduction in the average daily population (ADP) of 1,389 in Fiscal Year (FY)  
20 2009-10 and up to 2,778 through FY2010-11; (2) eliminate parole for low and moderate  
21 risk non-serious, non-violent, non-sex offender parolees, with an estimated reduction in  
22 the ADP of 4,053 in FY2009-10 and up to 5,037 through FY2010-11; (3) provide credit-  
23 earning enhancements (including day-for-day jail credits, program completion credits,  
24 day-for-day credits for good behavior, and two-for-one credits to participate in fire camp  
25 training) with an estimated reduction in the ADP of 1,658 in FY2009-10 and up to 4,939  
26 through FY2010-11; (4) discharge deported parolees from parole, with an estimated  
27 reduction in the ADP of 269 in FY2009-10 and up to 261 through FY2010-11; and (5)  
28 use GPS as an alternative sanction, with a reduction in the ADP of 1,029 in FY2009-10

1 and up to 1,900 through FY2010-11. These reforms would result in a 8,397 ADP  
2 reduction in FY2009-10 and up to 14,915 through FY2010-11, or to 179 percent of  
3 design capacity by the end of FY2009-10 and to 171 percent of design capacity by the  
4 end of FY2010-11.

5 9. At the time the Administration put forward the budget reduction proposals,  
6 possible overlap between the population reductions resulting from the measures was not  
7 accounted for in calculating the total reduction that could be achieved. Accordingly, the  
8 estimated population reductions for the measures are not independent of each other,  
9 and an inmate may fall into one or more proposed reform measure categories.

10 10. Additional prison population reduction reform measures were proposed in  
11 the 2009 May Revise budget proposal. These additional reforms would have reduced  
12 the adult prison population by additional estimated 18,405 inmates by the end of  
13 FY2009-10, and up to 22,209 inmates through FY2010-11. These three additional  
14 reforms included: (1) deportation of undocumented inmates, with an estimated reduction  
15 in the ADP of 8,505 in FY 2009-10 and up to 8,712 through FY2010-11; (2) change  
16 sentencing options for certain crimes that may currently be charged as either a  
17 misdemeanor or felony ("wobbler" crimes) so they are only chargeable as a  
18 misdemeanor, with an estimated reduction in the ADP of 4,343 in FY2009-10 and up to  
19 14,497 through FY2010-11; and (3) provide alternative housing options for low-level  
20 offenders, with an estimated reduction in the ADP of 6,307 in FY2009-10.

21 11. Combined, the April 2009 proposed reforms and the 2009 May Revise  
22 budget proposal would have a total estimated reduction in the ADP by 26,802 inmates  
23 (or 156% of design capacity) in FY2009-10, and up to 37,124 inmates (or 143% of  
24 design capacity) through FY2010-11. Attached as Exhibit 1 is a chart that details each  
25 proposed reform measure, the informal estimate of the corresponding reduction in the  
26 ADP, proposed implementation date, and subsequent legislative action. Again, at the  
27 time the Administration put forward the budget reduction proposals, possible overlap  
28 between the population reductions resulting from the measures was not accounted for in

1 calculating the total reduction that could be achieved. Accordingly, the estimated  
2 population reductions for the measures are not independent of each other, and an  
3 inmate may fall into one or more proposed reform measure categories.

4 12. Of the reforms proposed in the April 2009 proposal and the 2009 May  
5 Revise, five required legislative approval. Those five reform measures included: (1)  
6 increasing the monetary threshold for felony property crimes, including grand theft; (2)  
7 providing alternative housing for low-level offenders; (3) restricting wobbler crimes to be  
8 charged as misdemeanors; (4) eliminating parole for certain parolees; (5) credit-earning  
9 enhancements. These proposed reform measures were introduced to the California  
10 Senate in the form of ABx3 14.

11 13. In addition to the above five measures introduced to the California Senate  
12 in the form of ABx3 14, the California Legislature also proposed three additional reforms  
13 that were included in ABx3 14. Those reforms were: (1) the California Community  
14 Corrections Performance Incentives Act of 2009: a fiscal incentive program for county  
15 probation departments that demonstrate success; (2) the establishment and expansion  
16 of drug and mental health reentry courts for parolees; and (3) creation of a public safety  
17 commission to review sentencing.

18 14. ABx3 14 was passed by the California Senate on August 20, 2009, by a  
19 vote of 21 ayes to 19 noes. Because ABx3 14, in the form approved by the California  
20 Senate, is over 375 pages, Defendants do not attach it as an exhibit. However, it may  
21 be accessed at [http://info.sen.ca.gov/pub/09-10/bill/asm/ab\\_0001-](http://info.sen.ca.gov/pub/09-10/bill/asm/ab_0001-0050/abx3_14_bill_20090820_amended_sen_v96.pdf)  
22 [0050/abx3\\_14\\_bill\\_20090820\\_amended\\_sen\\_v96.pdf](http://info.sen.ca.gov/pub/09-10/bill/asm/ab_0001-0050/abx3_14_bill_20090820_amended_sen_v96.pdf). Attached as Exhibit 2 is a true  
23 and correct copy of the unofficial ballot indicating the Senate vote on ABx3 14.

24 15. ABx3 14 was never presented to the California Assembly for a vote in the  
25 form approved by the Senate. Instead, SBx3 18 was presented to the Assembly and  
26 was passed on August 31, 2009, by a vote of 41 ayes, 37 noes, 1 member abstaining,  
27 absent, or not voting, and 1 vacancy. Attached as Exhibit 3 is a true and correct copy of  
28 the unofficial ballot indicating the Assembly vote on SBx3 18. SBx3 18 does not include

1 four proposed reform measures that the Senate approved: (1) increasing the monetary  
2 threshold for grand theft; (2) providing alternative housing for low-level offenders; (3)  
3 restricting wobbler crimes such that they may only be charged as a misdemeanor; and  
4 (4) the creation of a sentencing commission.

5 16. The California Senate then voted to approve this version of the bill on  
6 September 11, 2009, by a vote of 21 ayes, 16 noes, and 3 members either abstaining,  
7 absent, or not voting. The legislation was signed into law by the Governor on October  
8 10, 2009. Attached as Exhibit 4 is a true and correct copy of SBx3 18 in the form  
9 approved by the California Legislature and signed by the Governor.

10 17. The Legislature adjourned on October 26, 2009. This means that the laws  
11 enacted in SBx3 18 will go into effect 90 days later, on January 24, 2010.

12 18. On September 17, 2009, CDCR's budget for rehabilitation programs for  
13 adult offenders was reduced by \$250 million. However, this budget reduction was  
14 accounted for in Defendants' September 18, 2009 Population Reduction Plan, and  
15 accordingly, would not have affected CDCR's the population reductions proposed in  
16 Defendants' September 18, 2009 Population Reduction Plan. Similarly, to the extent  
17 that Defendants' "November 12, 2009 Response to the Court's October 21, 2009 Order  
18 to Reduce Prison Population to 137.5% of Design Capacity" (Defendants' Response)  
19 relies upon rehabilitation programs, the September 17, 2009 budget reduction has been  
20 accounted for.

21 19. CDCR's Offender Information Services Branch (OISB) compiles and  
22 retains summary statistical information about inmates and parolees. As described  
23 below, CDCR was able to estimate the reductions associated with the proposed  
24 measures included in Defendants' Response by utilizing information contained within  
25 OISB's data warehouse.

26 20. **"Summary Parole."** The enactment of SB 18 creates a new program of  
27 "summary parole" whereby CDCR is prohibited from returning to prison, placing a parole  
28 hold, or reporting to the Board of Parole Hearings, any parolee who meets the following

1 conditions: (1) is not a sex offender; (2) has not been committed to prison for a sexually  
2 violent offense; (3) has no prior conviction for a sexually violent offense; (4) has no  
3 instant or prior convictions that are violent or serious; (5) has not been found guilty of a  
4 serious disciplinary offense as defined by CDCR during his or her current term of  
5 imprisonment; (6) is not a validated prison gang member or associate, as defined in  
6 CDCR regulations; (7) has not refused to sign any written notification of parole  
7 requirements or conditions; and (8) has not been determined to pose a high risk to  
8 reoffend pursuant to a validated risk assessment tool. Defendants anticipate that  
9 "summary parole" will reduce CDCR's institutional population because, when fully  
10 implemented, CDCR will be precluded from revoking parole and returning approximately  
11 35,000 parolees to prison for parole violations.

12 21. Defendants estimate that Summary Parole will net an approximate 4,556  
13 reduction in CDCR's ADP by December 31, 2011. This estimated reduction in ADP was  
14 achieved by first identifying the total number of adult parolees in 2008 that were non-  
15 serious, non-violent, non-sex offenders, with no prior serious or violent offenses, which  
16 was converted to a percentage and applied to the Spring 2009 Population Projection  
17 numbers of parolees to give an updated number of applicable parolees. Then, using  
18 data from the Division of Adult Parole Operations (DAPO) the percentage of this  
19 population that were low and moderate risk were applied to estimate the applicable  
20 parole population. Then, it was assumed that a like percentage of the total number of  
21 Parole Violators Returned to Custody (PV-RTC) inmates would not go to prison, and this  
22 determined the total expected prison ADP reduction. Then, it was assumed that it would  
23 take approximately 5 months for the total impact of the ADP reduction to be realized so  
24 that was calculated to reduce the ADP in 2009-10. The 4,556 number is based on the  
25 best information available at the time. Of course, actual implementation may vary from  
26 these numbers. Factors that could not be accounted for include: (1) crimes that do not  
27 show up on the Offender Based Information System (OBIS) such as those committed in  
28 other states that may render an individual ineligible; (2) changes in local prosecutorial

1 behavior resulting in some of these offenders coming to prison with a longer sentence as  
2 a Parole Violator With a New Term (PV-WNT).

3       **22. Re-entry Courts.** CDCR will collaborate with the California Administrative  
4 Office of the Courts to establish and expand drug and mental health reentry courts for  
5 parolees. The implementation of the reentry courts should have a significant impact on  
6 reducing the number of mentally ill inmates in CDCR because it should reduce the  
7 number of parolees with mental illness returning to prison. Because this program has  
8 not yet been implemented, CDCR is not able to identify a formal estimate. However,  
9 State Defendants estimate this program will reduce CDCR's ADP by approximately 435  
10 inmates by December 31, 2011. This ADP estimate was developed by dividing the \$10  
11 million reduction in CDCR's budget for reentry courts by the per capita annual inmate  
12 cost of approximately \$23,000.<sup>1</sup>

13       **23. Discharge of Deported Parolees.** CDCR has implemented a new policy  
14 to discharge from parole the over 12,000 criminal aliens who have served their full state  
15 prison sentences and, upon release to parole, have been deported by the federal  
16 government. This new policy has resulted in fewer parolees being returned to state  
17 prison for parole violations and provides an incentive for federal prosecution of these  
18 offenders. This proposal was in effect earlier this year and was accounted for in the new  
19 Fall 2009 Population Projections as set forth in Table 1 of Defendants' Response.

20       **24. Alternative Sanctions for Violations of Parole.** CDCR will make greater  
21 use of electronic monitoring systems such as global positioning systems (GPS) for  
22 parole violators in lieu of revocation and re-incarceration. Defendants estimate this  
23 program will net an approximate 1,000 reduction in CDCR's ADP by December 31,  
24 2011. This reduction reflects an assumption that CDCR will begin diverting offenders in  
25 March 2010 and that it will be able to acquire 300 GPS units per month until September

26 \_\_\_\_\_  
27 <sup>1</sup> The per capita annual inmate cost of \$23,000 is an estimated cost developed by  
28 CDCR, and is used by CDCR for estimating the impact of legislation and other  
proposals, such as ballot initiatives, that have the affect of reducing the prison and/or  
parole populations.

1 2010, when there will be 2,000 units in use. If the system diverted inmates for every day  
2 they would have otherwise spent in prison, the reduction in ADP would actually be  
3 2,000. The 50% discount assumes that there will be processing time between offenders  
4 that wear the device and that, on average, a revocation action to prison would have  
5 been shorter than the time given to an inmate to wear GPS as a sanction.

6       **25. Jail Time for Enumerated Felonies.** The Administration will seek  
7 legislation for certain enumerated offenses that would allow the offenses to be charged  
8 as felonies, but would limit the maximum sentences to 366 days which could only be  
9 served in county jail. Thus, while convictions would result in imprisonment in county jail,  
10 the offenses would remain felonies within the meaning of section 17 of the penal code.  
11 The reduction in the ADP as a result of this proposal would be 11,815 by December  
12 2011. To determine the reduction of ADP for this proposal, CDCR utilized data in OBIS.  
13 Specifically, CDCR looked at the number of admits to CDCR for these particular crimes.  
14 CDCR then estimated a reduction in ADP based on the average length of sentence for  
15 these individuals.

16  
17       I declare under the penalty of perjury under the laws of the State of California that  
18 the foregoing is true and correct. Executed in Sacramento, California on November 12,  
19 2009.

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DAVID LEWIS

**EXHIBIT 1**

| <b>Prison Reform Measures -- Proposals And Legislative Action</b>                                                                                                                       |                                                 |                                         |                                                                           |                                                                             |                            |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-----------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------------|----------------------------|--|
| <b>Proposed Reform Measures</b>                                                                                                                                                         | <b>Estimated Reduction in ADP '09-10 '10-11</b> | <b>Estimated Date of Implementation</b> | <b>Senate Action - ABX3 14 (Aug. 20, 2009) (Votes: 21 ayes, 19 noes?)</b> | <b>Assembly Action - SBX 3 18 (Aug. 31, 2009) (Votes: 41 ayes, 37 noes)</b> | <b>Final SBx 3 18</b>      |  |
| <b>Governor-Initiated Proposals</b>                                                                                                                                                     |                                                 |                                         |                                                                           |                                                                             |                            |  |
| • Increase the monetary threshold for grand theft from \$400 to \$2,500                                                                                                                 | 1,389                                           | July 1, 2009                            | passed                                                                    | rejected and removed from bill                                              | not included in final bill |  |
| • Provide alternative housing options for low-level offenders (alternative custody)                                                                                                     | 6,307 not provided                              | July 1, 2009                            | passed                                                                    | rejected and removed from bill                                              | not included in final bill |  |
| • Change sentencing options for certain crimes that may currently be charged as either a misdemeanor or felony ("wobbler" crimes) so they are only chargeable as a misdemeanor.         | 4,343                                           | January 1, 2010                         | passed                                                                    | rejected and removed from bill                                              | not included in final bill |  |
| • Eliminate parole for low and moderate risk non-serious, non-violent, non-sex offender parolees: certain offender parolees will be placed on summary parole with no parole supervision | 4,053                                           | July 1, 2009                            | passed                                                                    | passed                                                                      | included in bill           |  |
| • Credit-earning enhancements: day-for-day jail credits; program completion credits; day-for-day credits for good behavior; two-for-one credits to participate in fire camp training    | 1,658                                           | July 1, 2009                            | passed                                                                    | passed                                                                      | included in bill           |  |

| Proposed Reform Measures                                                                                                                      | Estimated Reduction in ADP<br>'09-10 '10-11 |        | Estimated Date of<br>Implementation | Senate Action -<br>ABX3 14 (Aug. 20,<br>2009) (Votes: 21<br>ayes, 19 noes?) | Assembly Action -<br>SBX 3 18 (Aug. 31,<br>2009) (Votes: 41<br>ayes, 37 noes) | Final SBX 3 18                |
|-----------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|--------|-------------------------------------|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------|
| • Discharge deported parolees                                                                                                                 | 269                                         | 261    | May 1, 2009                         | no legislative<br>action required                                           | no legislative action<br>required                                             | not applicable                |
| • Deport undocumented inmates                                                                                                                 | 8,505                                       | 8,712  | July 1, 2009                        | no legislative<br>action required                                           | no legislative action<br>required                                             | not applicable                |
| • Use of GPS as an alternative sanction                                                                                                       | 1,029                                       | 1,900  | July 1, 2009                        | no legislative<br>action required                                           | no legislative action<br>required                                             | not applicable                |
| • Elimination of prison and parole<br>programs                                                                                                | -750                                        | -1,000 | July 1, 2009                        | Reduced to \$250<br>million                                                 | Reduced to \$250<br>million                                                   | not applicable                |
| • Creation of sentencing commission                                                                                                           | unknown                                     |        | January 1, 2010                     | passed                                                                      | rejected and<br>removed from bill                                             | not included in<br>final bill |
| <b>TOTAL ESTIMATED REDUCTION</b>                                                                                                              | 27,553                                      | 38,124 |                                     |                                                                             |                                                                               |                               |
| <b>PERCENT REDUCTION IN DESIGN<br/>BED CAPACITY</b>                                                                                           | 156%                                        | 143%   |                                     |                                                                             |                                                                               |                               |
| <b>Legislature-Initiated Proposals (ABX4 1, Sec. 67 - Chaptered July 28, 2009)</b>                                                            |                                             |        |                                     |                                                                             |                                                                               |                               |
| • Community Corrections Performance<br>Incentives: a fiscal incentive program<br>for county probation departments that<br>demonstrate success | none made                                   |        | July 1, 2009                        | passed                                                                      | passed                                                                        | included in bill              |

| Proposed Reform Measures                                                                                               | Estimated Reduction in ADP '09-10 '10-11 | Estimated Date of Implementation | Senate Action - ABX3 14 (Aug. 20, 2009) (Votes: 21 ayes, 19 noes?) | Assembly Action - SBX 3 18 (Aug. 31, 2009) (Votes: 41 ayes, 37 noes) | Final SBX 3 18   |
|------------------------------------------------------------------------------------------------------------------------|------------------------------------------|----------------------------------|--------------------------------------------------------------------|----------------------------------------------------------------------|------------------|
| <ul style="list-style-type: none"> <li>Parole reentry courts for parolees with drug and mental health needs</li> </ul> | none made                                | July 1, 2009                     | passed                                                             | passed                                                               | included in bill |

EXHIBIT 2

UNOFFICIAL BALLOT

MEASURE: ABX3 14  
AUTHOR: Arambula  
TOPIC: Corrections.  
DATE: 08/20/2009  
LOCATION: SEN. FLOOR  
MOTION: Assembly 3rd Reading AB14 Arambula By Ducheny  
(AYES 21. NOES 19.) (PASS)

AYES  
\*\*\*\*

Alquist Cedillo Corbett DeSaulnier  
Ducheny Hancock Kehoe Leno  
Liu Lowenthal Negrete McLeod Oropeza  
Pavley Price Romero Simitian  
Steinberg Wiggins Wolk Wright  
Yee

NOES  
\*\*\*\*

Aanestad Ashburn Benoit Calderon  
Cogdill Correa Cox Denham  
Dutton Florez Harman Hollingsworth  
Huff Maldonado Padilla Runner  
Strickland Walters Wyland

ABSENT, ABSTAINING, OR NOT VOTING  
\*\*\*\*\*

EXHIBIT 3

UNOFFICIAL BALLOT

MEASURE: SBX3 18  
AUTHOR: Ducheny  
TOPIC: Corrections.  
DATE: 08/31/2009  
LOCATION: ASM. FLOOR  
MOTION: SB 18 Ducheny Senate Third Reading By ARAMBULA Third  
Extraordinary Session  
(AYES 41. NOES 37.) (PASS)

AYES  
\*\*\*\*

Ammiano Arambula Beall Blumenfield  
Brownley Buchanan Charles Calderon Carter  
Chesbro Coto Davis De La Torre  
De Leon Eng Evans Feuer  
Fong Fuentes Furutani Galgiani  
Hall Hayashi Hernandez Hill  
Huffman Jones Krekorian Bonnie Lowenthal  
Monning John A. Perez Ruskin Salas  
Saldana Skinner Solorio Swanson  
Torlakson Torres Torrico Yamada  
Bass

NOES  
\*\*\*\*

Adams Anderson Bill Berryhill Tom Berryhill  
Blakeslee Block Caballero Conway  
Cook DeVore Duvall Emmerson  
Fletcher Fuller Gaines Garrick  
Gilmore Hagman Harkey Huber  
Jeffries Knight Lieu Logue  
Ma Mendoza Miller Nava  
Nestande Niello Nielsen V. Manuel Perez  
Silva Smyth Audra Strickland Tran  
Villines

ABSENT, ABSTAINING, OR NOT VOTING  
\*\*\*\*\*

Portantino Vacancy

**EXHIBIT 4**

**Senate Bill No. 18**

**CHAPTER 28**

An act to amend Sections 14491, 17550.19, and 21653 of the Business and Professions Code, to amend Section 5305 of the Financial Code, to amend Section 421 of the Military and Veterans Code, to amend Sections 154, 155, 337.4, 368, 422.7, 461, 463, 476a, 484b, 484g, 484h, 487, 487b, 487c, 487e, 487f, 487h, 496, 498, 500, 502, 537, 537e, 550, 551, 565, 566, 592, 594.4, 641.3, 2932, 2933, 2933.2, 2933.3, 2933.5, 2933.6, 2934, 2935, 3000, 4019, and 4600 of, to amend and renumber Section 2933.4 of, to add Sections 2933.05 and 3000.03 to, to add Article 2.3 (commencing with Section 3015) to Chapter 8 of Title 1 of Part 3 of, and to add and repeal Chapter 3 (commencing with Section 1228) of Title 8 of Part 2 of, the Penal Code, to amend Sections 14591 and 41955 of the Public Resources Code, to amend Sections 10851.5 and 42002.4 of the Vehicle Code, and to amend Sections 10980 and 15656 of the Welfare and Institutions Code, relating to corrections.

[Approved by Governor October 11, 2009. Filed with  
Secretary of State October 11, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

SB 18, Ducheny. Corrections.

Existing law establishes certain values for determining if theft or certain other property crimes are punishable as felonies or not. Existing law provides that for many of these crimes, the threshold is \$400, while the thresholds for certain other crimes are \$100, \$200, and \$1,000, as specified.

This bill would increase certain of those thresholds, for example, by increasing certain \$400 thresholds to \$950.

By increasing local incarceration costs, this bill would impose a state-mandated local program.

Existing law provides for a 6-month reduction in a prisoner's term of confinement for every 6 months of full-time performance by the prisoner in a qualified work, training, or education program, as specified. Existing law provides that for every 6 days served in a specified local detention center following an arrest and prior to the imposition of a prison sentence for a felony conviction, 2 days shall be deducted from his or her period of confinement, as specified.

This bill would instead provide that certain prisoners shall earn one day of credit for every one day served either in the state prison or in a local facility prior to delivery to the state prison. This bill would provide for up to 6 weeks of additional credit for the successful completion of certain programs offered by the department, as specified. This bill would also expand an existing program for extra time credits for inmates assigned to

conservation camps to apply to inmates who are assigned to correctional institutions as inmate firefighters and to inmates who have completed the training for either of those assignments, as specified. This bill would also revise the time credits for certain prisoners confined or committed to a county jail or other specified facilities, as provided.

This bill would also provide criteria for the denial and loss of these credits, and would make various conforming and technical changes.

Existing law establishes provisions authorizing the department to oversee programs for the purposes of reducing parolee recidivism.

This bill would authorize each county to establish a Community Corrections Performance Incentives Fund (CCPIF) and would authorize the state to annually allocate money into a State Corrections Performance Incentives Fund to be used for certain purposes relating to improving local probation supervision practices and capacities, as specified. This bill would require the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, to make various calculations relating to the costs of incarceration, probation failure rates, and estimated numbers of adult felony probationers who are successfully prevented from being sent to prison per county, as specified. This bill would require the Department of Finance, in consultation with other specified agencies, to annually calculate 5% of the savings to the state attributed to those counties that successfully reduce the number of adult felony probationers sent to prison, and the bill would authorize those savings to be used to provide high performance grants to county probation departments to reduce recidivism among adult felony probationers. This bill would also require each county using CCPIF funds to identify and track specific outcome-based measures, as specified, and report to the Administrative Office of the Courts on the effectiveness of the programs paid for by the CCPIF.

This bill would require each county's community corrections programs to be developed and implemented by the probation department, as advised by a local Community Corrections Partnership. This bill would require specified local officials to serve as part of that Community Corrections Partnership. Because this bill would increase the duties for certain local officials, it would impose a state-mandated local program.

Existing law requires the Department of Corrections and Rehabilitation to release a prisoner on a specified period of parole after the expiration of a specified term of imprisonment. Under existing law, the department is authorized to return a parolee to prison if the Board of Parole Hearings determines that the parolee violated the terms of his or her parole, as specified.

This bill would prohibit the department from returning certain parolees to prison, placing a parole hold on the parolee, or reporting the parolee to the Board of Parole Hearings for a violation of parole, as specified.

Existing law requires the Department of Corrections and Rehabilitation to establish certain pilot programs to assist parolees in the successful reintegration of those parolees into the community.

This bill would require the Secretary of the Department of Corrections and Rehabilitation to establish a parole reentry accountability program for parolees who have been sentenced to a determinate term of imprisonment. The bill would require the department to employ a parole violation decisionmaking instrument to determine the most appropriate sanctions for parolees who violate their parole conditions. The bill would require the department to adopt regulations that make appropriate changes in policies and procedures to reflect the bill's intent.

The bill would also authorize the department to refer these parolees, if they have a history of substance abuse or mental illness and violate their parole conditions, to a reentry court program. The bill would require the secretary, subject to available funding, to enter into a memorandum of understanding with the Administrative Office of the Courts for the purpose of the establishment and operation of parolee reentry programs, as specified.

The bill would require the Judicial Council, in collaboration with the department, to design and perform an evaluation of the program to assess its effectiveness in reducing recidivism among parolees and reducing parole revocations. The bill would also require the Judicial Council, in collaboration with the department, to submit a final report of its findings to the Legislature and the Governor, as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. The Governor issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on December 19, 2008.

This bill would state that it addresses the fiscal emergency declared by the Governor by proclamation issued on December 19, 2008, pursuant to the California Constitution.

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

SECTION 1. Section 14491 of the Business and Professions Code is amended to read:

14491. The violation of any of the provisions of this article is a misdemeanor, except that if the violation consists of unlawfully using,

selling, or secreting in any place supplies of a value exceeding nine hundred fifty dollars (\$950), the violation is a felony.

SEC. 2. Section 17550.19 of the Business and Professions Code is amended to read:

17550.19. In addition to any civil penalties provided in this division, violation of this article is punishable as follows:

(a) As a misdemeanor by a fine of not more than ten thousand dollars (\$10,000), by imprisonment in a county jail for not more than one year, or by both that fine and imprisonment for each violation.

(b) In addition, any violation of Section 17550.14 or subdivision (b) or (c) of Section 17550.15 where money or real or personal property received or obtained by a seller of travel for transportation or travel services from any and all persons aggregates two thousand three hundred fifty dollars (\$2,350) or more in any consecutive 12-month period, or the payment or payments by or on behalf of any one passenger exceeds in the aggregate nine hundred fifty dollars (\$950) in any 12-month period, is punishable either as a misdemeanor or as a felony by imprisonment in the state prison for 16 months, or two or three years, by a fine of not more than twenty-five thousand dollars (\$25,000), or by both that fine and imprisonment for each violation.

(c) In addition, any intentional use for any purpose of a false seller of travel registration number, with intent to defraud, by an unregistered seller of travel is punishable as a misdemeanor or felony as provided in this section.

(d) Any violation of Section 17550.15 shall be a misdemeanor and shall be punished as provided in this section. Every act in violation of Section 17550.15 may be prosecuted as a separate and distinct violation and consecutive sentences may be imposed for each violation.

(e) Sellers of travel shall also comply with Sections 17537, 17537.1, and 17537.2 of the Business and Professions Code and all other applicable laws. This section shall not be construed to preclude the applicability of any other provision of the criminal law of this state that applies or may apply to any transaction.

SEC. 3. Section 21653 of the Business and Professions Code is amended to read:

21653. Every junk dealer or secondhand dealer who resells any item acquired in violation of Section 21652 is guilty of a felony, if the value of the item exceeds nine hundred fifty dollars (\$950), and is guilty of a misdemeanor if the value of the item does not exceed nine hundred fifty dollars (\$950).

SEC. 4. Section 5305 of the Financial Code is amended to read:

5305. Any institution-affiliated party who abstracts or willfully misapplies any of the money, funds, or property of the savings association, or willfully misapplies its credit, is guilty of a felony and shall be punished by a fine of not more than one million dollars (\$1,000,000), by imprisonment in the state prison for 2, 3, or 4 years, or by both that fine and imprisonment. However, if the amount abstracted or willfully misapplied does not exceed two hundred fifty dollars (\$250), the offense shall instead be punishable by

a fine of not more than one thousand dollars (\$1,000), by imprisonment in the county jail for not more than one year or in the state prison, or by both that fine and imprisonment.

SEC. 5. Section 421 of the Military and Veterans Code is amended to read:

421. Any person who secretes, sells, disposes of, offers for sale, purchases, retains after demand made by a commissioned officer of the National Guard or of the unorganized militia when called into the service of the state or Naval Militia, or in any manner pawns or pledges any arms, uniforms, equipment, or military or naval property of the state or of the United States, or of any organization of the active militia or of the unorganized militia when called into the service of the state is guilty of a felony if said arms, uniforms, equipments, or military or naval property of the state or of the United States is of a value of nine hundred fifty dollars (\$950) or more, otherwise such person is guilty of a misdemeanor.

SEC. 6. Section 154 of the Penal Code is amended to read:

154. (a) Every debtor who fraudulently removes his or her property or effects out of this state, or who fraudulently sells, conveys, assigns or conceals his or her property with intent to defraud, hinder or delay his or her creditors of their rights, claims, or demands, is punishable by imprisonment in the county jail not exceeding one year, or by fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

(b) Where the property so removed, sold, conveyed, assigned, or concealed consists of a stock in trade, or a part thereof, of a value exceeding two hundred fifty dollars (\$250), the offense shall be a felony and punishable as such.

SEC. 7. Section 155 of the Penal Code is amended to read:

155. (a) Every person against whom an action is pending, or against whom a judgment has been rendered for the recovery of any personal property, who fraudulently conceals, sells, or disposes of that property, with intent to hinder, delay, or defraud the person bringing the action or recovering the judgment, or with such intent removes that property beyond the limits of the county in which it may be at the time of the commencement of the action or the rendering of the judgment, is punishable by imprisonment in a county jail not exceeding one year, or by fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

(b) Where the property so concealed, sold, disposed of, or removed consists of a stock in trade, or a part thereof, of a value exceeding two hundred fifty dollars (\$250), the offenses shall be a felony and punishable as such.

SEC. 8. Section 337.4 of the Penal Code is amended to read:

337.4. Any person who in the commission of touting obtains money in excess of nine hundred fifty dollars (\$950) may, in addition to being prosecuted for the violation of any provision of this chapter, be prosecuted for the violation of Section 487 of this code.

SEC. 9. Section 368 of the Penal Code is amended to read:

368. (a) The Legislature finds and declares that crimes against elders and dependent adults are deserving of special consideration and protection, not unlike the special protections provided for minor children, because elders and dependent adults may be confused, on various medications, mentally or physically impaired, or incompetent, and therefore less able to protect themselves, to understand or report criminal conduct, or to testify in court proceedings on their own behalf.

(b) (1) Any person who knows or reasonably should know that a person is an elder or dependent adult and who, under circumstances or conditions likely to produce great bodily harm or death, willfully causes or permits any elder or dependent adult to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any elder or dependent adult, willfully causes or permits the person or health of the elder or dependent adult to be injured, or willfully causes or permits the elder or dependent adult to be placed in a situation in which his or her person or health is endangered, is punishable by imprisonment in a county jail not exceeding one year, or by a fine not to exceed six thousand dollars (\$6,000), or by both that fine and imprisonment, or by imprisonment in the state prison for two, three, or four years.

(2) If in the commission of an offense described in paragraph (1), the victim suffers great bodily injury, as defined in Section 12022.7, the defendant shall receive an additional term in the state prison as follows:

(A) Three years if the victim is under 70 years of age.

(B) Five years if the victim is 70 years of age or older.

(3) If in the commission of an offense described in paragraph (1), the defendant proximately causes the death of the victim, the defendant shall receive an additional term in the state prison as follows:

(A) Five years if the victim is under 70 years of age.

(B) Seven years if the victim is 70 years of age or older.

(c) Any person who knows or reasonably should know that a person is an elder or dependent adult and who, under circumstances or conditions other than those likely to produce great bodily harm or death, willfully causes or permits any elder or dependent adult to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any elder or dependent adult, willfully causes or permits the person or health of the elder or dependent adult to be injured or willfully causes or permits the elder or dependent adult to be placed in a situation in which his or her person or health may be endangered, is guilty of a misdemeanor. A second or subsequent violation of this subdivision is punishable by a fine not to exceed two thousand dollars (\$2,000), or by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment.

(d) Any person who is not a caretaker who violates any provision of law proscribing theft, embezzlement, forgery, or fraud, or who violates Section 530.5 proscribing identity theft, with respect to the property or personal identifying information of an elder or a dependent adult, and who knows or reasonably should know that the victim is an elder or a dependent adult, is punishable by imprisonment in a county jail not exceeding one year, or

in the state prison for two, three, or four years, when the moneys, labor, goods, services, or real or personal property taken or obtained is of a value exceeding nine hundred fifty dollars (\$950); and by a fine not exceeding one thousand dollars (\$1,000), by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment, when the moneys, labor, goods, services, or real or personal property taken or obtained is of a value not exceeding nine hundred fifty dollars (\$950).

(e) Any caretaker of an elder or a dependent adult who violates any provision of law proscribing theft, embezzlement, forgery, or fraud, or who violates Section 530.5 proscribing identity theft, with respect to the property or personal identifying information of that elder or dependent adult, is punishable by imprisonment in a county jail not exceeding one year, or in the state prison for two, three, or four years when the moneys, labor, goods, services, or real or personal property taken or obtained is of a value exceeding nine hundred fifty dollars (\$950), and by a fine not exceeding one thousand dollars (\$1,000), by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment, when the moneys, labor, goods, services, or real or personal property taken or obtained is of a value not exceeding nine hundred fifty dollars (\$950).

(f) Any person who commits the false imprisonment of an elder or a dependent adult by the use of violence, menace, fraud, or deceit is punishable by imprisonment in the state prison for two, three, or four years.

(g) As used in this section, "elder" means any person who is 65 years of age or older.

(h) As used in this section, "dependent adult" means any person who is between the ages of 18 and 64, who has physical or mental limitations which restrict his or her ability to carry out normal activities or to protect his or her rights, including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. "Dependent adult" includes any person between the ages of 18 and 64 who is admitted as an inpatient to a 24-hour health facility, as defined in Sections 1250, 1250.2, and 1250.3 of the Health and Safety Code.

(i) As used in this section, "caretaker" means any person who has the care, custody, or control of, or who stands in a position of trust with, an elder or a dependent adult.

(j) Nothing in this section shall preclude prosecution under both this section and Section 187 or 12022.7 or any other provision of law. However, a person shall not receive an additional term of imprisonment under both paragraphs (2) and (3) of subdivision (b) for any single offense, nor shall a person receive an additional term of imprisonment under both Section 12022.7 and paragraph (2) or (3) of subdivision (b) for any single offense.

(k) In any case in which a person is convicted of violating these provisions, the court may require him or her to receive appropriate counseling as a condition of probation. Any defendant ordered to be placed in a counseling program shall be responsible for paying the expense of his or her participation in the counseling program as determined by the court.

The court shall take into consideration the ability of the defendant to pay, and no defendant shall be denied probation because of his or her inability to pay.

SEC. 10. Section 422.7 of the Penal Code is amended to read:

422.7. Except in the case of a person punished under Section 422.6, any hate crime that is not made punishable by imprisonment in the state prison shall be punishable by imprisonment in the state prison or in a county jail not to exceed one year, by a fine not to exceed ten thousand dollars (\$10,000), or by both that imprisonment and fine, if the crime is committed against the person or property of another for the purpose of intimidating or interfering with that other person's free exercise or enjoyment of any right secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States under any of the following circumstances, which shall be charged in the accusatory pleading:

(a) The crime against the person of another either includes the present ability to commit a violent injury or causes actual physical injury.

(b) The crime against property causes damage in excess of nine hundred fifty dollars (\$950).

(c) The person charged with a crime under this section has been convicted previously of a violation of subdivision (a) or (b) of Section 422.6, or has been convicted previously of a conspiracy to commit a crime described in subdivision (a) or (b) of Section 422.6.

SEC. 11. Section 461 of the Penal Code is amended to read:

461. Burglary is punishable as follows:

(a) Burglary in the first degree: by imprisonment in the state prison for two, four, or six years.

(b) Burglary in the second degree: by imprisonment in the county jail not exceeding one year or in the state prison.

SEC. 12. Section 463 of the Penal Code is amended to read:

463. (a) Every person who violates Section 459, punishable as a second-degree burglary pursuant to subdivision (b) of Section 461, during and within an affected county in a "state of emergency" or a "local emergency" resulting from an earthquake, fire, flood, riot, or other natural or manmade disaster shall be guilty of the crime of looting, punishable by imprisonment in a county jail for one year or in the state prison. Any person convicted under this subdivision who is eligible for probation and who is granted probation shall, as a condition thereof, be confined in a county jail for at least 180 days, except that the court may, in the case where the interest of justice would best be served, reduce or eliminate that mandatory jail sentence, if the court specifies on the record and enters into the minutes the circumstances indicating that the interest of justice would best be served by that disposition. In addition to whatever custody is ordered, the court, in its discretion, may require any person granted probation following conviction under this subdivision to serve up to 240 hours of community service in any program deemed appropriate by the court, including any program created to rebuild the community.

For purposes of this section, the fact that the structure entered has been damaged by the earthquake, fire, flood, or other natural or manmade disaster shall not, in and of itself, preclude conviction.

(b) Every person who commits the crime of grand theft, as defined in Section 487, except grand theft of a firearm, during and within an affected county in a “state of emergency” or a “local emergency” resulting from an earthquake, fire, flood, riot, or other natural or unnatural disaster shall be guilty of the crime of looting, punishable by imprisonment in a county jail for one year or in the state prison. Every person who commits the crime of grand theft of a firearm, as defined in Section 487, during and within an affected county in a “state of emergency” or a “local emergency” resulting from an earthquake, fire, flood, riot, or other natural or unnatural disaster shall be guilty of the crime of looting, punishable by imprisonment in the state prison, as set forth in subdivision (a) of Section 489. Any person convicted under this subdivision who is eligible for probation and who is granted probation shall, as a condition thereof, be confined in a county jail for at least 180 days, except that the court may, in the case where the interest of justice would best be served, reduce or eliminate that mandatory jail sentence, if the court specifies on the record and enters into the minutes the circumstances indicating that the interest of justice would best be served by that disposition. In addition to whatever custody is ordered, the court, in its discretion, may require any person granted probation following conviction under this subdivision to serve up to 160 hours of community service in any program deemed appropriate by the court, including any program created to rebuild the community.

(c) Every person who commits the crime of petty theft, as defined in Section 488, during and within an affected county in a “state of emergency” or a “local emergency” resulting from an earthquake, fire, flood, riot, or other natural or manmade disaster shall be guilty of a misdemeanor, punishable by imprisonment in a county jail for six months. Any person convicted under this subdivision who is eligible for probation and who is granted probation shall, as a condition thereof, be confined in a county jail for at least 90 days, except that the court may, in the case where the interest of justice would best be served, reduce or eliminate that mandatory minimum jail sentence, if the court specifies on the record and enters into the minutes the circumstances indicating that the interest of justice would best be served by that disposition. In addition to whatever custody is ordered, the court, in its discretion, may require any person granted probation following conviction under this subdivision to serve up to 80 hours of community service in any program deemed appropriate by the court, including any program created to rebuild the community.

(d) (1) For purposes of this section, “state of emergency” means conditions which, by reason of their magnitude, are, or are likely to be, beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat.

(2) For purposes of this section, “local emergency” means conditions which, by reason of their magnitude, are, or are likely to be, beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat.

(3) For purposes of this section, a “state of emergency” shall exist from the time of the proclamation of the condition of the emergency until terminated pursuant to Section 8629 of the Government Code. For purposes of this section only, a “local emergency” shall exist from the time of the proclamation of the condition of the emergency by the local governing body until terminated pursuant to Section 8630 of the Government Code.

(4) Consensual entry into a commercial structure with the intent to commit a violation of Section 470, 476, 476a, 484f, or 484g of the Penal Code, shall not be charged as a violation under this section.

SEC. 13. Section 476a of the Penal Code is amended to read:

476a. (a) Any person who for himself or as the agent or representative of another or as an officer of a corporation, willfully, with intent to defraud, makes or draws or utters or delivers any check, or draft or order upon any bank or depository, or person, or firm, or corporation, for the payment of money, knowing at the time of that making, drawing, uttering, or delivering that the maker or drawer or the corporation has not sufficient funds in, or credit with the bank or depository, or person, or firm, or corporation, for the payment of that check, draft, or order and all other checks, drafts, or orders upon funds then outstanding, in full upon its presentation, although no express representation is made with reference thereto, is punishable by imprisonment in a county jail for not more than one year, or in the state prison.

(b) However, if the total amount of all such checks, drafts, or orders that the defendant is charged with and convicted of making, drawing, or uttering does not exceed four hundred fifty dollars (\$450), the offense is punishable only by imprisonment in the county jail for not more than one year, except that this subdivision shall not be applicable if the defendant has previously been convicted of a violation of Section 470, 475, or 476, or of this section, or of the crime of petty theft in a case in which defendant’s offense was a violation also of Section 470, 475, or 476 or of this section or if the defendant has previously been convicted of any offense under the laws of any other state or of the United States which, if committed in this state, would have been punishable as a violation of Section 470, 475 or 476 or of this section or if he has been so convicted of the crime of petty theft in a case in which, if defendant’s offense had been committed in this state, it would have been a violation also of Section 470, 475, or 476, or of this section.

(c) Where the check, draft, or order is protested, on the ground of insufficiency of funds or credit, the notice of protest shall be admissible as proof of presentation, nonpayment and protest and shall be presumptive evidence of knowledge of insufficiency of funds or credit with the bank or depository, or person, or firm, or corporation.

(d) In any prosecution under this section involving two or more checks, drafts, or orders, it shall constitute prima facie evidence of the identity of the drawer of a check, draft, or order if both of the following occur:

(1) When the payee accepts the check, draft or order from the drawer, he or she obtains from the drawer the following information: name and residence of the drawer, business or mailing address, either a valid driver's license number or Department of Motor Vehicles identification card number, and the drawer's home or work phone number or place of employment. That information may be recorded on the check, draft, or order itself or may be retained on file by the payee and referred to on the check, draft, or order by identifying number or other similar means.

(2) The person receiving the check, draft, or order witnesses the drawer's signature or endorsement, and, as evidence of that, initials the check, draft, or order at the time of receipt.

(e) The word "credit" as used herein shall be construed to mean an arrangement or understanding with the bank or depository or person or firm or corporation for the payment of such check, draft or order.

(f) If any of the preceding paragraphs, or parts thereof, shall be found unconstitutional or invalid, the remainder of this section shall not thereby be invalidated, but shall remain in full force and effect.

(g) A sheriff's department, police department, or other law enforcement agency may collect a fee from the defendant for investigation, collection, and processing of checks referred to their agency for investigation of alleged violations of this section or Section 476.

The amount of the fee shall not exceed twenty-five dollars (\$25) for each bad check in addition to the amount of any bank charges incurred by the victim as a result of the alleged offense. If the sheriff's department, police department, or other law enforcement agency collects any fee for bank charges incurred by the victim pursuant to this section, that fee shall be paid to the victim for any bank fees the victim may have been assessed. In no event shall reimbursement of the bank charge to the victim pursuant to this section exceed ten dollars (\$10) per check.

SEC. 14. Section 484b of the Penal Code is amended to read:

484b. Any person who receives money for the purpose of obtaining or paying for services, labor, materials or equipment and willfully fails to apply such money for such purpose by either willfully failing to complete the improvements for which funds were provided or willfully failing to pay for services, labor, materials or equipment provided incident to such construction, and wrongfully diverts the funds to a use other than that for which the funds were received, shall be guilty of a public offense and shall be punishable by a fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in the state prison, or in a county jail not exceeding one year, or by both that fine and that imprisonment if the amount diverted is in excess of two thousand three hundred fifty dollars (\$2,350). If the amount diverted is less than or equal to two thousand three hundred fifty dollars (\$2,350), the person shall be guilty of a misdemeanor.

SEC. 15. Section 484g of the Penal Code is amended to read:

484g. Every person who, with the intent to defraud, (a) uses, for the purpose of obtaining money, goods, services, or anything else of value, an access card or access card account information that has been altered, obtained, or retained in violation of Section 484e or 484f, or an access card which he or she knows is forged, expired, or revoked, or (b) obtains money, goods, services, or anything else of value by representing without the consent of the cardholder that he or she is the holder of an access card and the card has not in fact been issued, is guilty of theft. If the value of all money, goods, services, and other things of value obtained in violation of this section exceeds nine hundred fifty dollars (\$950) in any consecutive six-month period, then the same shall constitute grand theft.

SEC. 16. Section 484h of the Penal Code is amended to read:

484h. Every retailer or other person who, with intent to defraud:

(a) Furnishes money, goods, services or anything else of value upon presentation of an access card obtained or retained in violation of Section 484e or an access card which he or she knows is a counterfeit access card or is forged, expired, or revoked, and who receives any payment therefor, is guilty of theft. If the payment received by the retailer or other person for all money, goods, services, and other things of value furnished in violation of this section exceeds nine hundred fifty dollars (\$950) in any consecutive six-month period, then the same shall constitute grand theft.

(b) Presents for payment a sales slip or other evidence of an access card transaction, and receives payment therefor, without furnishing in the transaction money, goods, services, or anything else of value that is equal in value to the amount of the sales slip or other evidence of an access card transaction, is guilty of theft. If the difference between the value of all money, goods, services, and anything else of value actually furnished and the payment or payments received by the retailer or other person therefor upon presentation of a sales slip or other evidence of an access card transaction exceeds nine hundred fifty dollars (\$950) in any consecutive six-month period, then the same shall constitute grand theft.

SEC. 17. Section 487 of the Penal Code is amended to read:

487. Grand theft is theft committed in any of the following cases:

(a) When the money, labor, or real or personal property taken is of a value exceeding four hundred dollars (\$400) except as provided in subdivision (b).

(b) Notwithstanding subdivision (a), grand theft is committed in any of the following cases:

(1) (A) When domestic fowls, avocados, olives, citrus or deciduous fruits, other fruits, vegetables, nuts, artichokes, or other farm crops are taken of a value exceeding two hundred fifty dollars (\$250).

(B) For the purposes of establishing that the value of avocados or citrus fruit under this paragraph exceeds two hundred fifty dollars (\$250), that value may be shown by the presentation of credible evidence which establishes that on the day of the theft avocados or citrus fruit of the same variety and weight exceeded two hundred fifty dollars (\$250) in wholesale value.

(2) When fish, shellfish, mollusks, crustaceans, kelp, algae, or other aquacultural products are taken from a commercial or research operation which is producing that product, of a value exceeding two hundred fifty dollars (\$250).

(3) Where the money, labor, or real or personal property is taken by a servant, agent, or employee from his or her principal or employer and aggregates nine hundred fifty dollars (\$950) or more in any 12 consecutive month period.

(c) When the property is taken from the person of another.

(d) When the property taken is any of the following:

(1) An automobile, horse, mare, gelding, any bovine animal, any caprine animal, mule, jack, jenny, sheep, lamb, hog, sow, boar, gilt, barrow, or pig.

(2) A firearm.

(e) This section shall become operative on January 1, 1997.

SEC. 18. Section 487b of the Penal Code is amended to read:

487b. Every person who converts real estate of the value of two hundred fifty dollars (\$250) or more into personal property by severance from the realty of another, and with felonious intent to do so, steals, takes, and carries away that property is guilty of grand theft and is punishable by imprisonment in the state prison.

SEC. 19. Section 487c of the Penal Code is amended to read:

487c. Every person who converts real estate of the value of less than two hundred fifty dollars (\$250) into personal property by severance from the realty of another, and with felonious intent to do so steals, takes, and carries away that property is guilty of petty theft and is punishable by imprisonment in the county jail for not more than one year, or by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

SEC. 20. Section 487e of the Penal Code is amended to read:

487e. Every person who feloniously steals, takes, or carries away a dog of another which is of a value exceeding nine hundred fifty dollars (\$950) is guilty of grand theft.

SEC. 21. Section 487f of the Penal Code is amended to read:

487f. Every person who feloniously steals, takes, or carries away a dog of another which is of a value not exceeding nine hundred fifty dollars (\$950) is guilty of petty theft.

SEC. 22. Section 487h of the Penal Code is amended to read:

487h. (a) Every person who steals, takes, or carries away cargo of another, when the cargo taken is of a value exceeding nine hundred fifty dollars (\$950), except as provided in Sections 487, 487a, and 487d, is guilty of grand theft.

(b) For the purposes of this section, "cargo" means any goods, wares, products, or manufactured merchandise that has been loaded into a trailer, railcar, or cargo container, awaiting or in transit.

(c) This section shall remain in effect only until January 1, 2010, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2010, deletes or extends that date.

SEC. 23. Section 496 of the Penal Code is amended to read:

496. (a) Every person who buys or receives any property that has been stolen or that has been obtained in any manner constituting theft or extortion, knowing the property to be so stolen or obtained, or who conceals, sells, withholds, or aids in concealing, selling, or withholding any property from the owner, knowing the property to be so stolen or obtained, shall be punished by imprisonment in a state prison, or in a county jail for not more than one year. However, if the district attorney or the grand jury determines that this action would be in the interests of justice, the district attorney or the grand jury, as the case may be, may, if the value of the property does not exceed nine hundred fifty dollars (\$950), specify in the accusatory pleading that the offense shall be a misdemeanor, punishable only by imprisonment in a county jail not exceeding one year.

A principal in the actual theft of the property may be convicted pursuant to this section. However, no person may be convicted both pursuant to this section and of the theft of the same property.

(b) Every swap meet vendor, as defined in Section 21661 of the Business and Professions Code, and every person whose principal business is dealing in, or collecting, merchandise or personal property, and every agent, employee, or representative of that person, who buys or receives any property of a value in excess of nine hundred fifty dollars (\$950) that has been stolen or obtained in any manner constituting theft or extortion, under circumstances that should cause the person, agent, employee, or representative to make reasonable inquiry to ascertain that the person from whom the property was bought or received had the legal right to sell or deliver it, without making a reasonable inquiry, shall be punished by imprisonment in a state prison, or in a county jail for not more than one year.

Every swap meet vendor, as defined in Section 21661 of the Business and Professions Code, and every person whose principal business is dealing in, or collecting, merchandise or personal property, and every agent, employee, or representative of that person, who buys or receives any property of a value of nine hundred fifty dollars (\$950) or less that has been stolen or obtained in any manner constituting theft or extortion, under circumstances that should cause the person, agent, employee, or representative to make reasonable inquiry to ascertain that the person from whom the property was bought or received had the legal right to sell or deliver it, without making a reasonable inquiry, shall be guilty of a misdemeanor.

(c) Any person who has been injured by a violation of subdivision (a) or (b) may bring an action for three times the amount of actual damages, if any, sustained by the plaintiff, costs of suit, and reasonable attorney's fees.

(d) Notwithstanding Section 664, any attempt to commit any act prohibited by this section, except an offense specified in the accusatory pleading as a misdemeanor, is punishable by imprisonment in the state prison, or in a county jail for not more than one year.

SEC. 24. Section 498 of the Penal Code is amended to read:

498. (a) The following definitions govern the construction of this section:

(1) "Person" means any individual, or any partnership, firm, association, corporation, limited liability company, or other legal entity.

(2) "Utility" means any electrical, gas, or water corporation as those terms are defined in the Public Utilities Code, and electrical, gas, or water systems operated by any political subdivision.

(3) "Customer" means the person in whose name utility service is provided.

(4) "Utility service" means the provision of electricity, gas, water, or any other service provided by the utility for compensation.

(5) "Divert" means to change the intended course or path of electricity, gas, or water without the authorization or consent of the utility.

(6) "Tamper" means to rearrange, injure, alter, interfere with, or otherwise prevent from performing a normal or customary function.

(7) "Reconnection" means the reconnection of utility service by a customer or other person after service has been lawfully disconnected by the utility.

(b) Any person who, with intent to obtain for himself or herself utility services without paying the full lawful charge therefor, or with intent to enable another person to do so, or with intent to deprive any utility of any part of the full lawful charge for utility services it provides, commits, authorizes, solicits, aids, or abets any of the following shall be guilty of a misdemeanor:

(1) Diverts or causes to be diverted utility services, by any means.

(2) Prevents any utility meter, or other device used in determining the charge for utility services, from accurately performing its measuring function by tampering or by any other means.

(3) Tampers with any property owned by or used by the utility to provide utility services.

(4) Makes or causes to be made any connection with or reconnection with property owned or used by the utility to provide utility services without the authorization or consent of the utility.

(5) Uses or receives the direct benefit of all or a portion of utility services with knowledge or reason to believe that the diversion, tampering, or unauthorized connection existed at the time of that use, or that the use or receipt was otherwise without the authorization or consent of the utility.

(c) In any prosecution under this section, the presence of any of the following objects, circumstances, or conditions on premises controlled by the customer or by the person using or receiving the direct benefit of all or a portion of utility services obtained in violation of this section shall permit an inference that the customer or person intended to and did violate this section:

(1) Any instrument, apparatus, or device primarily designed to be used to obtain utility services without paying the full lawful charge therefor.

(2) Any meter that has been altered, tampered with, or bypassed so as to cause no measurement or inaccurate measurement of utility services.

(d) If the value of all utility services obtained in violation of this section totals more than nine hundred fifty dollars (\$950) or if the defendant has

previously been convicted of an offense under this section or any former section which would be an offense under this section, or of an offense under the laws of another state or of the United States which would have been an offense under this section if committed in this state, then the violation is punishable by imprisonment in a county jail for not more than one year, or in the state prison.

(e) This section shall not be construed to preclude the applicability of any other provision of the criminal law of this state.

SEC. 25. Section 500 of the Penal Code is amended to read:

500. (a) Any person who receives money for the actual or purported purpose of transmitting the same or its equivalent to foreign countries as specified in Section 1800.5 of the Financial Code who fails to do at least one of the following acts unless otherwise instructed by the customer is guilty of a misdemeanor or felony as set forth in subdivision (b):

(1) Forward the money as represented to the customer within 10 days of receipt of the funds.

(2) Give instructions within 10 days of receipt of the customer's funds, committing equivalent funds to the person designated by the customer.

(3) Refund to the customer any money not forwarded as represented within 10 days of the customer's written request for a refund pursuant to subdivision (a) of Section 1810.5 of the Financial Code.

(b) (1) If the total value of the funds received from the customer is less than nine hundred fifty dollars (\$950), the offense set forth in subdivision (a) is punishable by imprisonment in a county jail not exceeding one year or by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine.

(2) If the total value of the money received from the customer is nine hundred fifty dollars (\$950) or more, or if the total value of all moneys received by the person from different customers is nine hundred fifty dollars (\$950) or more, and the receipts were part of a common scheme or plan, the offense set forth in subdivision (a) is punishable by imprisonment in the state prison for 16 months, 2, or 3 years, by a fine not exceeding ten thousand dollars (\$10,000), or by both that imprisonment and fine.

SEC. 26. Section 502 of the Penal Code is amended to read:

502. (a) It is the intent of the Legislature in enacting this section to expand the degree of protection afforded to individuals, businesses, and governmental agencies from tampering, interference, damage, and unauthorized access to lawfully created computer data and computer systems. The Legislature finds and declares that the proliferation of computer technology has resulted in a concomitant proliferation of computer crime and other forms of unauthorized access to computers, computer systems, and computer data.

The Legislature further finds and declares that protection of the integrity of all types and forms of lawfully created computers, computer systems, and computer data is vital to the protection of the privacy of individuals as well as to the well-being of financial institutions, business concerns,

governmental agencies, and others within this state that lawfully utilize those computers, computer systems, and data.

(b) For the purposes of this section, the following terms have the following meanings:

(1) "Access" means to gain entry to, instruct, or communicate with the logical, arithmetical, or memory function resources of a computer, computer system, or computer network.

(2) "Computer network" means any system that provides communications between one or more computer systems and input/output devices including, but not limited to, display terminals and printers connected by telecommunication facilities.

(3) "Computer program or software" means a set of instructions or statements, and related data, that when executed in actual or modified form, cause a computer, computer system, or computer network to perform specified functions.

(4) "Computer services" includes, but is not limited to, computer time, data processing, or storage functions, or other uses of a computer, computer system, or computer network.

(5) "Computer system" means a device or collection of devices, including support devices and excluding calculators that are not programmable and capable of being used in conjunction with external files, one or more of which contain computer programs, electronic instructions, input data, and output data, that performs functions including, but not limited to, logic, arithmetic, data storage and retrieval, communication, and control.

(6) "Data" means a representation of information, knowledge, facts, concepts, computer software, computer programs or instructions. Data may be in any form, in storage media, or as stored in the memory of the computer or in transit or presented on a display device.

(7) "Supporting documentation" includes, but is not limited to, all information, in any form, pertaining to the design, construction, classification, implementation, use, or modification of a computer, computer system, computer network, computer program, or computer software, which information is not generally available to the public and is necessary for the operation of a computer, computer system, computer network, computer program, or computer software.

(8) "Injury" means any alteration, deletion, damage, or destruction of a computer system, computer network, computer program, or data caused by the access, or the denial of access to legitimate users of a computer system, network, or program.

(9) "Victim expenditure" means any expenditure reasonably and necessarily incurred by the owner or lessee to verify that a computer system, computer network, computer program, or data was or was not altered, deleted, damaged, or destroyed by the access.

(10) "Computer contaminant" means any set of computer instructions that are designed to modify, damage, destroy, record, or transmit information within a computer, computer system, or computer network without the intent or permission of the owner of the information. They include, but are not

limited to, a group of computer instructions commonly called viruses or worms, that are self-replicating or self-propagating and are designed to contaminate other computer programs or computer data, consume computer resources, modify, destroy, record, or transmit data, or in some other fashion usurp the normal operation of the computer, computer system, or computer network.

(11) "Internet domain name" means a globally unique, hierarchical reference to an Internet host or service, assigned through centralized Internet naming authorities, comprising a series of character strings separated by periods, with the rightmost character string specifying the top of the hierarchy.

(c) Except as provided in subdivision (h), any person who commits any of the following acts is guilty of a public offense:

(1) Knowingly accesses and without permission alters, damages, deletes, destroys, or otherwise uses any data, computer, computer system, or computer network in order to either (A) devise or execute any scheme or artifice to defraud, deceive, or extort, or (B) wrongfully control or obtain money, property, or data.

(2) Knowingly accesses and without permission takes, copies, or makes use of any data from a computer, computer system, or computer network, or takes or copies any supporting documentation, whether existing or residing internal or external to a computer, computer system, or computer network.

(3) Knowingly and without permission uses or causes to be used computer services.

(4) Knowingly accesses and without permission adds, alters, damages, deletes, or destroys any data, computer software, or computer programs which reside or exist internal or external to a computer, computer system, or computer network.

(5) Knowingly and without permission disrupts or causes the disruption of computer services or denies or causes the denial of computer services to an authorized user of a computer, computer system, or computer network.

(6) Knowingly and without permission provides or assists in providing a means of accessing a computer, computer system, or computer network in violation of this section.

(7) Knowingly and without permission accesses or causes to be accessed any computer, computer system, or computer network.

(8) Knowingly introduces any computer contaminant into any computer, computer system, or computer network.

(9) Knowingly and without permission uses the Internet domain name of another individual, corporation, or entity in connection with the sending of one or more electronic mail messages, and thereby damages or causes damage to a computer, computer system, or computer network.

(d) (1) Any person who violates any of the provisions of paragraph (1), (2), (4), or (5) of subdivision (c) is punishable by a fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in the state prison for 16 months, or two or three years, or by both that fine and imprisonment, or by

a fine not exceeding five thousand dollars (\$5,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

(2) Any person who violates paragraph (3) of subdivision (c) is punishable as follows:

(A) For the first violation that does not result in injury, and where the value of the computer services used does not exceed nine hundred fifty dollars (\$950), by a fine not exceeding five thousand dollars (\$5,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

(B) For any violation that results in a victim expenditure in an amount greater than five thousand dollars (\$5,000) or in an injury, or if the value of the computer services used exceeds nine hundred fifty dollars (\$950), or for any second or subsequent violation, by a fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in the state prison for 16 months, or two or three years, or by both that fine and imprisonment, or by a fine not exceeding five thousand dollars (\$5,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

(3) Any person who violates paragraph (6) or (7) of subdivision (c) is punishable as follows:

(A) For a first violation that does not result in injury, an infraction punishable by a fine not exceeding one thousand dollars (\$1,000).

(B) For any violation that results in a victim expenditure in an amount not greater than five thousand dollars (\$5,000), or for a second or subsequent violation, by a fine not exceeding five thousand dollars (\$5,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

(C) For any violation that results in a victim expenditure in an amount greater than five thousand dollars (\$5,000), by a fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in the state prison for 16 months, or two or three years, or by both that fine and imprisonment, or by a fine not exceeding five thousand dollars (\$5,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

(4) Any person who violates paragraph (8) of subdivision (c) is punishable as follows:

(A) For a first violation that does not result in injury, a misdemeanor punishable by a fine not exceeding five thousand dollars (\$5,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

(B) For any violation that results in injury, or for a second or subsequent violation, by a fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in a county jail not exceeding one year, or in the state prison, or by both that fine and imprisonment.

(5) Any person who violates paragraph (9) of subdivision (c) is punishable as follows:

(A) For a first violation that does not result in injury, an infraction punishable by a fine not one thousand dollars.

(B) For any violation that results in injury, or for a second or subsequent violation, by a fine not exceeding five thousand dollars (\$5,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

(e) (1) In addition to any other civil remedy available, the owner or lessee of the computer, computer system, computer network, computer program, or data who suffers damage or loss by reason of a violation of any of the provisions of subdivision (c) may bring a civil action against the violator for compensatory damages and injunctive relief or other equitable relief. Compensatory damages shall include any expenditure reasonably and necessarily incurred by the owner or lessee to verify that a computer system, computer network, computer program, or data was or was not altered, damaged, or deleted by the access. For the purposes of actions authorized by this subdivision, the conduct of an unemancipated minor shall be imputed to the parent or legal guardian having control or custody of the minor, pursuant to the provisions of Section 1714.1 of the Civil Code.

(2) In any action brought pursuant to this subdivision the court may award reasonable attorney's fees.

(3) A community college, state university, or academic institution accredited in this state is required to include computer-related crimes as a specific violation of college or university student conduct policies and regulations that may subject a student to disciplinary sanctions up to and including dismissal from the academic institution. This paragraph shall not apply to the University of California unless the Board of Regents adopts a resolution to that effect.

(4) In any action brought pursuant to this subdivision for a willful violation of the provisions of subdivision (c), where it is proved by clear and convincing evidence that a defendant has been guilty of oppression, fraud, or malice as defined in subdivision (c) of Section 3294 of the Civil Code, the court may additionally award punitive or exemplary damages.

(5) No action may be brought pursuant to this subdivision unless it is initiated within three years of the date of the act complained of, or the date of the discovery of the damage, whichever is later.

(f) This section shall not be construed to preclude the applicability of any other provision of the criminal law of this state which applies or may apply to any transaction, nor shall it make illegal any employee labor relations activities that are within the scope and protection of state or federal labor laws.

(g) Any computer, computer system, computer network, or any software or data, owned by the defendant, that is used during the commission of any public offense described in subdivision (c) or any computer, owned by the defendant, which is used as a repository for the storage of software or data illegally obtained in violation of subdivision (c) shall be subject to forfeiture, as specified in Section 502.01.

(h) (1) Subdivision (c) does not apply to punish any acts which are committed by a person within the scope of his or her lawful employment. For purposes of this section, a person acts within the scope of his or her

employment when he or she performs acts which are reasonably necessary to the performance of his or her work assignment.

(2) Paragraph (3) of subdivision (c) does not apply to penalize any acts committed by a person acting outside of his or her lawful employment, provided that the employee's activities do not cause an injury, as defined in paragraph (8) of subdivision (b), to the employer or another, or provided that the value of supplies or computer services, as defined in paragraph (4) of subdivision (b), which are used does not exceed an accumulated total of two hundred fifty dollars (\$250).

(i) No activity exempted from prosecution under paragraph (2) of subdivision (h) which incidentally violates paragraph (2), (4), or (7) of subdivision (c) shall be prosecuted under those paragraphs.

(j) For purposes of bringing a civil or a criminal action under this section, a person who causes, by any means, the access of a computer, computer system, or computer network in one jurisdiction from another jurisdiction is deemed to have personally accessed the computer, computer system, or computer network in each jurisdiction.

(k) In determining the terms and conditions applicable to a person convicted of a violation of this section the court shall consider the following:

(1) The court shall consider prohibitions on access to and use of computers.

(2) Except as otherwise required by law, the court shall consider alternate sentencing, including community service, if the defendant shows remorse and recognition of the wrongdoing, and an inclination not to repeat the offense.

SEC. 27. Section 537 of the Penal Code is amended to read:

537. (a) Any person who obtains any food, fuel, services, or accommodations at a hotel, inn, restaurant, boardinghouse, lodginghouse, apartment house, bungalow court, motel, marina, marine facility, autocamp, ski area, or public or private campground, without paying therefor, with intent to defraud the proprietor or manager thereof, or who obtains credit at an hotel, inn, restaurant, boardinghouse, lodginghouse, apartment house, bungalow court, motel, marina, marine facility, autocamp, or public or private campground by the use of any false pretense, or who, after obtaining credit, food, fuel, services, or accommodations, at an hotel, inn, restaurant, boardinghouse, lodginghouse, apartment house, bungalow court, motel, marina, marine facility, autocamp, or public or private campground, absconds, or surreptitiously, or by force, menace, or threats, removes any part of his or her baggage therefrom with the intent not to pay for his or her food or accommodations is guilty of a public offense punishable as follows:

(1) If the value of the credit, food, fuel, services, or accommodations is nine hundred fifty dollars (\$950) or less, by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment in the county jail for a term not exceeding six months, or both.

(2) If the value of the credit, food, fuel, services, or accommodations is greater than nine hundred fifty dollars (\$950), by imprisonment in a county jail for a term of not more than one year, or in the state prison.

(b) Any person who uses or attempts to use ski area facilities for which payment is required without paying as required, or who resells a ski lift ticket to another when the resale is not authorized by the proprietor, is guilty of an infraction.

(c) Evidence that a person left the premises of such an hotel, inn, restaurant, boardinghouse, lodginghouse, apartment house, bungalow court, motel, marina, marine facility, autocamp, ski area, or public or private campground, without paying or offering to pay for such food, fuel, services, use of facilities, or accommodation, or that the person, without authorization from the proprietor, resold his or her ski lift ticket to another person after making use of such facilities, shall be prima facie evidence of the following:

(1) That the person obtained such food, fuel, services, use of facilities or accommodations with intent to defraud the proprietor or manager.

(2) That, if, after obtaining the credit, food, fuel, services, or accommodations, the person absconded, or surreptitiously, or by force, menace, or threats, removed part of his or her baggage therefrom, the person did so with the intent not to pay for the credit, food, fuel, services, or accommodations.

SEC. 28. Section 537e of the Penal Code is amended to read:

537e. (a) Any person who knowingly buys, sells, receives, disposes of, conceals, or has in his or her possession any personal property from which the manufacturer's serial number, identification number, electronic serial number, or any other distinguishing number or identification mark has been removed, defaced, covered, altered, or destroyed, is guilty of a public offense, punishable as follows:

(1) If the value of the property does not exceed nine hundred fifty dollars (\$950), by imprisonment in a county jail not exceeding six months.

(2) If the value of the property exceeds nine hundred fifty dollars (\$950), by imprisonment in a county jail not exceeding one year.

(3) If the property is an integrated computer chip or panel of a value of nine hundred fifty dollars (\$950) or more, by imprisonment in the state prison for 16 months, or 2 or 3 years or by imprisonment in a county jail not exceeding one year.

(b) For purposes of this subdivision, "personal property" includes, but is not limited to, the following:

(1) Any television, radio, recorder, phonograph, telephone, piano, or any other musical instrument or sound equipment.

(2) Any washing machine, sewing machine, vacuum cleaner, or other household appliance or furnishings.

(3) Any typewriter, adding machine, dictaphone, or any other office equipment or furnishings.

(4) Any computer, printed circuit, integrated chip or panel, or other part of a computer.

(5) Any tool or similar device, including any technical or scientific equipment.

(6) Any bicycle, exercise equipment, or any other entertainment or recreational equipment.

(7) Any electrical or mechanical equipment, contrivance, material, or piece of apparatus or equipment.

(8) Any clock, watch, watch case, or watch movement.

(9) Any vehicle or vessel, or any component part thereof.

(c) When property described in subdivision (a) comes into the custody of a peace officer it shall become subject to the provision of Chapter 12 (commencing with Section 1407) of Title 10 of Part 2, relating to the disposal of stolen or embezzled property. Property subject to this section shall be considered stolen or embezzled property for the purposes of that chapter, and prior to being disposed of, shall have an identification mark imbedded or engraved in, or permanently affixed to it.

(d) This section does not apply to those cases or instances where any of the changes or alterations enumerated in subdivision (a) have been customarily made or done as an established practice in the ordinary and regular conduct of business, by the original manufacturer, or by his or her duly appointed direct representative, or under specific authorization from the original manufacturer.

SEC. 29. Section 550 of the Penal Code is amended to read:

550. (a) It is unlawful to do any of the following, or to aid, abet, solicit, or conspire with any person to do any of the following:

(1) Knowingly present or cause to be presented any false or fraudulent claim for the payment of a loss or injury, including payment of a loss or injury under a contract of insurance.

(2) Knowingly present multiple claims for the same loss or injury, including presentation of multiple claims to more than one insurer, with an intent to defraud.

(3) Knowingly cause or participate in a vehicular collision, or any other vehicular accident, for the purpose of presenting any false or fraudulent claim.

(4) Knowingly present a false or fraudulent claim for the payments of a loss for theft, destruction, damage, or conversion of a motor vehicle, a motor vehicle part, or contents of a motor vehicle.

(5) Knowingly prepare, make, or subscribe any writing, with the intent to present or use it, or to allow it to be presented, in support of any false or fraudulent claim.

(6) Knowingly make or cause to be made any false or fraudulent claim for payment of a health care benefit.

(7) Knowingly submit a claim for a health care benefit that was not used by, or on behalf of, the claimant.

(8) Knowingly present multiple claims for payment of the same health care benefit with an intent to defraud.

(9) Knowingly present for payment any undercharges for health care benefits on behalf of a specific claimant unless any known overcharges for health care benefits for that claimant are presented for reconciliation at that same time.

(10) For purposes of paragraphs (6) to (9), inclusive, a claim or a claim for payment of a health care benefit also means a claim or claim for payment

submitted by or on the behalf of a provider of any workers' compensation health benefits under the Labor Code.

(b) It is unlawful to do, or to knowingly assist or conspire with any person to do, any of the following:

(1) Present or cause to be presented any written or oral statement as part of, or in support of or opposition to, a claim for payment or other benefit pursuant to an insurance policy, knowing that the statement contains any false or misleading information concerning any material fact.

(2) Prepare or make any written or oral statement that is intended to be presented to any insurer or any insurance claimant in connection with, or in support of or opposition to, any claim or payment or other benefit pursuant to an insurance policy, knowing that the statement contains any false or misleading information concerning any material fact.

(3) Conceal, or knowingly fail to disclose the occurrence of, an event that affects any person's initial or continued right or entitlement to any insurance benefit or payment, or the amount of any benefit or payment to which the person is entitled.

(4) Prepare or make any written or oral statement, intended to be presented to any insurer or producer for the purpose of obtaining a motor vehicle insurance policy, that the person to be the insured resides or is domiciled in this state when, in fact, that person resides or is domiciled in a state other than this state.

(c) (1) Every person who violates paragraph (1), (2), (3), (4), or (5) of subdivision (a) is guilty of a felony punishable by imprisonment in the state prison for two, three, or five years, and by a fine not exceeding fifty thousand dollars (\$50,000), or double the amount of the fraud, whichever is greater.

(2) Every person who violates paragraph (6), (7), (8), or (9) of subdivision (a) is guilty of a public offense.

(A) When the claim or amount at issue exceeds nine hundred fifty dollars (\$950), the offense is punishable by imprisonment in the state prison for two, three, or five years, or by a fine not exceeding fifty thousand dollars (\$50,000) or double the amount of the fraud, whichever is greater, or by both that imprisonment and fine, or by imprisonment in a county jail not to exceed one year, by a fine of not more than ten thousand dollars (\$10,000), or by both that imprisonment and fine.

(B) When the claim or amount at issue is nine hundred fifty dollars (\$950) or less, the offense is punishable by imprisonment in a county jail not to exceed six months, or by a fine of not more than one thousand dollars (\$1,000), or by both that imprisonment and fine, unless the aggregate amount of the claims or amount at issue exceeds nine hundred fifty dollars (\$950) in any 12-consecutive-month period, in which case the claims or amounts may be charged as in subparagraph (A).

(3) Every person who violates paragraph (1), (2), (3), or (4) of subdivision (b) shall be punished by imprisonment in the state prison for two, three, or five years, or by a fine not exceeding fifty thousand dollars (\$50,000) or double the amount of the fraud, whichever is greater, or by both that imprisonment and fine, or by imprisonment in a county jail not to exceed

one year, or by a fine of not more than ten thousand dollars (\$10,000), or by both that imprisonment and fine.

(4) Restitution shall be ordered for a person convicted of violating this section, including restitution for any medical evaluation or treatment services obtained or provided. The court shall determine the amount of restitution and the person or persons to whom the restitution shall be paid.

(d) Notwithstanding any other provision of law, probation shall not be granted to, nor shall the execution or imposition of a sentence be suspended for, any adult person convicted of felony violations of this section who previously has been convicted of felony violations of this section or Section 548, or of Section 1871.4 of the Insurance Code, or former Section 556 of the Insurance Code, or former Section 1871.1 of the Insurance Code as an adult under charges separately brought and tried two or more times. The existence of any fact that would make a person ineligible for probation under this subdivision shall be alleged in the information or indictment, and either admitted by the defendant in an open court, or found to be true by the jury trying the issue of guilt or by the court where guilt is established by plea of guilty or nolo contendere or by trial by the court sitting without a jury.

Except when the existence of the fact was not admitted or found to be true or the court finds that a prior felony conviction was invalid, the court shall not strike or dismiss any prior felony convictions alleged in the information or indictment.

This subdivision does not prohibit the adjournment of criminal proceedings pursuant to Division 3 (commencing with Section 3000) or Division 6 (commencing with Section 6000) of the Welfare and Institutions Code.

(e) Except as otherwise provided in subdivision (f), any person who violates subdivision (a) or (b) and who has a prior felony conviction of an offense set forth in either subdivision (a) or (b), in Section 548, in Section 1871.4 of the Insurance Code, in former Section 556 of the Insurance Code, or in former Section 1871.1 of the Insurance Code shall receive a two-year enhancement for each prior felony conviction in addition to the sentence provided in subdivision (c). The existence of any fact that would subject a person to a penalty enhancement shall be alleged in the information or indictment and either admitted by the defendant in open court, or found to be true by the jury trying the issue of guilt or by the court where guilt is established by plea of guilty or nolo contendere or by trial by the court sitting without a jury. Any person who violates this section shall be subject to appropriate orders of restitution pursuant to Section 13967 of the Government Code.

(f) Any person who violates paragraph (3) of subdivision (a) and who has two prior felony convictions for a violation of paragraph (3) of subdivision (a) shall receive a five-year enhancement in addition to the sentence provided in subdivision (c). The existence of any fact that would subject a person to a penalty enhancement shall be alleged in the information or indictment and either admitted by the defendant in open court, or found to be true by the jury trying the issue of guilt or by the court where guilt is

established by plea of guilty or nolo contendere or by trial by the court sitting without a jury.

(g) Except as otherwise provided in Section 12022.7, any person who violates paragraph (3) of subdivision (a) shall receive a two-year enhancement for each person other than an accomplice who suffers serious bodily injury resulting from the vehicular collision or accident in a violation of paragraph (3) of subdivision (a).

(h) This section shall not be construed to preclude the applicability of any other provision of criminal law or equitable remedy that applies or may apply to any act committed or alleged to have been committed by a person.

(i) Any fine imposed pursuant to this section shall be doubled if the offense was committed in connection with any claim pursuant to any automobile insurance policy in an auto insurance fraud crisis area designated by the Insurance Commissioner pursuant to Article 4.6 (commencing with Section 1874.90) of Chapter 12 of Part 2 of Division 1 of the Insurance Code.

SEC. 30. Section 551 of the Penal Code is amended to read:

551. (a) It is unlawful for any automotive repair dealer, contractor, or employees or agents thereof to offer to any insurance agent, broker, or adjuster any fee, commission, profit sharing, or other form of direct or indirect consideration for referring an insured to an automotive repair dealer or its employees or agents for vehicle repairs covered under a policyholder's automobile physical damage or automobile collision coverage, or to a contractor or its employees or agents for repairs to or replacement of a structure covered by a residential or commercial insurance policy.

(b) Except in cases in which the amount of the repair or replacement claim has been determined by the insurer and the repair or replacement services are performed in accordance with that determination or in accordance with provided estimates that are accepted by the insurer, it is unlawful for any automotive repair dealer, contractor, or employees or agents thereof to knowingly offer or give any discount intended to offset a deductible required by a policy of insurance covering repairs to or replacement of a motor vehicle or residential or commercial structure. This subdivision does not prohibit an advertisement for repair or replacement services at a discount as long as the amount of the repair or replacement claim has been determined by the insurer and the repair or replacement services are performed in accordance with that determination or in accordance with provided estimates that are accepted by the insurer.

(c) A violation of this section is a public offense. Where the amount at issue exceeds nine hundred fifty dollars (\$950), the offense is punishable by imprisonment in the state prison for 16 months, or 2 or 3 years, by a fine of not more than ten thousand dollars (\$10,000), or by both that imprisonment and fine; or by imprisonment in a county jail not to exceed one year, by a fine of not more than one thousand dollars (\$1,000), or by both that imprisonment and fine. In all other cases, the offense is punishable by imprisonment in a county jail not to exceed six months, by a fine of not

more than one thousand dollars (\$1,000), or by both that imprisonment and fine.

(d) Every person who, having been convicted of subdivision (a) or (b), or Section 7027.3 or former Section 9884.75 of the Business and Professions Code and having served a term therefor in any penal institution or having been imprisoned therein as a condition of probation for that offense, is subsequently convicted of subdivision (a) or (b), upon a subsequent conviction of one of those offenses, shall be punished by imprisonment in the state prison for 16 months, or 2 or 3 years, by a fine of not more than ten thousand dollars (\$10,000), or by both that imprisonment and fine; or by imprisonment in a county jail not to exceed one year, by a fine of not more than one thousand dollars (\$1,000), or by both that imprisonment and fine.

(e) For purposes of this section:

(1) "Automotive repair dealer" means a person who, for compensation, engages in the business of repairing or diagnosing malfunctions of motor vehicles.

(2) "Contractor" has the same meaning as set forth in Section 7026 of the Business and Professions Code.

SEC. 31. Section 565 of the Penal Code is amended to read:

565. It is a misdemeanor, punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the county jail not exceeding six months, or both, for an unauthorized person to possess or use, or to obliterate or destroy the brand registration upon, containers (including milk cases), cabinets, or other dairy equipment, which have a value of nine hundred fifty dollars (\$950) or less, when the containers, cabinets, or other dairy equipment are marked with a brand that is registered pursuant to Chapter 10 (commencing with Section 34501) of Part 1 of Division 15 of the Food and Agricultural Code. "Unauthorized person" shall have the meaning of that term as defined in Section 34564 of the Food and Agricultural Code.

SEC. 32. Section 566 of the Penal Code is amended to read:

566. It is a felony, punishable by a fine not exceeding one thousand five hundred dollars (\$1,500), or by imprisonment, or both, for an unauthorized person to possess or use, or to obliterate or destroy the brand registration upon, containers (including milk cases), cabinets, or other dairy equipment, which have a value in excess of nine hundred fifty dollars (\$950), when the containers, cabinets, or other dairy equipment are marked with a brand that is registered pursuant to Chapter 10 (commencing with Section 34501) of Part 1 of Division 15 of the Food and Agricultural Code. "Unauthorized person" shall have the meaning of that term as defined in Section 34564 of the Food and Agricultural Code.

SEC. 33. Section 592 of the Penal Code is amended to read:

592. (a) Every person who shall, without authority of the owner or managing agent, and with intent to defraud, take water from any canal, ditch, flume, or reservoir used for the purpose of holding or conveying water for

manufacturing, agricultural, mining, irrigating, generation of power, or domestic uses is guilty of a misdemeanor.

(b) If the total retail value of all the water taken is more than nine hundred fifty dollars (\$950), or if the defendant has previously been convicted of an offense under this section or any former section that would be an offense under this section, or of an offense under the laws of another state or of the United States that would have been an offense under this section if committed in this state, then the violation is punishable by imprisonment in a county jail for not more than one year, or in the state prison.

SEC. 34. Section 594.4 of the Penal Code is amended to read:

594.4. (a) Any person who willfully and maliciously injects into or throws upon, or otherwise defaces, damages, destroys, or contaminates, any structure with butyric acid, or any other similar noxious or caustic chemical or substance, is guilty of a public offense, punishable by imprisonment in the state prison or in a county jail, by a fine as specified in subdivision (b), or by both that imprisonment and fine.

(b) (1) If the amount of the defacement, damage, destruction, or contamination is fifty thousand dollars (\$50,000) or more, by a fine of not more than fifty thousand dollars (\$50,000).

(2) If the amount of the defacement, damage, destruction, or contamination is five thousand dollars (\$5,000) or more, but less than fifty thousand dollars (\$50,000), by a fine of not more than ten thousand dollars (\$10,000).

(3) If the amount of defacement, damage, destruction, or contamination is nine hundred fifty dollars (\$950) or more, but less than five thousand dollars (\$5,000), by a fine of not more than five thousand dollars (\$5,000).

(4) If the amount of the defacement, damage, destruction, or contamination is less than nine hundred fifty dollars (\$950), by a fine of not more than one thousand dollars (\$1,000).

(c) For purposes of this section, "structure" includes any house or other building being used at the time of the offense for a dwelling or for commercial purposes.

SEC. 35. Section 641.3 of the Penal Code is amended to read:

641.3. (a) Any employee who solicits, accepts, or agrees to accept money or any thing of value from a person other than his or her employer, other than in trust for the employer, corruptly and without the knowledge or consent of the employer, in return for using or agreeing to use his or her position for the benefit of that other person, and any person who offers or gives an employee money or any thing of value under those circumstances, is guilty of commercial bribery.

(b) This section does not apply where the amount of money or monetary worth of the thing of value is two hundred fifty dollars (\$250) or less.

(c) Commercial bribery is punishable by imprisonment in the county jail for not more than one year if the amount of the bribe is one thousand dollars (\$1,000) or less, or by imprisonment in the county jail, or in the state prison for 16 months, or two or three years if the amount of the bribe exceeds one thousand dollars (\$1,000).

(d) For purposes of this section:

(1) “Employee” means an officer, director, agent, trustee, partner, or employee.

(2) “Employer” means a corporation, association, organization, trust, partnership, or sole proprietorship.

(3) “Corruptly” means that the person specifically intends to injure or defraud (A) his or her employer, (B) the employer of the person to whom he or she offers, gives, or agrees to give the money or a thing of value, (C) the employer of the person from whom he or she requests, receives, or agrees to receive the money or a thing of value, or (D) a competitor of any such employer.

SEC. 36. Chapter 3 (commencing with Section 1228) is added to Title 8 of Part 2 of the Penal Code, to read:

CHAPTER 3. CALIFORNIA COMMUNITY CORRECTIONS PERFORMANCE  
INCENTIVES

1228. (a) This chapter shall be known and may be cited as the California Community Corrections Performance Incentives Act of 2009.

(b) The Legislature finds and declares all of the following:

(1) In 2007, nearly 270,000 felony offenders were subject to probation supervision in California’s communities.

(2) In 2007, out of 46,987 new admissions to state prison, nearly 20,000 were felony offenders who were committed to state prison after failing probation supervision.

(3) Probation is a judicially imposed suspension of sentence that attempts to supervise, treat, and rehabilitate offenders while they remain in the community under the supervision of the probation department. Probation is a linchpin of the criminal justice system, closely aligned with the courts, and plays a central role in promoting public safety in California’s communities.

(4) Providing sustainable funding for improved, evidence-based probation supervision practices and capacities will improve public safety outcomes among adult felons who are on probation. Improving felony probation performance, measured by a reduction in felony probationers who are sent to prison because they were revoked on probation or convicted of another crime while on probation, will reduce the number of new admissions to state prison, saving taxpayer dollars and allowing a portion of those state savings to be redirected to probation for investing in community corrections programs.

1229. As used in this chapter, the following definitions apply:

(a) “Community corrections” means the placement of persons convicted of a felony offense under probation supervision, with conditions imposed by a court for a specified period.

(b) “Chief probation officer” means the chief probation officer for the county or city and county in which an adult offender is subject to probation for the conviction of a felony offense.

(c) “Community corrections program” means a program established pursuant to this act consisting of a system of felony probation supervision services dedicated to all of the following goals:

(1) Enhancing public safety through the management and reduction of offender risk while under felony probation supervision and upon reentry from jail into the community.

(2) Providing a range of probation supervision tools, sanctions, and services applied to felony probationers based on a risk/needs assessment for the purpose of reducing criminal conduct and promoting behavioral change that results in reducing recidivism and promoting the successful reintegration of offenders into the community.

(3) Maximizing offender restitution, reconciliation, and restorative services to victims of crime.

(4) Holding offenders accountable for their criminal behaviors and for successful compliance with applicable court orders and conditions of supervision.

(5) Improving public safety outcomes for persons placed on probation for a felony offense, as measured by their successful completion of probation and commensurate reduction in the rate of felony probationers sent to prison as a result of a probation revocation or conviction of a new crime.

(d) “Evidence-based practices” refers to supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under probation, parole, or postrelease supervision.

1230. (a) Each county is hereby authorized to establish in each county treasury a Community Corrections Performance Incentive Fund (CCPIF), to receive all amounts allocated to that county for purposes of implementing this chapter.

(b) In any fiscal year for which a county receives moneys to be expended for the implementation of this chapter, the moneys, including any interest, shall be made available to the chief probation officer (CPO) of that county, within 30 days of the deposit of those moneys into the fund, for the implementation of that county’s community corrections program as authorized by this chapter.

(1) The community corrections program shall be developed and implemented by the probation department and advised by a local Community Corrections Partnership.

(2) The local Community Corrections Partnership shall be chaired by the chief probation officer and comprised of the following membership:

- (A) The presiding judge of the superior court, or his or her designee.
- (B) A county supervisor or the chief administrative officer for the county.
- (C) The district attorney.
- (D) The public defender.
- (E) The sheriff.

- (F) A chief of police.
- (G) The head of the county department of social services.
- (H) The head of the county department of mental health.
- (I) The head of the county department of employment.
- (J) The head of the county alcohol and substance abuse programs.
- (K) The head of the county office of education.

(L) A representative from a community-based organization with experience in successfully providing rehabilitative services to persons who have been convicted of a criminal offense.

(3) Funds allocated to probation pursuant to this act shall be used to provide supervision and rehabilitative services for adult felony offenders subject to probation, and shall be spent on evidence-based community corrections practices and programs, as defined in subdivision (c) of Section 1229, which may include, but are not limited to, the following:

(A) Implementing and expanding evidence-based risk and needs assessments.

(B) Implementing and expanding intermediate sanctions that include, but are not limited to, electronic monitoring, mandatory community service, home detention, day reporting, restorative justice programs, work furlough programs, and incarceration in county jail for up to 90 days.

(C) Providing more intensive probation supervision.

(D) Expanding the availability of evidence-based rehabilitation programs including, but not limited to, drug and alcohol treatment, mental health treatment, anger management, cognitive behavior programs, and job training and employment services.

(E) Evaluating the effectiveness of rehabilitation and supervision programs and ensuring program fidelity.

(4) The chief probation officer shall have discretion to spend funds on any of the above practices and programs consistent with this act but, at a minimum, shall devote at least 5 percent of all funding received to evaluate the effectiveness of those programs and practices implemented with the funds provided pursuant to this chapter. A chief probation officer may petition the Administrative Office of the Courts to have this restriction waived, and the Administrative Office of the Courts shall have the authority to grant that petition, if the CPO can demonstrate that the department is already devoting sufficient funds to the evaluation of these programs and practices.

(5) Each probation department receiving funds under this chapter shall maintain a complete and accurate accounting of all funds received pursuant to this chapter.

1231. (a) Community corrections programs funded pursuant to this act shall identify and track specific outcome-based measures consistent with the goals of this act.

(b) The Administrative Office of the Courts, in consultation with the Chief Probation Officers of California, shall specify and define minimum required outcome-based measures, which shall include, but not be limited to, all of the following:

(1) The percentage of persons on felony probation who are being supervised in accordance with evidence-based practices.

(2) The percentage of state moneys expended for programs that are evidence-based, and a descriptive list of all programs that are evidence-based.

(3) Specification of supervision policies, procedures, programs, and practices that were eliminated.

(4) The percentage of persons on felony probation who successfully complete the period of probation.

(c) Each chief probation officer receiving funding pursuant to Sections 1233 to 1233.6, inclusive, shall provide an annual written report to the Administrative Office of the Courts and the Department of Corrections and Rehabilitation evaluating the effectiveness of the community corrections program, including, but not limited to, the data described in subdivision (b).

(d) The Administrative Office of the Courts shall, in consultation with the chief probation officer of each county and the Department of Corrections and Rehabilitation, provide a quarterly statistical report to the Department of Finance including, but not limited to, the following statistical information for each county:

(1) The number of felony filings.

(2) The number of felony convictions.

(3) The number of felony convictions in which the defendant was sentenced to the state prison.

(4) The number of felony convictions in which the defendant was granted probation.

(5) The adult felon probation population.

(6) The number of felons who had their probation revoked and were sent to prison for that revocation.

(7) The number of adult felony probationers sent to state prison for a conviction of a new felony offense, including when probation was revoked or terminated.

1232. Commencing no later than 18 months following the initial receipt of funding pursuant to this act and annually thereafter, the Administrative Office of the Courts, in consultation with the Department of Corrections and Rehabilitation, the Department of Finance, and the Chief Probation Officers of California, shall submit to the Governor and the Legislature a comprehensive report on the implementation of this act. The report shall include, but not be limited to, all of the following information:

(a) The effectiveness of the community corrections program based on the reports of performance-based outcome measures required in Section 1231.

(b) The percentage of felony probationers whose probation was revoked for the year about which the report is being made.

(c) The percentage of felony probationers who were convicted of crimes during their term of probation for the year about which the report is being made.

(d) The impact of the moneys appropriated pursuant to this act to enhance public safety by reducing the percentage and number of felony probationers

whose probation was revoked for the year being reported on for probation violations or new convictions, and to reduce the number of felony probationers who are sent to prison for the year about which the report is being made.

(e) Any recommendations regarding resource allocations or additional collaboration with other federal, state, regional, or local entities, or other for improvements to this act.

1233. (a) The Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, shall calculate for each county a baseline probation failure rate that equals the average number of adult felony probationers sent to state prison during calendar years 2006 to 2008, inclusive, as a percentage of the average adult felony probation population during the same period.

(b) For purposes of calculating the baseline probation failure rate, the number of adult felony probationers sent to prison shall include those adult felony probationers sent to state prison for a revocation of probation, as well as adult felony probationers sent to state prison for a conviction of a new felony offense. The calculation shall also include adult felony probationers sent to prison for conviction of a new crime who simultaneously have their probation term terminated.

1233.1. After the conclusion of each calendar year following the enactment of this section, the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, shall calculate the following for that calendar year:

(a) The cost to the state to incarcerate in prison and supervise on parole a probationer sent to prison. This calculation shall take into consideration factors, including, but not limited to, the average length of stay in prison and on parole for probationers, as well as the associated parole revocation rates, and revocation costs.

(b) The statewide probation failure rate. The statewide probation failure rate shall be calculated as the total number of adult felony probationers statewide sent to prison in the previous year as a percentage of the statewide adult felony probation population as of June 30 of that year.

(c) A probation failure rate for each county. Each county's probation failure rate shall be calculated as the number of adult felony probationers sent to prison from that county in the previous year as a percentage of the county's adult felony probation population as of June 30 of that year.

(d) An estimate of the number of adult felony probationers each county successfully prevented from being sent to prison. For each county, this estimate shall be calculated based on the reduction in the county's probation failure rate as calculated annually pursuant to subdivision (c) of this section and the county's baseline probation failure rate as calculated pursuant to Section 1233. In making this estimate, the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the

Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, shall adjust the calculations to account for changes in each county's adult felony probation caseload in the most recent completed calendar year as compared to the county's adult felony probation population during the period 2006 to 2008, inclusive.

(e) In calculating probation failure rates for the state and individual counties, the number of adult felony probationers sent to prison shall include those adult felony probationers sent to state prison for a revocation of probation, as well as adult felony probationers sent to state prison for a conviction of a new felony offense. The calculation shall also include adult felony probationers who are sent to prison for conviction of a new crime and who simultaneously have their probation terms terminated.

1233.2. Annually, after the conclusion of each calendar year, the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, shall identify the appropriate Probation Revocation Tier for each county for which it was estimated that the county successfully prevented any number of adult felony probationers from being sent to state prison, as provided in subdivision (d) of Section 1233.1. The tiers shall be defined as follows:

(a) Tier 1. A Tier 1 county is one which has a probation failure rate, as defined in subdivision (c) of Section 1233.1, that is no more than 25 percent higher than the statewide probation failure rate, as defined in subdivision (b) of Section 1233.1.

(b) Tier 2. A Tier 2 county is one which has a probation failure rate, as defined in subdivision (c) of Section 1233.1, that is more than 25 percent above the statewide probation failure rate, as defined in subdivision (b) of Section 1233.1.

1233.3. Annually, the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, shall calculate a probation failure reduction incentive payment for each eligible county, pursuant to Section 1233.2, for the most recently completed calendar year, as follows:

(a) For a county identified as being in Tier 1, as defined in subdivision (a) of Section 1233.2, its probation failure reduction incentive payment shall equal the estimated number of probationers successfully prevented from being sent to prison, as defined by subdivision (d) of Section 1233.1, multiplied by 45 percent of the costs to the state to incarcerate in prison and supervise on parole a probationer who was sent to prison, as defined in subdivision (a) of Section 1233.1.

(b) For a county identified as being in Tier 2, as defined in subdivision (b) of Section 1233.2, its probation failure reduction incentive payment shall equal the estimated number of probationers successfully prevented from being sent to prison, as defined by subdivision (d) of Section 1233.1, multiplied by 40 percent of the costs to the state to incarcerate in prison and

supervise on parole a probationer who was sent to prison, as defined in subdivision (a) of Section 1233.1.

1233.4. (a) It is the intent of the Legislature for counties demonstrating high success rates with adult felony probationers to have access to performance-based funding, as provided for in this section.

(b) On an annual basis, the Department of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, shall calculate 5 percent of the savings to the state attributed to those counties that successfully reduce the number of adult felony probationers sent to state prison.

(c) The savings estimated pursuant to subdivision (b) shall be used to provide high performance grants to county probation departments for the purpose of bolstering evidence-based probation practices designed to reduce recidivism among adult felony probationers.

(d) County probation departments eligible for these high performance grants shall be those with adult probation failure rates more than 50 percent below the statewide average in the most recently completed calendar year.

(e) A county probation department may receive a high performance grant under this section in a year in which it does not also receive a probation failure reduction incentive payment as provided for in Section 1233.3. The CPO of a county that qualifies for both a high performance grant and a probation failure reduction incentive payment shall indicate to the Administrative Office of the Courts, by a date designated by the Administrative Office of the Courts, whether the CPO chooses to receive the high performance grant or probation failure reduction payment.

(f) The grants provided for in this section shall be administered by the Administrative Office of the Courts. The Administrative Office of the Courts shall seek to ensure that all qualifying probation departments that submit qualifying applications receive a proportionate share of the grant funding available based on the population of adults ages 18 to 25, inclusive, in each of the counties receiving the grants.

1233.5. If data of sufficient quality and of the types required for the implementation of this act are not available to the Director of Finance, then the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, and the Administrative Office of the Courts, shall use the best available data to estimate probation failure reduction incentive payments and high performance grants utilizing a methodology that is as consistent with that described in this act as is reasonably possible.

1233.6. (a) Probation failure reduction incentive payments and high performance grants calculated for any calendar year shall be provided to counties in the following fiscal year. The total annual payment to each county shall be divided into four equal quarterly payments.

(b) The Department of Finance shall include an estimate of the total probation failure reduction incentive payments and high performance grants to be provided to counties in the coming fiscal year as part of the Governor's

proposed budget released no later than January 10 of each year. This estimate shall be adjusted by the Department of Finance, as necessary, to reflect the actual calculations of probation revocation incentive payments and high performance grants completed by the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts. This adjustment shall occur as part of standard budget revision processes completed by the Department of Finance in April and May of each year.

(c) There is hereby established a State Community Corrections Performance Incentives Fund. Moneys budgeted for purposes of providing probation revocation incentive payments and high performance grants authorized in Sections 1230 to 1233.6, inclusive, shall be deposited into this fund. Any moneys deposited into this fund shall be administered by the Administrative Office of the Courts and the share calculated for each county probation department shall be transferred to its Community Corrections Performance Incentives Fund authorized in Section 1230. The Legislature may allocate up to 3 percent of the funds annually deposited into the State Community Corrections Performance Incentives Fund for use by the Administrative Office of the Courts for the costs of administering this program.

1233.7. The moneys appropriated pursuant to this chapter shall be used to supplement, not supplant, any other state or county appropriation for the chief probation officer or the probation department.

1233.8. This chapter shall remain in effect only until January 1, 2015, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2015, deletes or extends that date.

SEC. 37. Section 2932 of the Penal Code is amended to read:

2932. (a) (1) For any time credit accumulated pursuant to Section 2931 or to Section 2933, not more than 360 days of credit may be denied or lost for a single act of murder, attempted murder, solicitation of murder, manslaughter, rape, sodomy, or oral copulation accomplished against the victim's will, attempted rape, attempted sodomy, or attempted oral copulation accomplished against the victim's will, assault or battery causing serious bodily injury, assault with a deadly weapon or caustic substance, taking of a hostage, escape with force or violence, or possession or manufacture of a deadly weapon or explosive device, whether or not prosecution is undertaken for purposes of this paragraph. Solicitation of murder shall be proved by the testimony of two witnesses, or of one witness and corroborating circumstances.

(2) Not more than 180 days of credit may be denied or lost for a single act of misconduct, except as specified in paragraph (1), which could be prosecuted as a felony whether or not prosecution is undertaken.

(3) Not more than 90 days of credit may be denied or lost for a single act of misconduct which could be prosecuted as a misdemeanor, whether or not prosecution is undertaken.

(4) Not more than 30 days of credit may be denied or lost for a single act of misconduct defined by regulation as a serious disciplinary offense by the Department of Corrections. Any person confined due to a change in custodial classification following the commission of any serious disciplinary infraction shall, in addition to any loss of time credits, be ineligible to receive participation or worktime credit for a period not to exceed the number of days of credit which have been lost for the act of misconduct or 180 days, whichever is less. Any person confined in a secure housing unit for having committed any misconduct specified in paragraph (1) in which great bodily injury is inflicted upon a nonprisoner shall, in addition to any loss of time credits, be ineligible to receive participation or worktime credit for a period not to exceed the number of days of credit which have been lost for that act of misconduct. In unusual cases, an inmate may be denied the opportunity to participate in a credit qualifying assignment for up to six months beyond the period specified in this subdivision if the Director of Corrections finds, after a hearing, that no credit qualifying program may be assigned to the inmate without creating a substantial risk of physical harm to staff or other inmates. At the end of the six-month period and of successive six-month periods, the denial of the opportunity to participate in a credit qualifying assignment may be renewed upon a hearing and finding by the director.

The prisoner may appeal the decision through the department's review procedure, which shall include a review by an individual independent of the institution who has supervisory authority over the institution.

(b) For any credit accumulated pursuant to Section 2931, not more than 30 days of participation credit may be denied or lost for a single failure or refusal to participate. Any act of misconduct described by the Department of Corrections as a serious disciplinary infraction if committed while participating in work, educational, vocational, therapeutic, or other prison activity shall be deemed a failure to participate.

(c) Any procedure not provided for by this section, but necessary to carry out the purposes of this section, shall be those procedures provided for by the Department of Corrections for serious disciplinary infractions if those procedures are not in conflict with this section.

(1) (A) The Department of Corrections shall, using reasonable diligence to investigate, provide written notice to the prisoner. The written notice shall be given within 15 days after the discovery of information leading to charges that may result in a possible denial of credit, except that if the prisoner has escaped, the notice shall be given within 15 days of the prisoner's return to the custody of the Director of Corrections. The written notice shall include the specific charge, the date, the time, the place that the alleged misbehavior took place, the evidence relied upon, a written explanation of the procedures that will be employed at the proceedings and the prisoner's rights at the hearing. The hearing shall be conducted by an individual who shall be independent of the case and shall take place within 30 days of the written notice.

(B) The Department of Corrections may delay written notice beyond 15 days when all of the following factors are true:

(i) An act of misconduct is involved which could be prosecuted as murder, attempted murder, or assault on a prison employee, whether or not prosecution is undertaken.

(ii) Further investigation is being undertaken for the purpose of identifying other prisoners involved in the misconduct.

(iii) Within 15 days after the discovery of information leading to charges that may result in a possible denial of credit, the investigating officer makes a written request to delay notifying that prisoner and states the reasons for the delay.

(iv) The warden of the institution approves of the delay in writing.

The period of delay under this paragraph shall not exceed 30 days. The prisoner's hearing shall take place within 30 days of the written notice.

(2) The prisoner may elect to be assigned an employee to assist in the investigation, preparation, or presentation of a defense at the disciplinary hearing if it is determined by the department that: (i) the prisoner is illiterate; or (ii) the complexity of the issues or the prisoner's confinement status makes it unlikely that the prisoner can collect and present the evidence necessary for an adequate comprehension of the case.

(3) The prisoner may request witnesses to attend the hearing and they shall be called unless the person conducting the hearing has specific reasons to deny this request. The specific reasons shall be set forth in writing and a copy of the document shall be presented to the prisoner.

(4) The prisoner has the right, under the direction of the person conducting the hearing, to question all witnesses.

(5) At the conclusion of the hearing the charge shall be dismissed if the facts do not support the charge, or the prisoner may be found guilty on the basis of a preponderance of the evidence.

(d) If found guilty the prisoner shall be advised in writing of the guilty finding and the specific evidence relied upon to reach this conclusion and the amount of time-credit loss. The prisoner may appeal the decision through the Department of Corrections' review procedure, and may, upon final notification of appeal denial, within 15 days of the notification demand review of the department's denial of credit to the Board of Prison Terms, and the board may affirm, reverse, or modify the department's decision or grant a hearing before the board at which hearing the prisoner shall have the rights specified in Section 3041.5.

(e) Each prisoner subject to Section 2931 shall be notified of the total amount of good behavior and participation credit which may be credited pursuant to Section 2931, and his or her anticipated time-credit release date. The prisoner shall be notified of any change in the anticipated release date due to denial or loss of credits, award of worktime credit, under Section 2933, or the restoration of any credits previously forfeited.

(f) If the conduct the prisoner is charged with also constitutes a crime, the Department of Corrections may refer the case to criminal authorities for possible prosecution. The department shall notify the prisoner, who may request postponement of the disciplinary proceedings pending the referral.

The prisoner may revoke his or her request for postponement of the disciplinary proceedings up until the filing of the accusatory pleading. In the event of the revocation of the request for postponement of the proceeding, the department shall hold the hearing within 30 days of the revocation.

Notwithstanding the notification requirements in this paragraph and subparagraphs (A) and (B) of paragraph (1) of subdivision (c), in the event the case is referred to criminal authorities for prosecution and the authority requests that the prisoner not be notified so as to protect the confidentiality of its investigation, no notice to the prisoner shall be required until an accusatory pleading is filed with the court, or the authority notifies the warden, in writing, that it will not prosecute or it authorizes the notification of the prisoner. The notice exceptions provided for in this paragraph shall only apply if the criminal authority requests of the warden, in writing, and within the 15 days provided in subparagraph (A) of paragraph (1) of subdivision (c), that the prisoner not be notified. Any period of delay of notice to the prisoner shall not exceed 30 days beyond the 15 days referred to in subdivision (c). In the event that no prosecution is undertaken, the procedures in subdivision (c) shall apply, and the time periods set forth in that subdivision shall commence to run from the date the warden is notified in writing of the decision not to prosecute. In the event the authority either cancels its requests that the prisoner not be notified before it makes a decision on prosecution or files an accusatory pleading, the provisions of this paragraph shall apply as if no request had been received, beginning from the date of the cancellation or filing.

In the case where the prisoner is prosecuted by the district attorney, the Department of Corrections shall not deny time credit where the prisoner is found not guilty and may deny credit if the prisoner is found guilty, in which case the procedures in subdivision (c) shall not apply.

(g) If time credit denial proceedings or criminal prosecution prohibit the release of a prisoner who would have otherwise been released, and the prisoner is found not guilty of the alleged misconduct, the amount of time spent incarcerated, in excess of what the period of incarceration would have been absent the alleged misbehavior, shall be deducted from the prisoner's parole period.

(h) Nothing in the amendments to this section made at the 1981–82 Regular Session of the Legislature shall affect the granting or revocation of credits attributable to that portion of the prisoner's sentence served prior to January 1, 1983.

SEC. 38. Section 2933 of the Penal Code is amended to read:

2933. (a) It is the intent of the Legislature that persons convicted of a crime and sentenced to the state prison under Section 1170 serve the entire sentence imposed by the court, except for a reduction in the time served in the custody of the Secretary of the Department of Corrections and Rehabilitation pursuant to this section and Section 2933.05.

(b) For every six months of continuous incarceration, a prisoner shall be awarded credit reductions from his or her term of confinement of six months. A lesser amount of credit based on this ratio shall be awarded for any lesser

period of continuous incarceration. Credit should be awarded pursuant to regulations adopted by the secretary. Prisoners who are denied the opportunity to earn credits pursuant to subdivision (a) of Section 2932 shall be awarded no credit reduction pursuant to this section. Under no circumstances shall any prisoner receive more than six months' credit reduction for any six-month period under this section.

(c) Credit is a privilege, not a right. Credit must be earned and may be forfeited pursuant to the provisions of Section 2932. Except as provided in subdivision (a) of Section 2932, every eligible prisoner shall have a reasonable opportunity to participate.

(d) Under regulations adopted by the Department of Corrections and Rehabilitation, which shall require a period of not more than one year free of disciplinary infractions, credit which has been previously forfeited may be restored by the secretary. The regulations shall provide for separate classifications of serious disciplinary infractions as they relate to restoration of credits, the time period required before forfeited credits or a portion thereof may be restored, and the percentage of forfeited credits that may be restored for these time periods. For credits forfeited as specified in paragraph (1) of subdivision (a) of Section 2932, the Department of Corrections and Rehabilitation may provide that up to 180 days of lost credit shall not be restored and up to 90 days of credit shall not be restored for a forfeiture resulting from conspiracy or attempts to commit one of those acts. No credits may be restored if they were forfeited for a serious disciplinary infraction in which the victim died or was permanently disabled. Upon application of the prisoner and following completion of the required time period free of disciplinary offenses, forfeited credits eligible for restoration under the regulations for disciplinary offenses other than serious disciplinary infractions punishable by a credit loss of more than 90 days shall be restored unless, at a hearing, it is found that the prisoner refused to accept or failed to perform in a credit qualifying assignment, or extraordinary circumstances are present that require that credits not be restored. "Extraordinary circumstances" shall be defined in the regulations adopted by the secretary. However, in any case in which credit was forfeited for a serious disciplinary infraction punishable by a credit loss of more than 90 days, restoration of credit shall be at the discretion of the secretary.

The prisoner may appeal the finding through the Department of Corrections and Rehabilitation's review procedure, which shall include a review by an individual independent of the institution who has supervisory authority over the institution.

(e) A prisoner sentenced to the state prison under Section 1170 shall receive one day of credit for every day served in a county jail, city jail, industrial farm, or road camp after the date he or she was sentenced to the state prison as specified in subdivision (f) of Section 4019.

(f) The provisions of subdivision (d) shall also apply in cases of credit forfeited under Section 2931 for offenses and serious disciplinary infractions occurring on or after January 1, 1983.

SEC. 39. Section 2933.05 is added to the Penal Code, to read:

2933.05. (a) In addition to any credit awarded pursuant to Section 2933, the department may also award a prisoner program credit reductions from his or her term of confinement as provided in this section. Within 90 days of the enactment of this section, the secretary shall promulgate regulations that provide for credit reductions for inmates who successfully complete specific program performance objectives for approved rehabilitative programming ranging from credit reduction of not less than one week to credit reduction of no more than six weeks for each performance milestone. Regulations promulgated pursuant to this subdivision shall specify the credit reductions applicable to distinct objectives in a schedule of graduated program performance objectives concluding with the successful completion of an in-prison rehabilitation program. Commencing upon the promulgation of those regulations, the department shall thereafter calculate and award credit reductions authorized by this section. However, a prisoner may not have his or her term of imprisonment reduced more than six weeks for credits awarded pursuant to this section during any 12-month period of continuous confinement.

(b) Program credit is a privilege, not a right. Prisoners shall have a reasonable opportunity to participate in program credit qualifying assignments in a manner consistent with institutional security and available resources. Assignments made to program credit qualifying programs shall be made in accordance with the prisoner's case plan, when available.

(c) As used in this section, "approved rehabilitation programming" shall include, but is not limited to, academic programs, vocational programs, vocational training, and core programs such as anger management and social life skills, and substance abuse programs.

(d) Credits awarded pursuant to this section may be forfeited pursuant to the provisions of Section 2932. Inmates shall not be eligible for program credits that result in an inmate overdue for release.

(e) The following prisoners shall not be eligible for program credits pursuant to this section:

(1) Any person serving a term of imprisonment for an offense specified in subdivision (c) of Section 667.5.

(2) Any person sentenced to state prison pursuant to Section 1170.12 or subdivisions (b) to (i), inclusive, of Section 667.

(3) Any person required to register as a sex offender pursuant to Chapter 5.5 (commencing with Section 290) of Title 9 of Part 1.

(4) Any person serving a term of imprisonment as a result of a violation of parole without a new term.

SEC. 40. Section 2933.2 of the Penal Code is amended to read:

2933.2. (a) Notwithstanding Section 2933.1 or any other law, any person who is convicted of murder, as defined in Section 187, shall not accrue any credit, as specified in Section 2933 or Section 2933.05.

(b) The limitation provided in subdivision (a) shall apply whether the defendant is sentenced under Chapter 4.5 (commencing with Section 1170) of Title 7 of Part 2 or sentenced under some other law.

(c) Notwithstanding Section 4019 or any other provision of law, no credit pursuant to Section 4019 may be earned against a period of confinement in, or commitment to, a county jail, industrial farm, or road camp, or a city jail, industrial farm, or road camp, following arrest for any person specified in subdivision (a).

(d) This section shall only apply to murder that is committed on or after the date on which this section becomes operative.

SEC. 41. Section 2933.3 of the Penal Code is amended to read:

2933.3. (a) Notwithstanding any other law, any inmate assigned to a conservation camp by the Department of Corrections and Rehabilitation, who is eligible to earn one day of credit for every one day of incarceration pursuant to Section 2933 shall instead earn two days of credit for every one day of service. The enhanced credit authorized pursuant to this subdivision shall only apply to those prisoners eligible after January 1, 2003.

(b) Notwithstanding any other law, any inmate who has completed training for assignment to a conservation camp or to a correctional institution as an inmate firefighter or who is assigned to a correctional institution as an inmate firefighter and who is eligible to earn one day of credit for every one day of incarceration pursuant to Section 2933 shall instead earn two days of credit for every one day served in that assignment or after completing that training.

(c) In addition to credits granted pursuant to subdivision (a) or (b), inmates who have successfully completed training for firefighter assignments shall receive a credit reduction from his or her term of confinement pursuant to regulations adopted by the secretary.

(d) The credits authorized in subdivisions (b) and (c) shall only apply to inmates who are eligible after July 1, 2009.

SEC. 42. Section 2933.4 of the Penal Code is amended and renumbered to read:

3050. (a) Notwithstanding any other provision of law, any inmate under the custody of the Department of Corrections and Rehabilitation who is not currently serving and has not served a prior indeterminate sentence or a sentence for a violent felony, a serious felony, or a crime that requires him or her to register as a sex offender pursuant to Section 290, who has successfully completed an in prison drug treatment program, upon release from state prison, shall, whenever possible, be entered into a 150-day residential aftercare drug treatment program sanctioned by the department.

(b) As a condition of parole, if the inmate successfully completes 150 days of residential aftercare treatment, as determined by the Department of Corrections and Rehabilitation and the aftercare provider, the parolee shall be discharged from parole supervision at that time.

(c) Commencing with 2008, the department shall report annually to the Joint Legislative Budget Committee and the State Auditor on the effectiveness of these provisions, including recidivism rates.

SEC. 43. Section 2933.5 of the Penal Code is amended to read:

2933.5. (a) (1) Notwithstanding any other law, every person who is convicted of any felony offense listed in paragraph (2), and who previously

has been convicted two or more times, on charges separately brought and tried, and who previously has served two or more separate prior prison terms, as defined in subdivision (g) of Section 667.5, of any offense or offenses listed in paragraph (2), shall be ineligible to earn credit on his or her term of imprisonment pursuant to this article.

(2) As used in this subdivision, "felony offense" includes any of the following:

- (A) Murder, as defined in Sections 187 and 189.
  - (B) Voluntary manslaughter, as defined in subdivision (a) of Section 192.
  - (C) Mayhem as defined in Section 203.
  - (D) Aggravated mayhem, as defined in Section 205.
  - (E) Kidnapping, as defined in Section 207, 209, or 209.5.
  - (F) Assault with vitriol, corrosive acid, or caustic chemical of any nature, as described in Section 244.
  - (G) Rape, as defined in paragraph (2) or (6) of subdivision (a) of Section 261 or paragraph (1) or (4) of subdivision (a) of Section 262.
  - (H) Sodomy by means of force, violence, duress, menace or fear of immediate and unlawful bodily injury on the victim or another person, as described in subdivision (c) of Section 286.
  - (I) Sodomy while voluntarily acting in concert, as described in subdivision (d) of Section 286.
  - (J) Lewd or lascivious acts on a child under the age of 14 years, as described in subdivision (b) of Section 288.
  - (K) Oral copulation by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, as described in subdivision (c) of Section 288a.
  - (L) Continuous sexual abuse of a child, as described in Section 288.5.
  - (M) Sexual penetration, as described in subdivision (a) of Section 289.
  - (N) Exploding a destructive device or explosive with intent to injure, as described in Section 12303.3, with intent to murder, as described in Section 12308, or resulting in great bodily injury or mayhem, as described in Section 12309.
  - (O) Any felony in which the defendant personally inflicted great bodily injury, as provided in Section 12022.53 or 12022.7.
- (b) A prior conviction of an offense listed in subdivision (a) shall include a conviction in another jurisdiction for an offense which includes all of the elements of the particular felony as defined under California law.
- (c) This section shall apply whenever the present felony is committed on or after the effective date of this section, regardless of the date of commission of the prior offense or offenses resulting in credit-earning ineligibility.
- (d) This section shall be in addition to, and shall not preclude the imposition of, any applicable sentence enhancement terms, or probation ineligibility and habitual offender provisions authorized under any other section.

SEC. 44. Section 2933.6 of the Penal Code is amended to read:

2933.6. (a) Notwithstanding any other law, a person who is placed in a Security Housing Unit, Psychiatric Services Unit, Behavioral Management Unit, or an Administrative Segregation Unit for misconduct described in subdivision (b) or upon validation as a prison gang member or associate is ineligible to earn credits pursuant to Section 2933 or 2933.05 during the time he or she is in the Security Housing Unit, Psychiatric Services Unit, Behavioral Management Unit, or the Administrative Segregation Unit for that misconduct.

(b) This section applies to the following offenses:

(1) Murder, attempted murder, and solicitation of murder. For purposes of this paragraph, solicitation of murder shall be proven by the testimony of two witnesses, or of one witness and corroborating circumstances.

(2) Manslaughter.

(3) Assault or battery causing serious bodily injury.

(4) Assault or battery on a peace officer or other nonprisoner which results in physical injury.

(5) Assault with a deadly weapon or caustic substance.

(6) Rape, attempted rape, sodomy, attempted sodomy, oral copulation, or attempted oral copulation accomplished against the victim's will.

(7) Taking a hostage.

(8) Escape or attempted escape with force or violence.

(9) Escape from any departmental prison or institution other than a camp or reentry facility.

(10) Possession or manufacture of a deadly weapon or explosive device.

(11) Arson involving damage to a structure.

(12) Possession of flammable, explosive material with intent to burn any structure or property.

(13) Solicitation of assault with a deadly weapon or assault by means of force likely to produce great bodily injury, arson, or a forcible sex act.

(14) Intentional destruction of state property in excess of four hundred dollars (\$400) during a riot or disturbance.

(c) This section does not apply if the administrative finding of the misconduct is overturned or if the person is criminally prosecuted for the misconduct and is found not guilty.

SEC. 45. Section 2934 of the Penal Code is amended to read:

2934. Under rules prescribed by the Secretary of the Department of Corrections and Rehabilitation, a prisoner subject to the provisions of Section 2931 may waive the right to receive time credits as provided in Section 2931 and be subject to the provisions of Section 2933. In order to exercise a waiver under this section, a prisoner must apply in writing to the Department of Corrections. A prisoner exercising a waiver under this section shall retain only that portion of good behavior and participation credits, which have not been forfeited pursuant to Section 2932, attributable to the portion of the sentence served by the prisoner prior to the effective date of the waiver. A waiver under this section shall, if accepted by the department, become effective at a time to be determined by the Secretary of the Department of Corrections and Rehabilitation.

SEC. 46. Section 2935 of the Penal Code is amended to read:

2935. Under the guidelines prescribed by the rules and regulations of the director, the Secretary of the Department of Corrections and Rehabilitation may grant up to 12 additional months of reduction of the sentence to a prisoner who has performed a heroic act in a life-threatening situation, or who has provided exceptional assistance in maintaining the safety and security of a prison.

SEC. 47. Section 3000 of the Penal Code is amended to read:

3000. (a) (1) The Legislature finds and declares that the period immediately following incarceration is critical to successful reintegration of the offender into society and to positive citizenship. It is in the interest of public safety for the state to provide for the effective supervision of and surveillance of parolees, including the judicious use of revocation actions, and to provide educational, vocational, family and personal counseling necessary to assist parolees in the transition between imprisonment and discharge. A sentence pursuant to Section 1168 or 1170 shall include a period of parole, unless waived, or as otherwise provided in this article.

(2) The Legislature finds and declares that it is not the intent of this section to diminish resources allocated to the Department of Corrections and Rehabilitation for parole functions for which the department is responsible. It is also not the intent of this section to diminish the resources allocated to the Board of Parole Hearings to execute its duties with respect to parole functions for which the board is responsible.

(3) The Legislature finds and declares that diligent effort must be made to ensure that parolees are held accountable for their criminal behavior, including, but not limited to, the satisfaction of restitution fines and orders.

(4) The parole period of any person found to be a sexually violent predator shall be tolled until that person is found to no longer be a sexually violent predator, at which time the period of parole, or any remaining portion thereof, shall begin to run.

(b) Notwithstanding any provision to the contrary in Article 3 (commencing with Section 3040) of this chapter, the following shall apply:

(1) At the expiration of a term of imprisonment of one year and one day, or a term of imprisonment imposed pursuant to Section 1170 or at the expiration of a term reduced pursuant to Section 2931 or 2933, if applicable, the inmate shall be released on parole for a period not exceeding three years, except that any inmate sentenced for an offense specified in paragraph (3), (4), (5), (6), (11), (16), or (18) of subdivision (c) of Section 667.5 shall be released on parole for a period not exceeding five years, unless in either case the parole authority for good cause waives parole and discharges the inmate from the custody of the department.

(2) In the case of any inmate sentenced under Section 1168, the period of parole shall not exceed five years in the case of an inmate imprisoned for any offense other than first or second degree murder for which the inmate has received a life sentence, and shall not exceed three years in the case of any other inmate, unless in either case the parole authority for good cause waives parole and discharges the inmate from custody of the department.

This subdivision shall also be applicable to inmates who committed crimes prior to July 1, 1977, to the extent specified in Section 1170.2.

(3) Notwithstanding paragraphs (1) and (2), in the case of any offense for which the inmate has received a life sentence pursuant to Section 667.61 or 667.71, the period of parole shall be 10 years.

(4) The parole authority shall consider the request of any inmate regarding the length of his or her parole and the conditions thereof.

(5) Upon successful completion of parole, or at the end of the maximum statutory period of parole specified for the inmate under paragraph (1), (2), or (3), as the case may be, whichever is earlier, the inmate shall be discharged from custody. The date of the maximum statutory period of parole under this subdivision and paragraphs (1), (2), and (3) shall be computed from the date of initial parole and shall be a period chronologically determined. Time during which parole is suspended because the prisoner has absconded or has been returned to custody as a parole violator shall not be credited toward any period of parole unless the prisoner is found not guilty of the parole violation. However, the period of parole is subject to the following:

(A) Except as provided in Section 3064, in no case may a prisoner subject to three years on parole be retained under parole supervision or in custody for a period longer than four years from the date of his or her initial parole.

(B) Except as provided in Section 3064, in no case may a prisoner subject to five years on parole be retained under parole supervision or in custody for a period longer than seven years from the date of his or her initial parole.

(C) Except as provided in Section 3064, in no case may a prisoner subject to 10 years on parole be retained under parole supervision or in custody for a period longer than 15 years from the date of his or her initial parole.

(6) The Department of Corrections and Rehabilitation shall meet with each inmate at least 30 days prior to his or her good time release date and shall provide, under guidelines specified by the parole authority, the conditions of parole and the length of parole up to the maximum period of time provided by law. The inmate has the right to reconsideration of the length of parole and conditions thereof by the parole authority. The Department of Corrections and Rehabilitation or the Board of Parole Hearings may impose as a condition of parole that a prisoner make payments on the prisoner's outstanding restitution fines or orders imposed pursuant to subdivision (a) or (c) of Section 13967 of the Government Code, as operative prior to September 28, 1994, or subdivision (b) or (f) of Section 1202.4.

(7) For purposes of this chapter, the Board of Parole Hearings shall be considered the parole authority.

(8) The sole authority to issue warrants for the return to actual custody of any state prisoner released on parole rests with the Board of Parole Hearings, except for any escaped state prisoner or any state prisoner released prior to his or her scheduled release date who should be returned to custody, and Section 3060 shall apply.

(9) It is the intent of the Legislature that efforts be made with respect to persons who are subject to Section 290.011 who are on parole to engage them in treatment.

SEC. 48. Section 3000.03 is added to the Penal Code, to read:

3000.03. Notwithstanding any other provision of law, the Department of Corrections and Rehabilitation shall not return to prison, place a parole hold on pursuant to Section 3056, or report any parole violation to the Board of Parole Hearings regarding any person to whom all of the following criteria apply:

(a) The person is not required to register as a sex offender pursuant to Chapter 5.5 (commencing with Section 290) of Title 9 of Part 1.

(b) The person was not committed to prison for a serious felony as defined in Sections 1192.7 and 1192.8, or a violent felony, as defined in Section 667.5, and does not have a prior conviction for a serious felony, as defined in Section 1192.7 and 1192.8, or a violent felony, as defined in Section 667.5.

(c) The person was not committed to prison for a sexually violent offense as defined in subdivision (b) of Section 6600 of the Welfare and Institutions Code and does not have a prior conviction for a sexually violent offense as defined in subdivision (b) of Section 6600 of the Welfare and Institutions Code.

(d) The person was not found guilty of a serious disciplinary offense, as defined in regulation by the department, during his or her current term of imprisonment.

(e) The person is not a validated prison gang member or associate, as defined in regulation by the department.

(f) The person did not refuse to sign any written notification of parole requirements or conditions, including, but not limited to, the written notification of requirements pursuant to Section 3067.

(g) The person was evaluated by the department using a validated risk assessment tool and was not determined to pose a high risk to reoffend.

SEC. 49. Article 2.3 (commencing with Section 3015) is added to Chapter 8 of Title 1 of Part 3 of the Penal Code, to read:

#### Article 2.3. Parole Reentry Accountability Program

3015. (a) The Secretary of the Department of Corrections and Rehabilitation shall establish a parole reentry accountability program for parolees who have been sentenced to a term of imprisonment under Section 1170. The purpose of the program is to promote public safety, hold parolees accountable, and reduce recidivism.

(b) The department shall employ a parole violation decisionmaking instrument to determine the most appropriate sanctions for these parolees who violate their conditions of parole.

(1) For purposes of this subdivision, a “parole violation decisionmaking instrument” means a standardized tool that provides ranges of appropriate

sanctions for parole violators given relevant case factors, including, but not limited to, offense history, risk of reoffense based on a validated risk assessment tool, need for treatment services, the number and type of current and prior parole violations, and other relevant statutory requirements.

(2) The department shall adopt emergency regulations to implement this section initially, and shall subsequently adopt permanent regulations that make appropriate changes in policies and procedures to reflect the intent of this section.

(c) The secretary shall have the discretion to establish additional tools and standards to further the purposes of this section.

(d) Parolees subject to this program with a history of substance abuse or mental illness who violate their conditions of parole may be referred by the department to a reentry court program established pursuant to subdivision (e).

(1) A parolee who is deemed eligible by the department to participate in a reentry court program may be referred by his or her parole officer for participation in the program. The court shall have the discretion to determine if the parolee will be admitted into the program and, in making this determination, shall consider, among other factors, whether the parolee will benefit from the program, the risk the parolee poses to the community, and the history and nature of the committing offense.

(2) If the court determines that the parolee will be admitted into the program, the court, with the assistance of the parolee's parole agent, shall have exclusive authority to determine the appropriate conditions of parole, order rehabilitation and treatment services to be provided, determine appropriate incentives, order appropriate sanctions, lift parole holds, and hear and determine appropriate responses to alleged violations, unless and until the court terminates the parolee's enrollment in the program authorized by subdivision (e).

(3) A reentry court program plan shall include, but not be limited to, all of the following:

(A) The anticipated number of parolees who will be served by the program.

(B) The method by which each parolee who is eligible for the program shall be referred to the program.

(C) The method by which each parolee is to be individually assessed as to his or her treatment and rehabilitative needs and the level of community and court monitoring required by the program.

(D) The criteria for continued participation in, and successful completion of, the program, as well as the criteria for termination from the program and referral to the parole revocation process.

(E) A description of how the program shall be administered effectively.

(F) An established method by which to report outcome measures for program participants.

(G) The development of a program team, as well as a plan for ongoing training in utilizing the drug court and collaborative court nonadversarial model.

(e) (1) Subject to funding made available for this purpose, the secretary shall enter into a memorandum of understanding with the Administrative Office of the Courts for the purpose of the establishment and operation of parolee reentry court programs. Only courts with existing drug and mental health courts or courts that otherwise demonstrate leadership and a commitment to conduct the reentry court authorized by this section may participate in this program. These parolee reentry court programs shall, with the assistance of the parolee's parole agent, direct the treatment and supervision of parolees who would benefit from community drug treatment or mental health treatment. The purpose of reentry court programs created pursuant to this subdivision is to promote public safety, hold parolees accountable, and reduce recidivism. The program shall include key components of drug and collaborative courts using a highly structured model, including close supervision and monitoring, dedicated calendars, nonadversarial proceedings, frequent drug and alcohol testing, and close collaboration between the respective entities involved to improve the parolee's likelihood of success on parole.

(2) The Judicial Council, in collaboration with the department, shall design and perform an evaluation of the program that will assess its effectiveness in reducing recidivism among parolees and reducing parole revocations.

(3) The Judicial Council, in collaboration with the department, shall submit a final report of the findings from its evaluation of the program to the Legislature and the Governor no later than 3 years after the establishment of a reentry court pursuant to this section.

SEC. 50. Section 4019 of the Penal Code is amended to read:

4019. (a) The provisions of this section shall apply in all of the following cases:

(1) When a prisoner is confined in or committed to a county jail, industrial farm, or road camp, or any city jail, industrial farm, or road camp, including all days of custody from the date of arrest to the date on which the serving of the sentence commences, under a judgment of imprisonment, or a fine and imprisonment until the fine is paid in a criminal action or proceeding.

(2) When a prisoner is confined in or committed to the county jail, industrial farm, or road camp or any city jail, industrial farm, or road camp as a condition of probation after suspension of imposition of a sentence or suspension of execution of sentence, in a criminal action or proceeding.

(3) When a prisoner is confined in or committed to the county jail, industrial farm, or road camp or any city jail, industrial farm, or road camp for a definite period of time for contempt pursuant to a proceeding, other than a criminal action or proceeding.

(4) When a prisoner is confined in a county jail, industrial farm, or road camp, or a city jail, industrial farm, or road camp following arrest and prior to the imposition of sentence for a felony conviction.

(b) (1) Except as provided in Section 2933.1 and paragraph (2), subject to the provisions of subdivision (d), for each four-day period in which a prisoner is confined in or committed to a facility as specified in this section,

one day shall be deducted from his or her period of confinement unless it appears by the record that the prisoner has refused to satisfactorily perform labor as assigned by the sheriff, chief of police, or superintendent of an industrial farm or road camp.

(2) If the prisoner is required to register as a sex offender pursuant to Chapter 5.5 (commencing with Section 290), was committed for a serious felony, as defined in Section 1192.7, or has a prior conviction for a serious felony, as defined in Section 1192.7, or a violent felony, as defined in Section 667.5, subject to the provisions of subdivision (d), for each six-day period in which the prisoner is confined in or committed to a facility as specified in this section, one day shall be deducted from his or her period of confinement unless it appears by the record that the prisoner has refused to satisfactorily perform labor as assigned by the sheriff, chief of police, or superintendent of an industrial farm or road camp.

(c) (1) Except as provided in Section 2933.1 and paragraph (2), for each four-day period in which a prisoner is confined in or committed to a facility as specified in this section, one day shall be deducted from his or her period of confinement unless it appears by the record that the prisoner has not satisfactorily complied with the reasonable rules and regulations established by the sheriff, chief of police, or superintendent of an industrial farm or road camp.

(2) If the prisoner is required to register as a sex offender pursuant to Chapter 5.5 (commencing with Section 290), was committed for a serious felony, as defined in Section 1192.7, or has a prior conviction for a serious felony, as defined in Section 1192.7, or a violent felony, as defined in Section 667.5, for each six-day period in which the prisoner is confined in or committed to a facility as specified in this section, one day shall be deducted from his or her period of confinement unless it appears by the record that the prisoner has not satisfactorily complied with the reasonable rules and regulations established by the sheriff, chief of police, or superintendent of an industrial farm or road camp.

(d) Nothing in this section shall be construed to require the sheriff, chief of police, or superintendent of an industrial farm or road camp to assign labor to a prisoner if it appears from the record that the prisoner has refused to satisfactorily perform labor as assigned or that the prisoner has not satisfactorily complied with the reasonable rules and regulations of the sheriff, chief of police, or superintendent of any industrial farm or road camp.

(e) No deduction may be made under this section unless the person is committed for a period of four days or longer, or six days or longer for persons described in paragraph (2) of subdivision (b) or (c).

(f) It is the intent of the Legislature that if all days are earned under this section, a term of four days will be deemed to have been served for every two days spent in actual custody, except that a term of six days will be deemed to have been served for every four days spent in actual custody for persons described in paragraph (2) of subdivision (b) or (c).

SEC. 51. Section 4600 of the Penal Code is amended to read:

4600. (a) Every person who willfully and intentionally breaks down, pulls down, or otherwise destroys or injures any jail, prison, or any public property in any jail or prison, is punishable by a fine not exceeding ten thousand dollars (\$10,000), and by imprisonment in the state prison, except that where the damage or injury to any city, city and county, or county jail property or prison property is determined to be nine hundred fifty dollars (\$950) or less, that person is guilty of a misdemeanor.

(b) In any case in which a person is convicted of violating this section, the court may order the defendant to make restitution to the public entity that owns the property damaged by the defendant. The court shall specify in the order that the public entity that owns the property damaged by the defendant shall not enforce the order until the defendant satisfies all outstanding fines, penalties, assessments, restitution fines, and restitution orders.

SEC. 52. Section 14591 of the Public Resources Code is amended to read:

14591. (a) Except as provided in subdivision (b), in addition to any other applicable civil or criminal penalties, any person convicted of a violation of this division is guilty of an infraction, which is punishable by a fine of one hundred dollars (\$100) for each initial separate violation and not more than one thousand dollars (\$1,000) for each subsequent separate violation per day.

(b) (1) Every person who, with intent to defraud, takes any of the following actions is guilty of fraud:

(A) Submits a false or fraudulent claim for payment pursuant to Section 14573 or 14573.5.

(B) Fails to accurately report the number of beverage containers sold, as required by subdivision (b) of Section 14550.

(C) Fails to make payments as required by Section 14574.

(D) Redeems out-of-state containers, rejected containers, line breakage, or containers that have already been redeemed.

(E) Returns redeemed containers to the marketplace for redemption.

(F) Brings out-of-state containers, rejected containers, or line breakage to the marketplace for redemption.

(G) Submits a false or fraudulent claim for handling fee payments pursuant to Section 14585.

(2) If the money obtained or withheld pursuant to paragraph (1) exceeds nine hundred fifty dollars (\$950), the fraud is punishable by imprisonment in the county jail for not more than one year or by a fine not exceeding ten thousand dollars (\$10,000), or by both, or by imprisonment in the state prison for 16 months, two years, or three years, or by a fine not exceeding twenty-five thousand dollars (\$25,000) or twice the late or unmade payments plus interest, whichever is greater, or by both fine and imprisonment. If the money obtained or withheld pursuant to paragraph (1) equals, or is less than, nine hundred fifty dollars (\$950), the fraud is punishable by imprisonment in the county jail for not more than six months or by a fine not exceeding one thousand dollars (\$1,000), or by both.

(c) For purposes of this section and Chapter 8.5 (commencing with Section 14595), “line breakage” and “rejected container” have the same meanings as defined in the regulations adopted or amended by the department pursuant to this division.

SEC. 53. Section 41955 of the Public Resources Code is amended to read:

41955. If the value of the stolen material is more than fifty dollars (\$50), but less than nine hundred fifty dollars (\$950), a violation of this part may be charged as either a misdemeanor or an infraction. A violation after a second conviction within a 12-month period shall be charged as a misdemeanor punishable pursuant to Section 19 of the Penal Code.

SEC. 54. Section 10851.5 of the Vehicle Code is amended to read:

10851.5. Any person who takes binder chains, required under regulations adopted pursuant to Section 31510, having a value of nine hundred fifty dollars (\$950) or less which chains are not his own, without the consent of the owner thereof, and with intent either permanently or temporarily to deprive the owner thereof of his title to or possession of the binder chains whether with or without intent to steal the same, or any person who is a party or accessory to or an accomplice in the unauthorized taking or stealing is guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for not less than six months or by a fine of not less than one thousand dollars (\$1,000) or by both such fine and imprisonment. The consent of the owner of the binder chain to its taking shall not in any case be presumed or implied because of such owner’s consent on a previous occasion to the taking of the binder chain by the same or a different person.

SEC. 55. Section 42002.4 of the Vehicle Code is amended to read:

42002.4. A violation of Section 10751 shall be punished by imprisonment in the county jail not exceeding six months if the value of the property does not exceed nine hundred fifty dollars (\$950), and by imprisonment in the county jail not exceeding one year if the value of the property is more than nine hundred fifty dollars (\$950).

SEC. 56. Section 10980 of the Welfare and Institutions Code is amended to read:

10980. (a) Any person who, willfully and knowingly, with the intent to deceive, makes a false statement or representation or knowingly fails to disclose a material fact in order to obtain aid under the provisions of this division or who, knowing he or she is not entitled thereto, attempts to obtain aid or to continue to receive aid to which he or she is not entitled, or to receive a larger amount than that to which he or she is legally entitled, is guilty of a misdemeanor, punishable by imprisonment in the county jail for a period of not more than six months, by a fine of not more than five hundred dollars (\$500), or by both imprisonment and fine.

(b) Any person who knowingly makes more than one application for aid under the provisions of this division with the intent of establishing multiple entitlements for any person for the same period or who makes an application for that aid for a fictitious or nonexistent person or by claiming a false

identity for any person is guilty of a felony, punishable by imprisonment in the state prison for a period of 16 months, two years, or three years, by a fine of not more than five thousand dollars (\$5,000), or by both that imprisonment and fine; or by imprisonment in the county jail for a period of not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both imprisonment and fine.

(c) Whenever any person has, willfully and knowingly, with the intent to deceive, by means of false statement or representation, or by failing to disclose a material fact, or by impersonation or other fraudulent device, obtained or retained aid under the provisions of this division for himself or herself or for a child not in fact entitled thereto, the person obtaining this aid shall be punished as follows:

(1) If the total amount of the aid obtained or retained is nine hundred fifty dollars (\$950) or less, by imprisonment in the county jail for a period of not more than six months, by a fine of not more than five hundred dollars (\$500), or by both imprisonment and fine.

(2) If the total amount of the aid obtained or retained is more than nine hundred fifty dollars (\$950), by imprisonment in the state prison for a period of 16 months, two years, or three years, by a fine of not more than five thousand dollars (\$5,000), or by both that imprisonment and fine; or by imprisonment in the county jail for a period of not more than one year, by a fine of not more than one thousand dollars (\$1,000), or by both imprisonment and fine.

(d) Any person who knowingly uses, transfers, acquires, or possesses blank authorizations to participate in the federal Supplemental Nutrition Assistance Program in any manner not authorized by Chapter 10 (commencing with Section 18900) of Part 6 with the intent to defraud is guilty of a felony, punishable by imprisonment in the state prison for a period of 16 months, two years, or three years, by a fine of not more than five thousand dollars (\$5,000), or by both that imprisonment and fine.

(e) Any person who counterfeits or alters or knowingly uses, transfers, acquires, or possesses counterfeited or altered authorizations to participate in the federal Supplemental Nutrition Assistance Program or to receive food stamps or electronically transferred benefits in any manner not authorized by the Food Stamp Act of 1964 (Public Law 88-525 and all amendments thereto) or the Food and Nutrition Act of 2008 (7 U.S.C. Sec. 2011 et seq.) or the federal regulations pursuant to the act is guilty of forgery.

(f) Any person who fraudulently appropriates food stamps, electronically transferred benefits, or authorizations to participate in the federal Supplemental Nutrition Assistance Program with which he or she has been entrusted pursuant to his or her duties as a public employee is guilty of embezzlement of public funds.

(g) Any person who knowingly uses, transfers, sells, purchases, or possesses food stamps, electronically transferred benefits, or authorizations to participate in the federal Supplemental Nutrition Assistance Program in any manner not authorized by Chapter 10 (commencing with Section 18900), of Part 6, or by the federal Food Stamp Act of 1977 (Public Law 95-113

and all amendments thereto) or the Food and Nutrition Act of 2008 (7 U.S.C. Sec. 2011 et seq.) (1) is guilty of a misdemeanor if the face value of the food stamp benefits or the authorizations to participate is nine hundred fifty dollars (\$950) or less, and shall be punished by imprisonment in the county jail for a period of not more than six months, by a fine of not more than five hundred dollars (\$500), or by both imprisonment and fine, or (2) is guilty of a felony if the face value of the food stamps or the authorizations to participate exceeds nine hundred fifty dollars (\$950), and shall be punished by imprisonment in the state prison for a period of 16 months, two years, or three years, by a fine of not more than five thousand dollars (\$5,000), or by both that imprisonment and fine, or by imprisonment in the county jail for a period of not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both imprisonment and fine.

(h) (1) If the violation of subdivision (f) or (g) is committed by means of an electronic transfer of benefits, in addition and consecutive to the penalties for the violation, or attempted violation, of those subdivisions, the court shall impose the following punishment:

(A) If the electronic transfer of benefits exceeds fifty thousand dollars (\$50,000), an additional term of one year in state prison.

(B) If the electronic transfer of benefits exceeds one hundred fifty thousand dollars (\$150,000), an additional term of two years in state prison.

(C) If the electronic transfer of benefits exceeds one million dollars (\$1,000,000), an additional term of three years in state prison.

(D) If the electronic transfer of benefits exceeds two million five hundred thousand dollars (\$2,500,000), an additional term of four years.

(2) In any accusatory pleading involving multiple charges of violations of subdivision (f) or (g), or both, committed by means of an electronic transfer of benefits, the additional terms provided in paragraph (1) may be imposed if the aggregate losses to the victims from all violations exceed the amounts specified in this paragraph and arise from a common scheme or plan.

(i) A person who is punished by an additional term of imprisonment under another provision of law for a violation of subdivision (f) or (g) shall not receive an additional term of imprisonment under subdivision (h).

SEC. 57. Section 15656 of the Welfare and Institutions Code is amended to read:

15656. (a) Any person who knows or reasonably should know that a person is an elder or dependent adult and who, under circumstances or conditions likely to produce great bodily harm or death, willfully causes or permits any elder or dependent adult to suffer, or inflicts unjustifiable physical pain or mental suffering upon him or her, or having the care or custody of any elder or dependent adult, willfully causes or permits the person or health of the elder or dependent adult to be injured, or willfully causes or permits the elder or dependent adult to be placed in a situation such that his or her person or health is endangered, is punishable by imprisonment in the county jail not exceeding one year, or in the state prison for two, three, or four years.

**EXHIBIT D**

1 EDMUND G. BROWN JR.  
Attorney General of the State of California  
2 DAVID S. CHANEY  
Chief Assistant Attorney General  
3 JONATHAN L. WOLFF  
Senior Assistant Attorney General  
4 DANIELLE F. O'BANNON  
KYLE A. LEWIS – State Bar No. 201041  
5 Deputy Attorneys General  
455 Golden Gate Avenue, Suite 11000  
6 San Francisco, CA 94102-7004  
Telephone: (415) 703-5724  
7 Facsimile: (415) 703-5843  
kyle.lewis@doj.ca.gov

HANSON BRIDGETT LLP  
JERROLD C. SCHAEFER - 39374  
PAUL B. MELLO – 179755  
S. ANNE JOHNSON – 197415  
SAMANTHA D. WOLFF – 240280  
RENJU P. JACOB - 242388  
425 Market Street, 26th Floor  
San Francisco, CA 94105  
Telephone: (415) 777-3200  
Facsimile: (415) 541-9366  
jschaefer@hansonbridgett.com  
pmello@hansonbridgett.com  
ajohnson@hansonbridgett.com  
swolff@hansonbridgett.com  
rjacob@hansonbridgett.com

8 Attorneys for Defendants  
9

10 UNITED STATES DISTRICT COURT  
11 FOR THE EASTERN DISTRICT OF CALIFORNIA  
12 AND THE NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES  
14 PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

15 RALPH COLEMAN, et al.,  
16 Plaintiffs,  
17 v.  
18 ARNOLD SCHWARZENEGGER, et al.,  
19 Defendants.

No. 2:90-cv-00520 LKK JFM P  
THREE-JUDGE COURT

20 MARCIANO PLATA, et al.,  
21 Plaintiffs,  
22 v.  
23 ARNOLD SCHWARZENEGGER, et al.,  
24 Defendants.

No. C01-1351 TEH  
THREE-JUDGE COURT  
DECLARATION OF SCOTT KERNAN IN  
SUPPORT OF DEFENDANTS'  
RESPONSE TO THREE-JUDGE  
COURT'S OCTOBER 21, 2009 ORDER

To: Three-Judge Court

1 I, SCOTT KERNAN, declare as follows:

2 1. I am Undersecretary of Operations for the California Department of  
3 Corrections and Rehabilitation ("CDCR"). I am competent to testify to the matters set  
4 forth in this declaration, and if called upon to do so, I would and could so testify. I submit  
5 this declaration in support of Defendants' Response to the Three-Judge Court's October  
6 21, 2009 Order.

7 2. As a 26 year employee of the CDCR, I have a deep understanding of the  
8 state prison system operations. As the Undersecretary of Operations, I am responsible  
9 for oversight of both adult and juvenile institutions and parole operations, as well as the  
10 Board of Parole Hearings, Office of Correctional Safety, and the Prison Industry  
11 Authority. Before becoming the Undersecretary, I held the positions of Chief Deputy  
12 Secretary, Adult Operations, and Deputy Director and Director of the Division of Adult  
13 Institutions. In these positions, I was responsible for all aspects of the day-to-day  
14 operations of the adult prisons and parole.

15 3. CDCR's Offender Information Services Branch (OISB) compiles and  
16 retains summary statistical information about inmates and parolees. As described  
17 below, CDCR was able to estimate the reductions associated with proposed measures  
18 included in Defendants' November 12, 2009 Response to the Court's October 21, 2009  
19 Order to Reduce Prison Population to 137.5% of Design Capacity (Defendants'  
20 Response) by utilizing information contained within OISB's data warehouse.

21 4. **California's Out-of-State Correctional Facility Expansion.** Defendants  
22 will expand the California Out-of-State Correctional Facility (COCF) program, whose  
23 primary purpose is to remove non-traditional beds and relieve crowding by transferring  
24 CDCR inmates to contract out-of-state facilities. Beginning approximately February  
25 2010, COCF will expand at existing out-of-state locations to up to 2,416 new Level III  
26 beds. By approximately January 2011, CDCR anticipates housing a total of 10,468  
27 inmates at out-of-state facilities.

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1           **5. Community Correctional Facilities Utilization.** Defendants will better  
2 utilize existing private Community Correctional Facilities (CCFs) to assist in the prison  
3 population reduction. CDCR established 13 CCFs throughout California to house low-  
4 level inmates. CCFs have been underutilized in the past, in part, because appropriate  
5 male inmates are also eligible for other types of housing, including minimum security  
6 facilities and camps. Yet, there is an abundance of female inmates who are eligible for  
7 placement into these facilities. Accordingly, CDCR is in the process of closing three of  
8 these male facilities and sent out requests for proposals to convert these three facilities  
9 to house medium security females instead of low security males. Defendants estimate  
10 this program will net an approximate 800 inmates reduction by December 31, 2011.

11           **6. Additional California Out-of-State Correctional Facility Expansion.** In  
12 addition to the 2,416 bed expansion set forth above, State Defendants will work with the  
13 Legislature to remove the existing clause that calls for the termination of the out-of-state  
14 program in 2011. With this legislative change, or with a federal waiver of state law,  
15 Defendants estimate they will be able to expand the out-of-state program by  
16 approximately 1,500 beds by December 31, 2011 reducing its in-state population by that  
17 amount.

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**EXHIBIT E**

1 EDMUND G. BROWN JR.  
 Attorney General of the State of California  
 2 DAVID S. CHANEY  
 Chief Assistant Attorney General  
 3 JONATHAN L. WOLFF  
 Senior Assistant Attorney General  
 4 DANIELLE F. O'BANNON  
 KYLE A. LEWIS – State Bar No. 201041  
 5 Deputy Attorneys General  
 455 Golden Gate Avenue, Suite 11000  
 6 San Francisco, CA 94102-7004  
 Telephone: (415) 703-5724  
 7 Facsimile: (415) 703-5843  
 kyle.lewis@doj.ca.gov  
 8 Attorneys for Defendants

HANSON BRIDGETT LLP  
 JERROLD C. SCHAEFER - 39374  
 PAUL B. MELLO – 179755  
 S. ANNE JOHNSON – 197415  
 SAMANTHA D. WOLFF – 240280  
 RENJU P. JACOB - 242388  
 425 Market Street, 26th Floor  
 San Francisco, CA 94105  
 Telephone: (415) 777-3200  
 Facsimile: (415) 541-9366  
 jschaefer@hansonbridgett.com  
 pmello@hansonbridgett.com  
 ajohnson@hansonbridgett.com  
 swolff@hansonbridgett.com  
 rjacob@hansonbridgett.com

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 10 **UNITED STATES DISTRICT COURT**  
 11 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
 12 **AND THE NORTHERN DISTRICT OF CALIFORNIA**  
 13 **UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES**  
 14 **PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE**

15 RALPH COLEMAN, et al.,  
 16 Plaintiffs,  
 17 v.  
 18 ARNOLD SCHWARZENEGGER, et al.,  
 Defendants.

No. 2:90-cv-00520 LKK JFM P  
**THREE-JUDGE COURT**

20 MARCIANO PLATA, et al.,  
 21 Plaintiffs,  
 22 v.  
 23 ARNOLD SCHWARZENEGGER, et al.,  
 Defendants.

No. C01-1351 TEH  
**THREE-JUDGE COURT**  
**DECLARATION OF SHARON AUNGST IN  
 SUPPORT OF DEFENDANTS'  
 RESPONSE TO THREE-JUDGE  
 COURT'S OCTOBER 21, 2009 ORDER**  
**To: Three-Judge Court**

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1 I, SHARON AUNGST, declare as follows:

2 1. I am the Chief Deputy Secretary of the Division of Correctional Health Care  
3 Services (DCHCS) for the California Department of Corrections and Rehabilitation  
4 (CDCR). I began working as Chief Deputy Secretary on February 9, 2009. I am  
5 competent to testify to the matters set forth in this declaration, and if called upon to do  
6 so, I would and could so testify. I submit this declaration in support of Defendants'  
7 Response to the Three-Judge Court's October 21, 2009 Order.

8 2. I have worked in the mental health care profession for over 30 years. From  
9 1995 to 1998, I worked for the Ohio Department of Rehabilitation and Correction  
10 (ODRC). During my tenure with the ODRC, I was responsible for fulfilling major  
11 requirements for the termination of a federal class action concerning the constitutional  
12 adequacy of the mental health care provided to state inmates. *Dunn v. Voinovich*, No.  
13 C1-93-0166 (Ohio Dist. Ct.).

14 3. In my current role as Chief Deputy Secretary of DCHCS, I am responsible  
15 for the management and oversight of the health care services division of CDCR which  
16 includes the mental health and dental programs.

17 4. As the Chief Deputy Secretary of DCHCS, I am aware of those budget  
18 reductions that have been announced or implemented in 2009 and that affect CDCR's  
19 provision of mental health services to *Coleman* class members.

20 5. CDCR and the *Plata* Receiver coordinate and work collaboratively on a  
21 number of issues related to the day-to-day provision of healthcare to California's inmate-  
22 patients. However, because the *Plata* Receiver is charged with the management and  
23 provision of medical care to California's inmate-patients, the Receiver's Office is most  
24 qualified to provide information regarding how, if at all, any budget reductions have  
25 meaningfully affected the provision of medical services to California's inmate-patients.

26 6. With respect to mental health services, I do not believe based on my  
27 current understanding of the budget reductions that the reductions will meaningfully  
28 impact the provision of mental health care to California's inmate-patients. However,

1 CDCR's reduced budget may affect CDCR's ability to comply with certain *Coleman*  
2 program guide requirements. For example, CDCR is required to provide a minimum of  
3 ten hours of out-of-cell structured therapeutic activity for every EOP inmate-patient per  
4 week. The reduction in rehabilitation programs, including educational, substance abuse  
5 treatment, pre-vocational and vocational programs associated with the recent budget  
6 reduction may have an adverse impact on the provision of weekly out-of-cell structured  
7 therapeutic activity for EOP level inmate-patients. It is unclear at this time whether and  
8 to what extent these cuts may impact compliance with the *Coleman* program guide  
9 requirements.

10  
11 I declare under the penalty of perjury under the laws of the State of California that  
12 the foregoing is true and correct. Executed in Sacramento, California on November 12,  
13 2009.

14   
15 \_\_\_\_\_  
16 SHARON AUNGST

**EXHIBIT F**

1 EDMUND G. BROWN JR.  
Attorney General of the State of California  
2 DAVID S. CHANEY  
Chief Assistant Attorney General  
3 JONATHAN L. WOLFF  
Senior Assistant Attorney General  
4 DANIELLE F. O'BANNON  
KYLE A. LEWIS – State Bar No. 201041  
5 Deputy Attorneys General  
455 Golden Gate Avenue, Suite 11000  
6 San Francisco, CA 94102-7004  
Telephone: (415) 703-5724  
7 Facsimile: (415) 703-5843  
kyle.lewis@doj.ca.gov

HANSON BRIDGETT LLP  
JERROLD C. SCHAEFER - 39374  
PAUL B. MELLO – 179755  
S. ANNE JOHNSON – 197415  
SAMANTHA D. WOLFF – 240280  
RENJU P. JACOB - 242388  
425 Market Street, 26th Floor  
San Francisco, CA 94105  
Telephone: (415) 777-3200  
Facsimile: (415) 541-9366  
jschaefer@hansonbridgett.com  
pmello@hansonbridgett.com  
ajohnson@hansonbridgett.com  
swolff@hansonbridgett.com  
rjacob@hansonbridgett.com

8 Attorneys for Defendants  
9

10 UNITED STATES DISTRICT COURT

11 FOR THE EASTERN DISTRICT OF CALIFORNIA

12 AND THE NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES

14 PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

15 RALPH COLEMAN, et al.,  
16 Plaintiffs,  
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18 ARNOLD SCHWARZENEGGER, et al.,  
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No. 2:90-cv-00520 LKK JFM P

THREE-JUDGE COURT

20 MARCIANO PLATA, et al.,  
21 Plaintiffs,  
22 v.  
23 ARNOLD SCHWARZENEGGER, et al.,  
24 Defendants.

No. C01-1351 TEH

THREE-JUDGE COURT

DECLARATION OF ROBERT  
AMBROSELLI IN SUPPORT OF  
DEFENDANTS' RESPONSE TO THREE-  
JUDGE COURT'S OCTOBER 21, 2009  
ORDER

To: Three-Judge Court

1 I, ROBERT AMBROSELLI, declare as follows:

2 1. I have been employed by the California Department of Corrections and  
3 Rehabilitation for 19 years. I currently hold the position of Acting Director, Division of  
4 Adult Parole Operations (DAPO) and have held this position since August 1, 2009. Prior  
5 to that, I was Deputy Director of DAPO. I am competent to testify to the matters set forth  
6 in this declaration, and if called upon to do so, I would and could so testify. I submit this  
7 declaration in support of Defendants' Response to the Three-Judge Court's October 21,  
8 2009 Order.

9 2. As Acting Director of DAPO, I am familiar with CDCR's reentry and  
10 diversionary programs. DAPO's Program Development Unit developed and administers  
11 numerous community-based programs to enhance public safety and assist parolees in  
12 the reintegration process. These programs provide critical services such as housing,  
13 sustenance, literacy labs/GED preparation, substance abuse counseling/treatment, job  
14 readiness/placement assistance, life skills training, domestic violence counseling, group  
15 and family counseling, and victim awareness training. The programs are designed to  
16 meet the needs of parolees with a high risk to re-offend and are used in lieu of  
17 incarceration as intermediate/remedial sanctions for parolees who violate their parole.  
18 The programs include the following: Residential-Multi Service Centers, Parolee Service  
19 Centers, Day Reporting Centers, Community-Based Coalition Program, Computerized  
20 Literacy Learning Center, and Substance Abuse Treatment and Recovery Program.

21 3. The Residential-Multi Service Centers program provides housing for  
22 homeless and at-risk parolees. This 180-day program offers a variety of services to  
23 male and female parolees that include drug counseling, literacy training, job  
24 preparation/placement, anger management classes, and individual and group  
25 counseling. This program served 2,329 parolees from January 2009 through September  
26 2009.

27 4. The Parolee Service Centers program provides residential programs to  
28 parolees who are in need of various resources including: employment, substance abuse,

1 stress management, victim awareness, computer literacy, life skills, and a 52-week  
2 domestic violence class. This program served 3,202 parolees from January 2009  
3 through September 2009.

4 5. The Day Reporting Centers program provides services such as cognitive  
5 life skills, anger management, employment assistance, educational services, budgeting  
6 and money management, family reunification, substance abuse counseling, participation  
7 in community services, job readiness and job search assistance. This program served  
8 2,006 parolees from January 2009 through September 2009.

9 6. The Community-Based Coalition program provides residential and  
10 transitional housing, substance abuse education and treatment, anger management  
11 strategies, domestic violence prevention and awareness, cognitive and life skills  
12 development, parenting and family reintegration, participation in community service,  
13 educational service, budgeting and money management, job readiness and job search  
14 assistance, and sober living. This program served 1,466 parolees from January 2009  
15 through September 2009.

16 7. The Computerized Literacy Learning Center is a computer-assisted  
17 instructional program located at 21 parole offices statewide. It is designed to increase  
18 the literacy skills of parolees, resulting in increased employability and parolee success.  
19 This program served 2,114 parolees from January 2009 through September 2009.

20 8. The Substance Abuse Treatment and Recovery program is an education-  
21 based program located at 29 parole offices statewide. It is designed to provide  
22 substance abuse and relapse prevention instruction to parolees that are in need of  
23 substance abuse education. This program served 7,332 parolees from January 2009  
24 through September 2009.

25 9. In sum, these programs described in paragraphs 3 through 8 above have  
26 served a combined 18,449 participants from January 2009 through September 2009.  
27 The 18,449 figure, however, does not reflect the fact that a parolee may have  
28 participated in more than one program, or that a parolee may have been discharged

1 from a program and subsequently re-enrolled back into the same program or into a  
2 different program.

3 10. Additionally, DAPO's Program Development Unit is in the process of  
4 establishing four additional sites for the Day Reporting Center program, described  
5 above. These four additional sites will add an additional 1,200 community-based  
6 program slots.

7 11. Due to the State's fiscal crisis and CDCR's budget deficit, DAPO is looking  
8 at a potential \$41 million reduction in current year program funds. This reduction will be  
9 achieved by delaying the activation of new program sites until Fiscal Year 2010/11 and  
10 does not envision the closure of current programs. However, due to the budget  
11 deficit/reduced funding, the implementation of other new programs is not being  
12 considered at this time.

13 12. Diversionary programs help DAPO ensure and enhance public safety. In  
14 addition to their regular parole agent supervision, participating parolees are placed in a  
15 structured environment with either 24-hour supervision (in residential facilities such as  
16 the Residential-Multi Service Centers or Parolee Service Centers) or subjected to greatly  
17 increased supervision in programs provided in parole offices (such as the Substance  
18 Abuse Treatment and Recovery program and the Computerized Literacy Learning  
19 Center program) and programs where parole staff are assigned (such as the Day  
20 Reporting Centers and the Community-Based Coalition program). The parolees' needs  
21 are assessed by program staff and the parolees are provided with individual treatment  
22 plans that address their criminogenic needs.

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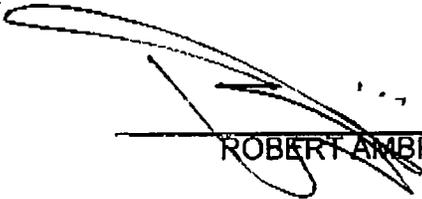
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13. While these are CDCR-funded and supported programs, these programs impact the same population to be served by the counties and other community-level providers. This provides assistance and support to the communities.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed in Bakersfield, California on November 12, 2009.



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ROBERT AMBROSELLI

EXHIBIT G

1 EDMUND G. BROWN JR.  
Attorney General of the State of California  
2 DAVID S. CHANEY  
Chief Assistant Attorney General  
3 JONATHAN L. WOLFF  
Senior Assistant Attorney General  
4 DANIELLE F. O'BANNON  
KYLE A. LEWIS – State Bar No. 201041  
5 Deputy Attorneys General  
455 Golden Gate Avenue, Suite 11000  
6 San Francisco, CA 94102-7004  
Telephone: (415) 703-5724  
7 Facsimile: (415) 703-5843  
kyle.lewis@doj.ca.gov

HANSON BRIDGETT LLP  
JERROLD C. SCHAEFER - 39374  
PAUL B. MELLO – 179755  
S. ANNE JOHNSON – 197415  
SAMANTHA D. WOLFF – 240280  
RENJU P. JACOB - 242388  
425 Market Street, 26th Floor  
San Francisco, CA 94105  
Telephone: (415) 777-3200  
Facsimile: (415) 541-9366  
jschaefer@hansonbridgett.com  
pmello@hansonbridgett.com  
ajohnson@hansonbridgett.com  
swolff@hansonbridgett.com  
rjacob@hansonbridgett.com

8 Attorneys for Defendants  
9

10 UNITED STATES DISTRICT COURT  
11 FOR THE EASTERN DISTRICT OF CALIFORNIA  
12 AND THE NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES  
14 PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

15 RALPH COLEMAN, et al.,  
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No. 2:90-cv-00520 LKK JFM P  
THREE-JUDGE COURT

20 MARCIANO PLATA, et al.,  
21 Plaintiffs,  
22 v.  
23 ARNOLD SCHWARZENEGGER, et al.,  
24 Defendants.

No. C01-1351 TEH  
THREE-JUDGE COURT  
DECLARATION OF ELIZABETH SIGGINS  
IN SUPPORT OF DEFENDANTS'  
RESPONSE TO OCTOBER 21, 2009  
ORDER

25  
26 To: Three-Judge Court  
27  
28

1 I, ELIZABETH SIGGINS, declare as follows:

2 1. I am the Acting Chief Deputy Secretary for Adult Programs in the California  
3 Department of Corrections and Rehabilitation (CDCR). I have been employed in this  
4 position since April 2009. Prior to this, from May 2008 to April 2009, I served as the  
5 Senior Policy Advisor to the Secretary. As Acting Chief Deputy Secretary for Adult  
6 Programs, I am responsible for the department's education, vocation, and substance  
7 abuse programming as well as for our Office of Community Partnerships. I am  
8 responsible for determining how to administer the adult program-related funds allocated  
9 to the department's budget. I am competent to testify to the matters set forth in this  
10 declaration, and if called upon to do so, I would and could so testify. I submit this  
11 declaration in support of Defendants' Response to the Three-Judge Court's October 21,  
12 2009 Order.

13 2. The State's fiscal crisis has resulted in a \$250 million reduction to CDCR's  
14 budget for adult rehabilitative programs. To compensate for this budget reduction,  
15 CDCR has developed a streamlined rehabilitation model which focuses on reducing  
16 recidivism and reaching as many offenders as possible with less funding. As this  
17 declaration pertains to the measures that the state is taking to support and assist  
18 counties and other community-level providers, the focus of this declaration will be only  
19 on those services provided in the community and not on the rehabilitative programs  
20 provided inside our institutions. To that end, this declaration will discuss community-  
21 based services provided through the Office of Substance Abuse Treatment Services,  
22 formerly the Division of Addiction and Recovery Services, and the Office of Community  
23 Partnerships, formerly the Division of Community Partnerships.

24 3. While the department is still in the process of implementing the necessary  
25 changes to our programs as a result of the budget reductions, we anticipate that the  
26 majority of these changes will be in place by early 2010, particularly as they pertain to  
27 community-based programs.

28 4. As of January 2010, on any given day, CDCR will have the capacity to

1 serve approximately 4,633 parolees in community-based aftercare treatment. This is a  
2 reduction of over 5,000 treatment slots from the previously funded amount. It should be  
3 noted, however, that based on the average length of stay, which varies based on  
4 program design but ranges from 90 days to 180 days or more, the annual capacity is  
5 much higher than this. The aftercare treatment programs are delivered to parolees  
6 through a network of licensed community-based providers throughout the state using a  
7 variety of modalities, including residential treatment, sober living environments, and  
8 outpatient facilities. A brief description of CDCR's substance abuse treatment programs  
9 is provided below.

10 **5. Substance Abuse Services Coordination Agency (SASCA) Services.**

11 CDCR contracts with four Substance Abuse Services Coordination Agencies to  
12 purchase, deliver, and administer community aftercare services. These programs are  
13 designed to reduce the incidence of both relapse and recidivism among participants and  
14 to promote pro-social behavior that will enable the participants to exhibit satisfactory  
15 conduct within the program and while on parole, leading to their successful integration  
16 into the community. The role of the Substance Abuse Services Coordination Agency is  
17 to coordinate community-based treatment for parolees. As of January 2010, on any  
18 given day, CDCR will have the capacity to serve approximately 1,588 parolees through  
19 our SACSAs contracts. This is a reduction of over 4,000 treatment slots from the  
20 previously funded amount.

21 **6. Treatment Incentive Program (formerly Senate Bill 1453).** This

22 program was established in Senate Bill 1453 (cited as Penal Code section 2933.4) and  
23 signed into law by Governor Schwarzenegger on September 30, 2006, effective January  
24 1, 2007. The purpose of this program is to reduce recidivism, address prison  
25 overcrowding, and increase rehabilitation of parolees in the community. This program  
26 requires a special condition of parole which allows eligible felons, upon parole, to be  
27 voluntarily placed into a 150-day community-based residential drug treatment program.  
28 Pursuant to law, upon successful completion of both the in-prison and aftercare

1 components, eligible offenders are discharged from parole. This program was designed  
 2 to improve public safety through a corresponding reduction in criminal activity and to  
 3 provide savings to taxpayers by reducing costs associated with the re-incarceration of  
 4 offenders. The capacity for this program is incorporated into the SASCA capacity  
 5 identified above.

6 **7. In-Custody Drug Treatment Program (ICDTP).** ICDTP is provided to  
 7 certain parolees who have violated their parole and who agree to participate in a 150-  
 8 day program in lieu of a parole revocation. Placement into ICDTP requires a parolee to  
 9 have a nexus to current substance abuse and/or a history of substance abuse-related  
 10 criminal or violation offenses. There are two ICDTP programs available:

- 11 • Program 1 (Jail-Based): In the first phase, the parolee participates in a 60-  
 12 day, jail-based educational drug treatment program. In the second phase,  
 13 the parolee receives 30 days of treatment in a residential community-based  
 14 program. The third phase consists of a residential program, outpatient,  
 15 sober-living environment, and/or self-help programs such as Alcoholics  
 16 Anonymous or Narcotics Anonymous.
- 17 • Program 2 (Community-Based): Parolees participate in the first phase of  
 18 treatment in a residential community-based program for a minimum of 90  
 19 days. Parolees complete the last 60 days in a residential, outpatient,  
 20 and/or sober-living environment.

21 As of January 2010, on any given day, CDCR will have the capacity to serve  
 22 approximately 1,800 parolees through ICDTP. This program is not experiencing a  
 23 reduction in capacity as a result of the budget reductions.

24 **8. Parolee Services Network.** The Parolee Services Network (PSN)  
 25 provides community alcohol and drug treatment services for eligible parolees (felons and  
 26 civil addicts). The PSN is a collaborative program among the CDCR, Department of  
 27 Alcohol and Drug Programs, seventeen county alcohol and drug programs, case  
 28 management providers, and community-based organizations. The PSN provides a full

1 array of community-based substance abuse treatment services for parolees in the  
2 community who cannot normally use Substance Abuse Services Coordination Agency  
3 services. CDCR has an interagency agreement with the Department of Alcohol and  
4 Drug Programs for the purpose of administering the PSN. The goal of the PSN is to  
5 reduce recidivism and improve parole outcomes as evidenced by reduced alcohol and  
6 drug-related parole revocations. It is expected that this program will reduce substance  
7 abuse and criminal activity among its participants and encourage a reintegration into  
8 society with a clean and sober lifestyle. As of January 2010, on any given day, CDCR  
9 will have the capacity to serve approximately 863 parolees through PSN. This program  
10 is not experiencing a reduction in capacity as a result of the budget reductions.

11 **9. Female Offender Treatment and Employment Program (FOTEP).**

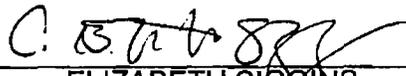
12 Senate Bill 491, Chapter 500, Statutes of 1998, Penal Code Section 3054 required  
13 CDCR to establish three pilot programs known as FOTEP. The FOTEP provides an  
14 opportunity for female offenders to transition from in-prison substance abuse programs  
15 to community-based programs. FOTEP focuses on intensive, gender-responsive  
16 counseling services to enable female participants to successfully reintegrate into the  
17 community. In addition, there is a comprehensive case management component to  
18 assess the needs of participants and to provide the services and programs that will most  
19 likely result in their recovery and employment success. Unique to the FOTEP is the  
20 ability for women to have their children reside with them as they progress through their  
21 treatment and recovery for up to 15 months. The goal of FOTEP is to reduce recidivism  
22 through intensive substance abuse services, family reunification, vocational training, and  
23 employment services. As of January 2010, on any given day, CDCR will have the  
24 capacity to serve approximately 412 parolees through FOTEP. While CDCR was  
25 originally funded to expand this program in the current fiscal year and it had recently  
26 begun this expansion, this capacity is comparable to the FY 2008/09 capacity.

27 10. In addition to the services discussed above which are provided by the  
28 Office of Substance Abuse Treatment Services, CDCR also provides employment

1 education and job opportunities through our Office of Community Partnerships as  
2 described below.

3 11. **California New Start.** In May 2008, CDCR entered into an Interagency  
4 Agreement with the California Workforce Investment Board and local Workforce  
5 Investment Boards to initiate California New Start. The program provides parolees with  
6 employment education and job opportunities within the communities through direct  
7 connection to over 200 local One-Stop Career Centers statewide. Core services, such  
8 as job search seminars, individual employment plans, job development workshops,  
9 supportive service referrals, employment referrals, and job retention follow-up are  
10 available through this program. For FY 2009/10 California New Start has the capacity to  
11 serve approximately 80,000 eligible parolees.

12  
13 I declare under the penalty of perjury under the laws of the State of California that  
14 the foregoing is true and correct. Executed in Sacramento, California on November 12,  
15 2009.

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19 ELIZABETH SIGGINS  
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IN THE UNITED STATES DISTRICT COURTS  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
AND THE NORTHERN DISTRICT OF CALIFORNIA  
UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES  
PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

RALPH COLEMAN, et al.,  
Plaintiffs,  
v.  
ARNOLD SCHWARZENEGGER,  
et al.,  
Defendants.

NO. CIV S-90-0520 LKK JFM P  
**THREE-JUDGE COURT**

MARCIANO PLATA, et al.,  
Plaintiffs,  
v.  
ARNOLD SCHWARZENEGGER,  
et al.,  
Defendants.

NO. C01-1351 TEH  
**THREE-JUDGE COURT**  
**ORDER TO REDUCE PRISON  
POPULATION**

On August 4, 2009, this three-judge court issued an Opinion and Order finding, by clear and convincing evidence, that crowding is the primary cause of the constitutional inadequacies in the delivery of medical and mental health care to California inmates and that no relief other than a “prison release order,” as that term is broadly defined by the Prison Litigation Reform Act (“PLRA”), 18 U.S.C. § 3626(g)(4), is capable of remedying these constitutional deficiencies. We further concluded that relief requiring the State to reduce the

1 population of its thirty-three adult prisons to 137.5% of their total design capacity was  
2 narrowly drawn, would extend no further than necessary to correct the violation of California  
3 inmates' federal constitutional rights, and was the least intrusive means necessary to correct  
4 that violation. Accordingly, in consideration of this court's limited role and the State's "wide  
5 discretion within the bounds of constitutional requirements," *Bounds v. Smith*, 430 U.S. 817,  
6 832-33 (1977), we ordered the State to provide "a population reduction plan that will in no  
7 more than two years reduce the population of the CDCR's adult institutions to 137.5% of  
8 their combined design capacity." Aug. 4, 2009 Opinion and Order at 183. As required by  
9 the PLRA, we also gave "substantial weight to any adverse impact on public safety or the  
10 operation of a criminal justice system," 18 U.S.C. § 3626(a)(1)(A), and determined, based on  
11 the evidence presented at trial, that means exist by which the defendants can accomplish the  
12 necessary population reduction without creating an adverse impact on public safety or the  
13 operation of the criminal justice system.

14 The State submitted a proposed prison population reduction plan on September 18,  
15 2009, but that proposed plan would have reduced the prison population to only 166% of  
16 design capacity in two years absent further legislation, and 151% of design capacity in two  
17 years if all of the proposals were granted legislative approval. Defs.' Sept. 18, 2009 Plan at  
18 15, 19 (tables showing projected prison populations and crowding rates based on defendants'  
19 proposed population reduction mechanisms). Because the plan that the State provided did  
20 not comply with our August 4, 2009 Order, we rejected the plan and ordered the State to  
21 submit a revised population reduction plan that complied with our August 4 Order. On  
22 November 12, 2009, the State timely submitted a revised plan. In accordance with our  
23 Orders, this revised plan proposed measures estimated to reduce the prison population to the  
24 required 137.5% of design capacity by December 2011.

25 On December 7, 2009, plaintiffs agreed that the State's revised plan satisfied the  
26 requirements of our August 4, 2009 Order and proposed that we enter an order requiring the  
27 defendants to achieve the six-month population reduction benchmarks set forth in the revised  
28 plan without ordering implementation of any specific population reduction measures. We

1 agree that such an order is appropriate because it would afford the State maximum flexibility  
2 in its efforts to achieve the constitutionally required population reduction.

3 As defendants and county intervenors observe in their December 18, 2009 replies to  
4 plaintiffs' response, we have not evaluated the public safety impact of each individual  
5 element of the State's proposed plan. However, the evidence presented at trial demonstrated  
6 that means exist to reduce the prison population without a significant adverse impact on  
7 public safety or the criminal justice system. Certain of the measures suggested by the State,  
8 such as raising the threshold for grand theft and limiting the maximum sentence for certain  
9 enumerated felonies to 366 days to be served in county jail, were not included within the  
10 means we considered in our August 4 Opinion and Order, and were thus not evaluated from  
11 the standpoint of public safety. We noted, however, that they had previously been endorsed  
12 by state officials, and thus, presumably, "would not have an adverse effect on public safety."  
13 Aug. 4, 2009 Opinion and Order at 156. Certain measures that we concluded would  
14 substantially reduce the prison population that we did evaluate positively from a public safety  
15 standpoint, such as changes with respect to the churning of technical parole violators, appear  
16 to be included only in part in the State's plan. We believe, as we did when we issued our  
17 prior Order, that it is appropriate for the State to exercise its discretion in choosing which  
18 specific population reduction measures to implement, and, in doing so, to bear in mind the  
19 necessity for ensuring the public safety. We are satisfied that, as we previously held, the  
20 reduction in prison population that we have ordered can be implemented safely and trust that  
21 the State will comply with its duty to ensure public safety as it implements the  
22 constitutionally required reduction. Should the State determine that any of the specific  
23 measures that it has included in its plan cannot be implemented without significantly  
24 affecting the public safety or the criminal justice system, we trust that it will substitute a  
25 different means of accomplishing the constitutionally required population reductions.

26 We emphasize here that we are not endorsing or ordering the implementation of any  
27 of the specific measures contained in the State's plan, only that the State reduce the prison  
28 population to the extent and at the times designated in this Order. We also emphasize that

1 we do not intend by this Order to prohibit the State from taking actions that may have the  
2 effect of reducing the prison population, whatever their impact on public safety, should those  
3 actions be taken for reasons other than compliance with our Order.

4       The concerns that county intervenors express regarding funding may have merit.  
5 Counties may well require additional financial resources from the State in order to ensure  
6 that no significant adverse public safety impact results from the State's population reduction  
7 measures. Counties may, for example, need additional financial resources in order to fund  
8 the additional costs of ongoing rehabilitation, re-entry, drug or alcohol, educational, and job  
9 training programs. Reducing the number of persons it imprisons should result in significant  
10 savings to the State. We do not now decide whether and to what extent the State should  
11 allocate part of its savings from such reductions to the counties; instead, we note that whether  
12 public safety requires such a reallocation demands serious consideration by the State, both  
13 under its general responsibilities to the public and in accord with the PLRA.

14       In light of all of the above, as well as our August 4, 2009 Opinion and Order, IT IS  
15 HEREBY ORDERED that:

16       1.     In accordance with the figures in defendants' November 12, 2009 revised  
17 population reduction plan, defendants shall reduce the population of California's thirty-three  
18 adult prisons as follows:

19             a.     To no more than 167% of design capacity by six months from the  
20 effective date of this Order.

21             b.     To no more than 155% of design capacity by twelve months from the  
22 effective date of this Order.

23             c.     To no more than 147% of design capacity by eighteen months from the  
24 effective date of this Order.

25             d.     To no more than 137.5% of design capacity by twenty-four months from  
26 the effective date of this Order.

27        "Design capacity" for purposes of these benchmarks may not remain static. For  
28 example, an increase in design capacity through construction would decrease the number of

1 inmates by which the prison population must be reduced. Conversely, a decrease in design  
2 capacity, such as would result from the closing of a prison, would increase the numeric  
3 reduction required.

4 2. All population reduction measures undertaken by defendants must comply not  
5 only with our Orders and the PLRA, but also with any relevant orders entered by other  
6 courts, including the individual *Plata* and *Coleman* courts.

7 3. Within fourteen days following each of the deadlines described above,  
8 defendants shall file a report advising the court whether the estimated population reduction  
9 has been achieved. This report shall include the total reduction in the population of  
10 California's adult prisons that has been achieved; the current population of those institutions,  
11 both in absolute terms and as a percentage of design capacity; and the reductions associated  
12 with each of the individual measures that defendants described in their November 12, 2009  
13 plan as well as any additional or alternative population reduction measures that it may have  
14 subsequently adopted. If the State has failed to achieve the required population reduction,  
15 defendants shall advise the court as to the reasons for such deficiency and what measures  
16 they have taken or propose to take to remedy it. They also shall advise the court as to  
17 whether such deficiency could have been avoided by the exercise of executive authority,  
18 such as that invested in the Governor and other officials by the California Emergency  
19 Services Act. Finally, defendants shall advise the court whether legislative changes are  
20 required to remedy any deficiency and, if so, what efforts defendants have made to obtain  
21 such changes, including specific proposals made to the legislature and the legislative  
22 responses to such proposals. Defendants are advised that we may also order the submission  
23 of interim reports informing the court of what specific tasks defendants intend to undertake  
24 during each six-month period and the specific persons responsible for executing those tasks.

25 4. If, at any time, the State believes that the waiver of state law by this court is  
26 necessary to permit it to meet any of the above population reduction deadlines, defendants  
27 shall promptly file a statement with this court, explaining the reasons that they believe such  
28 waiver to be necessary; whether they have considered and rejected all other available

1 remedies; if they have rejected such remedies, the reasons therefor; and why the proposed  
2 waiver is permissible under the PLRA and the Constitution of the United States.

3         5. To the extent that population reduction measures implemented by the State  
4 increase the need for re-entry, rehabilitation, education, job training or other community  
5 services provided by the counties, or necessitate other measures be undertaken by such  
6 counties, defendants shall, in cooperation with the counties, calculate the amount of  
7 additional funds that the counties may require from the State in order to maintain the level of  
8 public safety at or about the existing level. Within thirty days of the effective date of this  
9 Order, defendants shall file with this court a statement setting forth (1) the amounts agreed  
10 upon or, should there be no agreement, the parties' respective positions as to such amounts,  
11 and (2) what steps defendants have taken or plan to take to fulfill their obligations to the  
12 counties in connection with the implementation of the prison population reduction measures,  
13 including the allocation to the counties of a portion of any budgetary savings resulting from  
14 such implementation. It would be in the interest of both the State and the counties to  
15 commence such discussions prior to the effective date of this Order.

16         6. The effective date of this Order is STAYED pending the United States  
17 Supreme Court's consideration of the appeal of our August 4, 2009 Opinion and Order and  
18 any appeal of this Order. Unless this Order is rendered moot by the Court's disposition of  
19 any such appeal, the effective date of this Order shall be the day following the final  
20 resolution by the Court of a timely-filed appeal of this Order or, if no such appeal is filed, the  
21 later of the day following the expiration of defendant's time for filing an appeal and the day  
22 following the Court's final resolution of the appeal of our August 4 Opinion and Order.

23         7. We note that this stay grants the State additional time in which to reduce the  
24 population of its adult prisons, which Defendant Governor Arnold Schwarzenegger has  
25 proclaimed are in a state of emergency due to overcrowding. *See* Ex. P1 (Oct. 4, 2006 Prison  
26 Overcrowding State of Emergency Proclamation). In addition, the stay affords defendants  
27 the time and opportunity to seek legislation enacting those prisoner population reduction  
28 measures that they proposed in their November 12, 2009 revised plan, but asserted that they

1 lacked the authority to implement. We also note that defendants represented in their  
 2 November 12, 2009 plan that they would seek legislation affording them such authority.  
 3 Accordingly, within fourteen days of the effective date of this Order, defendants shall file a  
 4 report advising this court whether they have obtained the requisite authority for such  
 5 measures or for other alternative measures that would achieve equal or greater reductions in  
 6 the prison population, and, if not, what efforts they have made towards obtaining such  
 7 authority, including what specific proposals they have made and what specific responses  
 8 have been received from the legislature, if any.

9 As we have repeatedly stated, we do not intervene lightly in the State's management  
 10 of its prisons. However, the State's long-standing failure to provide constitutionally  
 11 adequate medical and mental health care to its prison inmates has necessitated our actions,  
 12 and our prison population reduction Order is the least intrusive remedy for the constitutional  
 13 violations at issue. We reiterate our "hope that California's leadership will act constructively  
 14 and cooperatively . . . so as to ultimately eliminate the need for further federal intervention."  
 15 Aug. 4, 2009 Opinion and Order at 182. We do, however, necessarily reserve the right, and  
 16 indeed we have the obligation, to order additional steps to implement our August 4 Order  
 17 should the actions taken by the State fail to meet any six-month reduction goal set forth in  
 18 this Order.

19  
 20 **IT IS SO ORDERED.**

21  
 22 Dated: 01/12/10

  
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 STEPHEN REINHARDT  
 UNITED STATES CIRCUIT JUDGE  
 NINTH CIRCUIT COURT OF APPEALS

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 26 Dated: 01/12/10

  
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 LAWRENCE K. KARLTON  
 SENIOR UNITED STATES DISTRICT JUDGE  
 EASTERN DISTRICT OF CALIFORNIA

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Dated: 01/12/10



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THELTON E. HENDERSON  
SENIOR UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF CALIFORNIA



Office of the Governor

ARNOLD SCHWARZENEGGER  
THE PEOPLE'S GOVERNOR

## PROCLAMATION

10/04/2006

### Prison Overcrowding State of Emergency Proclamation

PROCLAMATION

by the  
Governor of the State of California

**WHEREAS**, the California Department of Corrections and Rehabilitation (CDCR) is required by California law to house inmates committed to state prison; and

**WHEREAS**, various trends and factors, including population increases, parole policies, sentencing laws, and recidivism rates have created circumstances in which the CDCR is now required to house a record number of inmates in the CDCR prison system, making the CDCR prison system the largest state correctional system in the United States, with a total inmate population currently at an all-time high of more than 170,000 inmates; and

**WHEREAS**, due to the record number of inmates currently housed in prison in California, all 33 CDCR prisons are now at or above maximum operational capacity, and 29 of the prisons are so overcrowded that the CDCR is required to house more than 15,000 inmates in conditions that pose substantial safety risks, namely, prison areas never designed or intended for inmate housing, including, but not limited to, common areas such as prison gymnasiums, dayrooms, and program rooms, with approximately 1,500 inmates sleeping in triple-bunks; and

**WHEREAS**, the current severe overcrowding in 29 CDCR prisons has caused substantial risk to the health and safety of the men and women who work inside these prisons and the inmates housed in them, because:

With so many inmates housed in large common areas, there is an increased, substantial risk of violence, and greater difficulty controlling large inmate populations.

With large numbers of inmates housed together in triple-bunks, there is an increased, substantial risk for transmission of infectious illnesses.

The triple-bunks and tight quarters create line-of-sight problems for correctional officers by blocking views,

creating an increased, substantial security risk.

**WHEREAS**, the current severe overcrowding in these 29 prisons has also overwhelmed the electrical systems and/or wastewater/sewer systems, because those systems are now often required to operate at or above the maximum intended capacity, resulting in an increased, substantial risk to the health and safety of CDCR staff, inmates, and the public, because:

Overloading the prison electrical systems has resulted in power failures and blackouts within the prisons, creating increased security threats. It has also damaged fuses and transformers.

Overloading the prison sewage and wastewater systems has resulted in the discharge of waste beyond treatment capacity, resulting in thousands of gallons of sewage spills and environmental contamination.

And when the prisons “overdischarge” waste, bacteria can contaminate the drinking water supply, putting the public’s health at an increased, substantial risk.

**WHEREAS**, overloading the prison sewage and water systems has resulted in increased, substantial risk of damage to state and privately owned property and has resulted in multiple fines, penalties and/or notices of violations to the CDCR related to wastewater/sewer system overloading such as groundwater contamination and environmental pollution; and

**WHEREAS**, overcrowding causes harm to people and property, leads to inmate unrest and misconduct, reduces or eliminates programs, and increases recidivism as shown within this state and in others; and

**WHEREAS**, in addition to all of the above, in the 29 prisons with severe overcrowding, the following circumstances exist:

Avenal State Prison has an operational housing capacity of 5,768 inmates, but it currently houses 7,422 inmates, with 1,654 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 64 incidents of assault/battery by inmates — 31 of them against CDCR staff — along with 15 riots/melees, and 27 weapon confiscations.

The California Correctional Center has an operational housing capacity of 5,724 inmates, but it currently houses 6,174 inmates, with 450 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 128 incidents of assault/battery by inmates — 16 of them against CDCR staff — along with 34 riots/melees, and 21 weapon confiscations.

The California Correctional Institution has an operational housing capacity of 4,931, but it currently houses 5,702 inmates, with 771 inmates housed in areas designed for other purposes. At the same time, in the last year, there

were 125 incidents of assault/battery by inmates — 79 of them against CDCR staff — along with 5 riots/melees, and 57 weapon confiscations.

Centinela State Prison has an operational housing capacity of 4,368, but it currently houses 4,956 inmates, with 588 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 141 incidents of assault/battery by inmates — 30 of them against CDCR staff — along with 10 riots/melees, and 151 weapon confiscations.

The California Institution for Men has an operational housing capacity of 5,372, but it currently houses 6,611 inmates, with 1,243 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 170 incidents of assault/battery by inmates — 57 of them against CDCR staff — along with 21 riots/melees, and 47 weapon confiscations.

The California Institution for Women has an operational housing capacity of 2,228, but it currently houses 2,624 inmates, with 396 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 65 incidents of assault/battery by inmates — 26 of them against CDCR staff — and 6 weapon confiscations.

The California Men's Colony has an operational housing capacity of 6,294, but it currently houses 6,574 inmates, with 280 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 151 incidents of assault/battery by inmates — 33 of them against CDCR staff — along with 11 riots/melees, and 29 weapon confiscations.

The California State Prison at Corcoran has an operational housing capacity of 4,954, but it currently houses 5,317 inmates, with 363 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 147 incidents of assault/battery by inmates — 58 of them against CDCR staff — along with 5 riots/melees, and 111 weapon confiscations.

The California Rehabilitation Center has an operational housing capacity of 4,660, but it currently houses 4,856 inmates, with 196 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 65 incidents of assault/battery by inmates — 28 of them against CDCR staff — 9 riots/melees, and 34 weapon confiscations.

The Correctional Training Facility has an operational housing capacity of 6,157, but it currently houses 7,021 inmates, with 870 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 85 incidents of assault/battery by inmates — 26 of them against CDCR staff — along with 9 riots/melees, and 27 weapon confiscations.

Chuckawalla Valley State Prison has an operational housing capacity of 3,443, but it currently houses 4,292 inmates, with 849 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 50 incidents of assault/battery by inmates — 11 of them against CDCR staff — along with 5 riots/melees, and 21 weapon confiscations.

Deuel Vocational Institution has an operational housing capacity of 3,115, but it currently houses 3,911 inmates, with 796 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 114 incidents of assault/battery by inmates — 54 of them against CDCR staff — along with 7 riots/melees, and 37 weapon confiscations.

High Desert State Prison has an operational housing capacity of 4,346, but it currently houses 4,706 inmates, with 360 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 351 incidents of assault/battery by inmates — 44 of them against CDCR staff — along with 6 riots/melees, and 289 weapon confiscations.

Ironwood State Prison has an operational housing capacity of 4,185, but it currently houses 4,665 inmates, with 480 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 96 incidents of assault/battery by inmates — 19 of them against CDCR staff — along with 14 riots/melees, and 52 weapon confiscations.

Kern Valley State Prison has an operational housing capacity of 4,566, but it currently houses 4,686 inmates, with 120 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 146 incidents of assault/battery by inmates — 60 of them against CDCR staff — along with 10 riots/melees, and 46 weapon confiscations.

The California State Prison at Los Angeles has an operational housing capacity of 4,230, but it currently houses 4,698 inmates, with 468 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 211 incidents of assault/battery by inmates — 123 of them against CDCR staff — along with 4 riots/melees, and 101 weapon confiscations.

Mule Creek State Prison has an operational housing capacity of 3,197, but it currently houses 3,929 inmates, with 732 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 65 incidents of assault/battery by inmates — 35 of them against CDCR staff — along with 1 riot/melee, and 28 weapon confiscations.

North Kern State Prison has an operational housing capacity of 5,189, but it currently houses 5,365 inmates, with 176 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 135 incidents of assault/battery by inmates — 43 of them against CDCR staff — along with 16 riots/melees, and 70 weapon confiscations.

Pelican Bay State Prison has an operational housing capacity of 3,444, but it currently houses 3,604 inmates, with 160 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 256 incidents of assault/battery by inmates — 88 of them against CDCR staff — along with 9 riots/melees, and 106 weapon confiscations.

Pleasant Valley State Prison has an operational housing capacity of 4,368, but it currently houses 5,112 inmates, with 744 inmates housed in areas designed for other purposes. At the same time, in the last year, there were

205 incidents of assault/battery by inmates — 59 of them against CDCR staff — along with 12 riots/melees, and 26 weapon confiscations.

The Richard J. Donovan Correctional Facility has an operational housing capacity of 4,120, but it currently houses 4,720 inmates, with 600 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 244 incidents of assault/battery by inmates — 118 of them against CDCR staff — along with 11 riots/melees, and 96 weapon confiscations.

The California State Prison at Sacramento has an operational housing capacity of 2,973, but it currently houses 3,213 inmates, with 240 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 264 incidents of assault/battery by inmates — 159 of them against CDCR staff — along with 5 riots/melees, and 118 weapon confiscations.

The California Substance Abuse Treatment Facility and State Prison at Corcoran has an operational housing capacity of 6,360, but it currently houses 7,593 inmates, with 1,233 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 120 incidents of assault/battery by inmates — 53 of them against CDCR staff — along with 20 riots/melees, and 124 weapon confiscations.

The Sierra Conservation Center has an operational housing capacity of 5,657, but it currently houses 6,107 inmates, with 450 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 61 incidents of assault/battery by inmates — 18 of them against CDCR staff — along with 19 riots/melees, and 50 weapon confiscations.

The California State Prison at Solano has an operational housing capacity of 5,070, but it currently houses 5,858 inmates, with 788 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 60 incidents of assault/battery by inmates — 26 of them against CDCR staff — along with 4 riots/melees, and 114 weapon confiscations.

San Quentin State Prison has an operational housing capacity of 4,933, but it currently houses 5,183 inmates with 287 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 262 incidents of assault/battery by inmates — 123 of them against CDCR staff — along with 15 riots/melees, and 118 weapon confiscations.

Salinas Valley State Prison has an operational housing capacity of 4,200, but it currently houses 4,680 inmates, with 480 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 181 incidents of assault/battery by inmates — 82 of them against CDCR staff — along with 7 riots/melees, and 91 weapon confiscations.

Valley State Prison for Women has an operational housing capacity of 3,902, but it currently houses 3,958 inmates, with 56 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 125 incidents of assault/battery by inmates — 75 of them against CDCR staff — and 15 weapon confiscations.

Wasco State Prison has an operational housing capacity of 5,838, but it currently houses 6,098 inmates, with 260 inmates housed in areas designed for other purposes. At the same time, in the last year, there were 226 incidents of assault/battery by inmates — 97 of them against CDCR staff — along with 32 riots/melees, and 82 weapon confiscations.

**WHEREAS**, some of these 29 severely overcrowded prisons may even be housing more inmates, because the inmate population continually fluctuates among the CDCR prisons; and

**WHEREAS**, in addition to the 1,671 incidents of violence perpetrated in these 29 severely overcrowded prisons by inmates against CDCR staff last year, and the 2,642 incidents of violence perpetrated in these prisons on inmates by other inmates in the last year, the suicide rate in these 29 prisons is approaching an average of one per week; and

**WHEREAS**, the federal court in the *Coleman* case found mental-health care in CDCR prisons to be below federal constitutional standards due in part to the lack of appropriate beds and space; and

**WHEREAS**, the use of common areas for inmate housing has severely modified or eliminated certain inmat programs in the 29 prisons with severe overcrowding; and

**WHEREAS**, the severe overcrowding has also substantially limited or restricted inmate movement, causing significantly reduced inmate attendance in academic, vocational, and rehabilitation programs; and

**WHEREAS**, overcrowded prisons in other states have experienced some of the deadliest prison riots in American history, including:

In 1971, the nation's deadliest prison riot occurred in Attica, New York, resulting in the death of 43 people. On the day of this riot, the prison — which was built for 1600 — housed approximately 2,300 inmates.

In 1981, a riot occurred in the New Mexico State Penitentiary. More than 30 inmates were killed, more than 100 people were injured, and 12 officers were taken hostage, some of whom were beaten, sexually assaulted, and/or raped. On the day of this riot, the prison — which was built for 900 — housed approximately 1,136 inmates.

In 1993, a riot occurred in Lucasville, Ohio. One officer was murdered, four officers were seriously injured, and nine inmates were killed. On the day of this riot, the prison — which was built for 1600 — housed approximately 2,300 inmates.

**WHEREAS**, I believe immediate action is necessary to prevent death and harm caused by California's severe prison overcrowding; and

**WHEREAS**, because of the housing shortage in CDCR prisons, the CDCR has current contracts with four California counties to house 2,352 additional state inmates in local adult jails, but this creates the following overcrowding problem in the county jails:

According to a report by the California State Sheriffs' Association in June 2006, adult jails recently averaged a daily population of approximately 80,000 inmates. On a typical day, the county jails lacked space for more than 4,900 inmates across the state.

Based on the same report, 20 of California's 58 counties have court-imposed population caps resulting from litigation brought by or on behalf of inmates in crowded jails and another 12 counties have self-imposed caps.

Most of California's jail population consists of felony inmates, but when county jails are full, someone in custody must be released before a new inmate can be admitted.

The 2006 Sheriffs' Association report states that last year, 233,388 individuals statewide avoided incarceration or were released early into local communities because of the lack of jail space.

**WHEREAS**, overcrowding conditions are projected to get even worse in the coming year, to the point that the CDCR expects to run out of all common area space to house prisoners in mid-2007, and will be unable to receive any new inmates; and

**WHEREAS**, in January 2006, I proposed \$6 billion in the Strategic Growth Plan to help manage inmate population at all levels of government by increasing the number of available local jail beds and providing for two new prisons and space for 83,000 prisoners to address California's current and future incarceration needs; and

**WHEREAS**, the California Legislature failed to act upon this proposal; and

**WHEREAS**, in March 2006, a proposal was submitted as part of my 2006-07 budget to enable the CDCR to contract for a total of 8,500 beds in community correctional facilities within the state; and

**WHEREAS**, the California Legislature denied this proposal; and

**WHEREAS**, on June 26, 2006, I issued a proclamation calling the Legislature into special session because I believed urgent action was needed to address this severe problem in California's prisons, and I wanted to give the Legislature a further opportunity to address this crisis; and

**WHEREAS**, the CDCR submitted detailed proposals to the Legislature to address the immediate and longer term needs of the prison system in an effort resolve the overcrowding crisis; and

**WHEREAS**, the California Legislature failed to adopt the proposals submitted by the CDCR, and also failed to adopt any proposals of its own; and

**WHEREAS**, in response, my office directed the CDCR to conduct a survey of certain inmates in California's general population to determine how many might voluntarily transfer to out-of-state correctional facilities; and

**WHEREAS**, the CDCR reports that more than 19,000 inmates expressed interest in voluntarily transferring to a correctional facility outside of California; and

**WHEREAS**, the overcrowding crisis gets worse with each passing day, creating an emergency in the California prison system.

**NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER**, Governor of the State of California, in light of the aforementioned, find that conditions of extreme peril to the safety of persons and property exist in the 29 CDCR prisons identified above, due to severe overcrowding, and that the magnitude of the circumstances exceeds the capabilities of the services, personnel, equipment, and facilities of any geographical area in this state. Additionally, the counties within the state are harmed by this situation, as the inability to appropriately house inmates directly impacts local jail capacity and the early release of felons. This crisis spans the eastern, western, northern, and southern parts of the state and compromises the public's safety, and I find that local authority is inadequate to cope with the emergency. Accordingly, under the authority of the California Emergency Services Act, set forth at Title 2, Division 1, Chapter 7 of the California Government Code, commencing with section 8550, I hereby proclaim that a State of Emergency exists within the State of California's prison system.

Pursuant to this proclamation:

I. The CDCR shall, consistent with state law and as deemed appropriate by the CDCR Secretary for the sole purpose of immediately mitigating the severe overcrowding in these 29 prisons and the resulting impacts within California, immediately contract for out-of-state correctional facilities to effectuate voluntary transfers of California prison inmates to facilities outside of this state for incarceration consisting of constitutionally adequate housing, care, and programming.

II. The CDCR Secretary shall, after exhausting all possibilities for voluntary transfers of inmates, and in compliance with the Interstate Corrections Compact and the Western Interstate Corrections Compact, and as he deems necessary and appropriate to mitigate this emergency, effectuate involuntary transfers of California prison inmates, based on criteria set forth below, to institutions in other states and those of the federal government for incarceration consisting of constitutionally adequate housing, care, and programming. In such instance, because strict compliance with California Penal Code sections 11191 and 2911 would prevent, hinder, or delay the mitigation of the severe overcrowding in these prisons, applicable provisions of these statutes are suspended to the extent

necessary to enable the CDCR to transfer adult inmates, sentenced under California law, to institutions in other state and those of the federal government without consent. This suspension is limited to the scope and duration of this emergency.

A. The CDCR Secretary shall prioritize for involuntary transfer the inmates who meet the following criteria:

1. Inmates who: (a) have been previously deported by the federal government and are criminal aliens subject to immediate deportation; or (b) have committed an aggravated felony as defined by federal statute and are subject to deportation.
2. Inmates who are paroling outside of California.
3. Inmates who have limited or no family or supportive ties in California based on visitation records and/or other information deemed relevant and appropriate by the CDCR Secretary.
4. Inmates who have family or supportive ties in a transfer state.
5. Other inmates as deemed appropriate by the CDCR Secretary.

B. No person under commitment to the Division of Juvenile Justice may be considered for such transfer.

III. The CDCR Secretary shall, before selecting any inmate for transfer who has individual medical and/or mental-health needs, consult with the court-appointed Receiver of the CDCR medical system and/or the court-assigned Special Master in the *Coleman* mental-health case, depending on the healthcare needs of the inmate, to determine whether a transfer would be appropriate.

IV. The CDCR Secretary shall, before effectuating any inmate transfer, carefully and thoroughly evaluate all appropriate factors, including, but not limited to, the cost-effectiveness of any such transfer and whether an inmate selected for transfer has any pending appeals or hearings that may be impacted by such transfer.

V. The CDCR shall, as deemed appropriate by the CDCR Secretary, contract for facility space, inmate transportation, inmate screening, the services of qualified personnel, and/or for the supplies, materials, equipment, and other services needed to immediately mitigate the severe overcrowding and the resulting impacts within California. Because strict compliance with the provisions of the Government Code and the Public Contract Code applicable to state contracts would prevent, hinder, or delay the mitigation of the severe overcrowding in these prisons, applicable provisions of these statutes, including, but not limited to, advertising and competitive bidding requirements, are suspended to the extent necessary to enable the CDCR to enter into such contracts as expeditiously as possible. This suspension is limited to the scope and duration of this emergency.

**I FURTHER DIRECT** that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this proclamation.



**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 4th day of October 2006.

ARNOLD SCHWARZENEGGER

Governor of California

**ATTEST:**

BRUCE McPHERSON

Secretary of State

CALIFORNIA CODES

**PENAL CODE**

SECTION **11189**-11198

**11189.** The Interstate Corrections Compact as set forth in this section is hereby adopted and entered into with all other jurisdictions joining therein. The provisions of the interstate compact are as follows:

INTERSTATE CORRECTIONS COMPACT

This section may be cited as the Interstate Corrections Compact.

The Interstate Corrections Compact is hereby enacted into law and entered into by this state with any other states legally joining therein in the form substantially as follows:

INTERSTATE CORRECTIONS COMPACT

Article I

Purpose and Policy

The party states, desiring by common action to fully utilize and improve their institutional facilities and provide adequate programs for the confinement, treatment and rehabilitation of various types of offenders, declare that it is the policy of each of the party states to provide such facilities and programs on a basis of cooperation with one another, thereby serving the best interests of such offenders and of society and effecting economies in capital expenditures and operational costs. The purpose of this compact is to provide for the mutual development and execution of such programs of cooperation for the confinement, treatment and rehabilitation of offenders with the most economical use of human and material resources.

Article II

Definitions

As used in this compact, unless the context clearly requires otherwise:

(a) "State" means a state of the United States; the United States of America; a territory or possession of the United States; the District of Columbia; the Commonwealth of Puerto Rico.

(b) "Sending state" means a state party to this compact in which conviction or court commitment was had.

(c) "Receiving state" means a state party to this compact to which an inmate is sent for confinement other than a state in which conviction or court commitment was had.

(d) "Inmate" means a male or female offender who is committed, under sentence to or confined in a **penal** or correctional institution.

(e) "Institution" means any **penal** or correctional facility, including but not limited to a facility for the mentally ill or mentally defective, in which inmates as defined in (d) above may lawfully be confined.

Article III

Contracts

(a) Each party state may make one or more contracts with any one or more of the other party states for the confinement of inmates on behalf of a sending state in institutions situated within receiving states. Any such contract shall provide for:

1. Its duration.

2. Payments to be made to the receiving state by the sending state for inmate maintenance, extraordinary medical and dental expenses, and any participation in or receipt by inmates of rehabilitative or correctional services, facilities, programs or treatment not reasonably included as part of normal maintenance.

3. Participation in programs of inmate employment, if any; the disposition or crediting of any payments received by inmates on account thereof; and the crediting of proceeds from or disposal of any products resulting therefrom.

4. Delivery and retaking of inmates.

5. Such other matters as may be necessary and appropriate to fix the obligations, responsibilities and rights of the sending and receiving states.

(b) The terms and provisions of this compact shall be a part of any contract entered into by the authority of or pursuant thereto, and nothing in any such contract shall be inconsistent therewith.

#### Article IV

#### Procedures and Rights

(a) Whenever the duly constituted authorities in a state party to this compact, and which has entered into a contract pursuant to Article III, shall decide that confinement in, or transfer of an inmate to, an institution within the territory of another party state is necessary or desirable in order to provide adequate quarters and care or an appropriate program of rehabilitation or treatment, said officials may direct that the confinement be within an institution within the territory of said other party state, the receiving state to act in that regard solely as agent for the sending state.

(b) The appropriate officials of any state party to this compact shall have access, at all reasonable times, to any institution in which it has a contractual right to confine inmates for the purpose of inspecting the facilities thereof and visiting such of its inmates as may be confined in the institution.

(c) Inmates confined in an institution pursuant to the terms of this compact shall at all times be subject to the jurisdiction of the sending state and may at any time be removed therefrom for transfer to a prison or other institution within the sending state, for transfer to another institution in which the sending state may have a contractual or other right to confine inmates, for release on probation or parole, for discharge, or for any other purpose permitted by the laws of the sending state; provided that the sending state shall continue to be obligated to such payments as may be required pursuant to the terms of any contract entered into under the terms of Article III.

(d) Each receiving state shall provide regular reports to each sending state on the inmates of that sending state in institutions pursuant to this compact including a conduct record of each inmate and certify said record to the official designated by the sending state, in order that each inmate may have official review of his or her record in determining and altering the disposition of said inmate in accordance with the law which may obtain in the sending state and in order that the same may be a source of information for the sending state.

(e) All inmates who may be confined in an institution pursuant to the provisions of this compact shall be treated in a reasonable and humane manner and shall be treated equally with such similar inmates of the receiving state as may be confined in the same institution. The fact of confinement in a receiving state shall not deprive any inmate so confined of any legal rights which said inmate would have had if confined in an appropriate institution of the sending state.

(f) Any hearing or hearings to which an inmate confined pursuant to this compact may be entitled by the laws of the sending state may be had before the appropriate authorities of the sending state, or of the receiving state if authorized by the sending state. The receiving state shall provide adequate facilities for such hearings as may be conducted by the appropriate officials of a sending state. In the event such hearing or hearings are had before officials of the receiving state, the governing law shall be that of the sending state and a record of the hearing or hearings as prescribed by the sending state shall be made. Said record together with any recommendations of the hearing officials shall be transmitted forthwith to the official or officials before whom the hearing would have been had if it had taken place in the sending state. In any and all proceedings had pursuant to the provisions of this subdivision, the officials of the receiving state shall act solely as agents of the sending state and no final determination shall be made in any matter except by the appropriate officials of the sending state.

(g) Any inmate confined pursuant to this compact shall be released within the territory of the sending state unless the inmate, and the sending and receiving states, shall agree upon release in some other place. The sending state shall bear the cost of such return to its territory.

(h) Any inmate confined pursuant to the terms of this compact shall have any and all rights to participate in and derive any benefits or incur or be relieved of any obligations or have such obligations modified or his status changed on account of any action or proceeding in which he could have participated if confined in any appropriate institution of the sending state located within such state.

(i) The parent, guardian, trustee, or other person or persons entitled under the laws of the sending state to act for, advise, or otherwise function with respect to any inmate shall not be deprived of or restricted in his exercise of any power in respect of any inmate confined pursuant to the terms of this compact.

#### Article V

#### Acts Not Reviewable in Receiving State: Extradition

(a) Any decision of the sending state in respect of any matter over which it retains jurisdiction pursuant to this compact shall be conclusive upon and not reviewable within the receiving state, but if at the time the sending state seeks to remove an inmate from an institution in the receiving state there is pending against the inmate within such state any criminal charge or if the inmate is formally accused of having committed within such state a criminal offense, the inmate shall not be returned without the consent of the receiving state until discharged from prosecution or other form of proceeding, imprisonment or detention for such offense. The duly accredited officers of the sending state shall be permitted to transport inmates pursuant to this compact through any and all states party to this compact without interference.

(b) An inmate who escapes from an institution in which he is confined pursuant to this compact shall be deemed a fugitive from the

sending state and from the state in which the institution is situated. In the case of an escape to a jurisdiction other than the sending or receiving state, the responsibility for institution of extradition or rendition proceedings shall be that of the sending state, but nothing contained herein shall be construed to prevent or affect the activities of officers and agencies of any jurisdiction directed toward the apprehension and return of an escapee.

#### Article VI

##### Federal Aid

Any state party to this compact may accept federal aid for use in connection with any institution or program, the use of which is or may be affected by this compact or any contract pursuant hereto and any inmate in a receiving state pursuant to this compact may participate in any such federally aided program or activity for which the sending and receiving states have made contractual provision, provided that if such program or activity is not part of the customary correctional regimen, the express consent of the appropriate official of the sending state shall be required therefor.

#### Article VII

##### Entry Into Force

This compact shall enter into force and become effective and binding upon the states so acting when it has been enacted into law by any two states. Thereafter, this compact shall enter into force and become effective and binding as to any other of said states upon similar action by such state.

#### Article VIII

##### Withdrawal and Termination

This compact shall continue in force and remain binding upon a party state until it shall have enacted a statute repealing the same and providing for the sending of formal written notice of withdrawal from the compact to the appropriate officials of all other party states. An actual withdrawal shall not take effect until one year after the notices provided in said statute have been sent. Such withdrawal shall not relieve the withdrawing state from its obligations assumed hereunder prior to the effective date of withdrawal. Before the effective date of withdrawal, a withdrawing state shall remove to its territory, at its own expense, such inmates as it may have confined pursuant to the provisions of this compact.

#### Article IX

##### Other Arrangements Unaffected

Nothing contained in this compact shall be construed to abrogate or impair any agreement or other arrangement which a party state may have with a nonparty state for the confinement, rehabilitation or treatment of inmates nor to repeal any other laws of a party state authorizing the making of cooperative institutional arrangements.

#### Article X

##### Construction and Severability

The provisions of this compact shall be liberally construed and

shall be severable. If any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any participating state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

11190. The Western Interstate Corrections Compact as contained herein is hereby enacted into law and entered into on behalf of this State with any and all other states legally joining therein in a form substantially as follows:

#### WESTERN INTERSTATE CORRECTIONS COMPACT

##### ARTICLE I

###### Purpose and Policy

The party states, desiring by common action to improve their institutional facilities and provide programs of sufficiently high quality for the confinement, treatment and rehabilitation of various types of offenders, declare that it is the policy of each of the party states to provide such facilities and programs on a basis of co-operation with one another, thereby serving the best interests of such offenders and of society. The purpose of this compact is to provide for the development and execution of such programs of co-operation for the confinement, treatment and rehabilitation of offenders.

##### ARTICLE II

###### Definitions

As used in this compact, unless the context clearly requires otherwise:

(a) "State" means a state of the United States, or, subject to the limitation contained in Article VII, Guam.

(b) "Sending state" means a state party to this compact in which conviction was had.

(c) "Receiving state" means a state party to this compact to which an inmate is sent for confinement other than a state in which conviction was had.

(d) "Inmate" means a male or female offender who is under sentence to or confined in a prison or other correctional institution.

(e) "Institution" means any prison, reformatory or other correctional facility (including but not limited to a facility for the mentally ill or mentally defective) in which inmates may lawfully be confined.

##### ARTICLE III

###### Contracts

(a) Each party state may make one or more contracts with any one or more of the other party states for the confinement of inmates on

behalf of a sending state in institutions situated within receiving states. Any such contract shall provide for:

1. Its duration.
2. Payments to be made to the receiving state by the sending state for inmate maintenance, extraordinary medical and dental expenses, and any participation in or receipt by inmates of rehabilitative or correctional services, facilities, programs or treatment not reasonably included as part of normal maintenance.
3. Participation in programs of inmate employment, if any; the disposition or crediting of any payments received by inmates on accounts thereof; and the crediting of proceeds from or disposal of any products resulting therefrom.
4. Delivery and retaking of inmates.
5. Such other matters as may be necessary and appropriate to fix the obligations, responsibilities and rights of the sending and receiving states.

(b) Prior to the construction or completion of construction of any institution or addition thereto by a party state, any other party state or states may contract therewith for the enlargement of the planned capacity of the institution or addition thereto, or for the inclusion therein of particular equipment or structures, and for the reservation of a specific per centum of the capacity of the institution to be kept available for use by inmates of the sending state or states so contracting. Any sending state so contracting may, to the extent that moneys are legally available therefor, pay to the receiving state, a reasonable sum as consideration for such enlargement of capacity, or provision of equipment or structures, and reservation of capacity. Such payment may be in a lump sum or in installments as provided in the contract.

(c) The terms and provisions of this compact shall be a part of any contract entered into by the authority of or pursuant thereto, and nothing in any such contract shall be inconsistent therewith.

#### ARTICLE IV

##### Procedures and Rights

(a) Whenever the duly constituted judicial or administrative authorities in a state party to this compact, and which has entered into a contract pursuant to Article III, shall decide that confinement in, or transfer of an inmate to, an institution within the territory of another party state is necessary in order to provide adequate quarters and care or desirable in order to provide an appropriate program of rehabilitation or treatment, said officials may direct that the confinement be within an institution within the territory of said other party state, the receiving state to act in that regard solely as agent for the sending state.

(b) The appropriate officials of any state party to this compact shall have access, at all reasonable times, to any institution in which it has a contractual right to confine inmates for the purpose of inspecting the facilities thereof and visiting such of its inmates as may be confined in the institution.

(c) Inmates confined in an institution pursuant to the terms of this compact shall at all times be subject to the jurisdiction of the sending state and may at any time be removed therefrom for transfer to a prison or other institution within the sending state, for transfer to another institution in which the sending state may have a contractual or other right to confine inmates, for release on probation or parole, for discharge, or for any other purpose permitted by the laws of the sending state; provided that the sending state shall continue to be obligated to such payments as may be

required pursuant to the terms of any contract entered into under the terms of Article III.

(d) Each receiving state shall provide regular reports to each sending state on the inmates of that sending state in institutions pursuant to this compact including a conduct record of each inmate and certify said record to the official designated by the sending state, in order that each inmate may have the benefit of his or her record in determining and altering the disposition of said inmate in accordance with the law which may obtain in the sending state and in order that the same may be a source of information for the sending state.

(e) All inmates who may be confined in an institution pursuant to the provisions of this compact shall be treated in a reasonable and humane manner and shall be cared for and treated equally with such similar inmates of the receiving state as may be confined in the same institution. The fact of confinement in a receiving state shall not deprive any inmate so confined of any legal rights which said inmate would have had if confined in an appropriate institution of the sending state.

(f) Any hearing or hearings to which an inmate confined pursuant to this compact may be entitled by the laws of the sending state may be had before the appropriate authorities of the sending state, or of the receiving state if authorized by the sending state. The receiving state shall provide adequate facilities for such hearings as may be conducted by the appropriate officials of a sending state. In the event such hearing or hearings are had before officials of the receiving state, the governing law shall be that of the sending state and a record of the hearing or hearings as prescribed by the sending state shall be made. Said record together with any recommendations of the hearing officials shall be transmitted forthwith to the official or officials before whom the hearing would have been had if it had taken place in the sending state. In any and all proceedings had pursuant to the provisions of this subdivision, the officials of the receiving state shall act solely as agents of the sending state and no final determination shall be made in any matter except by the appropriate officials of the sending state. Costs of records made pursuant to this subdivision shall be borne by the sending state.

(g) Any inmate confined pursuant to this compact shall be released within the territory of the sending state unless the inmate, and the sending and receiving states, shall agree upon release in some other place. The sending state shall bear the cost of such return to its territory.

(h) Any inmate confined pursuant to the terms of this compact shall have any and all rights to participate in and derive any benefits or incur or be relieved of any obligations or have such obligations modified or his status changed on account of any action or proceeding in which he could have participated if confined in any appropriate institution of the sending state located within such state.

(i) The parent, guardian, trustee, or other person or persons entitled under the laws of the sending state to act for, advise, or otherwise function with respect to any inmate shall not be deprived of or restricted in his exercise of any power in respect of any inmate confined pursuant to the terms of this compact.

#### ARTICLE V

Acts Not Reviewable in Receiving State; Extradition

(a) Any decision of the sending state in respect of any matter

over which it retains jurisdiction pursuant to this compact shall be conclusive upon and not reviewable within the receiving state, but if at the time the sending state seeks to remove an inmate from an institution in the receiving state there is pending against the inmate within such state any criminal charge or if the inmate is suspected of having committed within such state a criminal offense, the inmate shall not be returned without the consent of the receiving state until discharged from prosecution or other form of proceeding, imprisonment or detention for such offense. The duly accredited officers of the sending state shall be permitted to transport inmates pursuant to this compact through any and all states party to this compact without interference.

(b) An inmate who escapes from an institution in which he is confined pursuant to this compact shall be deemed a fugitive from the sending state and from the state in which the institution is situated. In the case of an escape to a jurisdiction other than the sending or receiving state, the responsibility for institution of extradition proceedings shall be that of the sending state, but nothing contained herein shall be construed to prevent or affect the activities of officers and agencies of any jurisdiction directed toward the apprehension and return of an escapee.

#### ARTICLE VI

##### Federal Aid

Any state party to this compact may accept federal aid for use in connection with any institution or program, the use of which is or may be affected by this compact or any contract pursuant hereto and any inmate in a receiving state pursuant to this compact may participate in any such federally aided program or activity for which the sending and receiving states have made contractual provision provided that if such program or activity is not part of the customary correctional regimen the express consent of the appropriate official of the sending state shall be required therefor.

#### ARTICLE VII

##### Entry Into Force

This compact shall enter into force and become effective and binding upon the states so acting when it has been enacted into law by any two contiguous states from among the States of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nebraska, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming. For the purpose of this article, Alaska and Hawaii shall be deemed contiguous to each other; to any and all of the States of California, Oregon and Washington; and to Guam. Thereafter, this compact shall enter into force and become effective and binding as to any other of said states, or any other state contiguous to at least one party state upon similar action by such state. Guam may become party to this compact by taking action similar to that provided for joinder by any other eligible party state and upon the consent of Congress to such joinder. For the purposes of this article, Guam shall be deemed contiguous to Alaska, Hawaii, California, Oregon and Washington.

#### ARTICLE VIII

##### Withdrawal and Termination

This compact shall continue in force and remain binding upon a party state until it shall have enacted a statute repealing the same and providing for the sending of formal written notice of withdrawal

from the compact to the appropriate officials of all other party states. An actual withdrawal shall not take effect until two years after the notices provided in said statute have been sent. Such withdrawal shall not relieve the withdrawing state from its obligations assumed hereunder prior to the effective date of withdrawal. Before the effective date of withdrawal, a withdrawing state shall remove to its territory, at its own expense, such inmates as it may have confined pursuant to the provisions of this compact.

#### ARTICLE IX

##### Other Arrangements Unaffected

Nothing contained in this compact shall be construed to abrogate or impair any agreement or other arrangement which a party state may have with a nonparty state for the confinement, rehabilitation or treatment of inmates nor to repeal any other laws of a party state authorizing the making of co-operative institutional arrangements.

#### ARTICLE X

##### Construction and Severability

The provisions of this compact shall be liberally construed and shall be severable. If any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any participating state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

11191. (a) Any court or other agency or officer of this state having power to commit or transfer an inmate (as defined in Article II(d) of the Interstate Corrections Compact or of the Western Interstate Corrections Compact) to any institution for confinement may commit or transfer that inmate to any institution within or without this state if this state has entered into a contract or contracts for the confinement of inmates in that institution pursuant to Article III of the Interstate Corrections Compact or of the Western Interstate Corrections Compact. The inmate shall have the right to a private consultation with an attorney of his choice, or with a public defender if the inmate cannot afford counsel, concerning his rights and obligations under this section, and shall be informed of those rights prior to executing the written consent. At any time more than five years after the transfer, the inmate shall be entitled to revoke his consent and to transfer to an institution in this state. In which case, the transfer shall occur within the next 30 days.

(b) Notwithstanding subdivision (a), no inmate with serious medical or mental health conditions, as determined by the Plata Receiver, or an inmate in the mental health delivery system at the Enhanced Outpatient Program level of care or higher may be committed or transferred to an institution outside of this state unless he has

executed a written consent to the transfer.

(c) This section shall remain in effect only until July 1, 2011, or until such time as the Department of Corrections and Rehabilitation has replaced "temporary beds," as defined in paragraph (3) of subdivision (a) of Section 15819.34 of the Government **Code**, whichever is sooner, and as of January 1, 2012, shall be repealed, unless a later enacted statute deletes or extends that date.

11191. (a) Any court or other agency or officer of this state having power to commit or transfer an inmate (as defined in Article II(d) of the Interstate Corrections Compact or of the Western Interstate Corrections Compact) to any institution for confinement may commit or transfer that inmate to any institution within or without this state if this state has entered into a contract or contracts for the confinement of inmates in that institution pursuant to Article III of the Interstate Corrections Compact or of the Western Interstate Corrections Compact, but no inmate sentenced under California law may be committed or transferred to an institution outside of this state, unless he or she has executed a written consent to the transfer. The inmate shall have the right to a private consultation with an attorney of his choice, or with a public defender if the inmate cannot afford counsel, concerning his rights and obligations under this section, and shall be informed of those rights prior to executing the written consent. At any time more than five years after the transfer, the inmate shall be entitled to revoke his consent and to transfer to an institution in this state. In such cases, the transfer shall occur within the next 30 days.

(b) This section shall become operative on July 1, 2011, or at such time as the Department of Corrections and Rehabilitation has replaced "temporary beds," as defined in paragraph (3) of subdivision (a) of Section 15819.34 of the Government **Code**, whichever is sooner.

11192. The courts, departments, agencies and officers of this State and its subdivisions shall enforce this compact and shall do all things appropriate to the effectuation of its purposes and intent which may be within their respective jurisdictions including but not limited to the making and submission of such reports as are required by the compact.

11193. Any inmate sentenced under California law who is imprisoned in another state, pursuant to a compact, shall be entitled to all hearings, within 120 days of the time and under the same standards, which are normally accorded to persons similarly sentenced who are confined in institutions in this state. If the inmate consents in writing, such hearings may be conducted by the corresponding agencies or officials of such other jurisdiction. The Board of Prison Terms or its duly authorized representative is hereby authorized and directed to hold such hearings as may be requested by such other jurisdiction or the inmate pursuant to this section or to Article IV (f) of the Interstate Corrections Compact or of the Western Interstate Corrections Compact.

11194. The Director of Corrections is hereby empowered to enter into such contracts on behalf of this state as may be appropriate to implement the participation of this state in the Interstate Corrections Compact and the Western Interstate Corrections Compact pursuant to Article III thereof. No such contract shall be of any force or effect until approved by the Director of General Services. Such contracts may authorize confinement of inmates in, or transfer of inmates from, only such institutions in this state as are under the jurisdiction of the Department of Corrections, and no such contract may provide for transfer out of this state of any person committed to the custody of the Director of the Youth Authority. No such contract may authorize the confinement of an inmate, who is in the custody of the Director of Corrections, in an institution of a state other than a state that is a party to the Interstate Corrections Compact or to the Western Interstate Corrections Compact.

The Director of Corrections, subject to the approval of the Board of Prison Terms, must first determine, on the basis of an inspection made by his direction, that such institution of another state is a suitable place for confinement of prisoners committed to his custody before entering into a contract permitting such confinement, and shall, at least annually, redetermine the suitability of such confinement. In determining the suitability of such institution of another state, the director shall assure himself that such institution maintains standards of care and discipline not incompatible with those of the State of California and that all inmates therein are treated equitably, regardless of race, religion, color, creed or national origin.

11194.5. (a) At the request of the board of supervisors of any county that is adjacent to another state, the county sheriff shall negotiate with the appropriate officials of the adjacent state to contract pursuant to the authority of Article III of a compact executed under Section **11189** or 11190 for the confinement of county jail prisoners in corresponding facilities located in the adjacent state. The sheriff shall determine that the corresponding facilities are a suitable place of confinement of prisoners submitted to his or her custody and shall at least annually redetermine the suitability as a precondition to any contract under this section. In determining the suitability of the facilities of the other states, the sheriff shall assure himself or herself that it maintains standards of care and discipline not incompatible with those of this state and that all inmates therein are treated equally, regardless of race, religion, color, creed, or national origin.

(b) With the approval of the board of supervisors including agreement as to terms for payments to be made for prisoner maintenance and expenses, the county sheriff may enter into a contract negotiated under subdivision (a).

(c) No prisoner may be transferred to an institution outside of this state under this section unless he or she has executed a written consent to the transfer.

(d) Any person who was sent to another state from a county under the authority of this section shall be released within the territory of the county unless the person, the sheriff of the sending county, and the corresponding official or agency of the other state shall agree upon release in another place. The county shall bear the cost of transporting the person to the place of release.

11195. Every prisoner released from a prison without this state to which he has been committed or transferred from this state pursuant to this article shall be entitled to the same benefits, including, but not limited to money and tools, as are allowed to a prisoner released from a prison in this state. Any person who has been sent to another state for confinement pursuant to this article shall be released within the territory of this state unless the person, the Director of Corrections of California, and the corresponding agency or official of the other state shall agree upon release in some other place. This state shall bear the cost of transporting the person to the place of release.

11196. The provisions of this article shall be severable and if any phrase, clause, sentence, or provision of this article is declared to be unconstitutional or the applicability thereof to any state, agency, person or circumstance is held invalid, the constitutionality of this article and the applicability thereof to any other state, agency, person or circumstance shall, with respect to all severable matters, not be affected thereby. It is the legislative intent that the provisions of this article be reasonably and liberally construed.

11197. No person sentenced under California law who is committed or transferred to an institution outside of this state shall be competent to testify for the prosecution in any criminal proceeding in this state unless counsel for each defendant in such proceeding is notified that the prosecution may call the person as a witness and is given an opportunity to interview the person no less than 10 days before the commencement of the proceeding or, in the event the prosecution is not at that time considering the possibility of using such testimony, the notice and opportunity for interview shall be given at the earliest possible time. Nothing in this section shall be construed to compel the prisoner to submit to such an interview.

11198. (a) Except as authorized by California statute, no city, county, city and county, or private entity shall cause to be brought into, housed in, confined in, or detained in this state any person sentenced to serve a criminal commitment under the authority of any jurisdiction outside of California.

(b) It is the intent of the Legislature that this act shall neither prohibit nor authorize the confinement of federal prisoners in this state.

## CDCR Revised AB 900 Integrated Strategy Plan (Includes HealthCare Construction)

| Institution                                              | City            | County          | Beds at OC    | Level        | Final CDCR Total Estimated Project Costs | Estimated Occupancy (FY) | Total AB 900 Appropriated Funds |
|----------------------------------------------------------|-----------------|-----------------|---------------|--------------|------------------------------------------|--------------------------|---------------------------------|
| <b>Infill Phase I</b>                                    |                 |                 |               |              |                                          |                          |                                 |
| **California Health Care Facility (CHCF)                 | Stockton        | San Joaquin     | 1,722         | All          | \$906,000,000                            | 2013/14                  |                                 |
| **Kern Valley State Prison                               | Delano          | Kern            | 930           | IV           | \$281,000,000                            | 2014/15                  |                                 |
| **Heman G. Stark (DJJ Conversion)                        | Chino           | San Bernardino  | 2,839         | Recpt. / III | \$453,000,000                            | 2013/14                  |                                 |
| **DeWitt Nelson (DJJ Conversion)                         | Stockton        | San Joaquin     | 1,133         | II           | \$188,000,000                            | 2013/14                  |                                 |
| **Estrella Correctional Facility (DJJ Conversion)        | Paso Robles     | San Luis Obispo | 1,000         | II           | \$111,000,000                            | 2012/13                  |                                 |
| <b>Subtotal Phase I:</b>                                 |                 |                 | <b>7,624</b>  |              | <b>1,939,000,000</b>                     |                          | <b>\$1,800,000,000</b>          |
| <b>Infill Phase 2</b>                                    |                 |                 |               |              |                                          |                          |                                 |
| **Wasco State Prison (WSP)                               | Wasco           | Kern            | 1,896         | IV           | \$600,000,000                            | 2014/15                  |                                 |
| <b>Subtotal Phase II:</b>                                |                 |                 | <b>1,896</b>  |              | <b>\$600,000,000</b>                     |                          | <b>\$600,000,000</b>            |
| <b>Total Proposed AB 900 Infill:</b>                     |                 |                 | <b>9,520</b>  |              | <b>\$2,539,000,000</b>                   |                          | <b>\$2,400,000,000</b>          |
| <b>Healthcare Projects Phase I</b>                       |                 |                 |               |              |                                          |                          |                                 |
| SQ Building 22 (Receiver) - Med/MH Crisis                | San Quentin     | Marin           | 50            | Med & MH     | N/A                                      | 2009/10                  |                                 |
| CMC MHC B                                                | San Luis Obispo | San Luis Obispo | 50            | MHC B        | \$56,000,000                             | 2011/12                  |                                 |
| STARK 60 BED CTC                                         | Chino           | San Bernardino  | 60            | Med & MH     | \$66,000,000                             | 2012/13                  |                                 |
| LAC EOP (Office & Treatment Space Only)                  | Lancaster       | Los Angeles     | 0             | EOP          | \$15,000,000                             | 2012/13                  |                                 |
| CMF ICF                                                  | Vacaville       | Solano          | 64            | ICF          | \$30,000,000                             | 2012/13                  | AB 900 funded portion only      |
| CMF EOP (Office & Treatment Space Only)                  | Vacaville       | Solano          | 0             | EOP          | \$34,000,000                             | 2012/13                  |                                 |
| *SAC EOP (Office & Treatment Space Only)                 | Folsom          | Sacramento      | 0             | EOP          | N/A                                      | 2010/11                  |                                 |
| *SQ CIC - CTC                                            | San Quentin     | Marin           | 24            | Med & MH     | N/A                                      | 2012/13                  |                                 |
| *CIW PSU                                                 | Corona          | San Bernardino  | 20            | PSU          | N/A                                      | 2010/11                  |                                 |
| SAC PSU (Office & Treatment Space Only)                  | Folsom          | Sacramento      | 0             | PSU          | \$18,000,000                             | 2012/13                  |                                 |
| CCWF EOP (Office & Treatment Space Only)                 | Chowchilla      | Madera          | 0             | EOP          | \$18,000,000                             | 2013/14                  |                                 |
| CIW ICF                                                  | Corona          | San Bernardino  | 45            | ICF          | \$32,000,000                             | 2011/12                  | AB 900 funded portion only      |
| SVSP EOP (Office & Treatment Space Only)                 | Soledad         | Monterey        | 0             | EOP          | \$29,000,000                             | 2013/14                  |                                 |
| COR EOP (Office & Treatment Space Only)                  | Corcoran        | Kings           | 0             | EOP          | \$18,000,000                             | 2012/13                  |                                 |
| <b>Healthcare Facilities Improvement Program (HCFIP)</b> |                 |                 |               |              |                                          |                          |                                 |
| HCFIP Phase I - Intermediate Institutions                | Various         | Various         | 0             | Misc.        | \$416,000,000                            | TBD                      |                                 |
| HCFIP Phase I - RC Institutions                          | Various         | Various         | 0             | Misc.        | \$4,000,000                              | TBD                      |                                 |
| HCFIP Phase I - Basic Institutions                       | Various         | Various         | 0             | Misc.        | \$19,000,000                             | TBD                      |                                 |
| <b>Subtotal Healthcare Phase 1:</b>                      |                 |                 | <b>313</b>    |              | <b>\$755,000,000</b>                     |                          | <b>\$710,940,000</b>            |
| <b>Healthcare Projects Phase 2</b>                       |                 |                 |               |              |                                          |                          |                                 |
| Wasco State Prison (WSP) - Licensed Beds                 | Wasco           | Kern            | 24            | Med & MH     | N/A                                      | 2014/15                  |                                 |
| HCFIP Phase II - RC Institutions                         | Various         | Various         | 0             | Misc.        | \$82,000,000                             | TBD                      |                                 |
| HCFIP Phase II - Basic Institutions                      | Various         | Various         | 0             | Misc.        | \$226,000,000                            | TBD                      |                                 |
| <b>Subtotal Healthcare Phase 2:</b>                      |                 |                 | <b>24</b>     |              | <b>\$308,000,000</b>                     |                          | <b>\$285,700,000</b>            |
| <b>Total Proposed AB 900 Healthcare Projects:</b>        |                 |                 | <b>337</b>    |              | <b>\$1,063,000,000</b>                   |                          | <b>\$996,640,000</b>            |
| <b>Reentry Projects Phase 1</b>                          |                 |                 |               |              |                                          |                          |                                 |
| Central Coast Reentry                                    | Paso Robles     | San Luis Obispo | 500           |              | \$160,000,000                            | 2012/13                  |                                 |
| Northern California Reentry Facility                     | Stockton        | San Joaquin     | 500           |              | \$115,000,000                            | 2011/12                  |                                 |
| Kern Reentry Facility                                    | Delano          | Kern            | 500           |              | \$163,000,000                            | 2012/13                  |                                 |
| Madera Reentry Facility                                  | Madera          | Madera          | 500           |              | \$163,000,000                            | 2012/13                  |                                 |
| San Diego Reentry Facility                               | San Diego       | San Diego       | 500           |              | \$165,000,000                            | 2012/13                  |                                 |
| San Bernardino Reentry Facility                          | Apple Valley    | San Bernardino  | 500           |              | \$165,000,000                            | 2012/13                  |                                 |
| <b>Subtotal Reentry Phase 1:</b>                         |                 |                 | <b>3,000</b>  |              | <b>\$931,000,000</b>                     |                          | <b>\$975,000,000</b>            |
| <b>Reentry Projects Phase 2</b>                          |                 |                 |               |              |                                          |                          |                                 |
| Misc. Reentry Facilities                                 | TBD             | TBD             | 7,000         |              | \$1,669,000,000                          | 2013 - 2015              |                                 |
| <b>Subtotal Reentry Phase 2:</b>                         |                 |                 | <b>7,000</b>  |              | <b>\$1,669,000,000</b>                   |                          | <b>\$1,625,000,000</b>          |
| <b>Total Proposed AB 900 Reentry Projects:</b>           |                 |                 | <b>10,000</b> |              | <b>\$2,600,000,000</b>                   |                          | <b>\$2,600,000,000</b>          |
| <b>**Total Revised Integrated Strategy Plan:</b>         |                 |                 | <b>19,857</b> |              | <b>\$6,202,000,000</b>                   |                          | <b>\$5,996,640,000</b>          |

\*Non-AB 900 Funded Project

\*\*All project cost estimates are conceptual. It is anticipated that each project contains construction items that may not meet the criteria for funding via lease revenue bonds. These items will be funded utilizing the \$300 million infrastructure general fund appropriation contained in AB 900. The amount of project cost to be funded via general fund will be identified during the design phase of the project. Additionally, as the current conceptual estimates for Phase I projects exceeds the appropriation, authorization of final Phase I projects may be dependent upon revised design estimates for already authorized Phase I projects.

**APPROVAL SIGNATURE: Chris Meyer**

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**DATE:** 8/25/10