



Department of Corrections and
Rehabilitation

**NOTICE OF CHANGE TO
REGULATIONS**

Sections: 3000 and 3268.2

Number:

15-02

Publication Date:

May 22, 2015

Effective Date:

To be announced

INSTITUTION POSTING AND CERTIFICATION REQUIRED

This Notice announces proposed amendments to Sections 3000 and 3268.2 of the California Code of Regulations (CCR), Title 15, Crime Prevention and Corrections, to incorporate into the CCR, provisions concerning Use of Security Modules and repeals pilot program 3999.17, Secure Alternative Treatment Program (SATM).

IMPLEMENTATION: To be announced

PUBLIC COMMENT PERIOD

Any person may submit written comments about the proposed regulations to the California Department of Corrections and Rehabilitation, Regulation and Policy Management Branch (RPMB), P.O. Box 942883, Sacramento, California 94283-0001, by fax to (916) 324-6075, or by e-mail to RPMB@cdcr.ca.gov. All written comments must be received by the close of the public comment period, **July 14, 2015 at 5:00 p.m.**

PUBLIC HEARING INFORMATION

A public hearing regarding these proposed regulations will be held on July 14, 2015 from 9:00 a.m. to 10:00 a.m. in the Kern Room, located at 1515 S Street, North Building, Sacramento, California 95811. The purpose of the hearing is to receive oral comments about this action. It is not a forum to debate the proposed regulations. No decision regarding the permanent adoption of these regulations will be rendered at this hearing. Written or facsimile comments submitted during the prescribed comment period have the same significance and influence as oral comments presented at the hearing. This hearing site is accessible to the mobility impaired.

POSTING

This Notice shall be posted immediately upon receipt at locations accessible to inmates, parolees, and employees in each Department facility and field office not later than five calendar days after receipt. Also, facilities shall make this Notice available for review by inmates in segregated housing who do not have access to the posted copies, and shall distribute it to inmate law libraries and advisory councils. CDCR 621-A (Rev. 09/14), Certification of Posting, shall be returned to RPMB electronically, by fax or by mail. See Department Operations Manual Sections 12010.12.1 and 12010.12.2 for posting and certification of posting procedures.

CONTACT PERSON

Inquiries regarding this Notice should be directed to Timothy M. Lockwood, Chief, RPMB, California Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, California 94283-0001, by telephone (916) 445-2269 or e-mail RPMB@cdcr.ca.gov. Inquiries regarding the subject matter of these regulations may be directed to: Thomas Tyler at (916) 324-7956.

Original signed by:

SCOTT KERNAN
Undersecretary, Operations
California Department of Corrections and Rehabilitation

Attachments

NOTICE OF PROPOSED REGULATIONS

California Code of Regulations Title 15, Crime Prevention and Corrections Department of Corrections and Rehabilitation

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code Section 12838.5 and Penal Code (PC) Section 5055, and the rulemaking authority granted by PC Section 5058, proposes to amend sections 3000 and 3268.2 of the California Code of Regulations (CCR), Title 15, Division 3, concerning Use of Security Modules and repeals pilot program 3999.17, Secure Alternative Treatment Program (SATM).

PUBLIC HEARING

Date and Time: **July 14, 2015 – 9:00 a.m. to 10:00 a.m.**

Place: Department of Corrections and Rehabilitation
Kern Room
1515 S Street – North Building
Sacramento, CA 95811

Purpose: To receive comments about this action.

PUBLIC COMMENT PERIOD

The public comment period will close **July 14, 2015 at 5:00 p.m.** Any person may submit public comments in writing (by mail, by fax, or by e-mail) regarding the proposed changes. To be considered by the Department, comments must be submitted to the CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001; by fax at (916) 324-6075; or by e-mail at RPMB@cdcr.ca.gov before the close of the comment period.

CONTACT PERSON

Please direct any inquiries regarding this action to:

**Timothy M. Lockwood, Chief
Regulation and Policy Management Branch
Department of Corrections and Rehabilitation
P.O. Box 942883, Sacramento, CA 94283-0001
Telephone (916) 445-2269**

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

**D. Hawkins
Regulation and Policy Management Branch
Telephone (916) 445-2314**

Questions regarding the substance of the proposed regulatory action should be directed to:

**Thomas Tyler
Department of Corrections and Rehabilitation
(916) 324-7956**

AUTHORITY AND REFERENCE

PC Section 5000 provides that commencing July 1, 2005, any reference to the Department of Corrections in this or any code, refers to the CDCR, Division of Adult Operations.

PC Section 5050 provides that commencing July 1, 2005, any reference to the Director of Corrections, in this or any other code, refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections is abolished.

PC Section 5054 provides that commencing July 1, 2005, the supervision, management, and control of the state prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR.

PC Section 5058 authorizes the Director to prescribe and amend regulations for the administration of prisons.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Current laws and regulations provide guidelines on the effective uses of security modules and the types of inmates and circumstances for placing inmates into security modules, i.e., mental health group therapy sessions.

This action:

- Amends section 3000 to add the definition of *Security Module*. This definition provides guidelines regarding the type of inmate that may be placed into a Security Module and specifies that it is designed to be used with State-issued restraint gear.
- Amends subsection 3268.2(c)(4) to specify that maximum custody inmates can be secured to a Security Module with the use of Department-approved restraint gear.
- Repeals pilot program 3999.17, Secure Alternative Treatment Module (SATM).

SPECIFIC BENEFITS ANTICIPATED BY THE PROPOSED REGULATIONS

The Department has determined that the proposed regulatory action will benefit CDCR staff and inmates by approving Security Modules specifically designed for inmates who pose a threat to staff and inmate safety. These Security Modules will provide more of a classroom type of atmosphere for the maximum custody inmates to participate in mental health treatment and/or recreational activities.

EVALUATION OF CONSISTENCY / COMPATIBILITY WITH EXISTING REGULATIONS

The Department has researched existing regulations and determined that these proposed regulations are consistent and compatible with existing state laws and regulations.

LOCAL MANDATES

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Sections 17500 – 17630.

FISCAL IMPACT STATEMENT

- Cost to any local agency or school district that is required to be reimbursed: *None*
- Cost or savings to any state agency: *None*
- Other nondiscretionary cost or savings imposed on local agencies: *None*
- Cost or savings in federal funding to the state: *None*

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will have no significant effect on housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS

The Department has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

RESULTS OF ECONOMIC IMPACT ASSESSMENT

The Department has determined that the proposed regulations will have no impact on the creation of new, or the elimination of existing jobs or businesses within California, or affect the expansion of businesses currently doing business in California. Also, the Department has determined that the proposed regulations will have no effect on the health and welfare of California residents, worker safety, or the state's environment and none of these are affected by the internal management of CDCR institutions. As described above, the benefits to the health and welfare of California residents includes increased safety to inmates and staff.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON SMALL BUSINESSES

The Department has determined that the proposed regulations may not affect small businesses. It is determined that this action has no significant adverse economic impact on small business because they are not affected by the internal management of state prisons.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. Interested persons are accordingly invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared, and will make available, the text, Initial Statement of Reasons (ISOR), and any Reports Relied on for the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon a request directed to the Department's contact person. The proposed text, ISOR, and the Notice of Proposed Regulations will also be made available on the Department's website: http://www.cdcr.ca.gov/Regulations/Adult_Operations/index.html.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the Department's contact person.

AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

TEXT OF PROPOSED REGULATIONS

In the following, underline indicates additional text and ~~strikethrough~~ indicates deleted text.

California Code of Regulations, Title 15, Division 3, Adult Institutions, Programs and Parole

Chapter 1. Rules and Regulations of Adult Operations and Programs

Article 1. Behavior

Section 3000. Definitions.

Section 3000 is amended to alphabetically merge the definition below with those that exist in the regulations:

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Security Module means any department-approved security desk or security table used to facilitate educational, recreational and/or therapeutic activities for maximum custody inmates and are designed for use with State-issued restraint gear.

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Note: Authority cited: Sections 2717.3, 3000.03, 5058, 5058.3 and 1170.05, Penal Code; Section 10115.3(b), Public Contract Code; and Sections 4525(a), 4526 and 14837, Government Code. Reference: Sections 186.22, 243, 314, 530, 532, 646.9, 653m, 832.5, 1170.05, 1203.8, 1389, 2080, 2081.5, 2600, 2601, 2700, 2717.1, 2717.6, 2932.5, 3003.5(a), 3020, 3450, 3550, 4570, 4576, 5009, 5050, 5054, 5068, 7000 et seq. and 11191, Penal Code; Sections 1132.4 and 1132.8, Labor Code; Sections 10106, 10108, 10108.5, 10115, 10115.1, 10115.2, 10115.3 and 10127, Public Contract Code; and Section 999, Military and Veterans Code; Section 391, Code of Civil Procedure; Section 297.5, Family Code; Sections 8550, 8567, 12838 and 12838.7, Government Code; Governor's Prison Overcrowding State of Emergency Proclamation dated October 4, 2006; *In re Bittaker*, 55 Cal.App. 4th 1004, 64 Cal. Rptr. 2d 679; Section 11007, Health and Safety Code; and *Madrid v. Cate* (U.S.D.C. N.D. Cal. C90-3094 TEH).

Subchapter 4. General Institution Regulations

Article 1.5. Use of Force and Restraining Devices

3268.2 Use of Restraints.

Subsections 3268.2(a) through 3268.2(c)(3) are unchanged.

Subsection 3268.2(c)(4) is amended to read:

(4) Used to secure a person to a fixed object except, as a temporary emergency measure unless being used with a Security Module as defined in section 3000. However, a person who is being transported shall not be locked in any manner to any part of the transporting vehicle.

Subsections 3268.2(c)(5) through 3268.2(f) are unchanged.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 196, 835a, 2650, 2651, 2652, 2652.5, 3423, 5007.7 and 5054, Penal Code; and *Madrid v. Cate* (U.S.D.C. N.D. Cal. C90-3094 TEH).

INITIAL STATEMENT OF REASONS

The California Department of Corrections and Rehabilitation (CDCR) proposes to amend sections 3000 and 3268.2 of the California Code of Regulations (CCR), Title 15, Division 3, concerning Use of Security Modules, and repeal pilot program 3999.17, Secure Alternative Treatment Module (SATM).

In March of 2014, the Division of Adult Institutions, in collaboration with the Division of Health Care Services, implemented the SATM pilot program conducted at California State Prison, Los Angeles County. This pilot program was developed to identify an alternate means of providing group and individual therapy to maximum custody inmates suffering from a serious mental illness. Maximum custody inmates are those requiring housing in an approved administrative or segregated program housing unit and must be under direct supervision and control by custody staff.

Historically, the Department has utilized Treatment Modules to provide individual and group treatment for maximum custody inmates. Treatment Modules are heavy steel and mesh telephone booth types of enclosures with transparent high-impact strength plastic on the front and sides. The transparent plastic allows the enclosed inmates to view clinical staff, and each other, while participating in group therapy. The Treatment Module is also equipped with a built-in desk and floor-mounted stool.

The equipment identified for use in the SATM pilot was comprised of two models of Security Desks and a Security Table. Unlike the Treatment Modules, inmates are not secured inside of an enclosure, but instead, are secured directly to the Security Desk or Security Table providing a more group or classroom like environment while participating in treatment. The SATM pilot established benchmarks to measure the viability of each module in comparison to the Treatment Modules currently in use throughout the Department. The collective goal is to determine a means of providing a more therapeutic environment allowing direct, open contact with the clinician as well as fellow group participants, while maintaining a safe environment for both staff and inmates.

The Security Desks and Security Tables used within the SATM Pilot Program provides CDCR a means to safely facilitate enhanced educational, recreational and therapeutic activities for maximum custody inmates in segregated housing environments. Additionally, institutions facilitating the Step Down Program (SDP) for members of Security Threat Groups (STG) are able to provide a more conducive environment capable of encouraging increased inmate participation using these Security Modules. The SDP provides inmates placed in the Security Housing Units (SHU) due to STG validation and/or documented STG behaviors, with a program which includes increased incentives to promote positive behavior including discontinuing participation in STG activities, with the ultimate goal of release from the SHU.

Based on feedback and data obtained from the Secure Alternative Treatment Module Pilot Project Findings, California State Prison-Los Angeles County, the Department has determined that having the ability to utilize alternate Security Modules greatly enhances the conditions of confinement within administrative and/or segregated program housing units. However, CDCR finds the Treatment Modules currently used remain a safe and secure treatment modality which will continue to be used along with alternate Security Modules.

The proposed regulations are necessary to provide guidelines and provisions for the Department to safely secure a maximum custody inmate to a Security Module. Also, these proposed changes will provide the Department with additional options when providing therapy sessions and recreational activities for inmates in segregated environments. In addition, this regulation package proposes to repeal the SATM Pilot Program which is currently in effect under 3999.17.

Consideration of Alternatives

The Department must determine that no reasonable alternatives considered, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which this action is proposed, would be as effective and less burdensome to affected private persons than the action proposed, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Department has determined that no reasonable alternatives to the regulations have been identified or brought to the attention of the Department that would lessen any adverse impact on small business.

Currently, no reasonable alternatives have been brought to the attention of the Department that would alter the Department's initial determination.

ECONOMIC IMPACT ASSESSMENT:

In accordance with Government Code Section 11346.3(b), the CDCR has made the following assessments regarding the proposed regulations:

Creation or Elimination of Jobs and Expansion of Business within the State of California

The Department has determined the proposed regulations will have no impact on the creation of new, or the elimination of existing jobs or business within California or affect the expansion of businesses currently doing business in California. The proposed regulations will positively impact the mental health and welfare of persons housed in State-run California correctional institutions. The proposed regulations will have no effect on non-incarcerated California residents, worker safety, or the State's environment.

Creation of New or Elimination of Existing Businesses within the State of California

The Department has determined that the proposed regulations will have no effect on the creation of new or elimination of existing business with the State of California because those businesses are not affected by the internal management of prisons.

Significant Adverse Economic Impact on Business

The Department has made an initial determination the proposed language for use of Security Modules and securing inmates to these Departmental approved modalities will not have a significant adverse impact on business in the State of California because those businesses are not affected by the internal management of prisons.

Local Mandates

The Department has determined that this action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement pursuant to Part 7 (section 17561) of Division 4.

Benefits of the Regulations

The proposed regulatory action will benefit CDCR staff and inmates by approving Security Modules specifically designed for inmates who pose a threat to staff and inmate safety. These Security Modules

provide a more classroom type of atmosphere for the maximum custody inmates to participate in mental health treatment and/or recreational activities.

Materials Relied Upon:

1. Secure Alternative Treatment Module Pilot Project Findings, California State Prison-Los Angeles County (Data was collected between March 2014 and August 2014).

Specific Purpose of Each Section Adoption/Amendment

Chapter 1. Rules and Regulations of Adult Operations and Programs

Article 1. Behavior

Section 3000. Definitions.

Section 3000 is amended to add the definition of Security Module, which is defined as a Security Desk or a Security Table that is Department-approved equipment used for facilitating educational, recreational and/or therapeutic activities for maximum custody inmates. This definition is necessary to provide specific guidelines on the type of inmate who may be placed into a Security Module, and specifies that this equipment is designed for use with State-issued restraint gear.

Subchapter 4. General Institutions Regulations

Article 1.5. Use of Force and Restraining Devices

Section 3268.2 Use of Restraints.

Subsections 3268.2(a) through 3268.2(c)(3) are unchanged.

Subsection 3268.2(c)(4) is amended to specify that maximum custody inmates can be secured to a Security Module with the use of Department-approved restraint gear. This amendment does not make any additional changes to the subsection other than providing the regulatory exception for the ability of staff to secure an inmate to a Security Module using State-issued restraint gear.

Subsections 3268.2(c)(5) through 3268.2(f) are unchanged.

**Administrative Segregation Enhanced Outpatient Program /
Secure Alternative Treatment Module Pilot Project Findings**

The purpose of this report is to summarize findings obtained during the initial five months of the Secure Alternative Treatment Module (SATM) Pilot Project here at the California State Prison – Los Angeles County (CSP-LAC) and to make recommendations moving forward regarding the use of SATMs in the Administrative Segregation Enhanced Outpatient Program (ASU EOP).

Custody Staff interviews were held during the week of 8/18/2014 in order to obtain specific feedback regarding the use of Secure Alternative Treatment Modules in the Administrative Segregation Unit Enhanced Outpatient Program here at the California State Prison-Los Angeles County. The purpose of the interviews was to provide custody feedback to Headquarters Staff as a part of the SATM Pilot Project occurring here at CSP-LAC.

It is the hope that the information provided in this report will be used by Senior Management to replace the Colorado Tables currently being used in two of the six group treatment rooms with Restart Chairs. The preponderance of feedback obtained from patient, staff and custody surveys, as well as from feedback obtained from custody interviews, supports the decision to replace the Colorado Tables with Restart Chairs.

Survey Data Summary:

Custody Survey Questions	Restart Chair	Colorado Table	Therapeutic Module	No Difference
CQ1-Which model is easier to use?	25%	13%	100%	0%
CQ2-Which model provides greater safety for staff?	38%	13%	100%	0%
CQ3-Which model provides greater safety for the I/P?	13%	13%	100%	0%
CQ4-Which model provides greater ease for loading/unloading and securing the I/P?	25%	0%	100%	0%
CQ5-Which model do you prefer?	13%	13%	100%	0%
Clinical Staff Survey Questions				
SQ1-Which model is more conducive to therapy?	62%	29%	22%	17%
SQ2-Which model provides greatest safety for staff?	15%	4%	55%	28%
SQ3-Which model provides greatest safety for I/Ps?	13%	2%	47%	31%
SQ4-Which model is better for hearing?	62%	33%	12%	8%
SQ5-Which model allows for better attention?	62%	17%	12%	16%
Patient Survey Questions				
PQ1-Which model is more comfortable?	54%	8%	27%	12%
PQ2-Which model is safer for you?	45%	5%	30%	23%
PQ3-Which model allows you to hear well?	47%	7%	18%	21%
PQ4-Which model allows for better focus of attention?	49%	5%	17%	15%
PQ5-Which model do you prefer?	54%	5%	22%	11%

Highlights from the Survey Data: Custody unanimously believes that the Therapeutic Treatment Modules are the best option for providing safe and secure and ease of use treatment in group settings in the ASU EOP, but concede that the Restart Chairs are both functional, patient friendly and easy to use. Clinical Staff and Patients overwhelmingly choose the Restart Chairs as the model of SATM that is most conducive to treatment, better for hearing and for attention as well as for general overall comfort.

**Administrative Segregation Enhanced Outpatient Program /
Secure Alternative Treatment Module Pilot Project Findings**

While clinical staff reports that the Therapeutic Modules are the safest, I/Ps feel that the Restart Chairs are safer. I/Ps and Clinical staff overwhelmingly prefer providing and receiving treatment in the Restart Chairs.

Custody Interviews:

Officer Reiman – Stated that it was his opinion that the safety and security of all staff (custody and mental health) was negatively impacted by the use of the Colorado Tables and that while the Therapeutic Treatment Modules were the most effective from a safety and security standpoint, the Restart Chairs were not a problem when issues related to loading and unloading patients or safety and security were concerned. He went on to state that the time involved in loading patients into the tables was a negative factor in their use as were patients requesting to be returned to housing following their bathroom breaks when they were being returned to treatment in the rooms equipped with Colorado Tables.

Officer Hernandez – Reported that stooping to secure patient’s legs increase the opportunity for staff to be assaulted by being hit or head butted because they have to turn their backs on the I/Ps to secure their feet while being loaded into the Colorado Tables. He went on to state that I/Ps literally ask if they are going to groups in rooms equipped with Colorado Tables and when told that they are they refuse to attend and or frequently ask to be returned to housing during the course of a group or during a break in between groups because the chairs attached to the tables are so uncomfortable to sit in for any real length of time.

Officer Stokes – reiterated most of the feedback obtained from officers Hernandez and Reiman, and stated that it was his opinion that group participation would increase if more rooms were equipped with Restart Chairs. He emphasized that the potential for gassing incidents could be reduced if the partitions between the chairs were raised.

Officer Martinez – reported that if the Colorado Table leg restraint and seating could be made like those found on the Restart Chairs then they “would be awesome”, but that their current design resulted in safety and security issues for officers and comfort issues for the patients. He also stated that the I/Ps have already begun “carving” up the tables because they are made of wood.

Treatment Refusal Rates Associate with SATM Use:

<u>SATM Model</u>	<u>Total Tx Hours Offered</u>	<u>% of Total Treatment Offered</u>	<u>Total Tx Hours Refused</u>	<u>Refusal %</u>
Therapeutic Modules	8698 hours	42%	3751 hours	43%
Restart Chairs	6521 hours	31%	2443 hours	37.5%
Colorado Tables	5685 hours	27%	2046 hours	36%

Administrative Segregation Enhanced Outpatient Program / Secure Alternative Treatment Module Pilot Project Findings

While the refusal percentages for the Colorado Tables is the lowest of the three SATMS, they also represent the lowest total number of hours of treatment being offered (27% of all offered treatment occur at the Colorado Tables) while the highest refusal rate (43%) is observed in the Therapeutic Modules which also accounts for 42% of the total amount of treatment being offered. This is due to the fact that while all patients can program out of the Therapeutic Modules, only select patients can program at the Colorado Tables.

Anecdotal Information: Patients reported to the Regional Team during our recent ASU EOP Certification Visit that they were very much opposed to receiving treatment in the Colorado Tables and that they vastly preferred the Restart Chairs to any other modality of SATM. The Coleman Monitor also expressed serious concerns regarding the use of the Tables and stated that she would be reporting to the Special Master the deleterious impact on attendance rates based on patient dissatisfaction with the Colorado Tables. She was assured that local administration was working with Headquarters Staff who were very receptive to feedback obtained locally about the efficacy and utility of the Colorado Tables and that we were working to replace them with Restart Chairs.

A final benefit to replacing the Colorado Tables with Restart Chairs would be in the ability to eliminate the need for Placement Criteria as all patients would be appropriate for all treatment modules being used which would improve the flexibility Supervisory staff have in scheduling and offering group treatment to patients.

Title 15. Crime Prevention and Corrections
Division 3. Adult Institutions, Programs and Parole
Chapter 1. Rules and Regulations of Adult Operations and Programs
Subchapter 8. Pilot Programs

§ 3999.17. Secure Alternative Treatment Module (Repealed)

MEMORANDUM

Date:

February 24, 2014

To:

John Soto, Warden, California State Prison - Los Angeles County
Penny Shank, Chief Executive Officer (A), California State Prison - Los Angeles
County

From:


M. B. Stainer, Director
Division of Adult Institutions



Timothy G. Belavich, Ph.D., MSHCA, CCHP, Director (A), Division of Health Care
Services and Deputy Director, Statewide Mental Health Program

Subject: **SECURE ALTERNATIVE TREATMENT MODULE PILOT PROJECT**

PROJECT BACKGROUND AND OVERVIEW

The Secure Alternative Treatment Model (SATM) Pilot Project was initiated to identify additional effective options to provide group and individual therapy to seriously mentally ill inmate patients (IPs) residing in segregated housing. The purpose of the SATM Pilot Project is to establish benchmarks to measure the viability of the Secure Treatment Chair (adaptation of New York Restart Chair) and the Secure Treatment Table (adaptation of Colorado Table) as each compares to the current use of Treatment Modules (TM) in mental health group therapy sessions.

These benchmarks will be developed into an assessment tool through collaboration between the Division of Health Care Services (DHCS), and the Division of Adult Institutions (DAI). Through the implementation of the SATM Pilot Project and the use of the assessment tools, DHCS and DAI will be responsible for the management of this pilot project.

The collective goal is to provide IPs with a therapeutic environment that allows direct, open contact with the clinician as well as the other group participants, while maintaining a safe environment for all during group and individual counseling sessions.

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PILOT PROJECT LOCATION

The identified pilot site is currently at California State Prison, Los Angeles County (CSP-LAC) ASU EOP Hub treatment facility.

PILOT PROJECT DURATION

The approximate pilot period will start between April and June 2014 with reevaluation approximately six months later. Data will be collected along the way, including incidents and safety issues associated with all three types of treatment models; project participation; and IP, clinician, and custody satisfaction with the three types of treatment models. After six months, the SATM Project Committee will evaluate the process and outcome data and will judge the efficacy of the SATM as compared to the current TMs in current use statewide. The Committee will produce a position paper, making suggestions as to whether either of the SATM equipment could be more effectively used for all or some subset of IPs in lockup ASU or PSU projects.

PILOT PROJECT REQUIREMENTS

To meet the participation criterion for this pilot project, IPs must be currently housed in an ASU EOP. Under no circumstances will IPs be evaluated, assessed, or chosen for transfer to take part in this pilot project.

The Interdisciplinary Treatment Team (IDTT) shall include the ASU Custody Supervisor in making decisions concerning alternative model security level placements for each IP. Furthermore, each IDTT session will also determine, based on clinical and custody case factors, which alternative treatment model meets the appropriate security level. The IDTT will review recent (within 6 months) violent/aggressive behaviors and Rules Violation Reports (RVRs), recent cell extractions, medication compliance, group compliance/participation, current risk for assaultive behavior, and current spit net restrictions. Based on the evaluated case factors, each IP placement determination will either be assigned for placement in a TM (high risk), Secure Treatment Chair (moderate risk), or Secure Treatment Table (low risk).

The SATM equipment will be piloted using several different types of group activities, e.g., writing, reading, or tactile exercises. Group participants will participate in the same basic group curriculum with the same group facilitators, allowing for a more direct comparison between the three models.

It will be important to have commitment from both custody and clinical staff members. Both will need to develop a local operating procedure and provide training to staff for the safe use of the SATM equipment.

MEMORANDUM

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PILOT PROJECT PROCEDURES

The SATM Project will be officially piloted at LAC for a period of two years to allow time for the regulation change, but will be evaluated for efficacy in six months. A total of six group therapy rooms will be used for the SATM Pilot Project. The Secure Treatment Tables will be placed in two group rooms (three tables per room), the Secure Treatment Chair will be placed in two identified group rooms (eight chairs per room), and the TMs will be placed in two group rooms (eight TMs per room). The two group rooms with the Secure Treatment Chairs will also include one ADA accessible desk.

Participant placement into the secure alternative treatment models will depend on the IDTT-determined clinical and custodial risk levels: high risk, moderate risk, and low risk. Participants' level of risk can be changed by the IDTT as deemed necessary during the pilot period. While participating in the group, the group therapy leadership will remain constant as will the group therapy curriculum.

Custody staff assigned to transfer IPs into and out of the SATM Project tables and chairs shall be trained in the operational use of the SATM tables and chairs prior to being required to operate the secure alternative models. Training shall include instructions on use of restraints and how to secure loading and unsecure unloading of the IPs into and out of the table and chair. All training shall be documented on CDC Form 844 and submitted to the In Service Training department at CSP LAC.

Custody representatives will track and compare any safety issues, incidents, RVRs, and load times (the amount of time to transfer IPs into the SATM Project table and chair and secure the restraints) associated with use of all three models.

Questionnaires will be developed to collect data relevant to the treatment models. Custody questionnaires will include satisfaction, safety issues, load time, etc. Clinician questionnaires will include satisfaction, group efficacy, participation, and safety issues. IP questionnaires will include overall satisfaction, comfort, safety issues, and preference comparison.

After six months, the data collected from the comparison of the three treatment models will be provided to the SATM Project Committee, comprised of representatives from DHCS and DAI, for analysis and dissemination. The data will be used to create benchmarks to measure the efficacy of the SATM Project tables and chairs and a conclusion will be made about whether the tables and chairs are appropriate for use with IPs in segregated housing.

For Mental Health inquiries, please contact Sharon McCarver, Senior Psychologist Specialist, at 916-691-0269, or by email at Sharon.McCarver@cdcr.ca.gov.

For Custody, DAI inquiries, please contact Thomas Tyler, Correctional Captain, at (916) 324-7956, or by email at Thomas.Tyler@cdcr.ca.gov.

MEMORANDUM

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INSTRUCTIONAL MEMORANDUM - ADDENDUM
Secure Alternative Treatment Model - Pilot Program, Section 3999.17

PURPOSE

To provide further clarification to the Instructional Memorandum dated February 24, 2014, the following information is added:

PROJECT BACKGROUND AND OVERVIEW

For some years, the California Department of Corrections and Rehabilitation (CDCR) has adopted use of secure Treatment Modules (TM) for the provision of mental health services for high security inmate-patients. TMs are individual enclosures where high security inmates are placed for the provision of mental health services. The Secure Alternative Treatment Models (SATM) Pilot Program will offer alternative equipment to test the functionality of less restrictive equipment to place high security inmates in the provision of mental health services. The pilot program will focus on safety and security, as well as the clinical benefit each equipment modality provides in relation to reduced restraints, open and direct contact, and positive behavior modification.

DURATION OF THE PILOT PROGRAM

The Secure Alternative Treatment Models Pilot Program will remain in effect for 24 months from the date of filing with the Secretary of State. The CDCR Statewide Mental Health Program, in conjunction with Division of Adult Institutions, will complete the review and analysis of the SATM Pilot Program to determine its effectiveness within the Administration Segregation Units and Mental Health Services Delivery System (MHSDS).

PILOT PROGRAM REQUIREMENTS

The SATM Pilot Program is being implemented under the authority granted in Penal Code Section 5058.1. The use of this pilot program will expand the Department's efforts toward its goal of providing mental health services within a safe and secure environment for inmates and staff.

California Department of Corrections and Rehabilitation
Division of Correctional Health Care Services
Secure Alternative Treatment Model (SATM)
PILOT

Custody Questionnaire
Month of _____

~~(Please circle your answers)~~

1. ~~Which model is easier to use?~~

- ~~a. Secure Restart Chair~~
- ~~b. Secure Treatment Table~~
- ~~c. Treatment Module~~
- ~~d. No difference~~

~~Why? _____~~

2. ~~Which model provides greater safety for staff?~~

- ~~a. Secure Restart Chair~~
- ~~b. Secure Treatment Table~~
- ~~c. Treatment Module~~
- ~~d. No difference~~

~~Why? _____~~

3. ~~Which model provides greater safety for the inmate patient?~~

- ~~a. Secure Restart Chair~~
- ~~b. Secure Treatment Table~~
- ~~c. Treatment Module~~
- ~~d. No difference~~

~~Why? _____~~

4. ~~Which model provides greater ease for loading/unloading and securing I/Ps?~~

- ~~a. Secure Restart Chair~~
- ~~b. Secure Treatment Table~~
- ~~c. Treatment Module~~
- ~~d. No difference~~

~~Why? _____~~

5. ~~Which model do you prefer?~~

- ~~a. Secure Restart Chair~~
- ~~b. Secure Treatment Table~~
- ~~c. Treatment Module~~
- ~~d. No difference~~

~~Why? _____~~

6. ~~Additional Comments _____~~

7. ~~Are there any categories of inmate behavior that you would recommend excluding from utilizing the Secure Restart chair and/or the Security Treatment Table?~~

~~_____~~

California Department of Corrections and Rehabilitation
Division of Correctional Health Care Services
Secure Alternative Treatment Model (SATM)
PILOT

Clinician Questionnaire
Month of _____

(Please circle your answers)

1. Which model is more conducive for therapy?
 - a. ~~Secure Restart Chair/Secure Treatment Desk~~
 - b. ~~Secure Treatment Table~~
 - c. ~~Treatment Module~~
 - d. ~~No difference~~Why? _____

2. Which model provides greater safety for staff?
 - a. ~~Secure Restart Chair/Secure Treatment Desk~~
 - b. ~~Secure Treatment Table~~
 - c. ~~Treatment Module~~
 - d. ~~No difference~~Why? _____

3. Which model provides greater safety for the I/P?
 - a. ~~Secure Restart Chair/Secure Treatment Desk~~
 - b. ~~Secure Treatment Table~~
 - c. ~~Treatment Module~~
 - d. ~~No difference~~Why? _____

4. Which model is better for hearing?
 - a. ~~Secure Restart Chair/Secure Treatment Desk~~
 - b. ~~Secure Treatment Table~~
 - c. ~~Treatment Module~~
 - d. ~~No difference~~Why? _____

5. Which model allows better focus of attention?
 - a. ~~Secure Restart Chair/Secure Treatment Desk~~
 - b. ~~Secure Treatment Table~~
 - c. ~~Treatment Module~~
 - d. ~~No difference~~Why? _____

6. Which model do you prefer?
 - a. ~~Secure Restart Chair/Secure Treatment Desk~~
 - b. ~~Colorado Table~~
 - c. ~~Treatment Module~~
 - d. ~~No difference~~Why? _____

7. Additional Comments _____

8. Are there any categories of inmate behavior you would recommend excluding from utilizing the ~~Secure Restart chair/ Secure Treatment Desk and/or the Secure Treatment Table?~~

California Department of Corrections and Rehabilitation
Division of Health Care Services
Secure Alternative Treatment Model (SATM)
PILOT

Inmate Patient Questionnaire
Month of _____

(Please circle your answers)

1. Which model is more comfortable?
a. Secure Restart Chair/Secure Treatment Desk
b. Secure Treatment Table
c. Treatment Module
d. No difference
Why? _____

2. Which model is safer for you?
a. Secure Restart Chair/Secure Treatment Desk
b. Secure Treatment Table
c. Treatment Module
d. No difference
Why? _____

3. Which model allows you to hear well?
a. Secure Restart Chair/Secure Treatment Desk
b. Secure Treatment Table
c. Treatment Module
d. No difference
Why? _____

4. Which model allows better focus of attention?
a. Secure Restart Chair/Secure Treatment Desk
b. Secure Treatment Table
c. Treatment Module
d. No difference
Why? _____

5. Which model do you prefer?
a. Secure Restart Chair/Secure Treatment Desk
b. Secure Treatment Table
c. Treatment Module
d. No difference
Why? _____

6. How many sessions this month have you participated in using the Secure Treatment Table?

7. How many sessions this month have you participated in using the Secure Restart Chair/Secure Treatment Desk?

8. Additional Comments _____