

DONALD SPECTER – 083925
RITA K. LOMIO – 254501
MARGOT MENDELSON – 268583
PRISON LAW OFFICE
1917 Fifth Street
Berkeley, California 94710-1916
Telephone: (510) 280-2621
Facsimile: (510) 280-2704

MICHAEL W. BIEN – 096891
GAY C. GRUNFELD – 121944
PENNY GODBOLD – 226925
MICHAEL FREEDMAN – 262850
ROSEN BIEN
GALVAN & GRUNFELD LLP
101 Mission Street, Sixth Floor
San Francisco, California 94105-1738
Telephone: (415) 433-6830
Facsimile: (415) 433-7104

LINDA D. KILB – 136101
DISABILITY RIGHTS EDUCATION &
DEFENSE FUND, INC.
3075 Adeline Street, Suite 201
Berkeley, California 94703
Telephone: (510) 644-2555
Facsimile: (510) 841-8645

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JOHN ARMSTRONG, et al.,

Plaintiffs,

v.

GAVIN NEWSOM, et al.,

Defendants.

Case No. C94 2307 CW

**[REDACTED] EXHIBITS 64-90 TO
DECLARATION OF MICHAEL
FREEDMAN IN SUPPORT OF
MOTION TO STOP DEFENDANTS
FROM ASSAULTING, ABUSING AND
RETALIATING AGAINST PEOPLE
WITH DISABILITIES AT R.J.
DONOVAN CORRECTIONAL
FACILITY AND EXHIBITS 1-90**

Judge: Hon. Claudia Wilken
Date: May 19, 2020
Time: 2:00 p.m.
Crtrm.: TBD, Oakland

REDACTED

Case No. C94 2307 CW

Exhibit 64



101 Mission Street, Sixth Floor
San Francisco, California 94105-1738
T: (415) 433-6830 ▪ F: (415) 433-7104
www.rbgg.com

Penny Godbold
Email: pgodbold@rbgg.com

February 28, 2019

VIA ELECTRONIC MAIL ONLY

<p>PRIVILEGED AND CONFIDENTIAL</p> <hr/> <p>SUBJECT TO PROTECTIVE ORDERS</p>
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Russa Boyd
Ursula Stuter
CDCR Office of Legal Affairs
Russa.Boyd@cdcr.ca.gov
Ursula.Stuter@cdcr.ca.gov

Re: *Armstrong v. Newsom*: Advocacy Letter re DPM Class Member, [REDACTED]
[REDACTED], Experiencing Staff Misconduct at RJD
Our File No. 581-3

Dear Russa and Ursula:

I write regarding a staff misconduct incident at RJD involving Mr. [REDACTED], DPM. Mr. [REDACTED], a 62 year old class member, reports that in addition to his mobility disability he has leukemia. On June 25, 2018, he requested two or three times that custody staff send him to a crisis bed as a result of suicidal thoughts he was having. He reports that each time custody staff told him to return to his cell. He reports that he again asked for help as three officers approached him on the yard, Officer [REDACTED], Officer [REDACTED] and Officer [REDACTED]. Instead of helping, he reports that the officers suddenly grabbed him by the back of the arms and pulled him. One of the officers yelled, "stop resisting" at which point he was reportedly thrown on the ground, breaking his glasses. He reports that he was not resisting and was instead completely caught off guard by the officers' actions. He reports that next the officers began kicking and kneeling him while they had him pinned to the ground. One officer reportedly stomped on his hand causing it to split open and start bleeding. They reportedly beat him for 20-30 seconds before sounding an alarm.

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Ursula Stuter
February 28, 2019
Page 2

A psych tech responded to the alarm and began administering first aid. Mr. [REDACTED] reports that during the time the nurse was administering first aid, the officers were attempting to make her stop. He reports that staff told her to "just leave him." He reported that it is common practice on Facility C for officers to try to discourage nurses and medical staff from helping inmates that need it.

Following the incident he was reportedly taken to the gym and placed in a holding cage. The officers reportedly continued to yell at him and harass him while he was in the holding cage and cuffed. He reports that at one point Officer [REDACTED] opened the cage up and, out of the blue, struck him in the back of the head causing his head to strike the side of the cage and then kicked Mr. [REDACTED] between the legs and then closed the cage door quickly, as if nothing just happened.

Medical records confirm that on June 25, 2018, Mr. [REDACTED] was seen by medical staff. Head trauma that included scratches and abrasions on his head with some bleeding was documented. Medical records also confirm that he was suicidal. (Attached as **Exhibit A.**) Mr. [REDACTED] was reportedly taken to a crisis bed.

Mr. [REDACTED] reports that psychiatric staff that interviewed him in the crisis bed at RJD filed a staff misconduct report in response to his allegations. He reported that he was visited by three Sergeants on July 1, 2018, who interviewed him, recorded the interview, and took photos of him. He reports that he was housed in the crisis bed for 22 days at RJD before transferring to inpatient care at CMF.

Mr. [REDACTED] reports that on the Thursday prior to his transfer to CMF he was visited by Facility C Officer [REDACTED]. While he was in mental health crisis he reports that Officer [REDACTED] stood at the door of his crisis bed cell and made a threatening gesture, first pointing to Mr. [REDACTED] and then pointed to himself and making two fists indicating an intention to fight Mr. [REDACTED].

Mr. [REDACTED] is in great fear that he will be returned to RJD when he is released from inpatient care at CMF and he believes that his life and mental health are in great danger at RJD. He reports that he cannot get the disability or mental health help he needs at RJD because he does not feel safe asking for help. He further believes that Facility C staff will have other inmates attack him because a staff misconduct complaint was initiated in his name. He reported that it is widely known that if you file a staff misconduct complaint on Facility C, staff will have other inmates attack you.

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Plaintiffs' counsel requests that Mr. [REDACTED] NOT be transferred back to RJD upon release from inpatient care in light of his allegations of serious misconduct and the impact on his ability to get disability accommodations and mental health care. As with other reports of misconduct at RJD, we request that staff do not engage in retaliation in response to these allegations. No ISU staff member at RJD should be notified of these allegations or be involved in any action that is taken in response to these allegations. Class members should not be contacted by ISU staff members nor taken to the ISU complex for questioning by any staff member regarding these allegations. Further, Plaintiffs' counsel would like to discuss with you additional steps that should be taken to resolve serious and ongoing reports of staff misconduct at RJD impacting class members.

Sincerely,

ROSEN BIEN
GALVAN & GRUNFELD LLP

/s/ Penny Godbold

Penny Godbold
By: Of Counsel

PMG:hw
cc: Ed Swanson
Sharon Garske
Annakarina De La Torre-Fennell
Co-counsel

Exhibit 64a

Filed Under Seal

Exhibit 64b

OFFICE OF LEGAL AFFAIRS

Jennifer Neill

General Counsel

P.O. Box 942883

Sacramento, CA 94283-0001



December 17, 2019

VIA EMAIL ONLY

Penny Godbold

Rosen, Bien, Galvan & Grunfeld

Pgodbold@rbgg.comRE: *ARMSTRONG V. NEWSOM*: ADVOCACY LETTER RE: [REDACTED]

Dear Ms. Godbold:

I write in response to your February 28, 2019 letter regarding *Armstrong* class member [REDACTED] (Mr. [REDACTED]). Mr. [REDACTED] reported to you that he was not assisted by custody staff while housed at Richard J. Donovan Correctional Facility (RJD) on or about June 25, 2018 when he reported suicidal thoughts. At some point during this interaction, Mr. [REDACTED] alleges that he was grabbed by three officers and that he was not resisting their orders but was kicked and beaten before an alarm was sounded. Mr. [REDACTED] also alleged, as described in your letter, that an officer stomped on his hand and it split open and started bleeding. He reported later, that on or after July 1, 2018, he was visited by officers who interviewed and videotaped him in response to his allegations of staff misconduct. He states an officer visited him later in the mental health crisis bed, prior to his transfer to CMF, and made threatening hand gestures.

Prior to the receipt of your letter, a thorough inquiry into the allegations of staff misconduct was completed¹. The inquiry included interviews with staff, a review of all available documentation and the Strategic Offender Management System. Additionally, Mr. [REDACTED] submitted a CDCR 602 Inmate/Parolee Appeal form on or about July 9, 2018 that alleged excessive use of force on June 25, 2018.

The Institutional Executive Review Committee (IERC) reviewed the June 25, 2018 excessive force allegation made by Mr. [REDACTED]. A review of the CDCR form 7219, 602, and associated staff interviews was conducted. Mr. [REDACTED] provided no witnesses. Notably, the medical report of June 25, 2018 documented some injuries consistent with restraining a resistive inmate, but did not

¹ DAI and delegated RJD staff conducted the fact-finding inquiry into the allegations identified in this letter in accordance with the Department's Operations Manual, Article 22. The Department is currently in the process of revising that policy and, once approved and adopted, future fact-finding inquiries will comply with the new policy.

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show any hand or groin bruising or injuries. A cut, abrasion, or split on the hand would have been easily observed during the exam and none was documented at that time.

The IERC concluded that the use of force on June 25, 2018 was in compliance with policy.

After Mr. [REDACTED] expressed feeling suicidal on or about June 25, 2018, he was placed in a Mental Health Crisis Bed (MHCB) at RJD. Mr. [REDACTED] reported his concerns about four days later to a medical staff person while in the MHCB. At that time, staff initiated an inquiry which included interviews and a medical screening as reported on a CDCR form 7219. It was at that time Mr. [REDACTED] reported hand pain. No bruises, cuts, or abrasions were noted on his hands by the attending nurse.

Mr. [REDACTED] was transferred out of RJD on or about July 14, 2018. He remained at a different facility until May of 2019, when he was returned to RJD after a review of his case factors indicated RJD was the appropriate prison.

In August 2018, RJD staff were interviewed about the events of June 25, 2018. The interviews supported Mr. [REDACTED] assertion that he stated he was suicidal, but also confirmed that Mr. [REDACTED] did not follow the directions provided to him by custody staff and that he was resistive to staff which resulted in an appropriate use of force.

After a review of the available records and testimony, the allegations made by Mr. [REDACTED] were not supported by the evidence. CDCR considers the staff misconduct allegation inquiry closed.
Sincerely,

/s/ Ursula Stuter

URSULA STUTER
Attorney
Office of Legal Affairs

Exhibit 65



**ROSEN BIEN
GALVAN & GRUNFELD LLP**

101 Mission Street, Sixth Floor
San Francisco, California 94105-1738
T: (415) 433-6830 • F: (415) 433-7104
www.rbgg.com

Penny Godbold
Email: pgodbold@rbgg.com

March 21, 2019

VIA ELECTRONIC MAIL ONLY

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Russa Boyd
Ursula Stuter
CDCR Office of Legal Affairs
Russa.Boyd@cdcr.ca.gov
Ursula.Stuter@cdcr.ca.gov

Re: *Armstrong v. Newsom*: Advocacy Letter re DPM Class Member, [REDACTED]
[REDACTED], Experiencing Staff Misconduct at RJD
Our File No. 581-3

Dear All:

I write regarding Mr. [REDACTED], DPM. Mr. [REDACTED] reports that he has mobility difficulties as a result of a car accident that left him partially paralyzed on the left side. He has a walker and has ground floor, no stairs and bottom bunk housing restrictions. He is also EOP. Mr. [REDACTED] reports that he is housed in the CTC.

Mr. [REDACTED] states that on or about January 6, 2019, he was making a phone call to his niece during his allotted time. He states that he still had time left on his phone call when he was ordered by Officer [REDACTED] to get off the phone. Officer [REDACTED] reportedly pushed Mr. [REDACTED] twice while ordering him to hang up. Mr. [REDACTED] states that he hung up the phone and Officer [REDACTED] reportedly followed him back to his cell pushing him along the way. When he returned to his cell Officer [REDACTED] reportedly pushed him so hard as he entered the doorway that he fell to the ground. Officer [REDACTED] then yelled at him to get up but he was unable to do so. Eventually Officer [REDACTED] closed the door and left.

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Ursula Stuter
March 21, 2019
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Mr. [REDACTED] reports that he was scared to report the incident when it occurred but that he thought about it more and “it’s not right the way staff here treat people.” He is very worried about retaliation and he is reportedly afraid of staff.

Consistent with prior letters and tour reports regarding staff misconduct allegations raised by Plaintiffs’ counsel, acts of misconduct or excessive force against or observed by class members impedes the ability of CDCR to provide required disability or mental health accommodations when class members do not feel safe asking for help.

Plaintiffs’ counsel request that this allegation be investigated by investigators from outside of RJD. No ISU staff member at RJD should be notified of these allegations or be involved in any action that is taken in response to these allegations. Class members should not be contacted by ISU staff members nor taken to the ISU complex for questioning by any staff member regarding these allegations.

Plaintiffs’ counsel request that staff do not engage in retaliation in response to these allegations.

Sincerely,

ROSEN BIEN
GALVAN & GRUNFELD LLP

/s/ Penny Godbold

Penny Godbold
By: Of Counsel

PMG:hw
cc: Ed Swanson
Sharon Garske
Annakarina De La Torre-Fennell
Office of the Inspector General
Co-counsel

Exhibit 65a

OFFICE OF LEGAL AFFAIRS

Jennifer Neill

General Counsel

P.O. Box 942883

Sacramento, CA 94283-0001



July 31, 2019

VIA EMAIL ONLY

Penny Godbold

Rosen, Bien, Galvan & Grunfeld

Pgodbold@rbgg.comRe: *Armstrong V. Newsom*: Advocacy Letter Re DPM Class Member, [REDACTED]
[REDACTED]

Dear Ms. Godbold:

I write in response to your March 21, 2019 correspondence regarding DPM¹ class member [REDACTED]. Mr. [REDACTED] reported that he was pushed by an RJD staff member on or about January 6, 2019. You report that Mr. [REDACTED] states that he still had time left on his telephone call and was ordered by a specific officer to hang up. Mr. [REDACTED] alleges that he hung up the phone and the officer followed him back to his cell and pushed him along the way.

Your letter further describes Mr. [REDACTED] being pushed in his cell, which caused him to lose his balance and fall onto the floor and hit his head.

Following the receipt of your letter on March 21, 2019, a thorough inquiry was completed.² The inquiry included a review of the Strategic Offender Management System (SOMS), the Electronic Records Management System (ERMS), the Daily Information Reporting System (DIRS), and Mr. [REDACTED] medical records. It is my understanding that Plaintiffs' counsel has access to EHRS and presumably would have looked at Mr. [REDACTED] extensive medical and mental health records with an interest in verifying the credibility of Mr. [REDACTED] claims.

Of note, Mr. [REDACTED] has a significant history of mental illness and was suffering greatly from his mental illness as of January 1, 2019. Mental health staff documented multiple reports of Mr. [REDACTED] inability to take care of himself, including urinating and defecating on himself, an inability to obtain his laundry or clean his cell, a lack of ability to stand and wash himself in the

¹ DPM means MOBILITY IMPAIRMENT.

² DAI and delegated RJD staff conducted the fact finding inquiry into the allegations identified in this letter in accordance with the Department's Operations Manual, Article 22. The Department is currently in the process of revising that policy and, once approved and adopted, future fact finding inquiries will comply with the new policy.

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shower, disorientation and confusion, an inability to follow orders and directions, a lack of orientation to the present moment or situation, tangential thought processes, and difficulty with his memory.

As a result, Mr. [REDACTED] was admitted into a Mental Health Crisis Bed (MHCB) on January 2, 2019, and he remained in the bed until January 14, 2019, when he was transferred to the CTC. While housed in the MHCB he was seen frequently and there are no notes of reported or observed injuries consistent with being shoved to the floor and hitting his head. At the time he alleges the incident occurred, he was not in the CTC and he was not transferred to the CTC until more than a week after the alleged incident occurred.

His medical record also reflects that Mr. [REDACTED] was seen many times by medical and mental health staff while he was housed in the CTC following discharge from the MHCB. On January 16, 2019, Mr. [REDACTED] did appear cell front for a visit and was observed to be disheveled and unkempt with face cream smeared on his face and not rubbed in, along with ink on his hands and face. There was some dried blood noted on the right nostril. Other than this, and despite being seen almost every day (and in some cases multiple times a day) by medical professionals in the two weeks surrounding the allegation, there is no documented report or observation of an injury to his face consistent with an assault after being shoved to the ground and hitting his face.

Mr. [REDACTED] received treatment for severe hallucinations related to psychotic decompensation. Medical staff reported in an interview that the psychotic symptoms began on or about December 6, 2018 and were not cleared until April 24, 2019.

An interview with medical staff familiar with Mr. [REDACTED] treatment additionally resulted in statements that point out that Mr. [REDACTED] is “spontaneous” and “unpredictable”. Nursing staff reported Mr. [REDACTED] broke the cell door window in the CTC for no reason. In an interview with Mr. [REDACTED] clinician, when asked if any staff misconduct was observed toward Mr. [REDACTED], the answer was no. In addition, the clinician advised that, due to Mr. [REDACTED] severe hallucinations around that time period, it was likely that allegations made at that time were false.

Also of note, when interviewed Mr. [REDACTED] denied he had ever made a staff misconduct allegation. Shortly after the denial, he asserted that someone had broken his glasses and that he had obtained a lawyer to represent him on the matter of his glasses. He also provided information and a phone number regarding the person who he states he called on January 6, 2019. A review of the phone records available to CDCR shows that there was no phone call made to that number on that date.

Additionally, Mr. [REDACTED] specifically named an officer in his allegations. A review of the officer’s work records show that the officer was not working at RJD from January 5 through

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Ms. Penny Godbold
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January 10, 2019. The officer denies the allegations and states he did not push or otherwise harm Mr. [REDACTED]. In fact, when asked, the officer reported he routinely assists Mr. [REDACTED] to and from the telephone by pushing him in his issued wheelchair. The officer states he does enforce the times each inmate is allotted on the inmate phone and may have upset Mr. [REDACTED] by enforcing the rules.

After a review of the available records and testimony, the allegations made by Mr. [REDACTED] were not supported by the evidence and, in fact, the evidence proves otherwise. Defendants consider the matter closed.

Sincerely,

/s/ Ursula Stuter

URSULA STUTER
Attorney
Office of Legal Affairs

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Exhibit 66



101 Mission Street, Sixth Floor
San Francisco, California 94105-1738
T: (415) 433-6830 ▪ F: (415) 433-7104
www.rbgg.com

Penny Godbold
Email: pgodbold@rbgg.com

October 4, 2019

VIA ELECTRONIC MAIL ONLY

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--

Nick Weber
CDCR Office of Legal Affairs
nicholas.weber@cdcr.ca.gov

Re: *Coleman v. Newsom*: Advocacy Letter re: EOP Class Member, [REDACTED]
[REDACTED] [REDACTED] Regarding Staff Misconduct at RJD
Our File No. 0581-03, 0489-03

Dear Nick:

I write regarding [REDACTED] [REDACTED] [REDACTED] a *Coleman* class member who reports that officers used excessive force against him at Richard J. Donovan Correctional Facility (“RJD”). Mr. [REDACTED] is at the EOP level of care, and he is currently housed at CSP – Los Angeles County (LAC). Mr. [REDACTED] allegations reveal potential deficiencies in CDCR’s investigative procedures for staff misconduct incidents. What is most noteworthy about Mr. [REDACTED] allegations of staff misconduct is that Mr. [REDACTED] version of events is completely supported by a third-party, contemporaneous report issued by a staff psychologist at RJD who witnessed the events. Notwithstanding this credible report from a high-level medical professional, Plaintiffs are concerned that RJD’s investigation may have exonerated staff of any wrongdoing and, instead, found Mr. [REDACTED] guilty of assaulting staff.

Plaintiffs’ counsel in both *Coleman* and *Armstrong* have repeatedly raised reports of staff misconduct directed towards people with disabilities and the seriously mentally ill at RJD. As is made clear by the allegation described below, Plaintiffs have concerns about whether CDCR is appropriately investigating and/or disciplining officers involved in our class members’ allegations. CDCR must take serious action in response to these allegations. We request that CDCR explain the outcome of its investigation of the

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Nick Weber

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alleged staff misconduct and describe the steps it will take to improve the integrity of its future investigations into staff misconduct allegations at RJD.

I. Summary of March 11, 2018 Incident

Mr. [REDACTED] reported that, around 9:00 a.m. on May 11, 2018, he was scheduled for an IDTT evaluation in RJD's A-Yard MHSDS building. That IDTT meeting was scheduled on an incorrect date, as Mr. [REDACTED] had an out-to-court transport order that day. While Mr. [REDACTED] was waiting in the MHSDS building, he observed Officer [REDACTED] with whom he was familiar, standing a few feet away from the MHSDS waiting area.

Mr. [REDACTED] approached Officer [REDACTED] to request that he return his identification card, which Mr. [REDACTED] believed that he needed for his out-to-court transport. Officer [REDACTED] refused to return Mr. [REDACTED] ID, and reportedly taunted Mr. [REDACTED] calling him "a bitch." Mr. [REDACTED] admits that he returned the insult, calling Officer [REDACTED] "a bitch" in response. This back and forth escalated, and Mr. [REDACTED] reports that, shortly after he began exchanging words with Officer [REDACTED] multiple officers began surrounding him.

Mr. [REDACTED] reports that moments later, Officer [REDACTED] sprayed him with what he estimates as a half a bottle of OC spray. As the pepper spray began to take effect, Mr. [REDACTED] removed his glasses to rub his eyes, bent over, and dropped to the ground. Mr. [REDACTED] reports that he laid on the ground in a prone position, not posing any imminent threat to the safety of the officers around him. Officer [REDACTED] then kicked him in the face, twice, extremely hard. Mr. [REDACTED] reports that the beating took him by surprise.

A copy of a 7219 completed after the incident, indicates that Mr. [REDACTED] sustained injuries to his face, including a "bruise/discolored area and swollen area on the upper right side of his forehead/temple." See Exhibit A, and Exhibit B at 1.

Mr. [REDACTED] also reported to medical staff that his injuries were a result of staff misconduct, which triggered an initial investigation in to his allegations. As part of that investigation, Mr. [REDACTED] reports that he was interviewed by an A-Yard Sergeant about two hours after the incident occurred. This interview was videotaped. The Sergeant reportedly asked Mr. [REDACTED] to present his recollection of the events in question, and Mr. [REDACTED] states that he did so, outlining the narrative that appears above. Mr. [REDACTED] reports that the Sergeant did not ask further follow-up questions, and concluded the interview by informing Mr. [REDACTED] that he would be charged with a 115 for assault on a

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peace officer not likely to cause great bodily injury (GBI), and that he would be transferred to the ASU pending his 115 hearing.

II. Mr. [REDACTED] Rules Violation Report (RVR)

Mr. [REDACTED] was found guilty of a 115 for Assault on a Peace Officer not likely to cause GBI, a serious offense, for this incident.¹

In contrast to Mr. [REDACTED] account of events, the attached Crime/Incident Report Supplement, Form 837-A1, states that “as Inmate [REDACTED] was going to the ground, Officer [REDACTED] moved back due to the close proximity of Inmate [REDACTED]. As he was backing up he slipped on the OC overspray; subsequently Officer [REDACTED] stated he struck Inmate [REDACTED] in or around the upper torso area with his left leg as he fell to the ground.” *See Exhibit B at 1.*

The 837-A1 also states that after pepper spray was applied Mr. [REDACTED] continued to “maintain[] a fighting stance with his hands in a fist and would not comply with orders to get down.” *Id.* Mr. [REDACTED] adamantly denies the claim that he maintained a “fighting stance” with his hands balled in a fist after the pepper spray had been applied. According to Mr. [REDACTED] after pepper spray was used the officers did not attempt to de-escalate the situation, implement a cooling-off period, or order him to get on the ground.

Notably, the only report claiming that Officer [REDACTED] slipped on pepper spray, or alleging that his striking Mr. [REDACTED] was an accident, is the statement of Officer [REDACTED]. *See Exhibit D.*

III. Eye Witness Evidence Corroborating Mr. [REDACTED] Narrative

Through the 115 proceedings, it was brought to Mr. [REDACTED] attention that Psychologist [REDACTED] had witnessed the incident and generated her own report, an 837-C, describing her observations. *See Exhibit C.* Her testimony casts serious doubt on Officer [REDACTED] uncorroborated claim that he slipped and accidentally kicked Mr. [REDACTED]. It also directly contradicts Officer [REDACTED] claim that Mr. [REDACTED] maintained a fighting stance after being sprayed.

¹ Note that this is a consistent pattern that has been reported by multiple *Armstrong* and *Coleman* class members – that when class members are assaulted by staff at RJD, staff in turn write the class members up for assault. *See Exhibits G through K; see also* forthcoming advocacy letter on behalf of *Coleman* class member [REDACTED]

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Dr. ██████ report clearly states that, once sprayed, “IP ██████ did not retaliate with physical violence and went down to the floor.” *Id.* After Mr. ██████ was crouching on the floor, Ms. ██████ observed “CO ██████ kick[] IP ██████ in the face two (2) times with **extreme force**.” *Id.* (emphasis added). Dr. ██████ report does not contain any mention of Officer ██████ slipping nor does it characterize this incident as an accident. Dr. ██████ report instead characterizes the incident as one of “extreme force” used by Officer ██████. Her report, which was reviewed by a supervisor, also corroborates Mr. ██████ claim that he “refrained from physical violence throughout the incident.” *Id.*

Reports from the two other officers—Officers ██████ and ██████ present during the incident were submitted as part of the 115 packet. Neither report mentions Officer ██████ slipping during the incident. *See* Exhibit D at 1-3. Also, consistent with accounts from Mr. ██████ and Dr. ██████ Officer ██████ report states that once sprayed, “Inmate ██████ then dropped to his knees and stated, “Ok, I’m done” taking a prone position on the floor.

IV. RVR Hearing

Mr. ██████ reportedly attempted to point staff to the report filed by Dr. ██████ in an effort to exonerate himself in the 115 process. He also reportedly discussed the reports from custody staff submitted with the 115 packet that contain some inconsistencies and which also do not corroborate Officer ██████’s explanation that he slipped and fell, striking Mr. ██████ by accident, during the incident. *See* Exhibit D. In response, the Hearing Officer reportedly stated to Mr. ██████ that his evidence did not matter, and that he was going to believe only what his officers told him about the incident. The Hearing Officer then reportedly delivered an ultimatum to Mr. ██████ plead guilty to a lesser “Division D” 115 Assault on a Peace Officer not likely to cause GBI – or he would be found guilty of the original 115 with which he was charged, an even more serious “Division B” offense. *See* Exhibit E. Mr. ██████ believed that only higher offenses are eligible for DA referral, so he acquiesced and pled guilty to a 115 that would not carry a DA referral. *Id.*

V. 602s Filed by Mr. ██████ and Subsequent Investigations

Around two to three weeks after the incident occurred, Mr. ██████ filed a 602 alleging that Officer ██████ used excessive and unjustifiable force against him. His 602 was bypassed at the first level of review. At the second level of review, it appears that CDCR initiated an investigation. Mr. ██████ reports being interviewed after filing the staff misconduct 602. Mr. ██████ believes that he was interviewed by OIA and reports that the interview lasted two hours, that the investigators made him very uncomfortable,

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including keeping the room at freezing temperature. He reported that the investigators “went in on [him] like it was an interrogation.” Mr. ██████ claims that the investigators disputed his credibility and indicated that they did not believe his story. He felt the investigators were biased against him and, similar to the 115 process, these staff members were not interested in learning about what happened but rather were going to support the officers’ statement of events regardless of the facts. The investigators insisted to Mr. ██████ for example, that if Officer ██████ struck him in the face it must have been by accident. According to Mr. ██████ the investigators asked Mr. ██████ inappropriate and irrelevant questions such as inquiring about the facts and nature of his commitment offense. Mr. ██████ 602 was partially granted at the second level of review in that the matter was referred to OIA. *See* Exhibit F.

Before his appeal could be considered at the third level of review, Mr. ██████ states that he withdrew his appeal due to the frequency of retaliation and harassment to which he was subjected by the officers involved in the incident. Mr. ██████ reportedly spoke to Officer ██████ about dropping his 602, and Officer ██████ told Mr. ██████ that he would be left alone if he withdrew his grievances regarding the incident. Mr. ██████ reports that despite withdrawing the appeal, the retaliation did not cease.

VI. Retaliation

Mr. ██████ reports that, following the incident (and the reporting of the misconduct) he was retaliated against by staff. Upon being released from the ASU, Mr. ██████ was housed on Facility C at RJD. He reports that the officers involved in the incident, including Officer ██████ sometimes worked on Facility C, such that he was forced to interact with them frequently.

Mr. ██████ reports that he encountered threats and retaliation from the officers including name calling and searches that, according to Mr. ██████ other incarcerated people were not subject to. In one instance, Mr. ██████ reported, staff required him to be housed with an incarcerated person who was well known for assaulting other mentally ill and disabled class members. This person refused to cell with Mr. ██████ but Facility C housing staff reportedly cuffed him and forced him into Mr. ██████ cell. The two of them were left alone together despite Mr. ██████ raising his safety concerns with housing staff. Mr. ██████ reports that he and this assaultive individual were both classified as top bunk and, with an abundance of available top bunk housing placements elsewhere, there was no need to force the two of them together. Although no fight broke out between the two, Mr. ██████ reports that the incident caused him great distress and negatively impacted his mental health.

PRIVILEGED AND CONFIDENTIAL

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October 4, 2019

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Retaliation against Mr. [REDACTED] was also reported by another *Coleman* class member, [REDACTED] who filed a Section 1983 complaint in the Southern District of California on June 11, 2019, in response to the impact that staff assaults and retaliation – including that of Mr. [REDACTED] – was having on him. [REDACTED] swears under penalty of perjury that, following the reported incident of staff misconduct, Mr. [REDACTED] was attacked by other incarcerated people in the Facility A dayroom while staff simply stood by and did nothing to stop the attack or to provide medical attention for Mr. [REDACTED]. See Exhibit L at 12.

VI. Effects on Mr. [REDACTED]

Mr. [REDACTED] was (and still is) at the EOP level of care at the time of this incident, and his primary diagnosis is PTSD. Mr. [REDACTED] reports that this incident—as well as his unwarranted segregation in the ASU and the retaliation that followed—has seriously exacerbated his PTSD. Although he reports generally feeling safe now that he is housed at LAC, he reports that he is very uncomfortable around custody officers, does not feel comfortable talking to officers or asking them for anything, and he reportedly stays in his cell for the majority of the day out of fear that he will be assaulted by an officer. A review of Mr. [REDACTED] custody file indicates that he has engaged in a hunger strike, as well as self-injurious behavior, as a consequence of his being assaulted.

Similarly, the incident involving the attack on Mr. [REDACTED] and subsequent retaliation has impacted other class members who, like Mr. [REDACTED] fear staff and do not feel comfortable asking for help. As stated above, Mr. [REDACTED] was so disturbed by what happened to Mr. [REDACTED] as well as other incidents of staff abuse that he has witnessed, that he filed a civil action stating that the staff abuse, including the incident involving Mr. [REDACTED] and subsequent retaliation, has caused him pain and suffering, shame, humiliation, degradation, emotional distress, embarrassment, and mental distress and other injuries. See Exhibit L at 12, 24.

VII. Conclusion

The staff assault on Mr. [REDACTED] is concerning for two separate reasons. First, the unwarranted and “extreme” use of force on Mr. [REDACTED] by Officer [REDACTED] is consistent with repeated allegations we’ve raised with CDCR that staff at RJD have engaged in a pattern of assaulting *Armstrong* and *Coleman* class members. Second, notwithstanding the credible, independent, third-party report submitted by the psychologist, the investigations into the staff assault and into Mr. [REDACTED] RVR have had no apparent impact on the Officers involved and yet have caused Mr. [REDACTED] much harm. It is not surprising, given Mr. [REDACTED] experience, that class members are reluctant to come

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forward and report misconduct. Even under the best of circumstances such as this case, where a staff member witness documented a contemporaneous corroborating account of events, class members are not believed and, even worse, experience retaliation for coming forward.

We request to know the results of any investigation into the alleged misconduct reported above, including a review of any information that was relied on in making that decision. If the investigation is ongoing, please let us know. We also request an investigation to determine whether the use of force discussed above complied with Defendants' policies developed in response to the *Coleman* Court's April 10, 2014 order and approved by the Coleman Court. See 4/10/14 Order, ECF No. 5131; Defs' 8/1/14 Policies ECF No. 5190; 8/11/14 Order Approving Policies, ECF No. 5196.

Plaintiffs' counsel also requests that Defendants produce (1) any and all grievances filed by Mr. [REDACTED] relating to this incident; (2) any photographs or videos of Mr. [REDACTED] injuries taken by medical or custody staff; (3) any audio, video, or notes of interviews with Mr. [REDACTED] regarding this incident; and (4) any memorandum drafted by medical or mental health care staff, regarding the incidents alleged above.

Plaintiffs' counsel also request that staff do not engage in retaliation in response to these allegations.

Sincerely,

ROSEN BIEN
GALVAN & GRUNFELD LLP

/s/ Penny Godbold

Penny Godbold
By: Of Counsel

PG:JRG

cc: Co-Counsel
Roy Wesley
Coleman Special Master Team
Armstrong Plaintiffs
Coleman DAG Team

Ed Swanson
Armstrong CDCR OLA

Exhibit 66a

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

MEDICAL REPORT OF INJURY
OR UNUSUAL OCCURRENCE

NAME OF INSTITUTION KSDCF	FACILITY/UNIT HU 1	REASON FOR REPORT (circle) USE OF FORCE UNUSUAL OCCURRENCE	INJURY	ON THE JOB INJURY PRE AD/SEG ADMISSION	DATE 10/11/18
THIS SECTION FOR INMATE ONLY		NEW HOUSING LOC. N/A			
THIS SECTION FOR STAFF ONLY		NAME LAST N/A FIRST N/A BADGE # N/A	RANK/CLASS N/A	ASSIGNMENT/RDOs N/A	
THIS SECTION FOR VISITOR ONLY		NAME LAST N/A FIRST N/A MIDDLE N/A	DOB N/A	OCCUPATION N/A	
HOME ADDRESS N/A		CITY N/A	STATE N/A	ZIP N/A	HOME PHONE N/A
PLACE OF OCCURRENCE A Yard PS U	DATE/TIME OF OCCURRENCE 5/11/18 @ 0920	NAME OF WITNESS(ES) I/P states "No Communt"			
TIME NOTIFIED 0945	TIME SEEN 0950	ESCORTED BY C10	MODE OF ARRIVAL (circle) AMBULATORY	LITTER	WHEELCHAIR
BRIEF STATEMENT IN SUBJECT'S WORDS OF THE CIRCUMSTANCES OF THE INJURY OR UNUSUAL OCCURRENCE: I/P states "No Communt"					

INJURIES FOUND? YES / NO

Abrasion/Scratch	1
Active Bleeding	2
Broken Bone	3
Bruise/Discolored Area	4
Burn	5
Dislocation	6
Dried Blood	7
Fresh Tattoo	8
Cut/Laceration/Slash	9
O.C. Spray Area	10
Pain	11
Protrusion	12
Puncture	13
Reddened Area	14
Skin Flap	15
Swollen Area	16
Other	17
	18
	19

O.C. SPRAY EXPOSURE? YES / NO

DECONTAMINATED? YES / NO

Self-decontamination instructions given? YES / NO

Refused decontamination? YES / NO

Q 15 min. checks **N/A**

Staff issued exposure packet? YES / NO

RN NOTIFIED/TIME

PHYSICIAN NOTIFIED/TIME

RN **McCann @ 0957****N/A**

TIME/DISPOSITION

RTC @ 1000

REPORT COMPLETED BY/TITLE (PRINT AND SIGN)

K. Luis M**[Signature]**

BADGE #

ID

RDOs

Sat/Sun

(Medical data is to be included in progress note or emergency care record filed in UHR)

CDCR 7219 (Rev. 11/05)

DISTRIBUTION:

ORIGINAL - CUSTODY

CANARY - Inmate/Employee

PINK - Health and Safety / RTW Coordinator
(only work related injury)

EX66a01

CRIME / INCIDENT REPORT
PART A1 - SUPPLEMENT
 CDCR 837-A1 (Rev. 10/15)

PAGE 2 Of 8

INSTITUTION RJD	FACILITY AYD - FACILITY A	INCIDENT DATE 05/11/2018	09:20
--------------------	------------------------------	-----------------------------	-------

TYPE OF INFORMATION:			
<input checked="" type="checkbox"/> SYNOPSIS OF INCIDENT	<input type="checkbox"/> SUPPLEMENTAL INFORMATION	<input type="checkbox"/> AMENDED INFORMATION	<input type="checkbox"/> CLOSURE REPORT

SYNOPSIS OF EVENT:

On Friday, May 11, 2018, at approximately 0920 hours, while Officer [REDACTED] was conducting Enhanced Outpatient [REDACTED] in the Mental Health Services Delivery System (M [REDACTED] building he [REDACTED] Inmate [REDACTED] walking out [REDACTED] room unescorted. Officer [REDACTED] confronted [REDACTED] and ordered him to return to the waiting area. [REDACTED] verbally argumentative and demanded his identification card be returned to him. [REDACTED] informed [REDACTED] there was an active alarm on the yard and he would need to sit in the waiting area. [REDACTED] took a fi [REDACTED] nce and yelled, "I'm not your dog. I'm not going to sit you're going to have to make me!" Inmate [REDACTED] his hands balled in a fist, stepped towards Office [REDACTED] getting extremely close [REDACTED] oximity. Officer [REDACTED] fearing for his safety, he activa [REDACTED] Personal Alarm Device (PAD), ordered [REDACTED] to get down. [REDACTED] pped back away fro [REDACTED] inmate [REDACTED] continued to advance towards Officer [REDACTED] Officer [REDACTED] fearing for [REDACTED] safety he un-hoistered his MK9 Oleoresin Capsicum Pep [REDACTED] y (OC) and aimin [REDACTED] ate [REDACTED] face he dispersed a one second burst of OC spray from approximately 5 feet away. Inmate [REDACTED] ceased his advancement toward staff and removed his glasses. While hold [REDACTED] he maintain [REDACTED] ting stance with his hands in [REDACTED] would not comply with orders to get down. [REDACTED] fearing that [REDACTED] would assault him or Officer [REDACTED] n upsweep motion and disperse [REDACTED] urst of OC spray approxi [REDACTED] eet away strikin [REDACTED] from the lower torso a [REDACTED] his facial area, with positive results. Inn [REDACTED] assumed a prone positio [REDACTED] ground. As [REDACTED] was going down to the ground, Officer [REDACTED] back due to the [REDACTED] roximity of inmate [REDACTED] as he was backing up he slipped on the OC overspray, subsequently Officer [REDACTED] stated he struck Inmate [REDACTED] n or around the upper torso area with his left leg, as he fell to the ground.

Of [REDACTED] placed handcuffs on Inmate [REDACTED] and relinquished custody of him to Officer J. [REDACTED]

Officer [REDACTED] assumed [REDACTED] of Inmate [REDACTED]. He conducted a search of the immed [REDACTED] a and a clothed body search of Inmate [REDACTED] with negative results for contraband. He escorted [REDACTED] to the showers in the MH [REDACTED] building to decontaminate from the effects of OC spray. Once Inmate [REDACTED] stated he was good, [REDACTED] escorted him to holding cell #2 and conducted a visual search of the holding cell prior to placing Inmate [REDACTED] e cell, which proved negative for contraband. [REDACTED] conducted an unclothed body search on Inmate [REDACTED] with ne [REDACTED] results for contraband. Inmate [REDACTED] was given cle [REDACTED] es due to OC contam [REDACTED] Officer [REDACTED] started a ho [REDACTED] log. Offic [REDACTED] lead Inmate [REDACTED] his Notice of Rights Pursuant to the Miranda Decision. Inmate [REDACTED] acknowledg [REDACTED] ghts, but ref [REDACTED] ign the form or make a statement.

Psychologis [REDACTED] with [REDACTED] he incident and immediately notified he [REDACTED] isor Senior Psychologist [REDACTED] that she observed Officer [REDACTED] se excessive force by kicking In [REDACTED] n the face [REDACTED] s as he was going down to the floor, [REDACTED] as being sprayed. Psychologist [REDACTED] aslo stated Officer [REDACTED] stepped back to disengage from Inmate [REDACTED]

Inmate [REDACTED] was given a CDCR 7219 Medical Evaluation by PT K. LUIS, noting bruise/discolored area and swollen area on the upper right side of his forehead/temple.

Officer [REDACTED] was given a CDCR 7219 Medical Evaluation by RN A. Sazon, noting soreness on his left shoulder and his left wrist.

Officer [REDACTED] was given a CDCR 7219 Medical Evaluation by RN C. Harrison, noting no injuries.

Officer [REDACTED] was given a CDCR 7219 Medical Evaluation by RN C. Harrison, noting no injuries.

Due to allegations of staff using excessive force, a video interview was conducted on Inmate [REDACTED] and CDCR

[REDACTED]	BADGE #	[REDACTED]
	DATE	5/11/2018
	DATE	

D. PARAMO

WARDEN

EX66a03

CRIME / INCIDENT REPORT

PART A1 - SUPPLEMENT

CDCR 837-A1 (Rev. 10/15)

PAGE 3 Of 8

INCIDENT LOG NUMBER

RJD-AYD-18

INSTITUTION

RJD

FACILITY

AYD - FACILITY A

INCIDENT DATE

05/11/2018

INCIDENT TIME

09.20

TYPE OF INFORMATION:

☒ SYNOPSIS OF INCIDENT☐ SUPPLEMENTAL INFORMATION☐ AMENDED INFORMATION☐ CLOSURE REPORT

form's 3013 and 3014 were completed.

Inmate [REDACTED] was advised that he would be receiving a Rules Violation Report (RVR) for violating the California Code of Regulations, Section 3005(d)(1), Force and Violence, Specifically: Assault on a Peace Officer. Inmate [REDACTED] was also advised that this case would be referred to the San Diego County District Attorney's Office for possible felony prosecution.

Subsequently, Inmate [REDACTED] was medically cleared and rehoused in Administrative Segregation, with no further incident.

ALARM:

Officer [REDACTED] activated his Personal Alarm Device (PAD), ordered [REDACTED] to get down, and stepped back away from him.

USE OF FORCE:

Officers [REDACTED] utilized OC spray to gain compliance of a lawful order, subdue an attacker, and effect custody. Officer [REDACTED] slipped in the overspray of OC and inadvertently kicked Inmate [REDACTED] in or around the upper torso area with his left leg, as he fell to the ground.

SUSPECT(S):

Inmate [REDACTED] is considered a suspect in this matter.

VICTIM(S):

Officer [REDACTED]

HANDCUFFS (LEG IRONS/SPIT HOOD):

Officer [REDACTED] placed Inmate [REDACTED] in handcuffs.

WITNESS(S):

Psychologist [REDACTED]

Senior Psychologist R. Katyal

EVIDENCE:

None

ESCORT(S):

Officer [REDACTED] escorted Inmate [REDACTED]

SEARCHES (HOLDING CELLS/SURROUNDING AREA):

Officer [REDACTED] conducted the following searches involving Inmate [REDACTED] clothed body search, immediate area, holding cell #2, and unclothed body search, all proved negative for contraband.

REASONABLE ACCOMMODATION:

A review of the Disability and Effective Communication System indicated that no reasonable accommodation was needed.

HOLDING CELL(S) (TIMES):

Holding Cell #2:

1 hour and 30 minutes

(Escorted to TTA and back to Facility A)

☒ CHECK IF NARRATIVE IS CONTINUED ON ADDITIONAL CDCR 837-A1

[REDACTED]		BADGE #
		DATE
		5/11/2018
NAME OF WARDEN / AOD (PRINT / SIGN)		TITLE
D. PARAMO		WARDEN
		DATE

EX66a04

CRIME / INCIDENT REPORT

PART A1 - SUPPLEMENT

CDCR 837-A1 (Rev. 10/15)

PAGE 4 Of 8

INCIDENT LOG

RJD-AYD-

INSTITUTION RJD	FACILITY AYD - FACILITY A	INCIDENT DATE 05/11/2018	INCIDENT TIME 09:20
TYPE OF INFORMATION: <input checked="" type="checkbox"/> SYNOPSIS OF INCIDENT <input type="checkbox"/> SUPPLEMENTAL INFORMATION <input type="checkbox"/> AMENDED INFORMATION <input type="checkbox"/> CLOSURE REPORT			

1 hour and 40 minutes

Total Combined Time: 3 hours and 10 minutes

DECONTAMINATION:

Inmate [REDACTED] was placed in the shower in the MHSDS building to decontaminate from the effects of OC spray.
Inmate [REDACTED] was removed from the showers once he stated he was good and given clean clothes.

MEDICAL:

INJURIES INMATE:

A Medical Report of Injury or Unusual Occurrence, CDC 7219 form, was completed of Inmate [REDACTED] by PT K. LUIS; noting bruise/discolored area and swollen area on the upper right side of his forehead/temple.

INJURIES STAFF:

A Medical Report of Injury or Unusual Occurrence, CDC 7219 form, was completed of Officer [REDACTED] by RN A. Sazon; noting soreness on his left shoulder and his left wrist.

A Medical Report of Injury or Unusual Occurrence, CDC 7219 form, was completed of Officer [REDACTED] by RN C. Harrison, noting no injuries.

A Medical Report of Injury or Unusual Occurrence, CDC 7219 form, was completed of Officer [REDACTED] by RN C. Harrison, noting no injuries.

MIRANDA:

At approximately 1300 hours Officer [REDACTED] read Inmate [REDACTED] his rights Pursuant to the Miranda Decision for "Assault on a Peace Officer resulting in the Use of Force". Inmate [REDACTED] understood his rights and elected not to make a statement.

VIDEOTAPE INTERVIEW OF INMATE (ALLEGATIONS/SBI):

There were no serious injuries; however [REDACTED] were allegations of Unnecessary or Excessive Use of Force. A video tape interview was conducted of Inmate [REDACTED] and CDCR form's 3013 and 3014 were completed.

DISCIPLINE:

Inmate [REDACTED] was advised that he would be receiving a Serious Rules Violation Report (RVR), for violating the California Department of Corrections and Rehabilitation Regulations, Section 3005(d) (1), Conduct. Specifically: Assault on a Peace Officer.

NOTIFICATIONS (CCPOA)

CCPOA representative Officer [REDACTED] was notified of the situation.

CONCLUSION:

The pending charge against Inmate [REDACTED] is an offense that requires Secure Housing Unit (SHU) term and he was rehoused in the Administrative Segregation Unit (ASU). There were no serious injuries to staff or inmate and no damage to any State Property as a result of this incident.

All appropriate Administrative staff members have been advised of this incident. You will be apprised of any further developments, should they occur.

☐ CHECK IF NARRATIVE IS CONTINUED ON ADDITIONAL CDCR 837-A1

[REDACTED]		BADGE # [REDACTED]
[REDACTED]		DATE 5/11/2018
NAME OF WARDEN / AOD (PRINT / SIGN) D PARAMO	TITLE WARDEN	DATE

EX66a05

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CRIME / INCIDENT REPORT**PART C - STAFF REPORT**

CDCR 837-C (Rev. 10/15)

PAGE 1 Of 1

INCIDENT LOG NUMBER

RJD-A [REDACTED]

NAME: LAST [REDACTED]		FIRST [REDACTED]		MI [REDACTED]	INCIDENT DATE 05/11/2018	TIME OF INCIDENT 0920	
POST # N/A	POST DESCRIPTION Staff Psychologist	YEARS OF SERVICE 2 YRS. 9 MO.	DATE OF REPORT 05/11/2018		LOCATION OF INCIDENT Fac A. MHSOS Building waiting room		
RDO'S Tues/Sat/Sun	DUTY HOURS 0800-1800	DESCRIPTION OF CRIME / INCIDENT Assault on a Peace Officer, Resulting in Use of Force			CCR SECTION / RULE <input type="checkbox"/> N/A 3005(d)(1)		
YOUR ROLE		WITNESSES (PREFACE S-STAFF, V-VISITOR, O-OTHER)		INMATES (PREFACE S-SUSPECT, V-VICTIM, W-WITNESS)			
<input type="checkbox"/> Primary		S- [REDACTED] Psy D.		[REDACTED] [REDACTED]			
<input type="checkbox"/> Responder		S- [REDACTED] S					
<input checked="" type="checkbox"/> Witness		S- [REDACTED] A					
<input type="checkbox"/> Camera		S-Katyal, R					
<input type="checkbox"/> Victim							
<input type="checkbox"/> Other:							
<input checked="" type="checkbox"/> N/A							
FORCE USED BY YOU - TYPE OF WEAPON / SHOTS FIRED / NON-CONVENTIONAL FORCE							
<input type="checkbox"/> Physical	Lethal Weapons:	Warning:	Effect:	Less Lethal Weapons:	# Effect:	Chemical Agent:	Projector:
<input type="checkbox"/> Hand-Held Baton	<input type="checkbox"/> Mini 14			<input type="checkbox"/> 37 mm		<input type="checkbox"/> OC	#Deployed:
<input type="checkbox"/> X-10 BRD w/o OC	<input type="checkbox"/> .38 Cal			<input type="checkbox"/> 40 mm		<input type="checkbox"/> CN	
<input type="checkbox"/> X-10 BRD w/ OC	<input type="checkbox"/> .40 Cal			<input type="checkbox"/> L8		<input type="checkbox"/> CS	
	<input type="checkbox"/> 9 mm			<input type="checkbox"/> 40 mm Multi			
	<input type="checkbox"/> Shotgun			<input type="checkbox"/> HFWRS			
<input type="checkbox"/> Non-Conventional or Force Not Listed Above:							
FORCE OBSERVED BY YOU	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Physical <input type="checkbox"/> Hand-Held Baton <input checked="" type="checkbox"/> Chemical Agent <input type="checkbox"/> X-10 <input type="checkbox"/> Less Lethal <input type="checkbox"/> Lethal <input type="checkbox"/> Non-Conventional						
EVIDENCE COLLECTED BY YOU	EVIDENCE DESCRIPTION		EVIDENCE DISPOSITION			BIO HAZARD	PPE
<input type="checkbox"/> YES						<input type="checkbox"/> YES	<input type="checkbox"/> YES
<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A		<input checked="" type="checkbox"/> N/A			<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> NO
REPORTING STAFF INJURED	DESCRIPTION OF INJURY		LOCATION TREATED (HOSPITAL/CLINIC)		FLUID EXPOSURE		SCIF 3301/3067 COMPLETED
<input type="checkbox"/> YES					<input type="checkbox"/> BODILY <input checked="" type="checkbox"/> N/A		<input type="checkbox"/> YES
<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A		<input checked="" type="checkbox"/> N/A		<input type="checkbox"/> UNKNOWN		<input checked="" type="checkbox"/> NO
					<input type="checkbox"/> Other:		

NARRATIVE:

On May 11, 2018, at approximately 0920, I heard loud yelling in the waiting room of the MHSOS Building on Fac A. I exited my office to observe an incident in which IP [REDACTED] was standing in a combative stance and yelling. Several officers had surrounded IP [REDACTED] and CO [REDACTED] attempted to redirect IP [REDACTED] to sit down. IP refused and continued to yell, at which time CO [REDACTED] warned that he was going to apply Oleoresin Capsicum (OC) Spray if IP [REDACTED] did not follow directives. IP continued to yell and Oleoresin Capsicum OC Spray was applied. IP [REDACTED] did not retaliate with physical violence and went down to the floor. As he was crouching down to the floor, CO [REDACTED] kicked IP [REDACTED] in the face two (2) times with extreme force. CO [REDACTED] then stepped back to disengage from inmate [REDACTED]. IP [REDACTED] refrained from physical violence throughout the incident. My observation of this incident was immediately reported to my direct supervisor, Dr. Katyal, who instructed me to draft this report.

☐ CHECK IF NARRATIVE IS CONTINUED ON CDCR 837-C1

DISTRIBUTION: Original: Incident Package Copy: Reporting Employee Copy: Reviewing Supervisor

EX66a06

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CRIME / INCIDENT REPORT

PART C - STAFF REPORT

CDCR 837-C (Rev. 10/15)

PAGE 1 Of 2

INCIDENT LOG NUMBER

RJD-AYD [REDACTED]

NAME: LAST [REDACTED]		FIRST [REDACTED]		MI [REDACTED]	DATE OF INCIDENT: 5/11/2018	TIME OF INCIDENT: 0920
POST # 211460	POSITION HCA A CLINIC #1	YEARS OF SERVICE 30YRS. 1MO.	DATE OF REPORT 5/11/2018		LOCATION OF INCIDENT MHSDS BUILDING	
RDO'S SSH	DUTY HOURS 0600-1400	DESCRIPTION OF CRIME / INCIDENT ASSAULT ON A PEACE OFFICER RESULTING IN USE OF FORCE				CCR SECTION / RULE 3005 (d)(1) <input type="checkbox"/> N/A

YOUR ROLE	WITNESSES (PREFACE S-STAFF, V-VISITOR, O-OTHER)	INMATES (PREFACE S-SUSPECT, V-VICTIM, W-WITNESS)
<input checked="" type="checkbox"/> Primary	(S) [REDACTED]	(S) [REDACTED] (U) [REDACTED]
<input type="checkbox"/> Responder		
<input type="checkbox"/> Witness		
<input type="checkbox"/> Camera		
<input type="checkbox"/> Victim		
<input type="checkbox"/> Other:		

FORCE USED BY YOU - TYPE OF WEAPON / SHOTS FIRED / NON-CONVENTIONAL FORCE								
<input type="checkbox"/> Physical:	Lethal Weapons:	Warning:	Effect:	Less Lethal Weapons:	# Effect:	Chemical Agent:	Projector:	# Deployed:
<input type="checkbox"/> Hand-Held Baton	<input type="checkbox"/> Mini 14			<input type="checkbox"/> 37 mm		<input type="checkbox"/> OC		
<input type="checkbox"/> X-10 BRD w/o OC	<input type="checkbox"/> .38 Cal			<input type="checkbox"/> 40 mm		<input type="checkbox"/> CN		
<input type="checkbox"/> X-10 BRD w/ OC	<input type="checkbox"/> .40 Cal			<input type="checkbox"/> L8		<input type="checkbox"/> CS		
	<input type="checkbox"/> 9 mm			<input type="checkbox"/> 40 mm Multi				
	<input type="checkbox"/> Shotgun			<input type="checkbox"/> HFWS				

☐ Non-Conventional or Force Not Listed Above:

FORCE OBSERVED BY YOU	<input type="checkbox"/> N/A <input type="checkbox"/> Physical <input type="checkbox"/> Hand-Held Baton <input checked="" type="checkbox"/> Chemical Agent <input type="checkbox"/> X-10 <input type="checkbox"/> Less Lethal <input type="checkbox"/> Lethal <input type="checkbox"/> Non-Conventional
-----------------------	---

EVIDENCE COLLECTED BY YOU	EVIDENCE DESCRIPTION	EVIDENCE DISPOSITION	BIO HAZARD	PPE
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

REPORTING STAFF INJURED	DESCRIPTION OF INJURY	LOCATION TREATED (HOSPITAL/CLINIC)	FLUID EXPOSURE	SCIF 3301/3067 COMPLETED
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	OLEORESIN CAPSICUM EXPOSURE IN FACIAL AREA <input type="checkbox"/> N/A	TRIAGE TREATMENT AREA <input type="checkbox"/> N/A	<input type="checkbox"/> BODILY <input checked="" type="checkbox"/> N/A <input type="checkbox"/> UNKNOWN <input type="checkbox"/> Other:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

NARRATIVE: On Friday, May 11, 2018, at approximately 0920 hours while performing my duties as HCA-A CLINIC #1 Officer, I was conducting Enhanced Outpatient Program (EOP) committee in the Mental Health Services Delivery System building, group room 3, when I observed Inmate [REDACTED] ([REDACTED] A1 [REDACTED]) walking outside the room unescorted. I exited the committee room and instructed Inmate [REDACTED] to return to the waiting area. Inmate [REDACTED] became verbally argumentative and demanded his identification card (ID) be returned to him now. The Facility A recreation yard at this time was down due to an alarm in building 5 and all inmates within the MHSDS building are required to stay inside until said alarm is cleared. I verbally instructed Inmate [REDACTED] several times to sit in the waiting area until I was able to retrieve his ID card. Inmate [REDACTED] stated he wasn't my dog and that he was not going to sit, that I was going to have to make him sit. Inmate [REDACTED] aggressively stepped toward my personal zone (approximately 12 inches)

1. CHECK IF NARRATIVE IS CONTINUED ON CDCR 837-C1

[REDACTED]

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CRIME / INCIDENT REPORT

PART C1 - SUPPLEMENT

CDCR 837-C1 (Rev. 10/15)

PAGE 2 Of 2

INCIDENT LOG

FIRST

MI

TYPE OF INFORMATION:

☒ CONTINUATION OF REPORT☐ CLARIFICATION OF REPORT☐ ADDITIONAL INFORMATION

NARRATIVE:

and stated "Make me leave. I will fuck you up. I don't care how many c/o's are around." At this time fearing for my safety I activated my personal alarm and told Inmate [REDACTED] to get down, simultaneously stepping backward away from Inmate [REDACTED]. Inmate [REDACTED] advanced toward me, and because my focus was entirely on Inmate [REDACTED] I did not see Correctional Officer [REDACTED] approach until he utilized his Oleoresin Capsicum Pepper Spray (OC), from approximately six feet away. The OC spray hit Inmate [REDACTED] in the facial area and due to the close proximity I was overcome with overspray and again stepped backward. When I regained my focus Inmate [REDACTED] was on the ground restrained. I removed myself from the area to decontaminate. I reported to the Triage Treatment Area (TTA) to be examined and medically checked by staff.

☐ CHECK IF NARRATIVE IS CONTINUED ON ADDITIONAL CDCR 837-C1.

EX66a08

CRIME / INCIDENT REPORT

PART C - STAFF REPORT

CDCR 837-C (Rev. 10/15)

PAGE 1 Of 1

INCIDENT LOG NUMBER

RJD-AY

NAME: LAST [REDACTED]		FIRST [REDACTED]		MI [REDACTED]	DATE OF INCIDENT 5/11/2018	TIME OF INCIDENT 0920			
POST # 211470	POSITION HCA A ESCORT #2	YEARS OF SERVICE 24YRS. 1 MO.	DATE OF REPORT 5/11/2018		LOCATION OF INCIDENT MHSDS BUILDING				
RDO'S S/S/H	DUTY HOURS 0800-1600	DESCRIPTION OF CRIME / INCIDENT ASSAULT ON A PEACE OFFICER RESULTING IN USE OF FORCE				CCR SECTION / RULE 3005 (d)(1)			
YOUR ROLE		WITNESSES (PREFACE S-STAFF, V-VISITOR, O-OTHER)		INMATES (PREFACE S-SUSPECT, V-VICTIM, W-WITNESS)					
<input type="checkbox"/> Primary <input checked="" type="checkbox"/> Responder <input type="checkbox"/> Witness <input type="checkbox"/> Camera <input type="checkbox"/> Victim <input type="checkbox"/> Other:		(S) [REDACTED] C. (S) [REDACTED] S.		(S) [REDACTED] [REDACTED]					
<input checked="" type="checkbox"/> N/A FORCE USED BY YOU - TYPE OF WEAPON / SHOTS FIRED / NON-CONVENTIONAL FORCE									
<input type="checkbox"/> Physical: <input type="checkbox"/> Hand-Held Baton <input type="checkbox"/> X-10 BRD w/o OC <input type="checkbox"/> X-10 BRD w/ OC		Lethal Weapons: <input type="checkbox"/> Mini 14 <input type="checkbox"/> .38 Cal <input type="checkbox"/> .40 Cal <input type="checkbox"/> 9 mm <input type="checkbox"/> Shotgun	Warning: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Effect: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Less Lethal Weapons: <input type="checkbox"/> 37 mm <input type="checkbox"/> 40 mm <input type="checkbox"/> L8 <input type="checkbox"/> 40 mm Multi <input type="checkbox"/> HFWRS	# Effect: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Chemical Agent: <input type="checkbox"/> OC <input type="checkbox"/> CN <input type="checkbox"/> CS	Projector: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	#Deployed: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Non-Conventional or Force Not Listed Above.									
FORCE OBSERVED BY YOU		<input type="checkbox"/> N/A <input type="checkbox"/> Physical <input type="checkbox"/> Hand-Held Baton <input checked="" type="checkbox"/> Chemical Agent <input type="checkbox"/> X-10 <input type="checkbox"/> Less Lethal <input type="checkbox"/> Lethal <input type="checkbox"/> Non-Conventional							
EVIDENCE COLLECTED BY YOU		EVIDENCE DESCRIPTION		EVIDENCE DISPOSITION		BIO HAZARD	PPE		
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input checked="" type="checkbox"/> N/A		<input checked="" type="checkbox"/> N/A		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
REPORTING STAFF INJURED		DESCRIPTION OF INJURY		LOCATION TREATED (HOSPITAL/CLINIC)		FLUID EXPOSURE		SCIF 3301/3067 COMPLETED	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input checked="" type="checkbox"/> N/A		<input checked="" type="checkbox"/> N/A		<input type="checkbox"/> BODILY <input checked="" type="checkbox"/> N/A <input type="checkbox"/> UNKNOWN <input type="checkbox"/> Other:		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

NARRATIVE: On Friday May 11, 2018, at approximately 0920 hours, while conducting my duties as Facility A PSU Escort Officer #3, I observed Inmate [REDACTED] # [REDACTED] yelling obscenities directed towards my partner Officer [REDACTED] in the waiting area in the FAC A PSU Building. I immediately responded to the location, I gave Inmate [REDACTED] a direct order to leave the area. Inmate [REDACTED] ignored my command and continued to yell obscenities stating, "Fuck you mother fuckers." Inmate [REDACTED] then clenched both of his fists, took an aggressive stance and turned towards Officer [REDACTED]. I gave Inmate [REDACTED] direct order to back away from the officer, but he did not comply. Officer [REDACTED] activated his personal alarm. We continued to give Inmate [REDACTED] verbal commands to get down on the floor, but Inmate [REDACTED] did not comply. He continued to yell obscenities and threaten the staff in the area. Inmate [REDACTED] stated, "You mother fuckers try to put me down." Officer [REDACTED] then un-holstered his MK-9 Oleoresin Capsicum (OC) from approximately four to five feet away and sprayed Inmate [REDACTED] in the facial area with short burst of OC spray (approximately one to two second burst). I was inadvertently exposed to the effects of the OC spray and had to temporarily move away from the incident area. Inmate [REDACTED] then dropped to his knees and stated, "Ok, I'm done". He took a prone position on the floor. When I was able to re-enter the area and I placed him in handcuffs without further incident. I relinquished custody of Inmate [REDACTED] to Officer [REDACTED]. I was medically evaluated and returned to my normal duties. This concludes my involvement in this incident.

☐ CHECK IF NARRATIVE IS CONTINUED ON CDCR 837-C1

EX66a09

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CRIME / INCIDENT REPORT

PART C - STAFF REPORT

CDCR 837-C (Rev. 10/15)

PAGE 1 Of 2

INCIDENT LOG NUMBER

RJD-AYD- [REDACTED]

NAME - LAST [REDACTED]		FIRST [REDACTED]		MI NMI	DATE OF INCIDENT 5/11/2018	TIME OF INCIDENT 0920	
POST # 211468	POSITION HCA A ESCRT	YEARS OF SERVICE 15YRS. 2MO.	DATE OF REPORT 5/11/2018		LOCATION OF INCIDENT MHSDS BUILDING		
RDO'S SSH	DUTY HOURS 0800-1600	DESCRIPTION OF CRIME / INCIDENT Assault on a peace officer resulting in use of force				CCR SECTION / RULE <input type="checkbox"/> N/A 3005 (d) (1)	
YOUR ROLE		WITNESSES (PREFACE S-STAFF, V-VISITOR, O-OTHER)		INMATES (PREFACE S-SUSPECT, V-VICTIM, W-WITNESS)			
<input type="checkbox"/> Primary		(S) [REDACTED]		(S) [REDACTED]			
<input checked="" type="checkbox"/> Responder							
<input type="checkbox"/> Witness							
<input type="checkbox"/> Camera							
<input type="checkbox"/> Victim							
<input type="checkbox"/> Other:							
<input type="checkbox"/> N/A							
FORCE USED BY YOU - TYPE OF WEAPON / SHOTS FIRED / NON-CONVENTIONAL FORCE							
<input type="checkbox"/> Physical:	Lethal Weapons:	Warning:	Effect:	Less Lethal Weapons:	# Effect:	Chemical Agent:	Projector:
<input type="checkbox"/> Hand-Held Baton	<input type="checkbox"/> Mini 14			<input type="checkbox"/> 37 mm		<input checked="" type="checkbox"/> OC	MK 9
<input type="checkbox"/> X-10 BRD w/o OC	<input type="checkbox"/> .38 Cal			<input type="checkbox"/> 40 mm		<input type="checkbox"/> CN	
<input type="checkbox"/> X-10 BRD w/ OC	<input type="checkbox"/> .40 Cal			<input type="checkbox"/> L8		<input type="checkbox"/> CS	
	<input type="checkbox"/> 9 mm			<input type="checkbox"/> 40 mm Multi			
	<input type="checkbox"/> Shotgun			<input type="checkbox"/> HFWRS			
<input type="checkbox"/> Non-Conventional or Force Not Listed Above:							
FORCE OBSERVED BY YOU	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Physical <input type="checkbox"/> Hand-Held Baton <input type="checkbox"/> Chemical Agent <input type="checkbox"/> X-10 <input type="checkbox"/> Less Lethal <input type="checkbox"/> Lethal <input type="checkbox"/> Non-Conventional						
EVIDENCE COLLECTED BY YOU	EVIDENCE DESCRIPTION		EVIDENCE DISPOSITION			BIO HAZARD	PPE
<input type="checkbox"/> YES			t			<input type="checkbox"/> YES	<input type="checkbox"/> YES
<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A		<input checked="" type="checkbox"/> N/A			<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> NO
REPORTING STAFF INJURED	DESCRIPTION OF INJURY		LOCATION TREATED (HOSPITAL/CLINIC)		FLUID EXPOSURE		SCIF 3301/3067 COMPLETED
<input type="checkbox"/> YES			7219 completed in TTA		<input type="checkbox"/> BODILY <input checked="" type="checkbox"/> N/A		<input type="checkbox"/> YES
<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A		<input type="checkbox"/> N/A		<input type="checkbox"/> UNKNOWN		<input checked="" type="checkbox"/> NO
					<input type="checkbox"/> Other:		

NARRATIVE: On Friday, May 11, 2018 at approximately 0920 hours, while performing my duties as HCA A Escort #1, I responded to a code one alarm inside the "A" Mental Health Services Delivery System Building. I was providing coverage for Officer [REDACTED] who was dealing with an agitated and irate inmate [REDACTED]. [REDACTED] was refusing to comply with [REDACTED] orders and was challenging him to a physical altercation. [REDACTED] at one point stated something to the effect of, "fucking you up regardless of how many officers are around". [REDACTED] maintained a calm demeanor as [REDACTED] disrespected and used profanities when addressing [REDACTED]. [REDACTED] also maintained clenching fist down at his sides as he continued to challenge [REDACTED]. With my right hand I removed my state issued MK 9 oleoresin capsiicum pepper spray (OC) from the holster keeping it at my side and placed myself approximately seven feet from [REDACTED] right side and about five feet from [REDACTED] left shoulder as [REDACTED] continued to advance towards [REDACTED] with clenched fists. I attempted to provide support instructing [REDACTED] to relax and comply, but at no time did [REDACTED] acknowledge me maintaining all his focus on [REDACTED] was maintaining a safe distant as he was attempting to deescalate the situation but was unsuccessful as [REDACTED] continued to slowly advance and ignore lawful orders. With no other choice [REDACTED] activated his state issued personal alarm and ordered [REDACTED] to get down. [REDACTED] ignored all verbal orders and increased the rate at which he was advancing towards [REDACTED]. Fearing for

☐ CHECK IF NARRATIVE IS CONTINUED ON CDCR 837-C1

EX66a10

STATE OF CALIFORNIA

CRIME / INCIDENT REPORT

DEPARTMENT OF CORRECTIONS AND REHABILITATION

PART C1 - SUPPLEMENT

CDCR 837-C1 (Rev. 10/15)

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INCIDENT LOG NUMBER

RJD-A [REDACTED]

NAME: LAST

FIRST

MI
NM!

TYPE OF INFORMATION:

☒ CONTINUATION OF REPORT☐ CLARIFICATION OF REPORT☐ ADDITIONAL INFORMATION

NARRATIVE:

Officer [REDACTED] safety I stepped towards [REDACTED] simultaneously raising my right hand holding my MK 9 aiming for [REDACTED] facial area. From approximately five feet; due to [REDACTED] advances I utilized a one second burst of OC partially striking [REDACTED] right facial area. [REDACTED] stopped advancing. I lowered my spray to my navel area, reassessed the situation while ordering [REDACTED] to get down two times. At this time [REDACTED] removed his glasses, clinched his fist and continued to disobey my verbal orders to get down. Fearing that [REDACTED] would assault me or another person; with an upsweeping motion I utilized another burst of OC for approximately two seconds at approximately four feet striking [REDACTED] in the lower torso area up to his facial area. [REDACTED] now complied with my previous orders to get down, but as he was making his way to the ground; in order to avoid any contact due to the close proximity I attempted to move causing me to lose my balance and slip on OC overspray subsequently striking [REDACTED] in or around the upper torso area with my left leg as I fell to the ground. I braced myself with my hands and recovered quickly to my feet to. Responding staff quickly gained custody of [REDACTED] and placed him in restraints. I have no injuries to report. A 7219 was completed at RJD TTA. This concludes my report.

☐ CHECK IF NARRATIVE IS CONTINUED ON ADDITIONAL CDCR 837-C1.

EX66a11

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CRIME / INCIDENT REPORT**PART C - STAFF REPORT**

CDCR 837-C (Rev. 10/15)

PAGE **1** Of **1**

INCIDENT LOG NUMBER

RJD-AYD

POST # 211472		POSITION HCA A ESCORT-4		YEARS OF SERVICE 2YRS. 4MO.	DATE OF REPORT 5/11/2018	LOCATION OF INCIDENT MHSDS BUILDING
RDO'S M/T	DUTY HOURS 0800-1600	DESCRIPTION OF CRIME / INCIDENT ASSAULT ON A PEACE OFFICER RESULTING IN THE USE OF FORCE				CCR SECTION / RULE 3005 (d)(1)

YOUR ROLE	WITNESSES (PREFACE S-STAFF, V-VISITOR, O-OTHER)	INMATES (PREFACE S-SUSPECT, V-VICTIM, W-WITNESS)
<input type="checkbox"/> Primary <input checked="" type="checkbox"/> Responder <input type="checkbox"/> Witness <input type="checkbox"/> Camera <input type="checkbox"/> Victim <input type="checkbox"/> Other:		(S)

FORCE USED BY YOU - TYPE OF WEAPON / SHOTS FIRED / NON-CONVENTIONAL FORCE								
Physical:	Lethal Weapons:	Warning:	Effect:	Less Lethal Weapons:	# Effect:	Chemical Agent:	Projector:	#Deployed:
<input type="checkbox"/> Hand-Held Baton <input type="checkbox"/> X-10 BRD w/o OC <input type="checkbox"/> X-10 BRD w/ OC	<input type="checkbox"/> Mini 14 <input type="checkbox"/> .38 Cal <input type="checkbox"/> .40 Cal <input type="checkbox"/> 9 mm <input type="checkbox"/> Shotgun			<input type="checkbox"/> 37 mm <input type="checkbox"/> 40 mm <input type="checkbox"/> L8 <input type="checkbox"/> 40 mm Multi <input type="checkbox"/> HFWS		<input type="checkbox"/> OC <input type="checkbox"/> CN <input type="checkbox"/> CS		

☐ Non-Conventional or Force Not Listed Above:

FORCE OBSERVED BY YOU	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Physical <input type="checkbox"/> Hand-Held Baton <input type="checkbox"/> Chemical Agent <input type="checkbox"/> X-10 <input type="checkbox"/> Less Lethal <input type="checkbox"/> Lethal <input type="checkbox"/> Non-Conventional							
EVIDENCE COLLECTED BY YOU	EVIDENCE DESCRIPTION		EVIDENCE DISPOSITION		BIO HAZARD	PPE		
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A		<input checked="" type="checkbox"/> N/A		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
REPORTING STAFF INJURED	DESCRIPTION OF INJURY		LOCATION TREATED (HOSPITAL/CLINIC)	FLUID EXPOSURE	SCIF 3301/3067 COMPLETED			
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A		<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> BODILY <input type="checkbox"/> UNKNOWN <input type="checkbox"/> Other:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			

NARRATIVE: On Friday, May 11, 2018, at approximately 0920 hours, while performing my duties as HCA A Escort#4, I responded to a code 1 inside the Mental Health Services Delivery System (MHSDS) building. When I arrived to the incident location, I observed an inmate identified as Inmate [REDACTED], lying face down on the floor in handcuffs. I assumed custody of Inmate [REDACTED]. I conducted a search of the immediate area for contraband and weapons with negative results. I then conducted a clothed body search of Inmate [REDACTED] which was negative for contraband and weapons. I placed my right hand on his left shoulder and assisted him to his feet. I escorted Inmate [REDACTED] to a shower in the MHSDS building to decontaminate from the OC. I allowed Inmate [REDACTED] to remain in the cool running water until he stated he was good. I then escorted Inmate [REDACTED] to the front of holding cell #2. I conducted a cursory search of the inside of holding cell #2 for weapons and contraband with negative results. I placed Inmate [REDACTED] inside holding cell #2, and then conducted an unclothed body search of Inmate [REDACTED] which was negative for contraband or weapons. I then started a holding cell log. At approximately 1300 hours, I read Inmate [REDACTED] his Notice of Rights Pursuant to the Miranda Decision. Inmate [REDACTED] understood his rights, but he refused to sign. Inmate [REDACTED] stated "I don't want to say anything." This concluded my involvement in this incident.

CHECK IF NARRATIVE IS CONTINUED ON CDCR 837-C1.

EX66a12

CRIME / INCIDENT REPORT

PART C - STAFF REPORT

CDCR 837-C (Rev. 10/15)

PAGE 1 Of 2

INCIDENT LOG NUMBER

RJD [REDACTED]

NAME: LAST KATYAL	FIRST [REDACTED]	MI NMI	DATE OF INCIDENT 5/11/2018	TIME OF INCIDENT 0920
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POST # N/A	POSITION SENIOR PSYCHOLOGIST	YEARS OF SERVICE 3YRS. MO.	DATE OF REPORT 5/11/2018	LOCATION OF INCIDENT MHSDS BUILDING
---------------	------------------------------------	-------------------------------	-----------------------------	--

RDO'S S/S	DUTY HOURS 0730-1530	DESCRIPTION OF CRIME / INCIDENT Assault on a peace officer resulting in use of force	CCR SECTION / RULE 3005 (d)(1)	<input type="checkbox"/> N/A
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YOUR ROLE	WITNESSES (PREFACE S-STAFF, V-VISITOR, O-OTHER)	INMATES (PREFACE S-SUSPECT, V-VICTIM, W-WITNESS)
<input type="checkbox"/> Primary	(S) Dr. [REDACTED]	(S) [REDACTED] [REDACTED]
<input checked="" type="checkbox"/> Responder	(s) c/o [REDACTED]	
<input type="checkbox"/> Witness	(s) c/o Bustos	
<input type="checkbox"/> Camera		
<input type="checkbox"/> Victim		
<input type="checkbox"/> Other:		

☒ N/A FORCE USED BY YOU - TYPE OF WEAPON / SHOTS FIRED / NON-CONVENTIONAL FORCE

Physical:	Lethal Weapons:	Warning:	Effect:	Less Lethal Weapons:	# Effect:	Chemical Agent:	Projector:	#Deployed:
<input type="checkbox"/> Hand-Held Baton	<input type="checkbox"/> Mini 14			<input type="checkbox"/> 37 mm		<input type="checkbox"/> OC		
<input type="checkbox"/> X-10 BRD w/o OC	<input type="checkbox"/> 38 Cal			<input type="checkbox"/> 40 mm		<input type="checkbox"/> CN		
<input type="checkbox"/> X-10 BRD w/ OC	<input type="checkbox"/> 40 Cal			<input type="checkbox"/> L8		<input type="checkbox"/> CS		
	<input type="checkbox"/> 9 mm			<input type="checkbox"/> 40 mm Multi				
	<input type="checkbox"/> Shotgun			<input type="checkbox"/> HFWS				

☐ Non-Conventional or Force Not Listed Above:

FORCE OBSERVED BY YOU	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Physical <input type="checkbox"/> Hand-Held Baton <input type="checkbox"/> Chemical Agent <input type="checkbox"/> X-10 <input type="checkbox"/> Less Lethal <input type="checkbox"/> Lethal <input type="checkbox"/> Non-Conventional
-----------------------	---

EVIDENCE COLLECTED BY YOU	EVIDENCE DESCRIPTION	EVIDENCE DISPOSITION	BIO HAZARD	PPE
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

REPORTING STAFF INJURED	DESCRIPTION OF INJURY	LOCATION TREATED (HOSPITAL/CLINIC)	FLUID EXPOSURE	SCIF 3301/3067 COMPLETED
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> BODILY <input checked="" type="checkbox"/> N/A <input type="checkbox"/> UNKNOWN <input type="checkbox"/> Other:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

NARRATIVE: On Friday May 11, 2018 at approximately 0920 while performing my duties as Senior Psychologist Supervisor in the Facility A Mental Health Building, I overheard an inmate (later identified as [REDACTED] CRDC# [REDACTED] yelling aggressively in the waiting area. I exited my office with my alarm to identify whether custody was addressing the issue. I observed custody officer [REDACTED] attempting to re-direct IP [REDACTED] to sit down as the IP was waiting for his Inter-Disciplinary Treatment Team (IDTT) meeting which was going to start a few minutes later. IP [REDACTED] was yelling aggressively towards CO [REDACTED] and calling him "Bitch" several times and approached him with clenched fists. IP [REDACTED] was given verbal orders by several officers to sit down. IP [REDACTED] did not respond to the verbal orders, therefore CO [REDACTED] pushed his alarm response button. At this time, I began walking back to a group room area to advise the IP's in attendance and the group leader of the situation and that they could remain in the group room. I began walking back to my office and I was stopped by Dr. [REDACTED] Staff Psychologist who informed me that she observed CO [REDACTED] "using excessive force" by "kicking IP [REDACTED] in the face two (2) times as he was going down to the floor while he was being sprayed." Dr. [REDACTED] observations were reported to Mental Health

☒ CHECK IF NARRATIVE IS CONTINUED ON CDCR 837-C1.

EX66a13

STATE OF CALIFORNIA

CRIME / INCIDENT REPORT

DEPARTMENT OF CORRECTIONS AND REHABILITATION

PART C1 - SUPPLEMENT

CDCR 837-C1 (Rev. 10/15)

PAGE **2** Of **2**

INCIDENT LOG NUMBER

RJD-AYD [REDACTED]

NAME: LAST

KATYAL

FIRST

[REDACTED]

MI

NMII

TYPE OF INFORMATION:

☒ CONTINUATION OF REPORT

☐ CLARIFICATION OF REPORT

☐ ADDITIONAL INFORMATION

NARRATIVE:

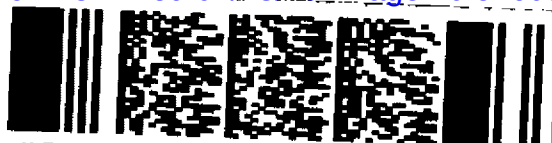
Administration and to the Program Office immediately after and, Dr. [REDACTED] was advised to complete an 837-C.

THE FOLLOWING NARRATIVE IS CONTINUED ON ADDITIONAL CDCR 837-C1

[REDACTED]



CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation



ILB:c851bfc9-baed-46a7-9320-0f60b55618e8

RULES VIOLATION REPORT

CDC NUMBER [REDACTED]	INMATE'S NAME [REDACTED]	EPRD 05/26/2021	FACILITY RJD-Facility A	HOUSING LOCATION [REDACTED]
VIOLATION DATE 05/11/2018	VIOLATION TIME 09:20:00	VIOLATION LOCATION RJD-Facility A - RVR - MENTAL HEALTH		WITH STG NEXUS No

Did the reporting employee ensure the inmate understands (to the best of his/her ability) the consequences of the continued misconduct? N/A

Did the reporting employee take into consideration the severity of the inmate's disability and the need for adaptive support services when determining the method of discipline? N/A

CIRCUMSTANCES OF VIOLATION

On Friday, May 11, 2018, Correctional Officer A. [REDACTED] submitted a signed document. At this time, Officer [REDACTED] is unable to personally enter information into SOMS. Officer [REDACTED] signed document states:

On Friday, May 11, 2018, at approximately 0920 hours while performing my duties as HCA-A Clinic #1 Officer, I was conducting Enhanced Outpatient Program (EOP) committee in the mental Health Services Delivery System building, group room 3, when I observed Inmate [REDACTED] A. [REDACTED] walking outside the room unescorted. I exited the committee room and instructed Inmate [REDACTED] to return to the waiting area. Inmate [REDACTED] became verbally argumentative and demanded his identification card (ID) be returned to him now. The Facility A recreation yard at this time was down due to an alarm in building 5 and all inmates within the MHSOS building are required to stay inside until said alarm is cleared. I verbally instructed Inmate [REDACTED] several times to sit in the waiting area until I was able to retrieve his ID card. Inmate [REDACTED] stated he wasn't my dog and that he was not going to sit, that I was going to have to make him sit. Inmate [REDACTED] aggressively stepped toward my personal zone (approximately 12 inches) and stated "Make me leave. I will fuck you up. I don't care how many C/O's are around." At this time fearing for my safety, I activated my personal alarm and told Inmate [REDACTED] to get down, simultaneously stepping backward away from Inmate [REDACTED]. Inmate [REDACTED] continued to advance toward me resulting in the Use of Force- OC spray.

A. [REDACTED]

REPORTING EMPLOYEE [REDACTED]	TITLE Sergeant	ASSIGNMENT HCA EOP	RDO s/s/h	DATE: 05/12/2018
----------------------------------	-------------------	-----------------------	--------------	---------------------

RVR LOG NUMBER: [REDACTED]

VIOLATED RULE NUMBER: 3005(a)

SPECIFIC ACT: Behavior which could lead to violence

CLASSIFICATION

LEVEL: Serious

OFFENSE DIVISION: Division F

REFERRED TO: Senior Hearing Officer

FELONY PROSECUTION LIKELY: No

REVIEWING SUPERVISOR

TITLE
SGTDATE
05/12/2018

CLASSIFIED BY

TITLE
CaptainDATE
05/14/2018

RECLASSIFICATION

3005(d)(1)-[31]

SPECIFIC ACT: Solicitation -Assault on a PO not likely to cause GBI

LEVEL: Serious

OFFENSE DIVISION: Division B

FELONY PROSECUTION LIKELY: Yes

CDCR SOMS ISST120 - RULES VIOLATION REPORT



CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

RULES VIOLATION REPORT

CDC NUMBER [REDACTED]	INMATE'S NAME [REDACTED] J.	EPRD 05/26/2021	FACILITY RJD-Facility A	HOUSING LOCATION RJD-A - A [REDACTED]
VIOLATION DATE 05/11/2018	VIOLATION TIME 09:20:00	VIOLATION LOCATION RJD-Facility A - RVR - MENTAL HEALTH		

INMATE NOTIFICATION		
POSTPONEMENT OF DISCIPLINARY HEARING		
<input type="checkbox"/> I DO NOT REQUEST my hearing be postponed pending outcome of referral for prosecution.	INMATE SIGNATURE	DATE

[REDACTED]

SUMMARY OF DISCIPLINARY PROCEDURES AND INMATE RIGHTS

See California Code of Regulations, Title 15 (CCR) for details

A. TIME CONSTRAINTS -

1. A classified copy of the Rules Violation Report and any additional/supplemental information containing any elements of the violation charged shall normally be provided to the inmate within 15 days from the date the information leading to the charges is discovered by staff.
2. The charges shall be heard within 30 days from the date the inmate is provided a classified copy of the Rules Violation Report unless the charges were referred for possible prosecution and the inmate has been granted a request for postponement of the disciplinary proceedings pending the outcome of the referral, if exceptional circumstances exist pursuant to CCR Section 3000, or the inmate is transferred out of the custody of the department. Postponement shall not bar any credit forfeiture.
3. **REFERRAL FOR PROSECUTION - (Serious Rules Violations Only)** - Referrals for prosecution will not delay a disciplinary hearing unless you submit a request in writing for postponement of the hearing pending the outcome of such referral. You may revoke such request in writing at any time prior to the filing of accusatory pleadings by the prosecuting authority. A disciplinary hearing will be held within 30 days of staff receiving your written revocation of your request to postpone the hearing or within 30 days of receiving a response from the prosecuting authority. (CCR Section 3316-3320)
4. Failure to meet the time constraints outlined in CCR Section 3320 shall preclude forfeiture of credits.

B. INVESTIGATIVE EMPLOYEE/STAFF ASSISTANCE -

1. General Information - You may request to have an Investigative Employee to assist in the investigation and/or a Staff Assistant assigned, to assist in the preparation, or presentation of your defense at the disciplinary hearing. Staff shall evaluate your request along with the criteria outlined in CCR Section 3315 (d)(1) and CCR Section 3315(d)(2) and determine if an Investigative Employee and/or Staff Assistant shall be assigned.
2. Staff Assistant - If assigned, the Staff Assistant will inform inmates of their rights and of the disciplinary hearing procedures, advise and assist in the inmate's preparation for a disciplinary hearing, represent the inmate's position at the hearing, ensure that the inmate's position is understood, and that the inmate understands the decisions reached. (CCR Section 3318)
3. Investigative Employee - **(Serious Rules Violations Only)** - If assigned, will gather information, question staff and inmates, screen witnesses, and complete and submit a written, non-confidential report to the disciplinary hearing officer. You have the right to receive a copy of the investigative employee's report 24 hours before a hearing is held. (CCR Section 3318)
4. Witnesses - **(Serious Rules Violations Only)** - You may request the presence of witnesses at the hearing who can present facts related to the charges against you. You may also request the presence of the reporting employee and the investigative employee. You may, under the direction of the hearing officer, questions any witness present at the hearing. The hearing officer may deny the presence of witnesses when specific reasons exist. (CCR Section 3315)
5. Personal Appearance - A hearing of the charges will not normally be held without your presence, unless you refuse to attend. (CCR Section 3320)

C. DISPOSITION - At the end of the hearing, you will be advised of the findings and disposition of the charge. Within five working days, following review of the Rules Violation Report by the Chief Disciplinary Officer, you will be given a copy of the completed rule violation report, which will contain a statement of the findings and disposition and the evidence relied upon to support the conclusions reached. (CCR Section 3320)

D. APPEAL - If you are dissatisfied with the process, findings or disposition, you may submit an inmate appeal within 30 days following receipt of the finalized copy of the Rules Violation Report and any other pertinent documentation (CCR Section 3084)



CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

SHO

RVR SUPPLEMENTAL

CDC NUMBER [REDACTED]	INMATE'S NAME [REDACTED] J.	FACILITY RJD-Facility A	LOG NUMBER 00000000 [REDACTED]	DATE 06/20/2018
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☒ SUPPLEMENTAL REPORT ☐ INVESTIGATIVE REPORT ☐ STAFF ASSISTANT REPORT

On May 22, 2018, I, Officer [REDACTED] informed Inmate I/M [REDACTED] CDCR # [REDACTED] I was assigned to assist him in his case. I explained to Inmate I/M [REDACTED] my function was to gather information, question staff and inmate(s); screen witness(es), and complete a written report for the Senior Hearing Officer (SHO). Inmate I/M [REDACTED] stated he understood my position and made no objections to my assignment as the Investigative Employee (IE).

Inmate/Defendant Statement: Inmate [REDACTED] made no statement but had Questions for the following staff: Dr. Kaytal, C/O [REDACTED] C/O [REDACTED] C/O [REDACTED]

Reporting Employee's Statement: Officer [REDACTED] stated, "My report stands as written. I have nothing further to add."

Staff witness statement. Doctor R. Kaytal was asked the following question by Inmate [REDACTED]

Q1) At any point did my hands leave my sides?

A1) I did not see the incident.

Q2) According to your 837-c1 you said you heard me call officer [REDACTED] a "Bitch" several times. At any point did you hear me say anything threatening like "I will fuck you up, I don't care how many C/O's are around"?

A2) I didn't hear that, but I was walking away from the area.

Q3) Per title 15 section 3293, would you be willing to take a polygraph examination?

A3) no

Staff witness statement. Officer [REDACTED] was asked the following question by Inmate [REDACTED] ([REDACTED])

Q1) Did you hear me ([REDACTED]) say anything like "I will fuck you up, I don't care how many C/O's are around"?

A1) Yes, something to that effect.

Q2) How many times was I sprayed? (with OC spray)

A2) To my knowledge (1)

Q3) Did I go down once I was sprayed?

A3) I was incapacitated by the effects of OC spray, when I regained my vision and whereabouts, I observed [REDACTED] drop to his knees and reluctantly assume a prone position after staff gave him several verbal orders to do so.

Q4) Per title 15 section 3293 would you be willing to take a polygraph examination?

A4) No, it is against the Peace Officers Bill of Rights, to be subjected to a polygraph.

Staff witness statement. Officer [REDACTED] was asked the following question by Inmate [REDACTED] ([REDACTED])

Q1) Did my hands leave my sides at any time during the altercation?

A1) yes

Q2) Did I have a "so called" aggressive stance or did I literally go into a fighting stance?

A2) Yes, he went into an aggressive fighting/ bladed stance.

Q3) How many burst of OC spray did you use?

A3) (2)

Q4) What is an up sweeping motion?

A4) To start from a lower point and move upward to a higher point.

Q5) Is it against State policy to put your feet on an Inmate?

A5) Staff are allowed to use reasonable amount of force to subdue an attacker. But I did not put my feet on an inmate.

Q6) On every other 837-c1 in the incident packet it was said that I was sprayed only one time, why does yours say (2) times/

A6) I can only account for what I did and witnessed.

Q7) Per title 15 section 3293 would you be willing to take a polygraph examination?

A7) No, it is against the Peace Officers Bill of Rights, to be subjected to a polygraph.

Note : If the state will not pay for it my family will cover the cost at no charge to [REDACTED]

Staff witness statement. Officer [REDACTED] was asked the following question by Inmate [REDACTED] ([REDACTED])

Q1) Was Inmate [REDACTED] in a so called aggressive stance or literally a fighting stance?

A1) It looked to be a fighting stance.

Q2) As a trained Officer are you sprayed with OC spray as part of your training to be able to with stand it?

A2) We are trained on how to use OC, but each individual ha their own tolerance to the effects of OC spray.

Q3) Yet you were still overcome with the OC spray?

A3) yes

Q4) So if the spray can overcome a trained Officer, what chance do you think an Inmate who has never been sprayed before and suffers from asthma has/

A4) The spray is designed to have effect on everybody, trained or not trained.

Q5) If you spent a long time trying to deescalate the situation, why didn't you give [REDACTED] a direct order to turn around and cuff up?

A5) I wanted to afford [REDACTED] every opportunity to walk away from the situation without any further conflict.

Q6) Per title 15 section 3293 would you be willing to take a polygraph examination?

A6) No, it is against the Peace Officers Bill of Rights, to be subjected to a polygraph.

Inmate Witness Statement: NONE REQUESTED.

Staff Witness(es) Requested at the Hearing: NO

Inmate Witness(es) Requested at the Hearing: NO

Reporting Employee Requested at the Hearing: NO

Investigative Employee Requested at the Hearing: NO

Additional Information contained in Confidential Reports: NO

<p>SIGNATURE OF WRITER:</p> <p>[REDACTED]</p>	<p>TITLE:</p> <p>[REDACTED]</p>	<p>DATE:</p> <p>06/20/2018</p>
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CDCR SOMS ISST122 - RVR SUPPLEMENTAL



CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

DISCIPLINARY HEARING RESULTS

Institution Name: RJ Donovan Correctional Facility	Facility: RJD-Facility A	Log Number: 00000 [REDACTED]
Inmate Name: [REDACTED]	CDC #: [REDACTED]	Bed Number: RJD-A - A [REDACTED]
TABE Score: 12.9	Mental Health LOC: EOP	DDP Designation: NCF

DUE PROCESS

Rule Violation #: 3005(d)(1) Specific Act: Solicitation -Assault on a PO not likely to cause GBI
 Level: Serious Offense Division: Division B
 Offense Occurrence: 1st Occurrence
 Violation Date: 05/11/2018 Violation Time: 09:20:00
 Hearing Date: 07/17/2018 Hearing Time: 16:00:00
 Did a laboratory confirm the evidence tested positive for Controlled substances?: N/A

Actions Taken				
Date	Time	Type/Reason	Staff	Elapsed Days
05/12/2018	12:45:42	RVR Ready for Review by Supv.	[REDACTED]	1
05/12/2018	14:32:05	RVR Approved by Supervisor		1
05/14/2018	13:16:30	RVR Classified		3
05/14/2018	13:16:31	MH Assessment Requested		3
05/16/2018	11:06:49	RVR Classification Revised		5
05/16/2018	11:50:29	Notice of Pending Charges Sent to Rclds.		5
05/16/2018	11:50:46	SA Assigned		5
05/18/2018	13:21:17	SA Assigned		7
05/18/2018	13:21:37	IE Assigned		7
05/18/2018	13:22:08	Inmate Copy Served Initial Rules Violation Report		7
05/18/2018	13:23:16	Hearing Postponed		7

05/18/2018	13:24:12	MH Assessment Requested		7
05/21/2018	13:47:20	MH Assessment Received		10
05/22/2018	11:13:40	IE Interview		11
06/01/2018	21:35:29	Inmate Copy Served Incident Report		21
06/18/2018	08:41:04	Inmate Copy Served MH Assessment Report		38
06/20/2018	09:35:42	IE Report Prepared		40
06/20/2018	09:40:11	Supplemental Approved by Supervisor		40
06/21/2018	08:19:21	Inmate Copy Served Investigative Report		41
06/25/2018	16:11:05	Hearing Postponement Cleared		45
07/01/2018	18:39:00	Inmate Copy Served Outcome of DA Referral		51
07/01/2018	18:40:28	SA Assigned		51
07/01/2018	18:40:53	SA Inmate Interaction		51

All Time Constraints Met?: Yes

SHO/HO DDP Certified?: ☒ Yes**Due Process Additional Information:**

HEARING
☒ Subject elected not to participate in the adjudication process by refusing to attend the hearing. An Informational Chrono was generated documenting the refusal to attend the hearing.

☒ Subject was Present, in good health and ready to proceed.
Hearing Additional Information

DISABILITY
☒ Hearing ☐ Vision ☐ Mobility ☐ Learning ☐ Developmental/Cognitive
☐ Other ☒ None
Requires Accommodation? ☒ Yes**DDP Specific Information**128-C2 Reviewed? ☒ YesDDP Designation Date:
08/20/2012Did the Reporting Employee document the use of Adaptation Support(s)? ☐ N/A

Adaptive Support	Contribute	How
<input type="text"/>		<input type="text"/>

Victimization	Contribute	How
<input type="text"/>		<input type="text"/>

Disability Additional Information:

MENTAL HEALTH ASSESSMENT

Mental Health Assessment Requested: Yes

Reason for Mental Health Assessment Request: MH LOC EOP or higher;MH LOC EOP or higher

Clinical Staff Recommended Staff Assistance Assignment: N/A

Clinical Staff determined Mental Health Symptoms strongly influenced behavior and recommended alternate documentation: No

Clinical Staff determined Developmental Disability strongly influenced behavior and recommended alternate documentation: No

Clinical Staff determined Mental Health Symptoms contributed to behavior: No

Clinical Staff determined Developmental Disability contributed to behavior: N/A

Clinical Staff provided information when assessing the penalties: Yes

STAFF ASSISTANT

Staff Assistant Assigned: Yes

Reason for assignment of Staff Assistant: MH LOC EOP or higher;MH LOC EOP or higher;MH LOC EOP or higher

SA Name	Date Assigned	Certified?	Meet 24 hours prior to hearing?	Present?	
<input type="text"/>	07/01/2018	Yes	Yes	Yes	

Staff Assistant Additional Information:**INVESTIGATIVE EMPLOYEE**

Investigative Employee Assigned: Yes

Reason for assignment of Investigative Employee: Housing Status

Investigative Employee Additional Information:**CONFIDENTIAL INFORMATION**Confidential Information Used: No

Confidential Document Number	Author of Confidential Document	Date of Confidential Document	Reviewed by SHO/HO	Deemed Confidential	Reason(s) Information was Deemed Confidential
					<input type="checkbox"/> Information which, if known to inmates, would endanger the safety of person(s). <input type="checkbox"/> Information which, if known to inmates, would jeopardize the security of the institution. <input type="checkbox"/> Specific medical or psychological information which, if known to inmates, would be medically or psychologically detrimental to the inmate. <input type="checkbox"/> Information provided and classified confidential by another governmental agency. <input type="checkbox"/> A Security Threat Group debrief report, reviewed and approved by the debriefing subject, for placement in the confidential section of the central file.

Confidential Document Number	Confidential Source Number	Confidential Disclosure Form Issued	Sufficient Information Disclosed	Reason(s) Deemed Reliable
				<input type="checkbox"/> The confidential source has previously provided information which has proved to be true. <input type="checkbox"/> Other confidential sources have independently provided the same information. <input type="checkbox"/> The information provided by the confidential source is self-incriminating. <input type="checkbox"/> Part of the information provided by the confidential source is corroborated through investigation or by information provided by non-confidential sources. <input type="checkbox"/> The confidential source is the victim. <input type="checkbox"/> This source successfully completed a polygraph examination.

Confidential Additional Information:**WITNESSES**

Witnesses requested at Hearing

☐ Reporting Employee☐ Staff Assistant☐ Investigative Employee☐ Other☐ Inmate☒ None**Non-Inmate Witness(es)**

Name	Rank	Type	Granted?
Questions Asked			

Inmate Witness(es)

CDC#	Name	Bed	Granted?
Questions Asked			

Witness Additional Information:**PLEA AND STATEMENT****PLEA/STATEMENT:** The above circumstances were read aloud to subject and elected to plea: Guilty☐ Subject declined to make a statement☒ Subject made a statement**Comments:**

Inmate stated, "Man, Yeah I did it".

FINDINGSSubject was found: Guilty of Included Charge based on a preponderance of evidence.

Lesser Included Charge: 3005(d)(1) - Assault on a Peace Officer by means not likely to cause GBI

Level: SeriousOffense Division: Division DOffense Occurrence: 1st Occurrence**Comments:**

Guilty of the Division "D" Offense; Assault on a PO not likely to cause GBI. Per CCR 3005(d)(1) (Conduct), inmates and parolees shall obey all laws, regulations, and local procedures, and refrain from behavior which might lead to violence or disorder, or otherwise endangers facility, outside community or another person, and inmates shall not willfully commit or assist another person in the commission of an assault or battery to any person or persons, nor attempt or threaten the use of force or violence upon another person.

In this case the RVR clearly documents the Assault on a PO not likely to cause GBI. The reporting employee states, "I On Friday, May 11, 2018, at approximately 0920 hours while performing my duties as HCA-A Clinic #1 Officer, I was conducting Enhanced Outpatient Program (EOP) committee in the mental Health Services Delivery System building, group room 3, when I observed Inmate [REDACTED] walking outside the room

unescorted. I exited the committee room and instructed Inmate [REDACTED] to return to the waiting area. Inmate [REDACTED] became verbally argumentative and demanded his identification card (ID) be returned to him now. The Facility A recreation yard at this time was down due to an alarm in building 5 and all inmates within the MHSDS building are required to stay inside until said alarm is cleared. I verbally instructed Inmate [REDACTED] several times to sit in the waiting area until I was able to retrieve his ID card. Inmate [REDACTED] stated he wasn't my dog and that he was not going to sit, that I was going to have to make him sit. Inmate [REDACTED] aggressively stepped toward my personal zone (approximately 12 inches) and stated "Make me leave. I will fuck you up. I don't care how many C/O's are around." [REDACTED] is being found 'Guilty' of violating CCR 3005(d)(1) specifically "Assault on a PO not likely to cause GBI". This finding is based upon the preponderance of evidence submitted at the disciplinary hearing, which substantiated the charge. SHO was able to determine a "Guilty" finding based on the reporting employee's written report where the subject is described in the alleged misconduct as documented in the circumstances of the RVR, and the 837 Crime/Incident reports which were generated on May 11, 2018 and submitted by Incident Commander Lieutenant [REDACTED] for Incident Report Log # RJD-[REDACTED]. Coupled with the SHO's finding of inmate [REDACTED] plea of "Guilty", and statement of, "Man, Yeah I did it", with credibility as he was unable to provide any convincing evidence to disprove the written employee's report. Therefore, this SHO determined a finding of "Guilty" based on the preponderance of evidence was justified, these facts, when taken together, meet and exceed the preponderance of evidence threshold required in upholding a guilty verdict.

MENTAL HEALTH ASSESSMENT CONSIDERATION

(Documentation of opinions to be used for consideration by the hearing official and the reasoning shall be documented in this section.)

Comments:

Yes: SHO took into consideration the Mental Health Evaluation which stated, "A review of clinical documentation around the date of the alleged offense did not indicate the IP was experiencing symptoms of a mental health disorder which would be likely to influence behavior as alleged in the RVR, nor preclude the IP from understanding and following the rules and regulations of the facility. Taken together, there is no objective evidence to suggest the alleged actions of the IP, if proven to be true, were influenced by symptoms of a mental health disorder."

EVIDENCE

The following evidence was used to support the findings:

Comments:

1. Reporting Employee's written account of the alleged misconduct as documented in the circumstances portion of the CDC-115, specifically the RVR portion which states: On Friday, May 11, 2018, at approximately 0920 hours while performing my duties as HCA-A Clinic #1 Officer, I was conducting Enhanced Outpatient Program (EOP) committee in the mental Health Services Delivery System building, group room 3, when I observed Inmate [REDACTED] walking outside the room unescorted. I exited the committee room and instructed Inmate [REDACTED] to return to the waiting area. Inmate [REDACTED] became verbally argumentative and demanded his identification card (ID) be returned to him now. The Facility A recreation yard at this time was down due to an alarm in building 5 and all inmates within the MHSDS building are required to stay inside until said alarm is cleared. I verbally instructed Inmate [REDACTED] several times to sit in the waiting area until I was able to retrieve his ID card. Inmate [REDACTED] stated he wasn't my dog and that he was not going to sit, that I was going to have to make him sit. Inmate [REDACTED] aggressively stepped toward my personal zone (approximately 12 inches) and stated "Make me leave. I will fuck you up. I don't care how many C/O's are around."
2. CDCR 837-C Crime/Incident reports and crime described within Incident Log dated 05/11/2018 by Incident Commander, [REDACTED]
3. The SHO considered Inmate [REDACTED] plea of guilty and testimony of "Man, Yeah I did it", to the Senior Hearing Officer at the time of the hearing and deemed it with merit to support the finding of guilty.

These facts, when taken together, meet and exceed the preponderance of evidence threshold required in upholding a guilty verdict.

DISPOSITION

Sanction Type	Quantity	Mitigated	Interest of Justice	DDP	MH LOC	MH-A	Start Date	End Date
Credit Loss	61 Days	<input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Confined to Quarters Days			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Confined to Quarters Weekends			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Disciplinary Detention			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Privilege Group C			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Loss of Pay								
Canteen Privileges			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Phone Privileges			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Extra Duty			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Yard Recreation Privileges	90 Days	<input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07/17/2018	<input type="checkbox"/> 10/15/2018
Day Room Privileges			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Packages Privileges			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Property Restrictions			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Visiting Privileges			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Contact Visiting Privileges			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Contact Visiting (Permanent Loss)								

Trust Account Hold								
Mandatory Drug Testing								
IEX Control Suit								

Counseled Regarding Misconduct: with reprimand

☒ Impose Suspended Sanctions

☐ Reinstate Suspended Sanctions

Sanction Mitigation Additional Information:

(Hearing officials are required to document whether a mitigation, based on a MH-A, is appropriate and the reasoning used to arrive at their decision.)

SHO determined mitigation not to be appropriate after considering the Mental Health Evaluation which stated, "No: Based on a record review and interview information, it does not appear that the temporary loss of any specific privilege would lead to psychiatric symptoms being triggered or becoming worse."

Comments:

Referred to Classification Committee ☒ UCC

For ☒ SHU Term Assessment ☐ Program Review ☐ Un-Assignment ☐ Substance Abuse Treatment

Disposition Additional Information:

ENEMY CONCERNS

- ☐ Not Applicable
- ☒ Subject states he/she does not have Enemy or Safety Concerns.
- ☐ One or more of the inmates involved has stated there is lingering animosity towards one another. Therefore, the SHO has entered non-confidential separation alerts for the following inmates:
- ☐ Based on the totality of circumstances and/or information garnered by staff, the Hearing Official has determined an enemy situation exists and ensured the below non-confidential separation alerts were entered:

SECURITY THREAT GROUP

Security Threat Group Nexus?: ☐ No

Security Threat Group Nexus Additional Information:

FINAL SECTION

Additional Information:

CREDIT RESTORATION

☒ Subject was advised of his/her right to restoration of credits under CCR 3327, 3328, and 3329.

- ☐ Subject was advised Credit Forfeiture for a Division 'A', 'B' or 'C' offense will not be restored.
- ☐ Subject was advised he/she would not be able to file for restoration of credits under CCR 3327(a)(4).
- ☒ At the conclusion of the hearing Subject was advised of the findings, disposition, and his/her right to appeal per CCR 3084.1.

FINDINGS (BY CDO)

Subject was found: Guilty of Included Charge based on a preponderance of evidence.

Lesser Included Charge: 3005(d)(1) - Assault on a Peace Officer by means not likely to cause GBI

Level: Serious

Offense Division: Division D

Offense Occurrence: 1st Occurrence

CDO Summary: Affirming The Hearing Results

Comments:

DISPOSITION (BY CDO)

Sanction Type	Quantity	Mitigated	Interest of Justice	DDP	MH LOC	MH-A	Start Date	End Date
Credit Loss	61 Days	<input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Confined to Quarters Days			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Confined to Quarters Weekends			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Disciplinary Detention			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Privilege Group C			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Loss of Pay								
Canteen Privileges			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Phone Privileges			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Extra Duty			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Yard Recreation Privileges	90 Days	<input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07/17/2018	10/15/2018
Day Room Privileges			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Packages Privileges			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Property Restrictions			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Visiting Privileges			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Contact Visiting Privileges			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Contact Visiting (Permanent Loss)								
Trust Account Hold								
Mandatory Drug Testing								
IEX Control Suit								

☐ Impose Suspended Sanctions☐ Reinstate Suspended Sanctions**Comments:**

Chief Disciplinary Officer**Comments:**

Exhibit 66b

OFFICE OF LEGAL AFFAIRS

Jennifer Neill

General Counsel

P.O. Box 942883

Sacramento, CA 94283-0001



December 26, 2019

VIA EMAIL ONLY

Penny Godbold

Rosen, Bien, Galvan & Grunfeld

Pgodbold@rbgg.com

RE: COLEMAN V. NEWSOM: ADVOCACY LETTER RE: [REDACTED]

Dear Ms. Godbold:

I write in response to your October 4, 2019 letter regarding *Coleman* class member [REDACTED] ([REDACTED] Mr. [REDACTED] reported to you that on May 11, 2018, after an escalating interaction with an officer over his ID card, Mr. [REDACTED] was sprayed with pepper spray ("OC spray"). Mr. [REDACTED] stated that while he was on the ground he was kicked twice in the face by a responding officer.

Prior to the receipt of your letter and upon internal reports of use of force, a thorough inquiry into the allegations of staff misconduct was completed¹. The inquiry resulted in referral to the Office of Internal Affairs via a 989 for Administrative Investigation into allegations of staff misconduct on May 31, 2018. An investigation was completed by OIA on April 5, 2019 and the allegations were sustained.

You also state in your letter that the Rules Violation Report (RVR) that Mr. [REDACTED] received in conjunction with the events of May 11, 2018 is part of a consistent pattern at RJD. You state "...when class members are assaulted by staff at RJD, staff in turn write the class members up for assault." Review of the RVR in question shows that the officer reportedly assaulted was not the officer to which you generally refer in your letter. The Senior Hearing Officer provided documentation of testimony and evidence that supports a finding. Mr. [REDACTED] received assistance throughout the RVR process and questioned witnesses, which is documented in

¹ DAI and delegated RJD staff conducted the fact-finding inquiry into the allegations identified in this letter in accordance with the Department's Operations Manual, Article 22. The Department is currently in the process of revising that policy and, once approved and adopted, future fact-finding inquiries will comply with the new policy.

CONFIDENTIAL: FOR ATTORNEYS' EYES ONLY

SUBJECT TO PROTECTIVE ORDERS

Ms. Godbold
Page 2

the RVR. The RVR refers to events that led to the OC spray being administered, which include Mr. [REDACTED] engaging in a verbal altercation with staff and in behavior that led to the release of pepper spray. Mr. [REDACTED] admitted to the behavior documented in the RVR.

It is also noted that Mr. [REDACTED] has a long history of assaultive behavior while incarcerated that has resulted in several RVRs. During his stay at the California Men's Colony (CMC) in 2017, Mr. [REDACTED] received an RVR for Assault with a Deadly Weapon. The RVR was referred to the District Attorney for criminal charges. The DA prosecuted the charges and the court sentenced Mr. [REDACTED] in 2018 to four years for that assault.

In summary, the staff misconduct allegations were sustained.

Sincerely,

/s/ Ursula Stuter

URSULA STUTER
Attorney
Office of Legal Affairs

Exhibit 67

Richard J. Donovan Correctional Facility (RJD)
***Armstrong* Monitoring Tour Report**
September 19-22, 2016 Full Tour

I. Summary and Overview:

This report is based on the document production covering February 16, 2016 to August 15, 2016, interviews with class members and staff and tours of the facilities at RJD on September 19-22, 2016, and an exit interview on September 22, 2016.

RJD remains significantly out of compliance with the Americans with Disabilities Act (ADA), the *Armstrong* Remedial Plan (ARP), the Rehabilitation Act, and various Court orders. Plaintiffs' counsel identified numerous serious and potential areas of non-compliance. A number of the problems noted on the tour are ongoing concerns that have also been noted in recent reports. The most significant concerns are:

- **Denials or loss of assistive devices for class members in Administrative Segregation.** During the tour, the monitors noted that the cane belonging to a DPM class member in the B-7 ASU unit was being kept outside of his cell (hung on the doorway of a vacant nearby cell) when he was in his cell. Class members must be permitted to keep and use their assistive devices inside their ASU cells. There were also numerous reports of denials, delays, and losses of assistive devices in ASU.
- **Cell-door closings on wheelchair users.** This problem reflects a culture of disrespect for disabled prisoners at RJD. During the tour, there were reports of cell door closings on wheelchair users slow getting out of their cells in Building 8 on B-Facility.

This problem has been reported in prior reports, and headquarters should investigate this issue and take some accountability actions with respect to it.

- **Problems with broken and inaccessible features in ASU units.** The DPW shower in the B-6 ASU was missing the hand-held shower wand, and the toilets in both wheelchair accessible ASU walk-alone yard cages were broken, and had not been referred for repair. Moreover, the problems were not noted on the RJD ASOR report.
- **Lost assistive devices when prisoners go out to medical or go on suicide watch.** Numerous prisoners reported this problem. It was of particular concern that some prisoners also reported not wanting to go on suicide watch because of a fear of losing assistive devices and personal property.

F. Abusive Staff Conduct Towards Disabled Prisoners:

a. *Closing Cell Doors on People with Disabilities:* There was a report that cell doors are routinely closed on wheelchair users in B-Yard Building 8 when they are perceived by custody staff as moving too slowly in getting out of their cells. The prisoners who reported this did not want their names used due to retaliation fears, but given that this has been an issue in past reports, it is a serious concern. See

Instances of custody staff routinely and intentionally closing cell doors on wheelchair using prisoners have been reported in at least four past tour reports. See May 5, 2016 Report on March 2016 RJD Tour at 23 (noting problem in C-Yard, Building 11), April 7, 2015 Report on March 10-13, 2015 RJD Tour at 8 (noting problem with door closings on wheelchair users in C-11 and C-13); January 9, 2015 Report on November 17-20, 2014 Tour of RJD at 9 (noting that monitor observed door closed on wheelchair user in Building C-15); May 30, 2014 Report on February 2014 RJD Tour at 8 (complaining about the cell door closing problem in C-11, C-13 and C-15).

b. *Allegations of Excessive Force Used on Prisoners with Disabilities:* There was also a report that a custody officer¹ slammed a wheelchair user in Building 3 on A-Yard and smashed him on the floor. There was also a report that two correctional officers on C-Yard dumped someone out of their wheelchair several times in early September. There were also reports of staff abuse and verbal abuse of disabled prisoners in Building 14. There was also a report that a correctional officer in C-14 uses excessive force and threw a prisoner with a helmet from his wheelchair. None of the prisoners reporting these incidents were willing to have their names used for fear of retaliation.

A DPH prisoner at the institution who communicates with written notes also has asserted that staff have retaliated against him for filing RAP requests and appeals about ADA issues by moving him to an upper bunk in violation of his lower bunk chrono. See Appeal Log RJD-16-[REDACTED]

G. Failure to accommodate deaf prisoners at RJD.

The monitors interviewed a number of deaf prisoners at RJD during the tour. The main problems reported were problems with access to phones and discrimination in assignments.

¹ We are not including the names of the officer because the prisoners making these allegations were not willing to have their names used. We are willing to provide the names of the officers (but not the names of the individuals reporting the misconduct) upon request.

Exhibit 68

State of California

Department of Corrections and Rehabilitation

Memorandum

Date February 17, 2017

To : BRIAN DUFFY
Associate Director (A)
Reception Center Missions

ROBERT HERRICK
Region IV Healthcare Executive

Subject: **RJD RESPONSE TO THE ARMSTRONG MONITORING TOUR**

Please find the attached information to Rosen, Bien, Galvan & Grunfeld (RBGG) report from the Armstrong Monitoring Tour, which took place at Richard J. Donovan Correctional Facility (RJD) in September, 2016. Substantive responses from both Custody and Health Care are provided below, along with responses to requests for information and supporting documentation that RBGG has asked for in their report. This response has been organized to follow the format of the RBGG report. Responses to RBGG concerns begin in Section III.

I. Summary and Overview:

This report is based on the document production covering February 16, 2016 to August 15, 2016, interviews with class members and staff and tours of the facilities at RJD on September 19-22, 2016, and an exit interview on September 22, 2016.

RJD remains significantly out of compliance with the Americans with Disabilities Act (ADA), the *Armstrong* Remedial Plan (ARP), the Rehabilitation Act, and various Court orders. Plaintiffs' counsel identified numerous serious and potential areas of non-compliance. A number of the problems noted on the tour are ongoing concerns that have also been noted in recent reports. The most significant concerns are:

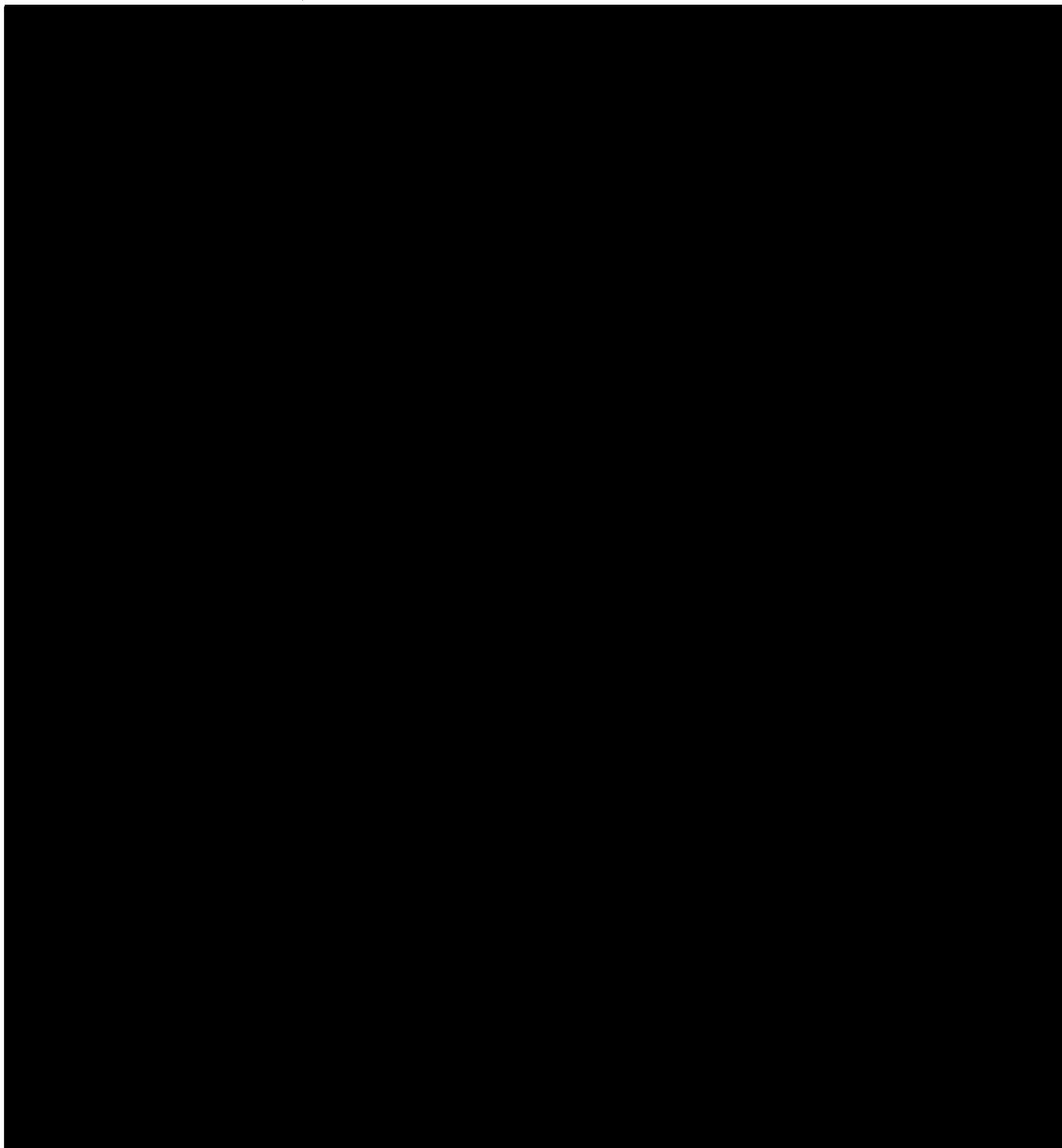
- **Denials or loss of assistive devices for class members in Administrative Segregation.** During the tour, the monitors noted that the cane belonging to a DPM class member in the B-7 ASU unit was being kept outside of his cell (hung on the doorway of a vacant nearby cell) when he was in his cell. Class members must be permitted to keep and use their assistive devices inside their ASU cells. There were also numerous reports of denials, delays, and losses of assistive devices in ASU.
- **Cell-door closings on wheelchair users. This problem reflects a culture of disrespect for disabled prisoners at RJD.** During the tour, there were reports of cell door closings on wheelchair users slow getting out of their cells in Building 8 on B-Facility.

This problem has been reported in prior reports, and headquarters should investigate this issue and take some accountability actions with respect to it.

- **Problems with broken and inaccessible features in ASU units.** The DPW shower in the B-6 ASU was missing the hand-held shower wand, and the toilets in both wheelchair accessible ASU walk-alone yard cages were broken, and had not been referred for repair. Moreover, the problems were not noted on the RJD ASOR report.

extra or daily showers, sometimes even when someone has an accident. There were also reports that staff in Building 15 ask for medical authorization for extra toilet paper.

Response: Training (consistent with policy) of custody staff for DME, basic Armstrong issues and procedures will be ongoing.



F. Abusive Staff Conduct Towards Disabled Prisoners:

- a. *Closing Cell Doors on People with Disabilities:* There was a report that cell doors are routinely closed on wheelchair users in B-Yard Building 8 when they are

perceived by custody staff as moving too slowly in getting out of their cells. The prisoners who reported this did not want their names used due to retaliation fears, but given that this has been an issue in past reports, it is a serious concern. See Instances of custody staff routinely and intentionally closing cell doors on wheelchair using prisoners have been reported in at least four past tour reports. See May 5, 2016 Report on March 2016 RJD Tour at 23 (noting problem in C-Yard, Building 11), April 7, 2015 Report on March 10-13, 2015 RJD Tour at 8 (noting problem with door closings on wheelchair users in C-11 and C-13); January 9, 2015 Report on November 17-20, 2014 Tour of RJD at 9 (noting that monitor observed door closed on wheelchair user in Building C-15); May 30, 2014 Report on February 2014 RJD Tour at 8 (complaining about the cell door closing problem in C-11, C-13 and C-15).

b. Allegations of Excessive Force Used on Prisoners with Disabilities: There was also a report that a custody officer slammed a wheelchair user in Building 3 on A-Yard and smashed him on the floor. There was also a report that two correctional officers on C-Yard dumped someone out of their wheelchair several times in early September. There were also reports of staff abuse and verbal abuse of disabled prisoners in Building 14. There was also a report that a correctional officer in C-14 uses excessive force and threw a prisoner with a helmet from his wheelchair. None of the prisoners reporting these incidents were willing to have their names used for fear of retaliation.

A DPH prisoner at the institution who communicates with written notes also has asserted that staff has retaliated against him for filing RAP requests and appeals about ADA issues by moving him to an upper bunk in violation of his lower bunk chrono. See Appeal Log [REDACTED]

Response: Each reported occurrence of Excessive Force, accidental or alleged intentional cell door closing on wheelchair users is reviewed and when appropriate and placed on the DPP Allegation of Non-Compliance Log for inquiry. Although these allegations continue to be described in AMT reports, these allegations have not been reported to the ADA office during this review period, there is no behavior reflecting a culture of disrespect for disabled prisoners at RJDCF. Additionally, there are no reports of injury to inmates and or equipment including walkers or wheelchairs.

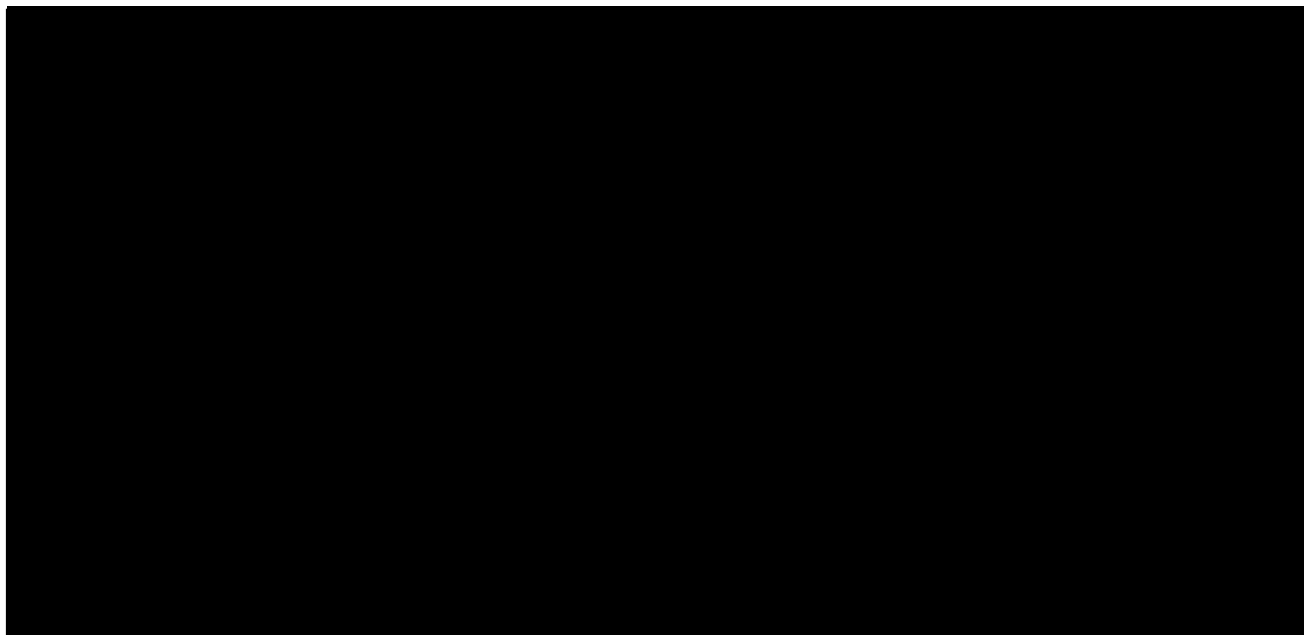


Exhibit 69

Richard J. Donovan Correctional Facility (RJD)
Armstrong Monitoring Tour Report
April 10-12, 2017

I. SUMMARY

This report is based on the document production covering August 16, 2016 to February 27, 2017, interviews with class members and staff, tours of the facilities on April 10-12, 2017, and an exit interview on April 12, 2017.

Since the September 2016 tour, RJD's population of *Armstrong* class members and, in particular, its population of prisoners with disabilities impacting placement has increased. Overall, RJD's population of prisoners with disabilities impacting placement increased by 177 prisoners (32%). In addition, since November 1, 2016, RJD's DPW population has increased from 78 to 90 (15%).

However, the increase in RJD's population of prisoners with disabilities impacting placement is not solely due to the addition of Facility E. Excluding Facility E, RJD's population of prisoners with disabilities impacting placement increased by 39 prisoners (7.1%). RJD's DPM population (excluding Facility E) increased from 270 to 328 (21.5%).

Disability	4/4/17	11/1/16	Change
All	981	770	27.4%
DPW	90	78	15.4%
DPO	195	160	21.9%
DPM	395	270	46.3%
DPH	26	23	13%
DPV	13	14	-7.1%
DPS	8	4	100%
Total Impacting Placement	726	549	32.2%
Note: Total impacting placement differs from sum of individual categories because some prisoners have more than one disability impacting placement.			

These increases in the number of prisoners with serious disabilities have already had and will continue to have an impact on RJD's *Armstrong* mission. RJD remains out of compliance with the Americans with Disabilities Act (ADA), the *Armstrong* Remedial Plan (ARP), the Rehabilitation Act and various Court orders. Plaintiffs' counsel identified numerous serious and potential areas of non-compliance. The most significant concerns include:

- Serious allegations of force, harassment, discrimination and fear of retaliation against prisoners with disabilities on Facility C;
- Allegations that custody staff are interfering with access to medical care and disability accommodations;
- Failure to provide deaf prisoners with access to prison programs, services and activities;
- Failure to provide required assistive devices;
- Failure to appropriately respond to requests for disability accommodations; and
- Failure to comply with *Armstrong* accountability protocols.

II. CUSTODY STAFF RESPONSIBILITIES

A. Allegations of Force, Harassment, Discrimination and Fear of Retaliation on Facility C

Plaintiffs' counsel again heard reports from dozens of prisoners on Facility C that staff use excessive force, harass and discriminate against people with disabilities. This was also reported in Plaintiffs' last monitoring report. *See* September 2016 report at p. 11. As a result, prisoners with disabilities report that they will not ask staff for needed disability accommodations or utilize the 1824 disability accommodation request process out of fear of retaliation from staff. The vast majority of prisoners interviewed by Plaintiffs' counsel do not agree to have their names used in this report, state that they do not intend to report problems with staff, and do not agree to cooperate in any CDCR investigation out of fear of staff retaliation.

Plaintiffs' counsel interviewed 35 DPP class members on Facility C.

1. Allegations of Excessive Force used with Prisoners with Disabilities

Over half of the prisoners interviewed by Plaintiffs' counsel (19 out of 35) report that they have observed or been the target of excessive force by staff against prisoners

with disabilities. These prisoners consistently report that staff use physical force or pepper spray on prisoners who are subdued, are already on the ground or are otherwise not resisting staff. Multiple prisoners report that physical force or pepper spray is used frequently, even when there is no apparent need.

Close to half of those interviewed (14 out of 35) report that it is common practice during an incident, even when no pepper spray is used, for officers to strip a prisoner's clothes off and parade that prisoner around the yard naked or in boxers. Prisoners report that this act is viewed as intended to humiliate the prisoner and as a threat to all others. The prisoners interviewed by Plaintiffs' counsel were overwhelmingly afraid of staff and were intimidated by what they have either experienced or observed and thus did not agree to use their names in this report. The names listed below were the exceptions and all said they agree to have their names listed but do so with fear of retaliation.

- *PRISONER 1*¹ reports that he was “beaten badly” by staff. He reports that staff told him it was because he failed to show his ID card before going to his cell. He states this did not happen, he was not asked to show his ID card. He states that staff stripped off his clothing and “dragged” him across the yard for other inmates to see. He believes this incident occurred because he asked staff for help because he is blind. He agreed to use his name in the report but is extremely afraid of staff retaliation.
- *PRISONER 2* reports that he saw a “blind white guy” beaten by officers. He reports that the officers were repeatedly kicking him in the face even though the inmate could not see and was not resisting. He reports that officers ripped off the man's clothing. He did not know the inmate's name but his account of events matches that of *PRISONER 1*, above, who fits his description and also tells a similar story. *PRISONER 2* agreed to use his name in the report but fears retaliation.
- *PRISONER 3* reports that *OFFICER 4* slammed him to the ground after he was cuffed and not resisting. He was unable to use his hands to brace himself during the fall because he was cuffed. He reports that while he was on the ground and cuffed the officer then kicked him in the face. He states that the officer also stepped on his glasses, crushing them intentionally. He reports that he was also stripped down to his boxer shorts during this incident. He states that he was written up for swinging a cane at the officer, which he reports did not happen because he was handcuffed during the entire incident.
- *PRISONER 4* and *PRISONER 5* both reported that inmates are stripped out and paraded around the yard following incidents with staff. Both prisoners report that

¹ See attached Confidential Key to Prisoner and Staff Names

it is meant to humiliate and threaten prisoners. Both describe similar incidents where transgender prisoners were paraded around the yard by staff in their bra and underwear.

Three different prisoners, who do not agree to have their names used, all describe the same incident where a prisoner with a mobility impairment was recently thrown to the ground and beaten by multiple staff members because he refused to give up books that he brought to chow. All three prisoners report that this inmate was beaten, stripped and dragged across the yard. The prisoner himself, who contacted Plaintiffs' counsel following the incident, reports that he did not realize that he was not allowed to bring those materials with him.

Three other prisoners, who also do not agree to have their names used, each report that in recent months they have observed prisoners being thrown out of their wheelchairs by staff members. One account was of a prisoner in chow, one was of a prisoner on the yard in front of C-11 and one was in C-12. Multiple other prisoners report observing staff use unnecessary levels of force to "take down" prisoners with disabilities, causing pain and injury for minor offenses.

2. Allegations of Staff Taking Property During Cell Searches

Out of 35 prisoners interviewed, 11 reported that they had property taken from their cell following cell searches. Prisoners report that it is widely known that staff take your property and distribute it to other prisoners.

- *PRISONER 6* reports that staff destroyed his property during a cell search on July 19, 2016, including his parastep device. Without the device, he reports that he is unable to stand or move any longer and has been confined to his wheelchair.
- *PRISONER 1* reports that following a cell search on April 8, 2017, his property was distributed by staff to other inmates. He states that other prisoners who had received property from staff came forward and told him what happened and gave his property back.
- *PRISONER 7* states that his property disappeared when he was taken to Ad Seg. He believes the officers took it because he states it is known that they do that, but he never got it back.
- *PRISONER 8* states that his property disappeared when he transferred to a hospital. He states he is still missing insoles, dentures and personal property.

Plaintiffs' counsel noted during her tour of the institution that, in unit C-11, one inmate's property was in boxes scattered around the day room. Staff reported that the inmate had been taken to Ad Seg.

3. Allegations of Staff Harassing Prisoners for Filing Appeals or Asking for Help

Nearly all prisoners interviewed by Plaintiffs' counsel reported that they are afraid of staff retaliation for asking for help or filing appeals. Eight prisoners reported that they have specifically been threatened or retaliated against for filing appeals or asking for help.

- *PRISONER 2* reported that his cell was torn up by staff following his filing of an appeal regarding problems accessing the shower.
- *PRISONER 1* reports that his cell was searched and he was beaten by staff, he believes, in response to asking staff for help.
- *PRISONER 9* reports that when he told his teacher that he might file an appeal to ask for disability accommodations, he was cautioned not to do so.

Ten prisoners report that staff had made harassing or disparaging remarks about them as a result of their disability.

- *PRISONER 10* reports that staff make fun of people's disabilities and that he has been told, "you can just get up and walk" "you're faking" and "you should wipe your ass better, you stink."
- *PRISONER 8* reports that officers make remarks like, "go sit your crippled ass down."
- *PRISONER 11* reports that he had knee surgery the day prior to the interview. He states that when staff came to get him for his interview with Plaintiffs' counsel, staff yelled at him to "move faster" and "hurry up." He was so rushed that he arrived for the interview in the wrong wheelchair, one without the required elevated foot rest he has been instructed to use post-surgery.

Multiple prisoners, who do not agree to have their names reported, state that officers make fun of and call wheelchair users names like "ChoMo," which is short for "child molester," even when that has nothing to do with their conviction. One prisoner who is DDP reports staff call him "retarded." Multiple people also report that staff harass and taunt people who are gay or transgender calling them "fags" and, according to *PRISONER 12*, saying things like, "leave me alone and go put on your bra and panties." Although not disability related, those remarks show a certain attitude by staff towards people who may be considered "vulnerable" in prison and thus is relevant to people with disabilities. Ultimately, that attitude has led to prisoners with disabilities being unable to ask staff for assistance and accommodations that are required by the ADA.

4. Allegations of Staff Failing to Provide Disability Accommodations During Searches

Multiple prisoners report not being accommodated during searches on Facility C.

- *PRISONER 2* reports that he is unable to access the yard because he is required to strip out and leave the housing unit in boxers. However, as a result of his disability, he is unable to put his clothing back on out on the yard, because there is nowhere for him to transfer out of his wheelchair and dress himself.
- *PRISONER 13* reports that he does not attend yard because there is nowhere to hold on during the strip search that is required before yard. He reports that he filed an 1824 that states that he must be searched in his cell. He reports that he will not ask staff to search him in his cell for fear of retaliation for requesting an accommodation.
- *PRISONER 10* reports that yard officers force him to stand during searches.

Two other prisoners with mobility impairments, who do not agree to disclose their names for fear of retaliation from staff, also report that they are required to strip out to go to yard and it is difficult to do so because there is nowhere to hold on.

5. Evidence of the Problem Evident in Allegations Against Staff on Accountability Logs

A review of the March 2017 accountability logs, the most recent accountability logs provided to Plaintiffs' counsel at the time this report was produced, show an alarming number of allegations against staff, and in particular staff on Facility C. Of the 29 entries listed on the logs, 19 of the allegations (65%) involve allegations against staff. Over half of the allegations are reported by prisoners housed on Facility C. Although statistically significant, this number is underreporting the problem. As stated above, the majority of prisoners will not report problems with staff due to fear of retaliation. Further, Plaintiffs' counsel demonstrates below in the Appeals section of the report, that allegations against staff are not being referred to the accountability process as required.

6. Evidence of the Problem Identified During Staff Interviews by Plaintiffs' Counsel

Plaintiffs' counsel also observed the following deficiencies on Facility C during her tour of RJD. While many of problems may seem less serious than the allegations described above, some are so easily rectified that to encounter them during Plaintiffs' tour, which is scheduled well in advance and is predictable, points to a serious disregard for prisoners with disabilities. These violations show an overall lack of knowledge about the DPP program and how to accommodate prisoners with disabilities on Facility C, were

Problems in Work Change

OFFICER 3 appeared unaware of the requirements of the *Armstrong* case and refused to answer any questions by Plaintiffs' counsel, even after being assured by CDCR representatives on the tour that he should cooperate.

7. Conclusion

Overall, there was a palpable sense that staff members' attitude toward prisoners with disabilities on Facility C was one of skepticism and disregard. Prisoners with disabilities require assistance and accommodation from staff. When force, harassment or intimidation by staff causes those prisoners to be discouraged from filing appeals or requesting help that they require and are entitled to under the ADA, it is a serious problem. Steps should be taken immediately to ensure that the problems reported by prisoners, evident in accountability logs and observed by Plaintiffs' counsel are addressed. **Please report to Plaintiffs' counsel on what steps are being taken to address problems with staff and the lack of awareness regarding the needs of prisoners with disabilities, and the requirement to provide accommodations on Facility C. Please also state what steps will be taken to ensure that retaliation against prisoners with disabilities does not occur as a result of any changes.**

B. Use of Force Incident on Facility E

Numerous prisoners interviewed by Plaintiffs' counsel report that they observed the excessive use of force against a DPO prisoner, PRISONER 14, who was apparently trying to use the microwave oven during a time when the dayroom was closed. Prisoners, who observed the incident, report that the Officer intentionally tipped him out of his wheelchair to get him on the floor to cuff him. Officers interviewed during the tour confirm that the incident occurred. PRISONER 14, who has COPD, reports that he struggled to breath after being held on the floor and kneed in the back while the officer cuffed him. PRISONER 14 reports that he was initially told he was being taken to Administrative Segregation after the incident, but that this threat was reportedly retracted after supervisory staff saw the video of what occurred.

Plaintiffs' counsel requested a copy of the video during the monitoring tour and again via letter to CDCR sent on April 14, 2017. On May 18, 2017, CDCR responded stating that the video has been preserved but will not be produced because the matter is currently under investigation. CDCR also reported that the Rule Violation Report against PRISONER 14 was still pending. CDCR stated that the matter had been referred pursuant to the *Armstrong* accountability protocols.

Plaintiffs' counsel requests that the video be produced as soon as the internal investigation regarding the incident is complete. Plaintiffs also request to be notified of the decision regarding the Rule Violation Report against PRISONER 14,

and request a copy as soon as a decision is made. Plaintiffs also request all underlying investigation reports generated pursuant to the *Armstrong* accountability process.

C. Discrimination in Access to Programs, Services and Activities

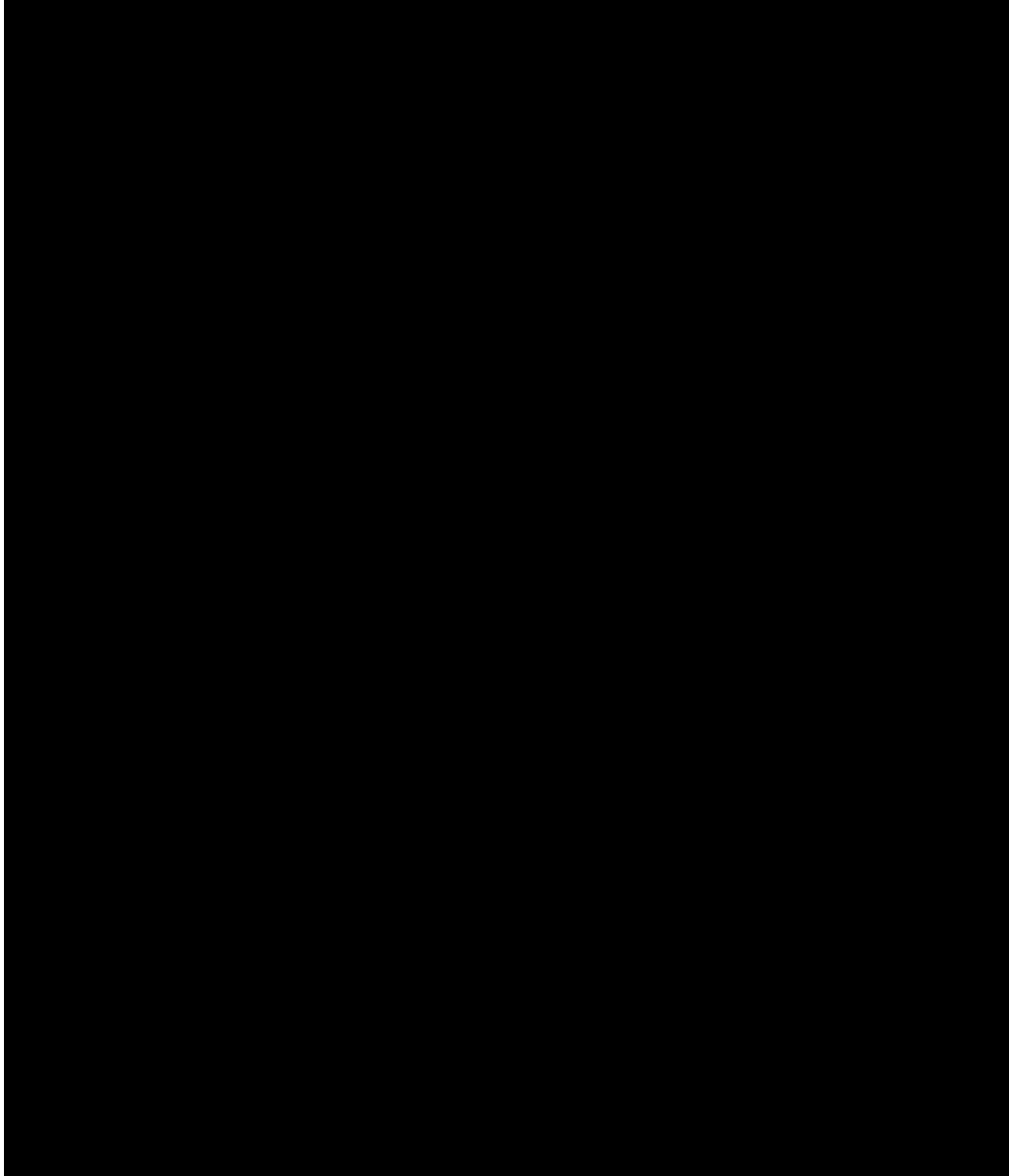


Exhibit 70

State of California

Department of Corrections and Rehabilitation

Memorandum

Date April 17, 2018

To : Kim A. Seibel
Associate Director (A)
Reception Centers Mission

ROBERT HERRICK
Region IV Healthcare Executive

Subject: **RJD RESPONSE TO THE ARMSTRONG MONITORING TOUR – APRIL 2017**

Please find the attached information to Rosen, Bien, Galvan & Grunfeld (RBGG) report from the Armstrong Monitoring Tour, which took place at Richard J. Donovan Correctional Facility (RJD) in April 2017. Substantive responses from both Custody and Health Care are provided below, along with responses to requests for information and supporting documentation that RBGG has asked for in their report. This response has been organized to follow the format of the RBGG report. Responses to RBGG concerns begin in Section III.

I. Summary and Overview:

This report is based on the document production covering August 16, 2016 to February 27, 2017, interviews with class members and staff, tours of the facilities on April 10-12, 2017, and an exit interview on April 12, 2017.

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However, the increase in RJD's population of prisoners with disabilities impacting placement is not solely due to the addition of Facility E. Excluding Facility E, RJD's population of prisoners with disabilities impacting placement increased by 39 prisoners (7.1%). RJD's DPM population (excluding Facility E) increased from 270 to 328 (21.5%).

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DPW	90	78	15.4%
DPO	195	160	21.9%
DPM	395	270	46.3%
DPH	26	23	13%
DPV	13	14	-7.1%

DPS	8	4	100%
Total Impacting Placement	726	549	32.2%
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These increases in the number of prisoners with serious disabilities have already had and will continue to have an impact on RJD's *Armstrong* mission. RJD remains out of compliance with the Americans with Disabilities Act (ADA), the *Armstrong* Remedial Plan (ARP), the Rehabilitation Act and various Court orders. Plaintiffs' counsel identified numerous serious and potential areas of non-compliance. The most significant concerns include:

- Serious allegations of force, harassment, discrimination and fear of retaliation against prisoners with disabilities on Facility C;
- Allegations that custody staff are interfering with access to medical care and disability accommodations;
- Failure to provide deaf prisoners with access to prison programs, services and activities;
- Failure to provide required assistive devices;
- Failure to appropriately respond to requests for disability accommodations; and
- Failure to comply with *Armstrong* accountability protocols.

II. CUSTODY STAFF RESPONSIBILITIES

A. Allegations of Force, Harassment, Discrimination and Fear of Retaliation on Facility C

Plaintiffs' counsel again heard reports from dozens of prisoners on Facility C that staff use excessive force, harass and discriminate against people with disabilities. This was also reported in Plaintiffs' last monitoring report. See September 2016 report at p. 11. As a result, prisoners with disabilities report that they will not ask staff for needed disability accommodations or utilize the 1824 disability accommodation request process out of fear of retaliation from staff. The vast majority of prisoners interviewed by Plaintiffs' counsel do not agree to have their names used in this report, state that they do not intend to report problems with staff, and do not agree to cooperate in any CDCR investigation out of fear of staff retaliation. Plaintiffs' counsel interviewed 35 DPP class members on Facility C.

1. Allegations of Excessive Force used with Prisoners with Disabilities

Over half of the prisoners interviewed by Plaintiffs' counsel (19 out of 35) report that they have observed or been the target of excessive force by staff against prisoners with disabilities. These prisoners consistently report that staff use physical force or

pepper spray on prisoners who are subdued, are already on the ground or are otherwise not resisting staff. Multiple prisoners report that physical force or pepper spray is used frequently, even when there is no apparent need.

Close to half of those interviewed (14 out of 35) report that it is common practice during an incident, even when no pepper spray is used, for officers to strip a prisoner's clothes off and parade that prisoner around the yard naked or in boxers. Prisoners report that this act is viewed as intended to humiliate the prisoner and as a threat to all others. The prisoners interviewed by Plaintiffs' counsel were overwhelmingly afraid of staff and were intimidated by what they have either experienced or observed and thus did not agree to use their names in this report. The names listed below were the exceptions and all said they agree to have their names listed but do so with fear of retaliation.

- *PRISONER 1* reports that he was "beaten badly" by staff. He reports that staff told him it was because he failed to show his ID card before going to his cell. He states this did not happen, he was not asked to show his ID card. He states that staff stripped off his clothing and "dragged" him across the yard for other inmates to see. He believes this incident occurred because he asked staff for help because he is blind. He agreed to use his name in the report but is extremely afraid of staff retaliation.

Response: Prisoner 1 was interviewed however throughout the interview process he was vague indicating he was instructed by his attorney to not cooperate as they are preparing for a lawsuit. Inmate provided an unidentified officer kicked him and twisted his arm, but he was not stripped of his clothing. He further indicated he would not have filed a complaint if his property was returned. Inmate said Officer [REDACTED] and [REDACTED] may be able to identify the officer who assaulted him. Both Officers were interviewed and provided they were unaware of an incident involving prisoner #1. In conclusion inmate was vague and not cooperative. Inmate's original complaint was reviewed by Use of Force Committee, however inmate refused to participate in that review and complaint was closed out. Inmate was interviewed on April 7, 2017, by [REDACTED] ADA Coordinator and indicated he had eleven (11) witnesses, but did not provide that information. It appears inmate is attempting to manipulate complaint process to obtain property. Inmate refused to participate in investigation. Based on information received, staff is unable to confirm allegations.

- *PRISONER 2* reports that he saw a "blind white guy" beaten by officers. He reports that the officers were repeatedly kicking him in the face even though the inmate could not see and was not resisting. He reports that officers ripped off the man's clothing. He did not know the inmate's name but his account of events matches that of PRISONER 1, above, who fits his description and also tells a similar story. PRISONER 2 agreed to use his name in the report but fears retaliation.

Response: Several Prisoners were interviewed regarding this allegation. A review of all incidents within the unit was conducted. There were no incidents which matched the events provided. One incident did occur in the area described and inmate sustained a head injury. A Use of Force review was

conducted and provided staffs' actions prior to, during and after Use of Force were within Policy. Inmate did submit a complaint based on Use of Force. Inmate did sustain injuries however they were not consistent with being dragged down stairs. Inmate was charged with Battery on Peace Officer and has submitted an appeal which is being reviewed at Third Level. This allegation is not confirmed.

- *PRISONER 3* reports that *OFFICER 4* slammed him to the ground after he was cuffed and not resisting. He was unable to use his hands to brace himself during the fall because he was cuffed. He reports that while he was on the ground and cuffed the officer then kicked him in the face. He states that the officer also stepped on his glasses, crushing them intentionally. He reports that he was also stripped down to his boxer shorts during this incident. He states that he was written up for swinging a cane at the officer, which he reports did not happen because he was handcuffed during the entire incident.

Response: Prisoner #3 was interviewed and provided Officer slammed him to the ground and kicked him in the eye. Incident reports indicate Inmate refused a direct order to return to his housing unit. When a clothed body search was being conducted inmate attempted to strike the officer with his cane. Inmate was taken to the ground and placed in handcuffs. A review of 7219, indicates injuries were consistent with force used. Institutional Executive Review Committee (IERC) noted use of force was in compliance with policy. Inmate was found guilty of Assault with a Deadly Weapon. This allegation is not confirmed.

- *PRISONER 4* and *PRISONER 5* both reported that inmates are stripped out and paraded around the yard following incidents with staff. Both prisoners report that it is meant to humiliate and threaten prisoners. Both describe similar incidents where transgender prisoners were paraded around the yard by staff in their bra and underwear.

Response: These allegations were placed on the RJD non-compliance log and Warden's 2140 log. The results of the investigation into these allegations are as follows: Prisoners 4 and 5 were interviewed and provided they observed custody staff handcuff, then beat and undressed an inmate. The inmate was then paraded across the yard in his briefs. They further allege the inmate was badly beaten, kicked in the mouth and he lost teeth. However, the Incident report related to this incident indicates OC was used, inmate was handcuffed and escorted to the gym area where an unclothed body search was conducted in privacy, inmate was afforded decontamination from chemical agents and offered clean clothes. Medical report (7219) clearly indicates inmate sustained no injuries, only the effects of OC. Inmate is no longer in custody therefore not interviewed. Staff were interviewed and provided allegations were not true and reports from all involved staff were submitted. Inmate submitted no appeals or allegations of excessive use of force. USE of Force Review was conducted and noted all actions by staff before, after and during the incident were within policy.

Three different prisoners, who do not agree to have their names used, all describe the same incident where a prisoner with a mobility impairment was recently thrown to the ground and beaten by multiple staff members because he refused to give up books that he brought to chow. All three prisoners report that this inmate was

beaten, stripped and dragged across the yard. The prisoner himself, who contacted Plaintiffs' counsel following the incident, reports that he did not realize that he was not allowed to bring those materials with him.

Three other prisoners, who also do not agree to have their names used, each report that in recent months they have observed prisoners being thrown out of their wheelchairs by staff members. One account was of a prisoner in chow, one was of a prisoner on the yard in front of C-11 and one was in C-12. Multiple other prisoners report observing staff use unnecessary levels of force to "take down" prisoners with disabilities, causing pain and injury for minor offenses.

2. Allegations of Staff Taking Property During Cell Searches

Out of 35 prisoners interviewed, 11 reported that they had property taken from their cell following cell searches. Prisoners report that it is widely known that staff take your property and distribute it to other prisoners.

PRISONER 6 reports that staff destroyed his property during a cell search on July 19, 2016, including his parastep device. Without the device, he reports that he is unable to stand or move any longer and has been confined to his wheelchair.

Response: These allegations were placed on the RJD non-compliance log and Warden's 2140 log. The results of the investigation into these allegations are as follows: Prisoner 6 was interviewed and provided on July 19, 2016, officers confiscated and broke his tens unit and parastep then placed both items in a housing unit closet. Inmate alleges he files an appeal regarding this allegation. The appeal could not be located in inmate's central file or in appeal records. Cell search log for this incident could not be located. Both staff members identified were interviewed and provided they were unaware of the allegation and reported they did not remove any DME. A search of housing unit closets was conducted with negative results. Medical records indicate inmate received replacement DME on December 25, 2015 and replacements on November 23, 2016. Inmate is in a Mental Health Crisis Bed at CIM. He was contacted and provided his DME were never replaced. Medical staff verified DMEs were replaced which conflicts with allegation. Inmate had no witnesses staff entered his cell broke his DMEs and hid them in a closet within the housing unit. Investigating staff believe there are many inconsistencies in inmate's allegations and it appears he is attempting to blame staff for equipment he lost. Based on information received this allegation is not confirmed.

- *PRISONER 1* reports that following a cell search on April 8, 2017, his property was distributed by staff to other inmates. He states that other prisoners who had received property from staff came forward and told him what happened and gave his property back.

Response: These allegations were placed on the RJD non-compliance log and Warden's 2140 log. The results of the investigation into these allegations are as follows: Prisoner #1 was interviewed and provided custody staff conducted a cell search and removed his property, then gave property to other inmates. He alleges the other inmates returned his property and explained the events that took place. Inmate said he had names of several inmate witnesses in his cell.

However, during a follow up interview to acquire witness information, Prisoner #1 provided the officer who originally took his property returned it, however did not return his television. Inmate was unable to produce any inmate or staff witnesses. Inmate was unable to identify Staff who took or returned property. A review of property card indicates inmate was never in possession of a television. Based on information received it appears Prisoner #1 is fabricating this allegation and it cannot be confirmed.

- *PRISONER 7* states that his property disappeared when he was taken to Ad Seg. He believes the officers took it because he states it is known that they do that, but he never got it back.

Response: These allegations were placed on the RJD non-compliance log and Warden's 2140 log. The results of the investigation into these allegations are as follows: Prisoner #7 was interviewed and provided he was being rehoused in Administrative Segregation Unit (ASU). Staff were inventorying his property and inappropriately confiscated personnel items. A review into this allegations provided staff were conducting an inventory of property when they discovered a weapon. Additionally, inmate had several altered items which were confiscated. Inmate refused to sign inmate property inventory form. Inmate submitted an appeal regarding these events. Staff actions were upheld through third (3rd) Level of Review. This allegation was not confirmed.

- *PRISONER 8* states that his property disappeared when he transferred to a hospital. He states he is still missing insoles, dentures and personal property.

Response: This allegation was placed on the RJD non-compliance log. Prisoner # 8 was interviewed and provides staff allowed his property to be lost or stolen. Staff had conducted an inventory of all personal items in his assigned cell and the CDCR 1083 indicates the items in question were not in his assigned cell at the time of inventory. Inmate cannot substantiate DME was in the cell or on his person when he left RJD for Hospital placement. The Cane, orthopedic shoes, inserts and dentures were replaced. The Braille Institute was contacted for replacement of electronic reader, however Braille Institute refused indicating this was Prisoner # 8's third replacement due to loss of equipment; the electronic reader is not a DME. This allegation was not confirmed.

Plaintiffs' counsel noted during her tour of the institution that, in unit C-11, one inmate's property was in boxes scattered around the day room. Staff reported that the inmate had been taken to Ad Seg.

3. Allegations of Staff Harassing Prisoners for Filing Appeals or Asking for Help

Nearly all prisoners interviewed by Plaintiffs' counsel reported that they are afraid of staff retaliation for asking for help or filing appeals. Eight prisoners reported that they have specifically been threatened or retaliated against for filing appeals or asking for help.

- *PRISONER 2* reported that his cell was torn up by staff following his filing of an appeal regarding problems accessing the shower.

Response: These allegations were placed on the RJD non-compliance log and Warden's 2140 log. The results of the investigation into these allegations are as follows: Prisoner #2 was interviewed and provided as retaliation for filing an appeal regarding ADA showers; staff conducted a cell search and tore up his cell. Inmate said he was on the day room floor at the shower area monitoring showers to ensure non ADA inmates were not using the ADA shower. Staff were interviewed and provided several times inmate was ordered to return to his cell and he continued to loiter on day room floor disobeying a direct order. Inmate was issued an RVR which was later reduced to a counseling chrono. Staff provide the cell was not searched and the allegation was due to retaliation from the inmate. This allegation was not confirmed.

- *PRISONER 1* reports that his cell was searched and he was beaten by staff, he believes, in response to asking staff for help.

Response: These allegations were placed on the RJD non-compliance log and Warden's 2140 log. The results of the investigation into these allegations are as follows: Prisoner 1 was interviewed however throughout the interview process he was vague indicating he was instructed by his attorney to not cooperate as they are preparing for a lawsuit. Inmate provided an unidentified officer kicked him and twisted his arm, but he was not stripped of his clothing. He further indicated he would not have filed a complaint if his property was returned. Inmate said Officer [REDACTED] and [REDACTED] may be able to identify the officer who assaulted him. Both Officers were interviewed and provided they were unaware of an incident involving prisoner #1. In conclusion inmate was vague and not cooperative. Inmate's original complaint was reviewed by Use of Force Committee, however inmate refused to participate in that review and complaint was closed out. Inmate was interviewed on April 7, 2017, by [REDACTED] ADA Coordinator and indicated he had eleven (11) witnesses, but did not provide that information. It appears inmate is attempting to manipulate complaint process to obtain property. Inmate refused to participate in investigation. Based on information received, staff is unable to confirm allegations.

- *PRISONER 9* reports that when he told his teacher that he might file an appeal to ask for disability accommodations, he was cautioned not to do so.

Response: These allegations were placed on the RJD non-compliance log and Warden's 2140 log. The results of the investigation into these allegations are as follows: Inmate number 9 was interviewed and provided he suffers from a serious health condition which causes pain and discomfort. Prisoner # 9 explained this to his Teacher, because he misses school when not feeling well, he was considering submitting an appeal to be removed from class. The inmate further provided the Teacher in question encouraged him to not quit and request to be removed from class. The Teacher offered additional accommodations to the inmate so that he could remain assigned and further his Education. The inmate explained he has greatly benefitted from these accommodations. The inmate said, perhaps when I explained these circumstances to his attorney, the information was taken out of context.

Ten prisoners report that staff had made harassing or disparaging remarks about them as a result of their disability.

- *PRISONER 10* reports that staff make fun of people's disabilities and that he has been told, "you can just get up and walk" "you're faking" and "you should wipe your ass better, you stink."

Response: Prisoner 10 was interviewed about this allegation on July 11, 2017. Prisoner 10 was able to provide the name of one inmate who may have witnessed the alleged incident. The potential witness was interviewed and stated that, although he remembered the occasion referenced in the allegation, he did not hear anything the officers said to Prisoner 10. Three officers were interviewed and denied the allegations. The officers further indicated that, if they witnessed staff misconduct, they would report it to their immediate supervisor. Based on this inquiry, Inmate [REDACTED]'s allegation could not be substantiated, and no further action will be taken. However, please note that one of the accused officers no longer works for the Department.

- *PRISONER 8* reports that officers make remarks like, "go sit your crippled ass down."

Response: Prisoner 8 was interviewed on July 11, 2017. During the interview, Prisoner 8 indicated the above incident occurred on March 15, 2017. Prisoner 8 could not identify any potential inmate witnesses, but did identify two officers involved in the allegation. These officers, and two Sergeants, were interviewed regarding the allegation. The officers denied engaging in or observing the behavior described above. During the inquiry it was discovered that Prisoner 8 filed a property complaint, or 602 appeal, based on a cell search that also occurred on March 15, 2017. Prisoner 8 was interviewed by multiple officers to address the property complaint, and during these interviews he never alleged that officers involved in the search made any derogatory statement. His written 602 appeal also did not make this allegation. Based on this inquiry, Prisoner 8's allegation could not be substantiated, and no further action will be taken.

- *PRISONER 11* reports that he had knee surgery the day prior to the interview. He states that when staff came to get him for his interview with Plaintiffs' counsel, staff yelled at him to "move faster" and "hurry up." He was so rushed that he arrived for the interview in the wrong wheelchair, one without the required elevated foot rest he has been instructed to use post-surgery.

Response: These allegations were placed on the RJD non-compliance log and Warden's 2140 log. The results of the investigation into these allegations are as follows: • Inmate #11 was interviewed and provided when he returned to RJD from an outside hospital where he received knee surgery medical staff provided him with a wheelchair not equipped with foot rest, which was requested at post-surgery. Custody was made aware and took his wheelchair to be exchanged for a correct model to meet his medical needs. When the officer was gone with the wheelchair, Inmate was summoned to report to meet with plaintiff's attorneys.

The inmate took it upon himself to borrow a wheelchair from another inmate and reported to the interview. When the inmate returned to the Facility, the officer provided him with the correct wheelchair. This allegation of noncompliance will be forwarded to RJD Health Care.

Multiple prisoners, who do not agree to have their names reported, state that officers make fun of and call wheelchair users names like "ChoMo," which is short for "child molester," even when that has nothing to do with their conviction. One prisoner who is DDP reports staff call him "retarded." Multiple people also report that staff harass and taunt people who are gay or transgender calling them "fags" and, according to PRISONER 12, saying things like, "leave me alone and go put on your bra and panties." Although not disability related, those remarks show a certain attitude by staff towards people who may be considered "vulnerable" in prison and thus is relevant to people with disabilities. Ultimately, that attitude has led to prisoners with disabilities being unable to ask staff for assistance and accommodations that are required by the ADA.

4. Allegations of Staff Failing to Provide Disability Accommodations During Searches

Multiple prisoners report not being accommodated during searches on Facility C.

- *PRISONER 2* reports that he is unable to access the yard because he is required to strip out and leave the housing unit in boxers. However, as a result of his disability, he is unable to put his clothing back on out on the yard, because there is nowhere for him to transfer out of his wheelchair and dress himself.

Response: These allegations were placed on the RJD non-compliance log. The results of the investigation into these allegations are as follows: Inmate submitted an appeal (LOG # RJD- [REDACTED]) which was subsequently denied. Inmate is requesting custody staff report to his cell thirty (30) minutes prior to yard release to conduct an unclothed body search. Upon yard release he is requesting to be allowed to exit the building without delay. Based on Policy this accommodation request cannot be granted. DPO/DPW inmates are searched in their cell, allowed to dress then escorted out of the building.

- *PRISONER 13* reports that he does not attend yard because there is nowhere to hold on during the strip search that is required before yard. He reports that he filed an 1824 that states that he must be searched in his cell. He reports that he will not ask staff to search him in his cell for fear of retaliation for requesting an accommodation.

Response: These allegations were placed on the RJD non-compliance log. The results of the investigation into these allegations are as follows: Prisoner 13 (DPW) was interviewed and provided at the start of the year 2017; staff | required him to stand to facilitate being searched during yard release. He indicates he had difficulty getting dressed. Inmate provides he is unable to identify staff. [REDACTED] indicated this I was a onetime occurrence.

Inmate further indicates he no longer accesses yard to avoid being searched. Housing unit staff were interviewed and provide DPO/DPW inmates are provided accommodation of being searched in their cell then escorted to yard door. Staff said inmate [REDACTED] access yard on a very frequent basis. Staff said they were not assigned to unit when allegation occurred. Inmate alleges almost a year ago he was ordered to stand and be searched by unidentified staff. Inmate is unable to provide inmate or staff witnesses. Inmate claims he does not access yard activities to avoid being searched. Housing Unit staff provide wheelchair users are provided accommodations and Prisoner 13 accesses yard activities on a frequent basis. Based on information received, this allegation is not confirmed.

- *PRISONER 10* reports that yard officers force him to stand during searches.

Response: These allegations were placed on the RJD non-compliance log. The results of the investigation into these allegations are as follows: Prisoner 10 was interviewed and provided mass searches were being conducted on the facility. Unidentified staff from other facilities were at his cell to search. He alleges he was ordered to stand to facilitate a clothed and unclothed body search. Inmate claims he has not since been ordered to stand and housing unit staff are very accommodating when it comes to searches and yard releases. Housing unit staff were interviewed and provided mass searches were conducted on the facility after several staff assaults occurred. However, these staff interviewed were not assigned to the unit at the time in question. They did say staff received Armstrong training specifically DPO/DPW searches and accommodations and they are conducting searches and yard releases within policy. This allegation could not be verified.

Two other prisoners with mobility impairments, who do not agree to disclose their names for fear of retaliation from staff, also report that they are required to strip out to go to yard and it is difficult to do so because there is nowhere to hold on.

5. Evidence of the Problem Evident in Allegations Against Staff on Accountability Logs

A review of the March 2017 accountability logs, the most recent accountability logs provided to Plaintiffs' counsel at the time this report was produced, show an alarming number of allegations against staff, and in particular staff on Facility C. Of the 29 entries listed on the logs, 19 of the allegations (65%) involve allegations against staff. Over half of the allegations are reported by prisoners housed on Facility C. Although statistically significant, this number is underreporting the problem. As stated above, the majority of prisoners will not report problems with staff due to fear of retaliation. Further, Plaintiffs' counsel demonstrates below in the Appeals section of the report, that allegations against staff are not being referred to the accountability process as required.

6. Evidence of the Problem Identified During Staff Interviews by Plaintiffs' Counsel

Plaintiffs' counsel also observed the following deficiencies on Facility C during her tour of RJD. While many of problems may seem less serious than the allegations described above, some are so easily rectified that to encounter them during Plaintiffs' tour, which is scheduled well in advance and is predictable, points to a serious disregard for prisoners with disabilities. These violations show an overall

lack of knowledge about the DPP program and how to accommodate prisoners with disabilities on Facility C, were reported during Plaintiffs' exit meeting and should be immediately addressed by the institution.

Problems in C-11

OFFICER 1 did not have knowledge of DECS nor 1824 forms.

OFFICER 2 confirmed that prisoners, including wheelchair users, are required to strip out prior to accessing yard. He was unaware that searches should be provided in cells for wheelchair users who require it. He stated that he would ask another inmate to assist a prisoner with a disability in getting dressed if someone asked for help. He also lacked basic knowledge about people with disabilities and reported that, if wheelchair user stood and took a step or two for a search, he would refer that prisoner to medical to have them evaluated for wheelchair removal.

Staff did not know the wheelchair repair process.

There was no closed captioning on the television in C-11, staff were unaware of how to turn it on and did not know that it was required to be on.

Problems in C-12

Staff also confirmed that prisoners are required to strip out prior to accessing yard. Staff in this unit also reported that they would get inmates to assist prisoners with disabilities in getting dressed, if help was needed.

Staff in the unit did not have an updated DECS list.

There were no accessible 1824's. It took a few minutes to locate the forms that were tucked away in a box on the floor in the staff office. There were only three to four 1824 forms available in the box.

Staff did not know the TTY sign up process.

Problems in C-14

No shower chair was available in the unit that houses DPO and other prisoners with mobility impairments.

Problems in C-15

The TTY sign-up process does not confirm that users actually received access to the TTY during their scheduled time. One user on the yard reports that he is not receiving access during scheduled times.

Problems in Work Change

OFFICER 3 appeared unaware of the requirements of the *Armstrong* case and refused to answer any questions by Plaintiffs' counsel, even after being assured by CDCR representatives on the tour that he should cooperate.

7. Conclusion

Overall, there was a palpable sense that staff members' attitude toward prisoners with disabilities on Facility C was one of skepticism and disregard. Prisoners with disabilities require assistance and accommodation from staff. When force, harassment or intimidation by staff causes those prisoners to be discouraged from filing appeals or requesting help that they require and are entitled to under the ADA, it is a serious problem. Steps should be taken immediately to ensure that the problems reported by prisoners, evident in accountability logs and observed by Plaintiffs' counsel are addressed. **Please report to Plaintiffs' counsel on what steps are being taken to address problems with staff and the lack of awareness regarding the needs of prisoners with disabilities, and the requirement to provide accommodations on Facility C. Please also state what steps will be taken to ensure that retaliation against prisoners with disabilities does not occur as a result of any changes.**

Response: Defendants have and continue to take steps to remedy verified problems with staff and any lack of awareness regarding the needs of prisoners with disabilities. Such efforts include, but are not limited to:

- Before Defendants received Plaintiffs' report, four officers were already under investigation because of CDCR's proactive efforts to identify and remedy problems, and three had moved off the yard and into other positions.
- RJD has completed incident packages and referred them to the Office of Internal Affairs.
- Staff have been tasked to review appeals and identify trends as a proactive measure to more quickly identify potential problems.
- A new Chief Deputy Warden has been put into place and who walks the yards daily to talk to inmates in order to identify issues.
- A retired Warden, who has extensive experience and knowledge regarding DPP and DDP inmates has provided assistance to train RJD management and staff.
- DAI's Director and Associate Director have walked the yards multiple times to talk to inmates.
- Training is being provided to Facility "C" and will be ongoing. Areas to be covered include, but are not limited to: DECS, 1824 Reasonable Accommodation Panel (RAP) processes, yard release protocol for wheelchair-bound inmates, wheelchair inspection log and repair referrals, television close captioning, TTD/TTY sign up processes/accessibility, toiletry supplies and providing showers outside of designated shower schedule.

B. Use of Force Incident on Facility E

Numerous prisoners interviewed by Plaintiffs' counsel report that they observed the excessive use of force against a DPO prisoner, PRISONER 14, who was apparently trying to use the microwave oven during a time when the dayroom was closed. Prisoners, who observed the incident, report that the Officer intentionally tipped him out of his wheelchair to get him on the floor to cuff him. Officers interviewed during the tour confirm that the incident occurred. PRISONER 14, who has COPD, reports that he struggled to breathe after being held on the floor and kned in the back while the officer cuffed him. PRISONER 14 reports that he was initially told he was being taken to Administrative

Segregation after the incident, but that this threat was reportedly retracted after supervisory staff saw the video of what occurred.

Plaintiffs' counsel requested a copy of the video during the monitoring tour and again via letter to CDCR sent on April 14, 2017. On May 18, 2017, CDCR responded stating that the video has been preserved but will not be produced because the matter is currently under investigation. CDCR also reported that the Rule Violation Report against PRISONER 14 was still pending. CDCR stated that the matter had been referred pursuant to the *Armstrong* accountability protocols.

Plaintiffs' counsel requests that the video be produced as soon as the internal investigation regarding the incident is complete. Plaintiffs also request to be notified of the decision regarding the Rule Violation Report against PRISONER 14, and request a copy as soon as a decision is made. Plaintiffs also request all underlying investigation reports generated pursuant to the *Armstrong* accountability process.

Prisoner 14, was issued a Serious Rules Violation Report (RVR) for Willfully Resisting a Peace Officer in performance of their duty. On April 26, 2017, the RVR was adjudicated and the inmate plead guilty. The Senior Hearing Officer (SHO) found the inmate guilty of a lesser included charge and reduced RVR from a Division "D" Offense to Division "F" Offense. On May 10, 2017, during Chief Disciplinary Officer (CDO) review, C. Covell, Associate Warden, noted a due process violation in which the SHO denied the inmate's request to view video that was included in CDC 837 Use of Force package. Therefore, the CDO elected to dismiss RVR in interest of justice.

C. Discrimination in Access to Programs, Services and Activities

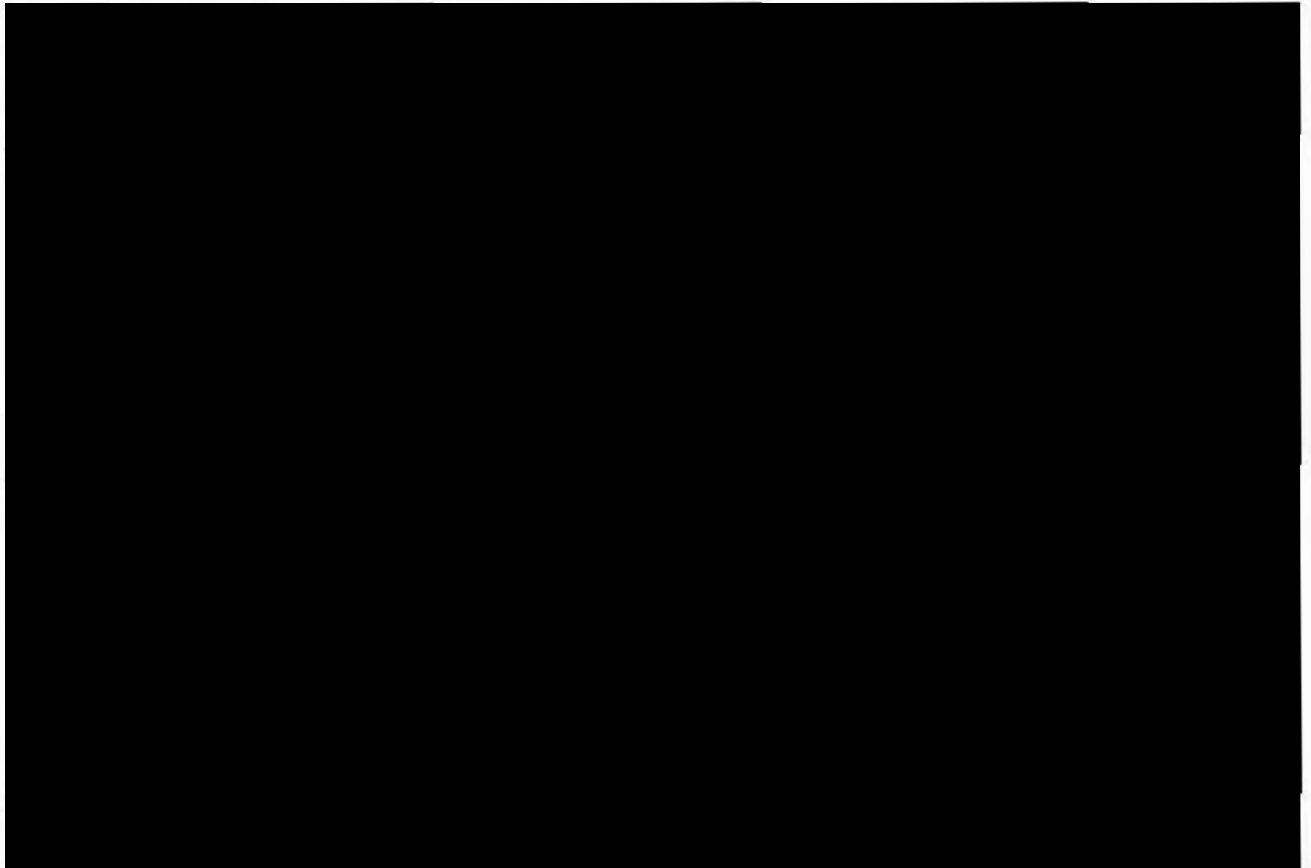


Exhibit 71

Richard J. Donovan Correctional Facility (RJD)
***Armstrong* Monitoring Tour Report**
October 3-5, 2017

I. SUMMARY

This report is based on the document production covering February 28, 2017 to August 21, 2017, interviews with class members and staff, tours of the facilities on October 3-5, 2017, and an exit interview on October 5, 2017.

RJD's population of *Armstrong* class members, especially those with disabilities impacting placement, remains significant.

Disability	10/2/17 (time of tour)
All	1014
DPW	48
DPO	147
DPM	255
DPH	28
DPV	10
DPS	6
Total Impacting Placement	482

Note: Total impacting placement differs from sum of individual categories because some prisoners have more than one disability impacting placement.

The significant number of prisoners with serious disabilities continues to impact RJD's *Armstrong* mission and compliance. RJD remains out of compliance with the Americans with Disabilities Act (ADA), the *Armstrong* Remedial Plan (ARP), the Rehabilitation Act and various Court orders. Plaintiffs' counsel identified numerous serious and potential areas of non-compliance. A number of the problems noted on the tour are ongoing concerns that have also been noted in recent reports. The most significant concerns are:

- Serious allegations of staff misconduct against prisoners with disabilities;
- Continued reports of staff closing cell doors on prisoners;
- Discrimination in program assignments;
- Problems accessing ADA workers;
- Problems accessing ADA showers;
- Failure to accommodate deaf prisoners, especially regarding inadequate SLI access during medical appointments;
- Problems with wheelchair repairs;
- Delays in providing required durable medical equipment and supplies;
- Failure to comply with *Armstrong* accountability protocols.

Please pay particular attention to the bolded parts of this report, which include important recommendations, information, and requests. Document and information requests also appear at the end of the report.

II. CUSTODY STAFF RESPONSIBILITIES

A. Allegations of Staff Misconduct Against Prisoners with Disabilities

Plaintiffs' counsel reported multiple allegations regarding staff misconduct against prisoners with disabilities on Facility C during the last monitoring tour. Plaintiffs focused a significant amount of time during this tour investigating what action was taken in response to the prior allegations that were contained in Plaintiffs' May 2017 Tour Report. As such, Plaintiffs did not undertake an extensive investigation into the current status of staff misconduct at RJD. The fact that this report contains fewer staff misconduct allegations than the prior report should not be interpreted as an acknowledgement that those problems no longer exist.

In an effort to follow up on prior allegations, Plaintiffs convened a small meeting with key CDCR and institution staff to learn about steps being taken by CDCR to investigate allegations of staff misconduct at RJD and to make improvements. Plaintiffs' counsel learned that CDCR is in the process of taking multiple steps, including staffing changes, to address many of the problems identified in the previous report. Plaintiffs' will continue to closely monitor this serious problem.

Although Plaintiffs' did not conduct an extensive investigation of allegations of new staff misconduct during this tour, Plaintiffs nevertheless heard multiple reports regarding a staff assault that was observed in C-15. That incident, and the name of at least one witness who is willing to participate in an investigation, was shared with Associate Director Brian Duffy, the Warden, the Chief Deputy, and other key staff during

the tour. Staff reported that they would investigate that allegation. As agreed during that meeting, the information will also be provided in written format, under separate letter, to the CDCR Office of Legal Affairs.

Plaintiffs are concerned that they have not yet received any response to their prior, May 2017 Tour report and, despite steps taken by staff to address problems, Plaintiffs do not know the outcome of CDCR's investigations into Plaintiffs' staff misconduct allegations. Further, as discussed in more detail in the Accountability Section of this report below, Defendants have not complied with Court Ordered requirements for reporting on the results of these investigations in the *Armstrong* Accountability process. **Plaintiffs' request an immediate response regarding all staff misconduct allegations that were reported in Plaintiffs' April 2017 Report.**

B. Reports of Staff Closing Cell Doors on Prisoners

Plaintiffs' counsel heard reports from prisoners in Building 4 on Facility A (*PRISONER A*; *PRISONER B*) and Building 10 on Facility B (*PRISONER C*; *PRISONER D*) that staff sometimes close cell doors on prisoners who use wheelchairs. Class members complained that staff are providing insufficient time for prisoners with disabilities to get ready to leave their cells and, as a result, prisoners are sometimes still in the doorway when staff close the doors. This problem at RJD has been reported multiple times by Plaintiffs' counsel. (*See* Plaintiffs' Tour Reports in February 2014 at 11; November 2014 at 12; March 2015 at 10; March 2016 at 25 and; September 2016 at 3.)

In addition to class member reports of this problem during interviews, it was also raised in a Reasonable Accommodation Request, [REDACTED], in which a group of elderly prisoners in Building 10 requested, among other things, that staff provide additional time to exit their cells so as not to be struck by closing doors. The appeal response inappropriately states that warnings regarding programming (e.g., chow, yard, dayroom) provided by staff "allow adequate time for inmates to prepare themselves prior to release. Yard and dayroom schedules are consistent every day so if an inmate needs more time to leave a cell, the inmates should adjust and prepare earlier. Therefore you are already afforded a reasonable amount of time to depart from your cell" This response is problematic because it appears to condone the closing of cell doors on prisoners so long as CDCR provides some warnings and operates on a set schedule. Staff at RJD should never close cell doors on prisoners, regardless of warnings and schedules. Further, as a prison that houses hundreds of prisoners in wheelchairs, many of whom take longer to exit their cells than other prisoners, RJD has an obligation under the ADA to ensure that *Armstrong* class members are reasonably accommodated with extra time, if necessary, to safely exit their cells.

Plaintiffs' counsel spoke with some housing unit staff about this issue, who all stated that it is their practice to visually confirm that each prisoner has exited his cell before giving a signal to the tower officer to close the door. The reports from class

members of being closed in doorways are not consistent with the practice described by the officers. That said, if housing unit staff actually visually confirm that each prisoner is clear of the cell doorway before initiating the closure of the door, RJD could likely eliminate this problem. Plaintiffs' counsel will continue to monitor this issue.

Please investigate these allegations pursuant to the *Armstrong* Accountability protocols.*

C. Reports of Assaults of *Armstrong* Class Members by RJD's Transportation Staff

Two prisoners reported that they were assaulted by RJD's transportation staff in the course of being transported to outside medical facilities.

- *PRISONER E* reported that on August 28, 2017, he was transported to Tri-City Medical Plaza for a cardiology follow up. He stated that, while waiting for his appointment, *OFFICER A* made an insulting comment about his commitment offense, which sparked a verbal confrontation between *OFFICER A* and *PRISONER E*. He stated that *OFFICER A* ultimately struck him while cuffed and in his wheelchair.
- *PRISONER F* claims that at some point within the last year, officers transporting him back from Alvarado Hospital failed to adequately secure him in his seat. *PRISONER F* asserts that the officers then intentionally made the vehicle swerve, launching him from his seat and causing him to injure himself. *PRISONER F* claims that the officers then mockingly asked him, "Did you hit your head?" and laughed at him. In addition, *PRISONER F* asserts that during this visit to the hospital, RJD failed to provide him with a wheelchair accessible vehicle and required him to climb up into the transportation vehicle.

Further, the DAI Accountability logs contain an additional allegation regarding staff misconduct on 5/18/17, raised by a class member, which states: "inmate alleges he was assaulted by three officers while placed at local hospital."

CDCR should investigate these reports of misconduct by transportation officers against *Armstrong* class members.* CDCR should attempt to identify whether these allegations are against the same staff members or whether there is a more general problem regarding staff assaults during transport.

D. Discrimination in Program Assignments

According to SOMS data produced by CDCR headquarters on September 27, 2017, the rate of assignments received by prisoners with disabilities at RJD is less than

Exhibit 72

State of California

Department of Corrections and Rehabilitation

Memorandum

Date : August 21, 2018

To : Kimberly A. Seibel
Associate Director (A)
Reception Centers Mission

Robert Herrick
Region IV Health Care Executive

Subject: **RJD RESPONSE TO THE *ARMSTRONG* MONITORING TOUR –OCTOBER 3-5, 2017**

Please find the attached information to Rosen, Bien, Galvan & Grunfeld (RBGG) report from the *Armstrong* Monitoring Tour, which took place at Richard J. Donovan (RJD) in October 2017. The documentation provided includes a response to the report from the institution, to include Health Care Services Response as well, and the Request for Information and supporting documentation RBGG has asked for in their report.

The response that follows has been organized to follow the format of the RBGG report. The response and “Request for Information” provide information and rebuttal to some points raised in the RBGG report. While it is recognized that there were some areas of concern raised in the report that show room for improvement by the institution, it should be noted that the tour report shows RJD has made marked improvements by all staff to be in compliance with the *Armstrong* Remedial Plan and departmental policy regarding the care and treatment of incarcerated inmate-patients who are identified as *Armstrong* class members.

I. SUMMARY

This report is based on the document production covering February 28, 2017 to August 21, 2017, interviews with class members and staff, tours of the facilities on October 3-5, 2017, and an exit interview on October 5, 2017.

RJD’s population of *Armstrong* class members, especially those with disabilities impacting placement, remains significant.

Disability	10/2/17 (time of tour)
All	1014
DPW	48
DPO	147
DPM	255
DPH	28
DPV	10
DPS	6
Total Impacting Placement	482

Note: Total impacting placement differs from sum of individual categories because some prisoners have more than one disability impacting placement.

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The significant number of prisoners with serious disabilities continues to impact RJD's *Armstrong* mission and compliance. RJD remains out of compliance with the Americans with Disabilities Act (ADA), the *Armstrong* Remedial Plan (ARP), the Rehabilitation Act and various Court orders. Plaintiffs' counsel identified numerous serious and potential areas of non-compliance. A number of the problems noted on the tour are ongoing concerns that have also been noted in recent reports. The most significant concerns are:

- ☐ Serious allegations of staff misconduct against prisoners with disabilities;
- ☐ Continued reports of staff closing cell doors on prisoners;
- ☐ Discrimination in program assignments;
- ☐ Problems accessing ADA workers;
- ☐ Problems accessing ADA showers;
- ☐ Failure to accommodate deaf prisoners, especially regarding inadequate SLI access during medical appointments;
- ☐ Problems with wheelchair repairs;
- ☐ Delays in providing required durable medical equipment and supplies;
- ☐ Failure to comply with *Armstrong* accountability protocols.

Please pay particular attention to the bolded parts of this report, which include important recommendations, information, and requests. Document and information requests also appear at the end of the report.

II. CUSTODY STAFF RESPONSIBILITIES

A. Allegations of Staff Misconduct Against Prisoners with Disabilities

Plaintiffs' counsel reported multiple allegations regarding staff misconduct against prisoners with disabilities on Facility C during the last monitoring tour. Plaintiffs focused a significant amount of time during this tour investigating what action was taken in response to the prior allegations that were contained in Plaintiffs' May 2017 Tour Report. As such, Plaintiffs did not undertake an extensive investigation into the current status of staff misconduct at RJD. The fact that this report contains fewer staff misconduct allegations than the prior report should not be interpreted as an acknowledgement that those problems no longer exist.

In an effort to follow up on prior allegations, Plaintiffs convened a small meeting with key California Department of Corrections and Rehabilitation (CDCR) and institution staff to learn about steps being

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taken by CDCR to investigate allegations of staff misconduct at RJD and to make improvements. Plaintiffs' counsel learned that CDCR is in the process of taking multiple steps, including staffing changes, to address many of the problems identified in the previous report. Plaintiffs' will continue to closely monitor this serious problem.

Although Plaintiffs' did not conduct an extensive investigation of allegations of new staff misconduct during this tour, Plaintiffs nevertheless heard multiple reports regarding a staff assault that was observed in C-15. That incident, and the name of at least one witness who is willing to participate in an investigation, was shared with Associate Director Brian Duffy, the Warden, the Chief Deputy, and other key staff during the tour. Staff reported that they would investigate that allegation. As agreed during that meeting, the information will also be provided in written format, under separate letter, to the CDCR Office of Legal Affairs.

RESPONSE: Defendants received Plaintiffs' separate letter regarding the alleged staff assault that was observed in C-15. It was determined that this allegation was appropriate for referral to the processes articulated in Chapter 3, Articles 14 and 22 of CDCR's Operations Manual, rather than the *Armstrong* tour report response and non-compliance log processes. Defendants take allegations concerning staff misconduct very seriously and Plaintiff's allegations were forwarded on to be addressed through the proper channels. Defendants provided Plaintiffs' counsel with an acknowledgement letter on November 16, 2017. An attorney from the Office of Legal Affairs subsequently provided a response to these allegations on January 18, 2018. Defendants will not be providing a response to these allegations in this document.

Plaintiffs are concerned that they have not yet received any response to their prior, May 2017 Tour report and, despite steps taken by staff to address problems, Plaintiffs do not know the outcome of CDCR's investigations into Plaintiffs' staff misconduct allegations. Further, as discussed in more detail in the Accountability Section of this report below, Defendants have not complied with Court Ordered requirements for reporting on the results of these investigations in the *Armstrong* Accountability process.

Plaintiffs' request an immediate response regarding all staff misconduct allegations that were reported in Plaintiffs' April 2017 Report.

RESPONSE: Defendants have responded to the May 2017 Tour report. The parties have a fundamental disagreement about the scope of the *Armstrong* Accountability order and its requirements. Defendants do not believe that many of the allegations made by plaintiffs regarding staff misconduct must be investigated and reported through the *Armstrong* accountability and non-compliance log processes. Allegations made by non-class members and allegations not related to violations of the ADA or the Remedial Plan are appropriately processed and addressed through CDCR's staff disciplinary process, as set forth in the Department Operations Manual. (See CDCR Department Operations Manual, Chapter 3, Art. 22). This process was developed as a result of the *Madrid* litigation, in which the Prison Law Office served as Plaintiffs' counsel and, therefore, were involved in the development of CDCR's staff disciplinary process. Nonetheless, Defendants responded substantively to Plaintiffs' allegations of staff misconduct in their response to the May 2017 Tour report.

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Allegations from Prisoners listed as Number one (1) through twenty (20) have also been placed on Internal Affairs Allegation log CDCR 2140.

B. Reports of Staff Closing Cell Doors on Prisoners

Plaintiffs' counsel heard reports from prisoners in Building 4 on Facility A (*PRISONER A*; *PRISONER B*) and Building 10 on Facility B (*PRISONER C*; *PRISONER D*) that staff sometimes close cell doors on prisoners who use wheelchairs. Class members complained that staff are providing insufficient time for prisoners with disabilities to get ready to leave their cells and, as a result, prisoners are sometimes still in the doorway when staff close the doors. This problem at RJD has been reported multiple times by Plaintiffs' counsel. (*See* Plaintiffs' Tour Reports in February 2014 at 11; November 2014 at 12; March 2015 at 10; March 2016 at 25 and; September 2016 at 3.)

In addition to class member reports of this problem during interviews, it was also raised in a Reasonable Accommodation Request, [REDACTED], in which a group of elderly prisoners in Building 10 requested, among other things, that staff provide additional time to exit their cells so as not to be struck by closing doors. The appeal response inappropriately states that warnings regarding programming (e.g., chow, yard, dayroom) provided by staff "allow adequate time for inmates to prepare themselves prior to release. Yard and dayroom schedules are consistent every day so if an inmate needs more time to leave a cell, the inmates should adjust and prepare earlier. Therefore you are already afforded a reasonable amount of time to depart from your cell" This response is problematic because it appears to condone the closing of cell doors on prisoners so long as CDCR provides some warnings and operates on a set schedule. Staff at RJD should never close cell doors on prisoners, regardless of warnings and schedules. Further, as a prison that houses hundreds of prisoners in wheelchairs, many of whom take longer to exit their cells than other prisoners, RJD has an obligation under the ADA to ensure that *Armstrong* class members are reasonably accommodated with extra time, if necessary, to safely exit their cells.

Plaintiffs' counsel spoke with some housing unit staff about this issue, who all stated that it is their practice to visually confirm that each prisoner has exited his cell before giving a signal to the tower officer to close the door. The reports from class members of being closed in doorways are not consistent with the practice described by the officers. That said, if housing unit staff actually visually confirm that each prisoner is clear of the cell doorway before initiating the closure of the door, RJD could likely eliminate this problem. Plaintiffs' counsel will continue to monitor this issue.

Please investigate these allegations pursuant to the *Armstrong* Accountability protocols.*

RESPONSE: Allegations from Prisoners identified as A, B and C have been placed on the non-compliance log for month of November, 2017. Prisoner A submitted a complaint alleging he witnessed a cell door closed on Prisoner B causing injury. Prisoner B stated he was provided medical attention but could not provide a date of occurrence, or identify staff. Health Care could not locate any documentation of medically attending to Prisoner B for a door closing event or injury. There is no record of Prisoner B being seen by Health Care, there were no entries in the housing unit logs or program office logs. Staff was interviewed and stated they take precautions when opening and closing doors. The allegation was not confirmed. Prisoner C indicated he witnessed

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other inmates had doors closed on them and stated it has not occurred to him. The Allegations were not confirmed.

C. Reports of Assaults of *Armstrong* Class Members by RJD's Transportation Staff

Two prisoners reported that they were assaulted by RJD's transportation staff in the course of being transported to outside medical facilities.

- *PRISONER E* reported that on August 28, 2017, he was transported to Tri- City Medical Plaza for a cardiology follow up. He stated that, while waiting for his appointment, *OFFICER A* made an insulting comment about his commitment offense, which sparked a verbal confrontation between *OFFICER A* and *PRISONER E*. He stated that *OFFICER A* ultimately struck him while cuffed and in his wheelchair.

- *PRISONER F* claims that at some point within the last year, officers transporting him back from Alvarado Hospital failed to adequately secure him in his seat. *PRISONER F* asserts that the officers then intentionally made the vehicle swerve, launching him from his seat and causing him to injure himself. *PRISONER F* claims that the officers then mockingly asked him, "Did you hit your head?" and laughed at him. In addition, *PRISONER F* asserts that during this visit to the hospital, RJD failed to provide him with a wheelchair accessible vehicle and required him to climb up into the transportation vehicle.

Further, the DAI Accountability logs contain an additional allegation regarding staff misconduct on 5/18/17, raised by a class member, which states: "inmate alleges he was assaulted by three officers while placed at local hospital."

CDCR should investigate these reports of misconduct by transportation officers against *Armstrong* class members.* CDCR should attempt to identify whether these allegations are against the same staff members or whether there is a more general problem regarding staff assaults during transport.

RESPONSE: The allegation which speaks to inmate being assaulted by three officers while placed at local hospital was listed on DAI Accountability log on 5/18/2017. The inquiry was completed July 31, 2017. The allegation was not confirmed. Hospital nursing staff discovered inmate was snorting medication. Nursing staff requested inmate/patient be moved to a room where patient could be better monitored. Inmate resisted staff during the bed move, which required the use of force. Completion of inquiry provided staff did not violate policy.

Allegations from inmates listed as E&F have been placed on Internal Affairs Allegation log CDCR 2140. Inquiry into allegations from Prisoner E has been completed and it was determined staff did not violate procedure allegation was not confirmed. On February 8, 2017 Prisoner E was interviewed and stated Officer A came into the van attempting to strike him in the stomach with a big set of keys but Prisoner E blocked it with his hands. Prisoner E did not identify any witnesses. On April 7, 2017 Officer A was interviewed and stated that on February 8, 2017, while waiting a long period of time for Prisoner E to be seen at Tri-City Medical, Prisoner E became impatient and upset. Officer A

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stated he did not try to punch or grab Prisoner E and the only time he opened the cell was to inform Prisoner E of the status and length of time it would be to see the physician. The second transporting officer was also interviewed and stated he did not witness Officer A attempt to punch Prisoner E. The allegation was further reviewed by the Institutional Executive Review Committee on April 7, 2018 and was determined no further action was warranted.

Inquiry into allegations from Prisoner F has been completed and it was determined the allegation was not confirmed. On December 5, 2017 Prisoner F was interviewed and indicated the incident occurred a year to a year and a half ago while being transported to Alvarado Hospital. Prisoner F could not identify the staff that transported him but described a short female driver. Prisoner F is transported to outside medical on a regular basis but has not been transported to Alvarado since November 25, 2013.

D. Discrimination in Program Assignments

According to SOMS data produced by CDCR headquarters on September 27, 2017, the rate of assignments received by prisoners with disabilities at RJD is less than the rate of assignments received by those without disabilities. For example, only 55.8% of full-time wheelchair users at RJD has an assignment compared with 71.8% of prisoners without disabilities who have assignments. This table shows the rate of assignments by disability type for prisoners at RJD.

Non-	DPW	DPO	DPV	DPH
71.8%	55.8%	59.7%	45.5%	59.3%

Every impacting placement disability category listed above is assigned at lower rates than the non-Disability Placement Program (DPP) population. A closer look at the data by facility and assignment shows that the disparity is even greater on certain facilities and for certain positions. For example, on Facility C, 63% of the non-DPP population has an assignment and only 46% of wheelchair users have an assignment. Of those prisoners with assignments, only 3% of assigned wheelchair users hold the position of Porter compared to 11% of non-DPP prisoners with that position. Multiple assignments have no wheelchair users assigned including all positions in the dining room and all PIA positions.

On Facility A, 74.8% of non-DPP prisoners have an assignment compared to only 55% of wheelchair users. In the Porter position on that facility only one wheelchair user, or 3% of the wheelchair population, is assigned compared to 34 non-DPP prisoners, or 10% of the non-DPP population. The bulk of wheelchair users on Facility A are assigned to self-help and education programs, not jobs.

The numbers on Facility B are slightly better with, 68.3% of non-DPP prisoners have an assignment compared to 58.33% of wheelchair users.

It is worth noting that there are 166 assignments on the Minimum Support Facility (MSF) held by 112 non-DPP prisoners. There are no assignments given to prisoners with disabilities impacting placement. It is

Exhibit 73

Richard J. Donovan Correctional Facility (RJD)
Armstrong Monitoring Tour Report
March 18-20, 2019

I. EXECUTIVE SUMMARY

This report is based on the document production covering June 1, 2018 to February 4, 2019, interviews with class members and staff, tours of the facilities on March 18-20, 2019, and an exit interview on March 20, 2019.

While RJD's population of *Armstrong* class members has actually decreased slightly overall since Plaintiffs' counsel's last tour in October 2017, the population of class members with disabilities impacting placement has increased dramatically.

Disability	10/2/2017	3/1/2019	% Change
All	1014	975	-4%
DPW	48	95	98%
DPO	147	186	27%
DPM	255	443	74%
DPH	28	23	-18%
DPV	10	12	20%
DPS	6	8	33%
Total Impacting Placement¹	482	753	56%

RJD remains significantly out of compliance with the Americans with Disabilities Act (ADA), the Rehabilitation Act, the *Armstrong* Remedial Plan (ARP), and various court orders. The most significant concerns are:

- Serious allegations of staff misconduct against prisoners with disabilities
- Continued reports of staff closing cell doors on prisoners
- Failures to accommodate class members in job assignments
- Problems with wheelchair repairs
- Delays in providing durable medical equipment (DME) and supplies
- Problems related to inaccessible features in the DPW cells

¹ Note, Total impacting placement differs from sum of individual categories because some prisoners have more than one disability impacting placement.

- Lost and confiscated DME
- Unsafe transportation of class members in wheelchairs, including transportation within RJD and to locations outside of RJD
- Failures by the Reasonable Accommodation Panel (RAP) to provide substantive answers to all appeals
- Failures by the RAP to interview prisoners as part of the RAP process
- Failures by the RAP to properly complete the interim accommodation process and to grant interim accommodations when warranted
- Inadequate staffing of the ADA team at the institution

This tour did not include interviews with or monitoring of accommodations for DPH class members. On May 29-30, 2019, Plaintiffs' counsel will conduct a separate tour focused solely on DPH class members and RJD's provision of sign language interpreters. Plaintiffs' counsel will be issuing a separate letter regarding the DPH/SLI tour.

Please pay particular attention to the bolded parts of this report, which include important recommendations, information, and requests. Document and information requests also appear at the end of the report.

II. CUSTODY STAFF RESPONSIBILITIES

A. Staff Misconduct Impacting Class Members' Access to Disability Accommodations

Plaintiffs' counsel again heard reports from the majority prisoners interviewed on Facility C that staff harass and use excessive force and discriminate against people with disabilities. As CDCR is aware, this has been a long standing problem at RJD and has been reported by Plaintiffs' counsel in multiple prior tour reports. *See* Plaintiffs' August 2018 Report at 3; October 2017 Report at 2-4; April 2017 Report at 2-8; September 2016 Report at 11. Most recently, Plaintiffs' counsel has written advocacy letters detailing serious allegations of misconduct either experienced or witnessed by multiple class members on Facility C. Despite steps taken by CDCR to eliminate the problem, it is clear that problems persist. The majority of class members interviewed who reported misconduct will not agree to report what they have seen or experienced out of fear of retaliation by staff. Nevertheless, the allegations remain consistent and related to class members' requests for disability accommodations. For example, the following allegations were included in the 1824 document production for this monitoring period:

- [REDACTED] Mr. [REDACTED] claimed that on August 21, 2018, CO [REDACTED] at work exchange pepper sprayed him, stomped, kicked and hit him in the face and eye, then hit him with the can of pepper spray in the left eye for requesting assistance carrying a 25 lbs. box. Mr. [REDACTED] also claimed that CO F. [REDACTED] told him to “shut [his] cripple ass up.”
- [REDACTED] [REDACTED] claimed that custody officers flipped him over while he was in his wheelchair on May 7, 2018, and damaged his wheelchair. He also reported that staff took his wheelchair gloves and seat cushion in retaliation for requesting wheelchair repairs on May 22, 2018.
- [REDACTED] Mr. [REDACTED] claimed that he requested and was denied a shower by staff and then was slammed to the ground by staff as a result. Mr. [REDACTED] reported this was the second time this type of misconduct had occurred.
- [REDACTED] [REDACTED] claimed that he was housed incorrectly (in a cell without grab bars) in ASU during a layover while being transferred. Though DPM, his Medical Classification Chrono confirms that he should only be housed in cells with grab bars. He claims he brought this to the R&R Lieutenant’s attention, but was told that because he was not EOP, he could not be housed in Building 6, which is the only ASU building with grab bars. The lieutenant told him he was “ass out.” He reported that, as a result of being housed in an inaccessible cell, he fell and injured himself.

These allegations support statements made during class member interviews – that prisoners fear asking staff for accommodations due to acts of misconduct they have either witnessed or experienced. Misconduct, even if not all staff members are involved, has a significant chilling effect on all prisoners. This effect is, however, significantly more harmful to *Armstrong* class members who must, because of their disabilities, request assistance and accommodations from staff with regularity. If class members cannot obtain required disability accommodations from staff members, CDCR will be unable to comply with the ADA and the *Armstrong* Remedial Plan. Given the significance of this issue to class members at RJD, CDCR should take all steps necessary to eliminate allegations of staff misconduct and to address allegations of fear of retaliation for requesting disability accommodations.

Further, Plaintiffs’ counsel was unable to locate any of the above allegations on *Armstrong* accountability logs between May 2018 and January 2019.²

² The allegation that staff took [REDACTED] gloves and wheelchair cushion was included on the June 2018 accountability log as “not confirmed.” This allegation was not characterized as an allegation of staff retaliation. His allegation that staff flipped him out of his wheelchair was not on the log.

The accountability logs appeared to only contain one allegation of staff misconduct and retaliation for requesting disability accommodations; [REDACTED] reported in October 2018 that staff members were retaliating against him for filing an ADA complaint. According to the December 2018 DAI Accountability Log, this allegation was not confirmed and no action was taken as a result. The problem is twofold – overwhelmingly class members at RJD will not file staff misconduct allegations if, as described above, they fear retaliation. And, for the few class members such as those listed above, that do file staff misconduct or retaliation allegations, they will stop doing so if there is no incentive – if problems are not investigated for accountability purposes and serious action is not taken in response to allegations.

Please initiate accountability investigations into the allegations raised in each of the 1824s discussed above.

1. Ongoing Reports of Staff Intentionally Closing Doors on Prisoners

During the tour, there were multiple reports of staff intentionally closing cell doors on class members. This problem at RJD has been reported multiple times by Plaintiffs' counsel. *See* November 2017 Report at 3-4; September 2016 Report at 3; March 2016 Report at 25; March 2015 at 10; November 2014 Report at 12; February 2014 Report at 11. For example, [REDACTED] DPO, reported that on August 11, 2018, CO [REDACTED] purposefully closed the cell door on him, trapping him between the door and the wall for nearly five minutes. Staff did not open the door despite the fact that Mr. [REDACTED] was screaming in pain. In fact, while Mr. [REDACTED] was stuck, CO [REDACTED] told him to "Suck it in," and laughed at Mr. [REDACTED]. Mr. [REDACTED] still has a scar on his left leg from the incident.

As another example, [REDACTED] DPM, reported that on or around March 7, 2019, staff in Building 3 closed the cell door on him on him. According to Mr. [REDACTED] COs were making jokes about how long it took him to get into his cell. One of the COs announced to the entire building that the incident with Mr. [REDACTED] was responsible for delaying the upper tier's access to dayroom, placing Mr. [REDACTED] at risk of retaliation from other prisoners.

Other prisoners reported similar incidents, *see, e.g.*, [REDACTED], [REDACTED], DPW, [REDACTED] (alleging that staff trapped him in a door for 15 minutes), though some prisoners who were interviewed by Plaintiffs' counsel did not feel safe permitting the use of their name in this report. Plaintiffs' counsel also sent an advocacy letter on February 26, 2019, for a class member who reported that staff intentionally shut the door on his neck. Medical records confirm that he suffered a neck contusion and that he reported symptoms that may represent a serious emergency issue.

Allegations that staff are intentionally shutting doors on people with disabilities are extremely serious. Yet, this problem has persisted for years. **Please conduct a wholesale investigation of these allegations, including those by [REDACTED]. Please also investigate prior allegations included in Plaintiffs' monitoring reports and advocacy letters and confirm whether the allegations raised in this report and prior reports involve specific housing units and or specific officers. Please report on the results of your findings.**

B. Discrimination and Failure to Accommodate in Job Assignments

A number of previous tour reports have documented problems related to assignments for class members. *See, e.g.*, Report for October 2017 Tour at 4-5. In particular, data previously produced by CDCR indicated that there were significant disparities between the rates at which class members were assigned to jobs and education programs when compared to the assignment rates for non-class members.

According to more recent data produced by CDCR headquarters, RJD has, to some extent, reduced the statistical disparities in assignment rates. While Plaintiffs' counsel commends RJD staff for reducing the statistical disparities, there still appear to be instances where staff members have discretion to place people in assignments despite CDCR's reported policy of placing prisoners into assignments solely based on their position on computer-generated waiting lists in SOMS, without taking disabilities or physical limitations into account.³

Though a higher percentage of class members are now assigned to positions, there were a significant number of reports regarding the failure of work supervisors to accommodate class members disabilities. Many class members reported, in both interviews with Plaintiffs' counsel and 1824s, that they have been assigned to jobs that they cannot perform because of physical limitations related to their disabilities. These same class members reported that once they're assigned to jobs with duties that they cannot perform, their supervisors (a) fail to accommodate the class members' disabilities and/or (b) punish the class members for not being able to complete the job duties.

The ADA and the ARP require that RJD provide reasonable accommodations needed for class members to perform the duties of their assignments. RJD's systemic failure to provide such accommodations is a serious violation.

³ The exceptions to this reliance on the waitlist are: (1) scullery positions, to which the Inmate Assignment Lieutenant indicated he would not assign a prisoner with a chrono prohibiting work with heavy machinery and (2) PIA and IDL/IWL positions, which are hired through an interview process.

Exhibit 74

State of California

Department of Corrections and Rehabilitation

Memorandum**Date** January 24, 2020**To :** Tammy Foss
Associate Director
Reception Centers MissionRobert Herrick
Region IV Health Care Executive**Subject:** **RJD ARMSTRONG MONITORING TOUR RESPONSE –
MARCH 18-20, 2019**

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Response: The progress note dated August 24, 2018 documents [REDACTED] was seen by an RN for pain in the right rib cage, left shoulder, lower back, and left eye. [REDACTED] was instructed to continue taking the current pain medication and a PCP appointment was ordered. The consult notes dated August 31, 2018 documents a chest x-ray was ordered as well as an optometry consult for a benign exam. The x-ray results dated September 6, 2018 documents there were no significant changes. On September 20, 2018, [REDACTED] saw an optometrist and was evaluated for eye damage. The results indicated there was no clear eye damage, but some eye irritation was noticeable. The 7536 dated September 20, 2018 documents [REDACTED] received glasses to help with

vision corrections. RAP received the 1824 on October 9, 2018. The allegation was documented on the use of force incident log #RJD-CYD- [REDACTED] which was reviewed by the IERC. The allegation was also documented on the staff complaint log #RJD-C- [REDACTED] and was addressed via the Staff Complaint process. Due to the allegations overlapping conduct violations, the issue was processed once.

[REDACTED] filed a staff complaint associated with the allegations he was making. [REDACTED] complaint was responded to at the second level response, and was notified that staff did not violate CDCR policy with respect to the issues raised in the complaint.

- [REDACTED] Mr. [REDACTED] claimed that custody officers flipped him over while he was in his wheelchair on May 7, 2018, and damaged his wheelchair. He also reported that staff took his wheelchair gloves and seat cushion in retaliation for requesting wheelchair repairs on May 22, 2018.
- **Response:** On May 10, 2018, the RN saw [REDACTED] after he submitted a 7362 about the incident. [REDACTED] claimed there were visual marks, swelling, and bleeding on the left side as well as having a headache and nausea. The RN consult notes document [REDACTED] was given medication for the pain as well as got an evaluation for any redness, swelling, hotness, or discharge. The RN documented there was a 1cm long superficial laceration on the outer left eyebrow but no swelling or redness. In regards to wheelchair gloves, there is no indication from medical stating that they were taken due to [REDACTED] refusing all medical appointments on May 22, 2018. RAP received the 1824 on May 23, 2018 and the response indicated the incident was added to the non-compliance log. The issue was closed on June 2018 as "not confirmed." Additionally, [REDACTED] filed an appeal making the same allegations on appeal log #RJD- [REDACTED] and the appeal was partially granted in that he was issued a Wheelchair (8/27/18), gloves (7/17/18) and referred to HC to issue a wheelchair cushion. [REDACTED] lost the wheelchair gloves during the transfer to CHCF. When [REDACTED] transferred back to RJD after being at CHCF from May 24, 2018 to June 9, 2018, he received new wheelchair gloves on July 17, 2018 as documented on the 7536. The 7536 dated March 26, 2019, documents [REDACTED] received a wheelchair cushion at SVSP. Healthcare typically issues wheelchair gloves and cushion as a unit when the wheelchair is issued.
- [REDACTED] Mr. [REDACTED] claimed that he requested and was denied a shower by staff and then was slammed to the ground by staff as a result. Mr. [REDACTED] reported this was the second time this type of misconduct had occurred.

Response: RAP received the 1824 on June 5, 2018, which indicated that this incident was processed on the staff complaint log #RJD-B- [REDACTED] and was addressed via the staff complaint process. Due to the allegations overlapping, conduct violations, the issue was processed once. RAP created an order for [REDACTED]

to be evaluated by the PCP, but he refused to be seen by the PCP on June 7, 2018 as documented on the 7225.

- [REDACTED] Mr. [REDACTED] claimed that he was housed incorrectly (in a cell without grab bars) in ASU during a layover while being transferred. Though DPM, his Medical Classification Chrono confirms that he should only be housed in cells with grab bars. He claims he brought this to the R&R Lieutenant's attention, but was told that because he was not EOP, he could not be housed in Building 6, which is the only ASU building with grab bars. The lieutenant told him he was "ass out." He reported that, as a result of being housed in an inaccessible cell, he fell and injured himself.

Response: [REDACTED] had "bars on wall beside toilet" in Medical Classification Chrono since July 12, 2016 and subsequent Medical Classification Chronos; however, required accommodation is not noted on the most recent 1845/7410 dated March 10, 2017. Initial Housing Review (IHR) was completed on June 12, 2018 but Health Information populated on IHR does not reveal comments. [REDACTED] was seen on June 22, 2018 by the RN for an unwitnessed fall in cell. A 7536 documents [REDACTED] received a wrist support brace dated June 22, 2018. In addition, [REDACTED] was given pain medicine and patient education for wrist sprain/pain. The 602 that Health Care Grievance received on August 1, 2018, was reviewed and forwarded to the Americans with Disability Act Coordinator on August 3, 2018, and was converted to an 1824 when received by RAP on August 20, 2018. A gap exists in the time between the healthcare grievance being forward to the IAC and it being addressed by the RAP, it has not been determined why the lapse in time occurred. The allegation of being inappropriately housed in the ASU was addressed pursuant to Armstrong accountability protocol on 8/23/2019 where the violation was confirmed and training was recommended.

These allegations support statements made during class member interviews – that prisoners fear asking staff for accommodations due to acts of misconduct they have either witnessed or experienced. Misconduct, even if not all staff members are involved, has a significant chilling effect on all prisoners. This effect is, however, significantly more harmful to *Armstrong* class members who must, because of their disabilities, request assistance and accommodations from staff with regularity. If class members cannot obtain required disability accommodations from staff members, CDCR will be unable to comply with the ADA and the *Armstrong* Remedial Plan. Given the significance of this issue to class members at RJD, CDCR should take all steps necessary to eliminate allegations of staff misconduct and to address allegations of fear of retaliation for requesting disability accommodations.

Further, Plaintiffs' counsel was unable to locate any of the above allegations on *Armstrong* accountability logs between May 2018 and January 2019.²

The accountability logs appeared to only contain one allegation of staff misconduct and retaliation for requesting disability accommodations; [REDACTED] reported in October 2018 that staff members were retaliating against him for filing an ADA complaint. According to the December 2018 DAI Accountability Log, this allegation was not confirmed and no action was taken as a result. The problem is twofold – overwhelmingly class members at RJD will not file staff misconduct allegations if, as described above, they fear retaliation. And, for the few class members such as those listed above, that do file staff misconduct or retaliation allegations, they will stop doing so if there is no incentive – if problems are not investigated for accountability purposes and serious action is not taken in response to allegations.

Please initiate accountability investigations into the allegations raised in each of the 1824s discussed above.

Response: The above noted allegations were placed on RJD's June 2018 Allegation of Non-Compliance Log. The allegation inquiry was completed, not confirmed and no action was taken. .

1. Ongoing Reports of Staff Intentionally Closing Doors on Prisoners

During the tour, there were multiple reports of staff intentionally closing cell doors on class members. This problem at RJD has been reported multiple times by Plaintiffs' counsel. *See* November 2017 Report at 3-4; September 2016 Report at 3; March 2016 Report at 25; March 2015 at 10; November 2014 Report at 12; February 2014 Report at 11. For example, [REDACTED] reported that on August 11, 2018, [REDACTED] purposefully closed the cell door on him, trapping him between the door and the wall for nearly five minutes. Staff did not open the door despite the fact that [REDACTED] was screaming in pain. In fact, while [REDACTED] was stuck, [REDACTED] told him to "Suck it in," and laughed at [REDACTED] [REDACTED] still has a scar on his left leg from the incident.

Response: [REDACTED] has been housed in A-05-[REDACTED] since September 17, 2017. The consult notes dated August 16, 2018 documents [REDACTED] saw the RN for lower back discomfort and bilateral shoulder discomfort due to the cell door closing on him on August 11, 2018. [REDACTED] got a spine and shoulder x-ray on August 23, 2018 where the images indicated there were no significant abnormalities. The above noted allegation was placed on RJD's June 2019 Allegation of Non-Compliance Log. The allegation was reviewed through the non-compliance process, was not confirmed and no action was taken. The

inquiry noted that the alleged staff was not at work on the date and time alleged the misbehavior occurred.

² The allegation that staff took Mr. [REDACTED] gloves and wheelchair cushion was included on the June 2018 accountability log as “not confirmed.” This allegation was not characterized as an allegation of staff retaliation. His allegation that staff flipped him out of his wheelchair was not on the log.

Response: [REDACTED] raised issue to Second Level Review (SLR) due to appealed RAP response. The SLR was submitted on August 6, 2018 and received on August 8, 2018. [REDACTED] was interviewed on September 18, 2018 and the SLR was completed on September 20, 2018 as “Partially Granted.” Use of force concerns were noted and addressed in the SLR and cited as “denied.” This appeal and response did not address the issues surrounding the use of force. All use of force issues surrounding this incident were addressed as part of the use of force protocols.

As another example, [REDACTED], DPM, reported that on or around March 7, 2019, staff in Building 3 closed the cell door on him. According to Mr. [REDACTED], COs were making jokes about how long it took him to get into his cell. One of the COs announced to the entire building that the incident with [REDACTED] was responsible for delaying the upper tier's access to dayroom, placing [REDACTED] at risk of retaliation from other prisoners.

Response: [REDACTED] has been housed in [REDACTED] since December 9, 2016. A review of records does not reflect any documented allegations by [REDACTED] in relation to these allegations. The allegation made by [REDACTED] was addressed via the Non-compliance process, was not confirmed and no action was taken.

Other prisoners reported similar incidents, *see, e.g.*, [REDACTED] (alleging that staff trapped him in a door for 15 minutes), though some prisoners who were interviewed by Plaintiffs' counsel did not feel safe permitting the use of their name in this report. Plaintiffs' counsel also sent an advocacy letter on February 26, 2019, for a class member who reported that staff intentionally shut the door on his neck. Medical records confirm that he suffered a neck contusion and that he reported symptoms that may represent a serious emergency issue.

Response: Plaintiffs' allegation dated February 26, 2019 has been assigned to an attorney from CDCR's Office of Legal Affairs and will not be responded to here.

Allegations that staff are intentionally shutting doors on people with disabilities are extremely serious. Yet, this problem has persisted for years. **Please conduct a wholesale investigation of these allegations, including those by [REDACTED] and [REDACTED]. Please also investigate prior allegations included in Plaintiffs' monitoring reports and advocacy letters and confirm whether the allegations raised in this report and prior reports involve specific housing units and or specific officers. Please report on the results of your findings.**

Response: The above noted allegations were placed on RJD's June 2019 Allegation of Non-Compliance Log. The Allegation made by [REDACTED] found not confirmed and no action was taken. Allegation made by [REDACTED] was found not confirmed and no action taken. .

B. Discrimination and Failure to Accommodate in Job Assignments

A number of previous tour reports have documented problems related to assignments for class members. *See, e.g.*, Report for October 2017 Tour at 4-5. In particular, data previously produced by CDCR indicated that there were significant disparities between the rates at which class members were assigned to jobs and education programs when compared to the assignment rates for non-class members.

Exhibit 75

DISABILITY PLACEMENT PROGRAM (DPP) - ARMSTRONG
ALLEGATION OF NON COMPLIANCE LOG
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

Institution; DAI; DAPO; Region; BPH; Unit	A of C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegatio ns	Date Inquiry Initiated	Name & Title of Person conducting inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referr al to OIA (Yes/N o)
HDSP	A	8/30/2016		It is alleged that the inmate is being denied access to the shower after he has had an accident.			9891 HDSP	0	8/31/2016		9/30/2016	Confirmed	LOI	No
HDSP	A	8/30/2016		It is alleged that the inmate is being denied access to the shower after he has had an accident.			0703 HDSP	0	8/31/2016		9/30/2016	Confirmed	LOI	No
HDSP	A	9/12/2016		It is alleged that inmate [REDACTED] was not released for his meal.			Unknown		9/15/2016		Pending			
HDSP	A	9/14/2016		It is alleged that Inmate [REDACTED] was denied a daily ADA shower.			2026 HDSP	0	9/23/2016		Pending			
HDSP	A	9/19/2016		It is alleged that inmate [REDACTED] was discriminated against by being unassigned from his work assignment.			2359 HDSP	0	9/23/2016		Pending			
HDSP	A	9/19/2016		It is alleged that inmate [REDACTED] was discriminated against by being unassigned from his work assignment.			0856 HDSP	0	9/23/2016		Pending			
HDSP	A	9/28/2016		It is alleged that HDSP inappropriately transferred inmate [REDACTED] to CCI which is not a designated institution.			Unknown		9/30/2016		Pending			
ISP	A	9/29/2016		Inmate arrived without DMEs.								Referred to CIM		
KVSP	A	8/18/2016		Alleged assault by Staff			5518 KVSP	0	8/19/2016		Pending			
KVSP	A	8/18/2016		Denial of medical appointments by Staff			7094 KVSP	1	8/23/2016		9/20/2016	Not Confirmed	No Action	No
KVSP	A	8/18/2016		Denial of medical appointments by Staff			5624 KVSP	0	8/23/2016		9/20/2016	Not Confirmed	No Action	No
LAC	A	8/31/2016		Inmate transferred to CHCF without DME (cane).			5944 LAC	0	9/6/2016		9/15/2016	Confirmed	Training	No
LAC	A	9/6/2016		Inmate was incorrectly housed on upper floor when he had a housing restriction of ground floor.			7885 LAC	0	9/6/2016		9/19/2016	Confirmed	Training	No
MCSP	A	9/30/2016		Armstrong inmate inappropriately transported			Unknown		Pending					
MCSP	A	9/27/2016		Inmate transferred without a prescribed brace			Unknown		Pending					
MCSP	A	9/27/2016		Inmate was moved to ASU without his AdTec Boots and Orthotics			Unknown		Pending					
MCSP	A	9/13/2016		Inmate is missing his bilateral wrist splints (ASU)			Unknown		9/13/2016		Pending			
NKSP	A	9/7/2016		I/M reported to Sign Language Interpreter that after having a seizure the evening of 9/6/16, he went to TTA. The I/M alleges his primary method of communication was not utilized via VRI or on-site interpreter.								Referred to CEO		
NKSP	A	9/15/2016		I/M arrived to CEN on 8/8/15 from NKSP. The Durable Medical Equipment a cane was not documented in SOMS correctly. This allegation was discovered by CEN during an inquiry on a separate allegation.			0842 NKSP	0	9/22/2016		9/28/2016	Not Confirmed	No Action	No
NKSP	A	9/23/2016		I/M claims that when he returned from an outside medical appointment on 9/12/16, he was seen by medical staff without an interpreter. I/M primary method of Effective Communication is American Sign Language.								Referred to CEO		
PBSP	A	9/28/2016		Inmate transferred from PBSP without appliances			Unknown		9/28/2016		Pending			
PBSP	A	9/28/2016		Inmate arrived to PBSP without appliances								Referred to CSP SAC ADA Coordinator		
PVSP	A	8/8/2016		Inmate alleges staff misconduct.			9548 PVSP	2	8/12/2016		Pending			
PVSP	A	8/22/2016		Staff failed to document DPP Disability			1911 PVSP	3	8/24/2016		9/20/2016	Confirmed	Training	No
PVSP	A	8/22/2016		Staff failed to accurately document the DPP Disability designation on the CDCR 611 dated 5/16/2016			4632 PVSP	4	8/24/2016		9/6/2016	Confirmed	Training	No
PVSP	A	8/22/2016		Staff failed to document hearing aids on 128G dated 12/2/2015			6311 PVSP	4	8/24/2016		9/20/2016	Confirmed	Training	No
PVSP	A	8/22/2016		Inmate claims he was denied access to programs while housed in the CTC			Unknown		8/24/2016		9/13/2016	Not Confirmed	No Action	No
PVSP	A	8/23/2016		Inmate alleges staff misconduct.			1601 PVSP	1	8/24/2016		9/26/2016	Not Confirmed	No Action	No
PVSP	A	8/25/2016		Staff failed to establish communication			6636 PVSP	0	8/25/2016		9/20/2016	Confirmed	Training	No
PVSP	A	8/26/2016		Inmate alleges staff misconduct.			9446 PVSP	0	8/31/2016		Pending			
PVSP	A	9/6/2016		Inmate claims staff took his knee sleeves.			0815 PVSP	0	9/7/2016		Pending			
PVSP	A	9/26/2016		Inmate claims staff misconduct.			6881 PVSP	1	Pending					
RJD	A	8/11/2016		Inmate was received at CHCF from RJD, without Mattress-Pressure reducing support surface and missing back brace functional parts.			Unknown		8/11/2016		Pending			
RJD	A	8/11/2016		Inmate alleges ASU staff seized his sunglasses required for severe glaucoma, causing him pain and discomfort.			Unknown		8/11/2016		9/19/2016	Not Confirmed	No Action	No
RJD	A	8/18/2016		Inmate alleges Health Care and Custody staff are conspiring to harass him.			6543 RJD	0	8/22/2016		Pending			

DISABILITY PLACEMENT PROGRAM (DPP) - ARMSTRONG
ALLEGATION OF NON COMPLIANCE LOG
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

Institution; DAI; DAPO; Region; BPH; Unit	A of C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person conducting inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	8/18/2016		Inmate alleges Health Care and Custody staff are conspiring to harass him.			0076 RJD	0	8/22/2016		Pending			
RJD	A	8/29/2016		Inmate alleges he transferred to SVSP without his assistive DME/compression stockings/Brace			Unknown		9/6/2016		09/22/2016	Not Confirmed	No Action	No
RJD	A	7/7/2016		Inmate claims Facility C staff removed his pocket talker during cell search.			Unknown		7/7/2016		8/8/2016	Not Confirmed	No Action	No
RJD	A	8/30/2016		Inmate alleges he transferred to CHCF without his assistive device			Unknown		9/6/2016		Pending			
RJD	A	8/12/2016		Inmate alleges he transferred to SATF without his hearing aids								Referred to RJD Healthcare		
RJD	A	9/19/2016		Evaluate for medically disabled A1A status per AMT report 5-5-16								Referred to RJD Healthcare		
RJD	A	9/19/2016		TDD access in the CTC per AMT report 5-5-16			Unknown		Pending					
RJD	A	9/19/2016		DVP not conducted, RAP 15-3634 per AMT report 5-5-16								Referred to RJD Healthcare		
RJD	A	9/19/2016		RAP relied on future action 13-3218 per AMT report 5-5-16			Unknown		Pending					
RJD	A	9/19/2016		DPW but no wheelchair listed in DECS per AMT report 11-17-15								Referred to RJD Healthcare		
RJD	A	9/19/2016		DPW, but no wheelchair accessible housing listed in DECS per AMT report 11-17-15			Unknown		Pending					
RJD	A	9/19/2016		DPO Wheelchair not listed in DECS per AMT report 11-17-15								Referred to RJD Healthcare		
RJD	A	9/19/2016		DPO but no wheelchair listed as healthcare appliance per AMT report 11-17-15								Referred to RJD Healthcare		
RJD	A	9/14/2016		Inmate alleges he transferred without his ankle brace			Unknown		9/19/2016		Pending			
RJD	A	9/21/2016		Inmate alleges he transferred without his walker and mobility vest			Unknown		9/21/2016		Pending			
RJD	A	9/9/2016		Inmate filed an 1824 at SATF alleging RJD staff did not provide effective communication			Unknown		9/16/2016		Pending			
RJD	A	9/19/2016		Inmate transferred to RJD without his eye glasses								Referred to NKSP		
RJD	A	9/1/2016		Inmate alleges he was taken to the hospital on August 22, 2016; however, the vehicle did not have a lift			Unknown		9/6/2016		Pending			
RJD	A	9/22/2016		Inmate alleges ASU Staff lost his hearing aids.			Unknown		9/28/2016		Pending			
RJD	A	9/8/2016		Inmate alleges the ADA water fountain in housing unit 15 has been inoperable for nearly a year.			Unknown		9/16/2016		Pending			
RJD	A	9/8/2016		Inmate alleges he requires assistance with reading and writing; however, staff and the IDAP workers are always busy.			Unknown		9/16/2016		Pending			
RJD	A	9/1/2016		Inmate alleges he did not eat breakfast on 8-10-16 in the dining hall because staff were sitting at the wheelchair accessible table.			Unknown		9/6/2016		Pending			
RJD	A	9/8/2016		Inmate alleges he was transported on 8-31-16 without a vehicle with a lift.			Unknown		9/16/2016		Pending			
RJD	A	9/29/2016		Inmate alleges he was transported without a vehicle with a lift.			Unknown		Pending					
RJD	A	9/29/2016		Inmate alleges staff failed to communicate with him through written notes.			Unknown		Pending					
RJD	A	9/29/2016		Inmate alleges staff attempted to transport him in a vehicle without a transport lift; however, he refused to go.			Unknown		Pending					
RJD	A	9/30/2016		Inmate was designated as a DPO on 3-25-16; however, was not issued a wheelchair.								Referred to RJD Healthcare		
RJD	A	9/30/2016		Inmate arrived at RJD without his contact lens.								Referred to SATF		
SAC	A	8/30/2016		Transferred to CMF without DME.			Unknown		8/31/2016		9/8/2016	Confirmed	No Action	No
SAC	A	8/29/2016		Transferred to SVSP without DME			Unknown		8/29/2016		9/29/2016	Confirmed	Training	No
SAC	A	7/8/2016		Excessive force, denied food.			Unknown		7/8/2016		Pending			
SAC	A	7/8/2016		Excessive force			Unknown		7/8/2016		Pending			
SAC	A	7/8/2016		Verbal taunting and physical abuse			Unknown		7/8/2016		Pending			

DISABILITY PLACEMENT PROGRAM (DPP) - ARMSTRONG
ALLEGATION OF NON COMPLIANCE LOG
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Name	Employee Identifier	# of Prior Allega tions	Date Inquiry Initiated	Name & Title of Person conducting inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referra l to OIA (Yes/N o)
LAC	A	10/26/2016		Inmate was transferred to SVSP without all DME (oxygen concentrator/hearing impaired vest).			Unknown	Unknown		10/28/2016		Pending			
LAC	A	10/26/2016		Inmate was transferred to SVSP without all DME (oxygen concentrator/hearing impaired vest).			Unknown	Unknown		10/28/2016		Pending			
MCSP	A	9/13/2016		Inmate is missing his bilateral wrist splints (ASU)			Unknown	Unknown		9/23/2016		10/13/2016	Confirmed	No Action	No
MCSP	A	9/30/2016		Armstrong inmate inappropriately transported			C/O [REDACTED]	1545 MCSP	0	9/30/2016		10/12/2016	Confirmed	Verbal Counseling	No
MCSP	A	9/27/2016		Inmate transferred without a prescribed brace			Unknown	Unknown		10/7/2016		10/25/2016	Not Confirmed	No Action	No
MCSP	A	9/27/2016		Inmate was moved to ASU without his AdTec Boots and Orthotics			Unknown	Unknown		10/4/2016		10/13/2016	Confirmed	No Action	No
MCSP	A	10/3/2016		Inmate transferred from MHC to CHCF without prescribed glasses and hearing aid.			Unknown	Unknown		10/7/2016		Pending			
MCSP	A	10/17/2016		Inmate is DLT Ground Floor - limited stairs and is currently housed on upper tier			Unknown	Unknown		10/21/2016		Pending			
MCSP	A	10/17/2016		Inmate is DLT Ground Floor - limited stairs and is currently housed on upper tier			Unknown	Unknown		10/21/2016		Pending			
NKSP	A	10/17/2016		I/M had an appointment at 11:00 am on 10/17/16 for flu shot. I/M was given flu shot at 10:35 am without using the American Sign Language Interpreter.									Referred to CEO		
NKSP	A	10/27/2016		I/M stated on his CDCR 1824 Log # NKSP- [REDACTED] he was not provided a Sign Language Interpreter during R&R process. I/M primary method of Effective Communication is ASL.			Unknown	Unknown		10/27/2016		Pending			
NKSP	A	10/27/2016		I/M stated on his CDCR 1824 Log # NKSP- [REDACTED] is not being provided accurate dayroom hours. I/M was granted extended stay privileges on January 25, 2016.			Unknown	Unknown		10/27/2016		Pending			
NKSP	A	10/31/2016		I/M arrived from LAC to NKSP on 10/05/16 without his Durable Medical Equipment crutches.									Referred to [REDACTED] 10/31/16		
PBSP	A	10/19/2016		Failure to document disability			[REDACTED]	5202 PBSP	0	10/19/2016		10/27/2016	Confirmed	Training	No
PBSP	A	9/28/2016		Inmate transferred from PBSP without appliances			Unknown	Unknown		9/28/2016		10/4/2016	Confirmed	Training	No
PVSP	A	8/8/2016		Inmate alleges staff misconduct.			[REDACTED]	9548 PVSP	2	8/12/2016		10/13/2016	Not Confirmed	No Action	No
PVSP	A	8/26/2016		Inmate alleges staff misconduct.			[REDACTED]	9446 PVSP	0	8/31/2016		10/13/2016	Not Confirmed	No Action	No
PVSP	A	9/6/2016		Inmate claims staff took his knee sleeves.			[REDACTED]	0815 PVSP	0	9/7/2016		10/18/2016	Not Confirmed	No Action	No
PVSP	A	9/26/2016		Inmate claims staff misconduct.			[REDACTED]	6881 PVSP	1	10/4/2016		10/13/2016	Not Confirmed	No Action	No
PVSP	A	10/20/2016		Transferring inmate without Health Care Appliance			Unknown	Unknown		10/24/2016		Pending			
RJD	A	8/11/2016		Inmate was received at CHCF from RJD, without Mattress-Pressure reducing support surface and missing back brace functional parts.			Unknown	Unknown		8/11/2016		10/24/2016	Not Confirmed	No Action	No

DISABILITY PLACEMENT PROGRAM (DPP) - ARMSTRONG
ALLEGATION OF NON COMPLIANCE LOG
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Name	Employee Identifier	# of Prior Allega tions	Date Inquiry Initiated	Name & Title of Person conducting inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referra l to OIA (Yes/N o)
RJD	A	8/18/2016		Inmate alleges Health Care and Custody staff are conspiring to harass him.				6543 RJD	0	8/22/2016		10/24/2016	Not Confirmed	No Action	No
RJD	A	8/18/2016		Inmate alleges Health Care and Custody staff are conspiring to harass him.				0076 RJD	0	8/22/2016		10/24/2016	Not Confirmed	No Action	No
RJD	A	8/30/2016		Inmate alleges he transferred to CHCF without his assistive device				Unknown		9/6/2016		10/12/2016	Not Confirmed	No Action	No
RJD	A	9/19/2016		TDD access in the CTC per AMT report 5-5-16				Unknown		10/12/2016		Pending			
RJD	A	9/19/2016		RAP relied on future action 13-3218 per AMT report 5-5-16				7788 RJD	0	10/12/2016		Pending			
RJD	A	9/19/2016		DPW, but no wheelchair accessible housing listed in DECS per AMT report 11-17-15				Unknown		9/19/2016		9/20/2016	Not Confirmed	No Action	No
RJD	A	9/14/2016		Inmate alleges he transferred without his ankle brace				9159 RJD	0	9/19/2016		10/29/2016	Confirmed	No Action	No
RJD	A	9/14/2016		Inmate alleges he transferred without his ankle brace				9454 RJD	0	9/19/2016		10/29/2016	Confirmed	No Action	No
RJD	A	9/21/2016		Inmate alleges he transferred without his walker and mobility vest				Unknown		9/21/2016		10/17/2016	Confirmed	Training	No
RJD	A	9/9/2016		Inmate filed an 1824 at SATF alleging RJD staff did not provide effective communication				1214 RJD	0	9/16/2016		10/12/2016	Not Confirmed	No Action	No
RJD	A	9/1/2016		Inmate alleges he was taken to the hospital on August 22, 2016; however, the vehicle did not have a lift.				6222 RJD	0	9/6/2016		10/10/2016	Confirmed	No Action	No
RJD	A	9/22/2016		Inmate alleges ASU Staff lost his hearing aids.				Unknown		9/28/2016		10/7/2016	Confirmed	No Action	No
RJD	A	9/8/2016		Inmate alleges the ADA water fountain in housing unit 15 has been inoperable for nearly a year.				Unknown		9/16/2016		10/10/2016	Not Confirmed	No Action	No
RJD	A	9/8/2016		Inmate alleges he requires assistance with reading and writing; however, staff and the IDAP workers are always busy.				Unknown		9/16/2016		10/11/2016	Not Confirmed	No Action	No
RJD	A	9/1/2016		Inmate alleges he did not eat breakfast on 8-10-16 in the dining hall because staff were sitting at the wheelchair accessible table.				Unknown		9/6/2016		10/14/2016	Not Confirmed	No Action	No
RJD	A	9/8/2016		Inmate alleges he was transported on 8-31-16 without a vehicle with a lift.				2715 RJD	0	9/16/2016		10/24/2016	Confirmed	Training	No
RJD	A	9/29/2016		Inmate alleges he was transported without a vehicle with a lift.				Unknown		10/3/2016		Pending			
RJD	A	9/29/2016		Inmate alleges staff failed to communicate with him through written notes.				3000 RJD	0	10/3/2016		10/17/2016	Pending		
RJD	A	9/29/2016		Inmate alleges staff attempted to transport him in a vehicle without a transport lift; however, he refused to go.				6478 RJD	0	10/3/2016		10/31/2016	Confirmed	Training	No
RJD	A	9/29/2016		Inmate alleges staff attempted to transport him in a vehicle without a transport lift; however, he refused to go.				7469 RJD	0	10/3/2016		10/31/2016	Confirmed	Training	No

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RJD	A	10/3/2016		Inmate alleges he was transferred to CHCF and was not in possession of his prescribed DME of hearing aids, hearing impaired vest and pocket talker.				0615 RJD	0	10/11/2016		10/7/2016	Confirmed	No Action	No
RJD	A	10/3/2016		Inmate alleges he was transferred to CHCF and was not in possession of his prescribed DME of hearing aids, hearing impaired vest and pocket talker.				9432 RJD	0	10/11/2016		10/7/2016	Confirmed	No Action	No
RJD	A	10/3/2016		Inmate alleges he was transferred to CHCF and was not in possession of his prescribed DME of hearing aids, hearing impaired vest and pocket talker.				9454 RJD	0	10/11/2016		10/7/2016	Confirmed	No Action	No
RJD	A	10/3/2016		Inmate alleges staff lost his orthopedic shoes and transferred him without them.				0207 RJD	0	10/11/2016		10/22/2016	Confirmed	Training	No
RJD	A	10/3/2016		Inmate alleges staff lost his orthopedic shoes and transferred him without them.				4880 RJD	0	10/11/2016		10/22/2016	Confirmed	Training	No
RJD	A	10/5/2016		Reported via LAC 1824 Log# [REDACTED] Inmate alleges staff at RJD threatened him.				5101 RJD	0	10/14/2016		Pending			
RJD	A	10/5/2016		Inmate arrived to RJD from SATF without his contact lenses.									Referred to SATF		
RJD	A	10/6/2016		Initial Housing Review was not completed upon arrival to RJD				3605 RJD	1	10/11/2016		10/26/2016	Confirmed	Training	No
RJD	A	10/6/2016		Inmate arrived to RJD from DVI without his hearing impaired vest									Referred to DVI		
RJD	A	10/13/2016		Inmate alleges he returned to facility A from the hospital without his prescribed DME of ortho shoes and walkers				Unknown		10/17/2016		Pending			
RJD	A	10/13/2016		Inmate alleges he was placed in ASU and staff did not utilize EC (SLI)				3299 RJD	0	10/13/2016		10/24/2016	Confirmed	Training	No
RJD	A	10/24/2016		Inmate alleges he transferred without his brace/knee/ankle/foot orthoses.									Referred to RJD-HC		
RJD	A	10/27/2016		Inmate claims that his ABE class starts at 12:00; however, teacher does not allow him to go to school until later (1230) because he requires the VRL.				8/12/1915	0	10/27/2016		Pending			
RJD	A	10/27/2016		Inmate alleges staff denied him access and participation to breakfast and lunch				1495 RJD	0	10/27/2016		Pending			
SAC	A	7/8/2016		Excessive force, denied food.				Unknown		7/8/2016			Referred to OIA		Yes
SAC	A	7/8/2016		Excessive force				Unknown		7/8/2016			Referred to OIA		Yes
SAC	A	7/8/2016		Verbal taunting and physical abuse				Unknown		7/8/2016			Referred to OIA		Yes
SAC	A	10/7/2016		Departed SVSP with DME. Arrived at SAC without DME.									Referred to DAI Transportation		
SAC	A	10/7/2016		Arrived at SAC from CMF without DME									Referred to CMF		
SAC	A	10/10/2016		Arrived at SAC from CIM without DME									Referred to CIM		
SAC	A	10/11/2016		Arrived at SAC from CMC without DME									Referred to CMC		
SAC	A	10/12/2016		Staff did not allow ADA assistnace.				7565 SAC	0	10/12/2016		10/30/2016	Not Confirmed	No Action	No
SAC	A	10/13/2016		Arrived at SAC from SATF without DME									Referred to SATF		
SAC	A	10/13/2016		Staff escorted without ADA accomidation				7877 SAC	0	10/14/2016		10/14/2016	Not Confirmed	No Action	No

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NKSP	A	10/27/2016		I/M stated on his CDCR 1824 Log # NKSP- [REDACTED], is not being provided accurate dayroom hours. I/M was granted extended stay privileges on January 25, 2016.			Unknown		10/27/2016		11/21/2016	Not Confirmed	No Action	No
NKSP	A	11/1/2016		I/M is designated as DPH and primary method of communication is American Sign Language. I/M claims that on 10/31/16, at 1630 hours, after an offsite medical appt., he was evaluated by TTA nursing staff without the use of his primary communication ASL. I/M claims written notes were utilized.								Referred to CEO, 11/1/16		
NKSP	A	11/3/2016		I/M transferred to RJD on 9/16/16 a overlay at CIM on 9/15/16 from NKSP on 9/15/16. I/M transferred to RJD without his eye glasses.			Unknown		11/10/2016		11/23/2016	Not Confirmed	No Action	No
NKSP	A	11/8/2016		I/M transferred to CMC on 11/7/16 from NKSP without his Durable Medical Equipment his shoes.			Unknown		11/10/2016		11/30/2016	Not Confirmed	No Action	No
NKSP	A	11/14/2016		I/M stated on his CDCR 1824 Log # NKSP- [REDACTED], on 9/19/16 a C/O took my medical appliance orthopedic shoes due to I/M having several regular shoes."			Unknown		11/14/2016		11/28/2016	Not Confirmed	No Action	No
NKSP	A	11/23/2016		I/M stated on his CDCR 1824 Log # NKSP- [REDACTED], is being refused his phone calls by CO's. I/M was granted extended stay privileges on October 17, 2016.			Unknown		11/23/2016		Pending			
NKSP	A	11/28/2016		I/M transferred to SVSP on 11/22/16 from NKSP without his Durable Medical Equipment his wheelchair.			Unknown		11/28/2016		Pending			
PBSP	A											None		
PVSP	A	10/20/2016		Transferring inmate without Health Care Appliance			1595 PVSP	0	10/24/2016		11/14/2016	Not Confirmed	No Action	No
PVSP	A	10/20/2016		Transferring inmate without Health Care Appliance			9464 PVSP	0	10/24/2016		11/14/2016	Not Confirmed	No Action	No
PVSP	A	11/7/2016		Inmate claims staff misconduct.			Unknown		11/8/2016		Pending			
PVSP	A	11/10/2016		Inmate inappropriate housed			4888 PVSP	0	11/14/2016		Pending			
PVSP	A	11/14/2016		Inmate claims staff misconduct.			0449 PVSP	2	11/17/2016		Pending			
RJD	A	11/3/2016		Inmate was transported via special transport without his DME (Orthotic Shoes)			Unknown		11/11/2016		Pending			
RJD	A	9/29/2016		Inmate alleges he was transported in vehicle not equiped with wheelchair lift.			Unknown		10/3/2016		Pending			
RJD	A	11/23/2016		Inmate claims he left right knee brace and compression stocking at NKSP. He also claims his Ortho shoes have not been issued.								Referred to NKSP		
RJD	A	11/23/2016		Inmate claims he returned his oxygen concentrator to CTC medical staff at SOL.								Referred to SOL		

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RJD	A	9/19/2016	Email from CAMU Headquarters indicating a referral from RJD HC	TDD access in the CTC per AMT report 5-5-16			Unknown		10/12/2016		11/4/2016	Not Confirmed	No Action	No
RJD	A	9/19/2016	Email from CAMU Headquarters indicating a referral from RJD HC	RAP relied on future action 13-3218 per AMT report 5-5-16			7788 RJD	1	10/12/2016		11/8/2016	Not Confirmed	No Action	No
RJD	A	10/5/2016	CAMU Email	Reported via LAC 1824 Log# [REDACTED] Inmate alleges staff at RJD threatened him			5101 RJD	1	10/14/2016		11/2/2016	Not Confirmed	No Action	No
RJD	A	10/13/2016	1824 LOG #16-4085	Inmate alleges he returned to facility A from hospital without his prescribed DME of ortho shoes and walker			Unknown		10/17/2016		11/30/2016	Not Confirmed	No Action	No
RJD	A	10/27/2016	1824 LOG #16-4246	Inmate claims his ABE class starts at 1200; however, teacher does not allow him to report to school until later (1230) because he requires VRI.			5703 RJD	1	11/27/2016		11/30/2016	Not Confirmed	No Action	No
RJD	A	10/27/2016	1824 LOG #16-4302	Inmate alleges staff denied him access and participation to breakfast and lunch.			1495 RJD	1	11/27/2016		Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges he was required to keep wheeled walker outside ASU cell. Additionally claims walker was lost. Reference [REDACTED]			Unknown		11/22/2016		Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges on 4/11/16, back brace was not provided to him when placed in ASU. Reference [REDACTED]			Unknown		11/22/2016		Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges he was not permitted to use his walker in his ASU cell. He also claims his walker was lost when he returned to general housing unit. Please respond to these allegations. Reference [REDACTED]			Unknown		11/22/2016		Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate requested return of walker and ortho shoes discovered lost upon release from ASU. Were DME's replaced Reference C-[REDACTED]			Unknown		11/22/2016		Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	During AMT tour it was discovered inmate cane was required to hang outside cell while placed in ASU.			Unknown		11/22/2016		Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges when placed in ASU it took two weeks for him to receive his orthopedic shoes.			Unknown		11/22/2016		Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate claims his talking book player was lost when placed in ASU on 5/20/2016. Reference [REDACTED]			Unknown		11/22/2016		Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate claims his knee brace was lost when placed in ASU on 4/12/2016. Reference B-[REDACTED]			Unknown		11/22/2016		Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges staff did not secure his property when he went out for medical concerns June 2016. Subsequently his property including cane, orthopedic boots, book reader and orthopedic inserts were lost. Reference [REDACTED]			Unknown		11/22/2016		Pending			

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RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges his property including orthopedic shoes, cane and prescription glasses were lost when placed in MHC B on May 2016. Reference [REDACTED]	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]	Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges when processed through R&R, his orthopedic shoes were not provided to him in a timely fashion. Reference [REDACTED]	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]	Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges in June 2016, when placed in ASU for MHC B property was lost including orthopedic boots. Reference [REDACTED]	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]	Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate is DPW and claims Facility C IDAP workers are not let out of their cells in time to assist with pushing wheelchairs to morning meal.	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]	Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate claims Facility C does not have enough IDAP workers to push his wheelchair to groups. Additionally, claims workers are released late and cannot assist with morning meal.	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]	Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate claims on Facility C, he does not have access to IDAP workers. He reported IDAP workers are eating when he needs assistance getting to and from insulin injection area.	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]	Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate claims on Facility A, he is unable to attend group meetings twice a week because IDAP workers are not available. Additionally he reports difficulty obtaining assistance with scribing.	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]	Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges on Facility A, there are too many ADA inmates trying to use same ADA shower at same time. He complains of missing allotted shower.	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]	Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges on Facility B, there are too many ADA inmates trying to use same ADA shower at same time. He complains of missing allotted shower	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]	Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges Facility A staff retaliated against him for filing RAP request and appeals by moving him to an upper bunk when he has a lower bunk chrono. Reference [REDACTED]	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]	Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate is DPO, DPV, EOP and submitted a 1824 requesting wheelchair gloves. Effective communication sheet indicated he is EOP, but fails to list DPV. It does not indicate any accommodations were used or if effective communication was reached.	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]	Pending			

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RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges he requires extra showers due to medical condition including kidney, toileting and mobility issues. He provides Facility B non-regular custody refuse to provide showers and Facility is not addressing this concern. Reference [REDACTED]	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]		Pending		
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate is DPM and scheduled to parole September 23, 2016, according to 120 day report dated August 26, 2016, there appeared to be no 611 or 1515 forms in his file.	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]		Pending		
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Form 611 dated 7/1/2016, notes he is DPM and includes comments of housing restrictions and C-PAP, however does not indicate use of cane as noted on DECS review of September 2016.	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]		Pending		
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Form 611 dated 5/23/2016, does not identify inmate is classified DPM, housing restrictions of ground floor-no stairs and lower/bottom bunk only.	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]		Pending		
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Form 611 dated 8/9/2016 identifies DPM classification noting walker, cane, lifting restrictions and pushing restrictions. However, housing restrictions of ground floor-no stairs and lower/bottom bunk only are not listed.	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]		Pending		
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Form 611 dated 8/24/2016 identifies DNM and notes Knee problems. However Form 611 does not indicate use of walker and eye glasses.	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]		Pending		
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Form 611 dated 5/11/2016 identifies DNM. However 611 does not list housing restrictions and healthcare appliances.	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]		Pending		
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Form 611 dated 8/3/2016, identifies DNM, DNH and notes needs an assistive hearing device. However 611 does not list housing restrictions of ground floor-no stairs and lower/bottom bunk only. Additionally, on 1515 there is no indication hearing specific accommodations were provided or effective communication was established.	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]		Pending		
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate is designated DPV. Form 611 dated 6/8/2016 does not indicate inmate has disability. Additionally no disability comments noting effective communication.	[REDACTED]	[REDACTED]				[REDACTED]			Referred to NKSP-RC	
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	ICC of 2/25/2016, identifies DPV disability. Effective Communication methods noted however no indication vision-specific accommodations were provided.	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]		Pending		

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RJD	A	11/16/2016	AMT Report Tour of Sept 2016	UCC of 3/15/2016, identifies inmate as DPV, however there is no indication vision-specific accommodations were provided.			Unknown		11/22/2016		Pending			
SAC	A	10/21/2016	Email CHCF	Transferred to CHCF without DME			992 SAC	0	10/30/2016		11/2/2016	Confirmed	Training	No
SAC	A	10/21/2016	Email CHCF	Transferred to CHCF without DME			218 SAC	0	10/30/2016		11/2/2016	Confirmed	Training	No
SAC	A	11/3/2016	SAC Email	CHCF arrival missing DME based upon alleged retaliation.								Referred to CHCF		
SAC	A	11/3/2016	CDCR 1824	Staff took pocket talker accessories.			8791 SAC	0	Pending					
SAC	A	11/21/2016	PLO Letter	Excessive or Unnecessary UOF			6674 SAC	0	Pending					
SATF	A	10/6/2016	CCHCF Referral	Inmate transferred without his hearing aids and hearing molds			6919 SATF	0	10/11/2016		11/8/2016	Not confirmed	No Action	No
SATF	A	10/6/2016	CCHCF Referral	Inmate transferred without his hearing aids and molds			3206 SATF	0	10/11/2016		11/8/2016	Not confirmed	No Action	No
SATF	A	10/11/2016	1824 Log# [REDACTED]	Inmate states custody staff discriminate against ADA/DPW bed inmates			Unknown		10/12/2016		11/13/2016	Not Confirmed	No Action	No
SATF	A	10/13/2016	CSP-SAC referral	Inmate transferred without his hearing aids and wrist brace			Unknown		10/13/2016		11/14/2016	Not Confirmed	No Action	No
SATF	A	10/14/2016	PLO AMT	Closed captioning not turned on in G3			Unknown		10/19/2016		11/8/2016	Confirmed	No Action	No
SATF	A	10/14/2016	PLO AMT	Closed captioning not turned on in E5			Unknown		10/19/2016		11/30/2016	Not Confirmed	No Action	No
SATF	A	10/14/2016	1824 Log# [REDACTED]	Inmate claims staff are not providing effective communication			0059 SATF	0	10/24/2016		11/10/2016	Confirmed	Training	No
SATF	A	10/14/2016	PLO AMT	Hearing impaired inmates state they are missing meals and appointments due to lack of notification in E3 and E5			Unknown		10/19/2016		11/6/2016	Not Confirmed	No Action	No
SATF	A	10/18/2016	CHCF ADA Coordinator	Inmate transferred without orthotics			Unknown		10/26/2016		11/3/2016	Not Confirmed	No Action	No
SATF	A	10/21/2016	SVSP ADA Coordinator	Inmate transferred without his brace-knee/ankle/foot orthoses and insoles			6648 SATF	0	10/26/2016		11/1/2016	Not Confirmed	No Action	No
SATF	A	10/21/2016	1824 Log# SATF [REDACTED]	Inmate claims he's being discriminated against because he was moved to a bed where he cannot move or turn around			Unknown		10/26/2016		11/13/2016	Not confirmed	No Action	No
SATF	A	10/21/2016	1824 Log# SATF [REDACTED]	Inmate claims he's being discriminated against because he cannot access the restroom door because he's in a wheelchair			Unknown		10/26/2016		11/4/2016	Not Confirmed	No Action	No
SATF	A	10/21/2016	1824 Log# SATF [REDACTED]	Inmate claims he's being denied access to the ADA toilets in the housing unit			Unknown		10/26/2016		11/6/2016	Not confirmed	No Action	No
SATF	A	11/1/2016	CHCF ADA Coordinator	Inmate arrived without appliances			Unknown		11/1/2016		11/1/2016	Not confirmed	No Action	No
SATF	A	11/8/2016	CCI Audit	Inmate arrived without a mobility vest								Referred to WSP		
SATF	A	11/10/2016	1824 Log # SATF [REDACTED]	Inmate claims discrimination because he was removed from his job assignment due to his disability			Unknown		11/16/2016		11/23/2016	Not Confirmed	No Action	No
SATF	A	11/14/2016	CHCF ADA Coordinator	Inmate transferred without glasses			Unknown		11/16/2016		11/22/2016	Not Confirmed	No Action	No
SATF	A	11/15/2016	1824 Log# SATF [REDACTED]	Inmate claims he's being discriminated against			Unknown		11/16/2016		Pending			
SATF	A	11/16/2016	1824 Log# [REDACTED]	Inmate states he was transferred without his orthopedic boots								Referred to CCI		

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Institution/ DAI/ DAPO/ Region/ Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegati ons	Date Inquiry Initiated	Name & Title of Person conducting inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LD, No Action)	Referral to OIA (Yes/No)
NKSP	A	12/8/2016	Review of the Plaintiffs' Monitoring Tour Report	There is no documentation of I/M's Learning Disability (LD) or of any accommodations for his LD in either the committee hearing placing him on C-status or with respect to the processing of either of the underlying RVRs. There is also no documentation of I/M's LD in the RVR packet for a prior RVR, Log # [REDACTED]	[REDACTED]	[REDACTED]	4201 NKSP	0	12/8/2016	[REDACTED]	12/21/2016	Confirmed	Training	No
NKSP	A	12/8/2016	Review of the Plaintiffs' Monitoring Tour Report	There is no documentation of I/M's Learning Disability (LD) or of any accommodations for his LD in either the committee hearing placing him on C-status or with respect to the processing of either of the underlying RVRs. There is also no documentation of I/M's LD in the RVR packet for a prior RVR, Log # A [REDACTED]	[REDACTED]	[REDACTED]	5148 NKSP	0	12/8/2016	[REDACTED]	12/21/2016	Confirmed	Training	No
NKSP	A	12/8/2016	Review of the Plaintiffs' Monitoring Tour Report	I/M was seen by the UCC on 4/21/16 for a pos Board review following his Life Prisoner Consultation Hearing on 4/15/16. There is no discussion of his LD in the documentation of the UCC hearing or in the UCC's summary of the Board's recommendations for Carroll. There was also no identification or discussion of I/M's LD in the documentation of his October 14, 2016, ICC reviews.	[REDACTED]	[REDACTED]	7126 NKSP	0	12/8/2016	[REDACTED]	12/21/2016	Confirmed	Training	No
NKSP	A	12/8/2016	Review of the Plaintiffs' Monitoring Tour Report	I/M was seen by the UCC on 4/21/16 for a pos Board review following his Life Prisoner Consultation Hearing on 4/15/16. There is no discussion of his LD in the documentation of the UCC hearing or in the UCC's summary of the Board's recommendations for Carroll. There was also no identification or discussion of I/M's LD in the documentation of his October 14, 2016, ICC reviews.	[REDACTED]	[REDACTED]	2556 NKSP	0	12/8/2016	[REDACTED]	12/21/2016	Confirmed	Training	No
NKSP	A	12/8/2016	Review of the Plaintiffs' Monitoring Tour Report	I/M was seen by the UCC on 4/21/16 for a pos Board review following his Life Prisoner Consultation Hearing on 4/15/16. There is no discussion of his LD in the documentation of the UCC hearing or in the UCC's summary of the Board's recommendations for Carroll. There was also no identification or discussion of I/M's LD in the documentation of his October 14, 2016, ICC reviews.	[REDACTED]	[REDACTED]	2730 NKSP	0	12/8/2016	[REDACTED]	12/21/2016	Confirmed	Training	No
PBSP	A											None		
PVSP	A	11/7/2016	Appeal Log #PVSP [REDACTED] dated 11/7/2016	Inmate claims staff misconduct.			Unknown		11/8/2016		Pending			
PVSP	A	11/10/2016	Email from J. Cavazos, ADA Coordinator dated 11/10/2016	Inmate inappropriately housed			4888 PVSP	0	11/14/2016		12/05/16	Confirmed	Training	No
PVSP	A	12/18/2016	E-mail from K. Stone-Manista	Inmate claims staff is not helping him apply for Social Sec./Medi-Cal			6896 PVSP	0	12/19/2016		12/22/16	Not Confirmed	No Action	No
RJD	A	9/29/2016	1824 LOG [REDACTED]	Inmate alleges he was transported in vehicle not equipped with wheelchair lift.			5006 RJD	0	10/3/2016		12/19/2016	Not Confirmed	No Action	No
RJD	A	9/29/2016	1824 LOG [REDACTED]	Inmate alleges he was transported in vehicle not equipped with wheelchair lift.			7469 RJD	1	10/3/2016		12/19/2016	Not Confirmed	No Action	No
RJD	A	10/27/2016	1824 LOG [REDACTED]	Inmate alleges staff denied him access and participation to breakfast and lunch.			1495 RJD	1	11/27/2016		Pending			
RJD	A	11/3/2016	Email from CAMU indicating a referral from CHCF	Inmate was transported via special transport without his DME (Orthotic Shoes)			3129 RJD	0	11/11/2016		12/2/2016	Confirmed	No Action	No
RJD	A	11/3/2016	Email from CAMU indicating a referral from CHCF	Inmate was transported via special transport without his DME (Orthotic Shoes)			6429 RJD	0	11/11/2016		12/2/2016	Confirmed	No Action	No

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RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Form 611 dated 5/11/2016 identifies DNM. However 611 does not list housing restriction and healthcare appliances.			0734 RJD	0	11/22/2016		12/8/2016	Confirmed	Training	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges Facility A staff retaliated against him for filing RAP request and Appeal by moving him to an upper b when he has a lower b chrono. Reference 602 Log # [REDACTED]			Unknown		11/22/2016		Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate is DPO, DPV, EOP and submitted a 1824 requesting wheelchair gloves. Effective communication sheet indicated he is EOP, but fails to list DPV. It does not indicate any accommodations were used or if effective communication was reached.			7553 RJD	0	11/22/2016		12/21/2016	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	ICC of 2/25/2016, identifies DPV disability. Effective Communication methods noted however no indication vision specific accommodations were provided.			2423 RJD	0	11/22/2016		12/16/2016	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate requested return of walker and ortho shoes discovered lost upon release from ASU. Were DME's replaced. Reference 602 Log # [REDACTED]			Unknown		11/22/2016		12/20/2016	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges he was not permitted to use his walker in his ASU cell. He also claims his walker was lost when he returned to general housing unit. Please respond to these allegations. Reference 602 Log # [REDACTED]			Unknown		11/22/2016		12/14/2016	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate claims on Facility C, he does not have access to IDAP workers. He reported IDAP workers are eating when he needs assistance getting to and from insulin injection area.			Unknown		11/22/2016		12/19/2016	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate claims his talking book player was lost when placed in ASU on 5/20/2016. Reference 602 Log # [REDACTED]			7675 RJD	0	11/22/2016		12/9/2016	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	UCC of 3/15/2016, identifies inmate as DPV, however there is no indication vision specific accommodations were provided.			9362 RJD	2	11/22/2016		12/16/2016	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges he requires extra showers due to medical condition including kidney, toileting and mobility issues. He provides Facility B nonregular custody refuse to provide showers and Facility is not addressing this concern. Reference 1824 Log # [REDACTED]			Unknown		11/22/2016		12/13/2016	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Form 611 dated 8/24/2016 identifies DNM and notes Knee problems. However Form 611 does not indicate use of walker and eye glasses.			5261 RJD	0	11/22/2016		12/16/2016	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges his property including orthopedic shoes, cane and prescription glasses were lost when placed in MHCB on May 2016. Reference 602 Log # [REDACTED]			Unknown		11/22/2016		12/19/2016	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate is DPW and claims Facility C IDAP workers are not let out of their cells in time to assist with pushing wheelchairs to morning meal.			Unknown		11/22/2016		12/13/2016	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges staff did not secure his property when he went out for medical concerns June 2016. Subsequently his property including cane, orthopedic boots, book reader and orthopedic inserts were lost. Reference 1824 Log # [REDACTED]			Unknown		11/22/2016		Pending			

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RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate claims on Facility A, he is unable to attend group meetings twice a week because IDAP workers are not available. Additionally he reports difficulty obtaining assistance with scribing.	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]	Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges on Facility A, there are to many ADA inmates trying to use same ADA shower at same time. He complains of missing allotted shower.			Unknown		11/22/2016		Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges on Facility B, there are to many ADA inmates trying to use same ADA shower at same time. He complains of missing allotted shower			Unknown		11/22/2016		12/9/2016	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Form 611 dated 5/23/2016, does not identify inmate is classified DPM, housing restrictions of ground floor no stairs and lower/bottom b only.			6720 RJD	0	11/22/2016		12/20/2016	Confirmed	Training	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges when processed through R&R, his orthopedic shoes were not provided to him in a timely fashion. Reference 602 Log [REDACTED] Inmate was received from MCSP without DME on his person								Referred to MCSP		
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges when placed in ASU it took two weeks for him to receive orthopedic shoes.			Unknown		11/22/2016		12/20/2016	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate is DPM and scheduled to parole in September 23, 2016. According to 128 day report dated August 26, 2016, there appeared to be no 611 or 1515 forms in his file.			Unknown		11/22/2016		12/19/2016	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate claims his knee brace was lost when placed in ASU on 4/12/2016. Reference [REDACTED]			Unknown		11/22/2016		12/22/2016	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	CDCR 611 dated 8/3/16, identifies DPP codes of DNM & DNH and notes needs an assistive hearing device. 611 does not list housing restrictions of LB/LT. Additionally, 1515 does not indicate hearing specific accommodations were provided or effective communication was established.			8830 RJD	0	11/22/2016		12/9/2016	Confirmed	Training	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	CDCR 611 dated 8/9/16 identifies DPP code of DPM; DME: walker, cane, lifting restrictions and pushing restrictions. However, housing restrictions of LB/LT not listed.			8830 RJD	0	11/22/2016		12/8/2016	Confirmed	Training	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate claims Facility C does not have enough IDAP workers to push his wheelchair to groups. Additionally, claims workers are released late and cannot assist with morning meal.			Unknown		11/22/2016		Pending			
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Form 611 dated 7/1/2016, notes he is DPM and includes comments of housing restrictions and CPAP, however does not indicate use of cane as noted on DECS review of September 2016.			4771 RJD	0	11/22/2016		12/9/2016	Confirmed	Training	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	During AMT tour it was discovered inmate cane was required to hang outside cell while placed in ASU.			Unknown		11/22/2016		12/17/2016	Confirmed	Training	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges on 4/11/16, back brace was not provided to him when placed in ASU. Reference 602 Log # [REDACTED]			Unknown		11/22/2016		12/20/2016	Not Confirmed	No Action	No

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RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges he was required to keep wheeled walker outside ASU cell. Additionally claims walker was lost. Reference 602 Log [REDACTED]	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]	12/20/2016	Not Confirmed	No Action	No
RJD	A	12/2/2016	Email from T. Diaz, RJD R&R SGT	Inmate was received from CMC without oxygen concentrator. Inmate claims oxygen concentrator was not issued.	[REDACTED]	[REDACTED]				[REDACTED]		Referred to CMC		
RJD	A	12/5/2016	Email from CAMU Aida Briones	Inmate received at CHCF from RJD without assistive device.	[REDACTED]	[REDACTED]	Unknown		12/6/2016	[REDACTED]	12/21/2016	Not Confirmed	No Action	No
RJD	A	12/5/2016	Email from CAMU Aida Briones	Inmate received at CHCF from RJD without assistive device.	[REDACTED]	[REDACTED]	Unknown		12/6/2016	[REDACTED]	Pending			
RJD	A	12/5/2016	Email from CAMU Aida Briones	Inmate received at LAC from RJD without assistive device (orthopedic shoes)	[REDACTED]	[REDACTED]	Unknown		12/6/2016	[REDACTED]	12/26/2016	Not Confirmed	No Action	No
RJD	A	12/5/2016	Email from CAMU Aida Briones	Inmate received at CHCF from RJD without assistive device.	[REDACTED]	[REDACTED]	Unknown		12/6/2016	[REDACTED]	Pending			
RJD	A	12/6/2016	1824 LOG # [REDACTED]	Inmate alleges custody staff are threatening him with physical harm and being a barrier to Health Care Access.	[REDACTED]	[REDACTED]	8109 RJD	2	12/6/2016	[REDACTED]	Pending			
RJD	A	12/7/2016	Email from Scott Jacobs Ombudsman	Inmate housing restrictions indicate Lower/Lower, placed in Upper tier and fell down stairs.	[REDACTED]	[REDACTED]	Unknown		12/7/2016	[REDACTED]	Pending			
RJD	A	12/13/2016	Form 22 dated 12/3/2016	Inmate alleges Senior Hearing Officer knowingly violated Effective Communication during adjudication process.	[REDACTED]	[REDACTED]	Unknown		12/13/2016	[REDACTED]	Pending			
RJD	A	12/14/2016	Joint Compliance Review	Inmate alleges during RVR Hearing August 2016, for fighting SHO made him do pushups and run up and down hallway.	[REDACTED]	[REDACTED]	Unknown		12/16/2016	[REDACTED]	Pending			
RJD	A	12/14/2016	Joint Compliance Review	Inmate alleges on 12/9/2016, staff moved him from a Lower Tier/Lower B because his housing restrictions chrono expired, although he still had physical limitations.	[REDACTED]	[REDACTED]	2871 RJD	0	12/16/2016	[REDACTED]	Pending			
RJD	A	12/14/2016	Joint Compliance Review	Inmate alleges on staff in H/U 15, tell DDP inmates they do not have time to assist, which requires them to pay other inmates for assistance.	[REDACTED]	[REDACTED]	Unknown		12/16/2016	[REDACTED]	Pending			
RJD	A	12/14/2016	Joint Compliance Review	Inmate alleges staff in H/U 15, tell DDP inmates they do not have time to assist, which requires them to pay other inmates for assistance.	[REDACTED]	[REDACTED]	Unknown		12/16/2016	[REDACTED]	Pending			
RJD	A	12/15/2016	1824 LOG [REDACTED]	Inmate alleges custody staff disputes his gender dysphoria causing him distress.	[REDACTED]	[REDACTED]	8109 RJD	2	12/16/2016	[REDACTED]	Pending			
RJD	A	12/21/2016	Email from M. Rourke RJD Health Care	Inmate received in CTC without DMEs including Compression Stocking and Shoes.	[REDACTED]	[REDACTED]	Unknown		12/21/2016	[REDACTED]	Pending			
RJD	A	12/21/2016	Email from M. Rourke RJD Health Care	Inmate received in CTC without DMEs including Cane, Mobility Vest, Walker and Shoes.	[REDACTED]	[REDACTED]	Unknown		12/21/2016	[REDACTED]	Pending			
RJD	A	12/21/2016	Email from B. Self, RJDCF Appeals Coordinator.	Inmate alleging custody staff are unethical, unprofessional and being subjected to victimization.	[REDACTED]	[REDACTED]	4980 RJD	0	12/21/2016	[REDACTED]	Pending			
RJD	A	12/22/2016	Email from CHCF, R. Luigs	Inmate transferred to CHCF without his prescribed DME: hearing aids	[REDACTED]	[REDACTED]	Unknown		Pending	[REDACTED]				
RJD	A	12/22/2016	1824 LOG # [REDACTED]	Inmate alleges discrimination by staff. No ADA tournaments have been offered on the facility.	[REDACTED]	[REDACTED]	7728 RJD	0	Pending	[REDACTED]				
RJD	A	12/22/2016	1824 LOG # [REDACTED]	Inmate alleges custody staff don't give ADA inmates same amount of shower and dayroom time.	[REDACTED]	[REDACTED]	Unknown		Pending	[REDACTED]				
RJD	A	12/22/2016	1824 LOG # [REDACTED]	Inmate alleges custody staff did not allow him to use the phones in the HU to make a phone call.	[REDACTED]	[REDACTED]	3017 RJD	1	Pending	[REDACTED]				
SAC	A	11/3/2016	CDCR 1824	Staff took pocket talker accessories.	[REDACTED]	[REDACTED]	3791 SAC	0	11/14/2016	[REDACTED]	12/10/2016	Not Confirmed	No Action	No
SAC	A	11/21/2016	PLO Letter	Excessive or Unnecessary UOF	[REDACTED]	[REDACTED]	5674 SAC	0	12/1/2016	[REDACTED]	12/29/2016	Not Confirmed	No Action	No

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SAC	A	12/5/2016	CAMU Email	Issues documenting			Unknown		Pending					
SAC	A	12/5/2016	FSP Email	Missing DME			Unknown		12/20/2016		12/22/2016	Not Confirmed	No Action	No
SAC	A	12/6/2016	CAMU Email	Missing DME			Unknown		12/6/2016		12/6/2016	Confirmed	No Action	No
SAC	A	12/1/2016	CAMU Email	Missing DME			Unknown		Pending					
SAC	A	12/19/2016	CDCR 1824	Denied plumber position based upon ADA.			Unknown		12/21/2016		12/21/2016	Not Confirmed	No Action	No
SAC	A	11/29/2016	PLO Advocacy Letter	Pending transfer to CMF			Unknown		11/30/2016		12/1/2016	Not Confirmed	No Action	No
SAC	A	12/6/2016	PLO Advocacy Letter	Pending transfer to RJD			Unknown		12/15/2016		12/15/2016	Not Confirmed	No Action	No
SATF	A	11/15/2016		Inmate claims he's being discriminated against			Unknown		11/16/2016		12/16/2016	Not Confirmed	No Action	No
SATF	A	11/23/2016	CCII Audit	EC not addressed in counseling chrono			6552 SATF	0	11/23/2016		12/8/2016	Not Confirmed	No Action	No
SATF	A	11/23/2016	CCII Audit	EC not documented during final copy of RVR			6552 SATF	1	11/23/2016		12/1/2016	Not Confirmed	No Action	No
SATF	A	12/22/2016	1824 Log# SATF-B-16-5604	Inmate claims he's being denied access to medical due to his disability			Unknown		12/28/2016		12/31/2016	Not Confirmed	No Action	No
SATF	A	12/23/2016	Armstrong Monitoring Tour Report	Staff force mobility impaired inmates to stand for strip searches			4036 SATF	0	12/28/2016		Pending			
SATF	A	12/23/2016	Armstrong Monitoring Tour Report	Inmate claims he is not provided a shower or extra clothes when he soils himself			Unknown		12/28/2016		Pending			
SATF	A	12/23/2016	Armstrong Monitoring Tour Report	Inmate claims he's being denied a job assignment due to his disability			Unknown		12/28/2016		Pending			
SATF	A	12/23/2016	Armstrong Monitoring Tour Report	Inmate claims he fell out of a van when he was not offered a wheelchair accessible van			Unknown		12/28/2016		Pending			
SATF	A	12/23/2016	Armstrong Monitoring Tour Report	Inmate states his glasses were rolled up in his property and not issued to him			Unknown		12/28/2016		Pending			
SATF	A	12/27/2016	1824 Log#	Inmate claims he cannot get staff to help him read and write			Unknown		12/28/2016		Pending			
SATF	A	12/27/2016	1824 Log# S	Inmate claims discrimination based on disability when staff refused to rehouse to a dry cell			Unknown		12/28/2016		Pending			
SCC	A	11/30/2016	CDCR 1824	Shared confidential case factors			Retired 10/31/15	0	12/1/2016		12/08/16	Not Confirmed	No Action	No
SOL	A	11/29/2016	1824	Inmate alleges Officer forced him to get down on the ground even though he was wearing a mobility impaired vest.			1546 SOL	0	11/29/2016		Pending			
SOL	A	12/1/2016	M. Nicholas, HCCA	DPP class member arrived without a hearing impaired disability vest from DVI on 11-29-16								Referred to DVI, 12/5/2016		
SOL	A	12/14/2016	RAP	Inmate alleges not being allowed night yard due to his disability.			Unknown		12/20/2016		Pending			
SOL	A	12/14/2016	AW F. Cota, CMC	Inmate arrived at CMC without DME.			Unknown		12/19/2016		Pending			
SOL	A	12/28/2016	RAP	Inmate alleges officer made him sit on the ground during active code.			1546 SOL	1	12/29/2016		Pending			
SQ	A	12/16/2016	F. Thorpe CAMU CCII	Effective Communication Chrono not completed within 14 days			4325 SQ	0	12/21/2016		12/22/2016	Confirmed	Training	No
SVSP	A	10/7/2016	1824 Log # S	Inmate claims he is not being released on time to EOP groups			Unknown		10/10/2016		10/12/2016	Confirmed	No Action	No
SVSP	A	10/12/2016	1824 Log # S	Inmate claims staff on 3rd Watch are not making announcements, not utilizing their ADA rosters and, needs a hearing vest			6384 SVSP	0	10/12/2016		10/16/2016	Not Confirmed	No Action	No
SVSP	A	10/17/2016	1824 Log #	Inmate requests equal access to the library services			Unknown		10/20/2016		10/26/2016	Not Confirmed	No Action	No
SVSP	A	10/18/2016	1824 Log # S	Inmate claims he has an assigned position in the kitchen but, is excluded to participate due to his disability			4773 SVSP	0	10/20/2016		10/27/2016	Not Confirmed	No Action	No
SVSP	A	10/24/2016	R&R Outgoing/Transfer Appliance Tracking Log	Inmate arrived to SAC without his Brace-Knee/Ankle/Foot Orthoses			Unknown		10/25/2016		Pending			

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RJD	A	1/5/2017	1824 LOG [REDACTED]	Inmate alleges custody staff lost his DME: ortho shoes	[REDACTED]	[REDACTED]	Unknown		1/17/2017	[REDACTED]	Pending			
RJD	A	1/9/2017	EMAIL from R&R SGT, RJD	Inmate arrived from LAC on 1/6/17 without his prescribed DME: compression stockings	[REDACTED]	[REDACTED]				[REDACTED]		Referred to LAC		
RJD	A	1/9/2017	EMAIL from R&R SGT, RJD	Inmate arrived from ISP on 1/6/17 without his prescribed DME: hearing aids	[REDACTED]	[REDACTED]				[REDACTED]		Referred to ISP		
RJD	A	1/18/2017	EMAIL from R&R SGT, RJD	Inmate arrived at RJD 1/18/17 without his prescribed DME: prosthetic eye	[REDACTED]	[REDACTED]				[REDACTED]		Referred to CMF		
RJD	A	1/18/2017	EMAIL from R&R SGT, RJD	Inmate arrived at RJD on 1/18/17 without his prescribed DME: cane	[REDACTED]	[REDACTED]				[REDACTED]		Referred to DVI		
RJD	A	1/19/2017	[REDACTED]	Inmate alleges Officer interfered with a wheelchair pusher getting him a food tray.	[REDACTED]	[REDACTED]	0076 RJD	0	1/30/2017	[REDACTED]	Pending			
RJD	A	1/26/2017	EMAIL from CCHCS HCCA, CIM	Inmate arrived at SVSP without his prescribed DME: compression socks	[REDACTED]	[REDACTED]				[REDACTED]		Referred to RJD Health Care		
RJD	A	1/27/2017	EMAIL from ADA OT, SVSP	Inmate arrived at SVSP without his prescribed DME: wheelchair	[REDACTED]	[REDACTED]				[REDACTED]		Referred to RJD Health Care		
RJD	A	1/30/2017	ADA Internal Review	11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 4/27/16 was not entered within 72hrs of receipt.	[REDACTED]	[REDACTED]	Unknown		1/30/2017	[REDACTED]	Pending			
RJD	A	1/30/2017	ADA Internal Review	11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 6/22/16 was not entered within 72hrs of receipt.	[REDACTED]	[REDACTED]	Unknown		1/30/2017	[REDACTED]	Pending			
RJD	A	1/30/2017	ADA Internal Review	11/15/16 AMT Report Exhibit A, Inmate's 1845 6/22/16 was not entered within 72hrs of receipt.	[REDACTED]	[REDACTED]	Unknown		1/30/2017	[REDACTED]	Pending			
RJD	A	1/30/2017	ADA Internal Review	11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 7/21/16 was not entered within 72hrs of receipt.	[REDACTED]	[REDACTED]	Unknown		1/30/2017	[REDACTED]	Pending			
RJD	A	1/30/2017	EMAIL from ADA CCI, CHCF	Inmate arrived at CHCF without his prescribed DME: CPAP	[REDACTED]	[REDACTED]				[REDACTED]		Referred to RJD Health Care		
RJD	A	1/30/2017	ADA Internal Review	11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 5/10/16 was not entered within 72hrs of receipt.	[REDACTED]	[REDACTED]	Unknown		1/30/2017	[REDACTED]	Pending			
RJD	A	1/30/2017	ADA Internal Review	11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 5/06/16 was not entered correctly in SOMS/DECS.	[REDACTED]	[REDACTED]	Unknown		1/30/2017	[REDACTED]	Pending			
RJD	A	1/30/2017	ADA Internal Review	11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 8/02/16 was not entered within 72hrs of receipt.	[REDACTED]	[REDACTED]	Unknown		1/30/2017	[REDACTED]	Pending			
RJD	A	1/31/2017	EMAIL from ADA OT, COR	Inmate arrived at COR without his prescribed DME: pocket talker	[REDACTED]	[REDACTED]	Unknown		1/31/2017	[REDACTED]	Pending			
RJD	A	1/31/2017	MEMO from HCAU AW, CCI	Per 602 [REDACTED], Inmate alleges RJD has not sent him his DME that was ordered for him prior to TX. Items include: ortho boots, insoles, partials, bite plate, bifocal transitions.	[REDACTED]	[REDACTED]				[REDACTED]		Referred to RJD Health Care		

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RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate alleges staff did not secure his property when he went out for medical concerns June 2016. Subsequently his property including cane, orthopedic boots, book reader and orthopedic inserts were lost. Reference 1824 Log [REDACTED]	[REDACTED]	[REDACTED]	Unknown		11/22/2016	[REDACTED]	2/2/2017	Not Confirmed	No Action	No
RJD	A	11/16/2016	AMT Report Tour of Sept 2016	Inmate claims Facility C does not have enough IDAP workers to push his wheelchair to groups. Additionally, claims workers are released late and cannot assist with morning meal.			Unknown		11/22/2016		2/17/2007	Not Confirmed	No Action	No
RJD	A	12/21/2016	EMAIL from CCHCS HCCA, RJD	Inmate received in CTC without DMEs including Compression Stocking and Shoes.			Unknown		12/21/2016		2/17/2017	Confirmed	Training	No
RJD	A	12/21/2016	EMAIL from CCHCS HCCA, RJD	Inmate received in CTC without DMEs including Cane, Mobility Vest, Walker and Shoes.			Unknown		12/21/2016		2/6/2017	Confirmed	No Action	No
RJD	A	12/22/2016	Email from ADA CCI, CHCF	Inmate transferred to CHCF without his prescribed DME: hearing aids			6097 RJD	0	1/6/2017		2/6/2017	Confirmed	No Action	No
RJD	A	12/22/2016	Email from ADA CCI, CHCF	Inmate transferred to CHCF without his prescribed DME: hearing aids			4940 RJD	0	1/6/2017		2/6/2017	Confirmed	No Action	No
RJD	A	12/22/2016	Email from CAMU CCII, CHCF	Inmate transferred to CHCF without his prescribed DME: wheelchair gloves, wheelchair cushion, back brace, ankle brace, orthopedic shoes.			9454 RJD	0	12/22/2016		2/2/2017	Confirmed	Training	No
RJD	A	12/22/2016	Email from CAMU CCII, CHCF	Inmate transferred to CHCF without his prescribed DME: wheelchair gloves, wheelchair cushion, back brace, ankle brace, orthopedic shoes.			1803 RJD	0	12/22/2016		2/2/2017	Confirmed	Training	No
RJD	A	12/22/2016	1824 LOG # [REDACTED]	Inmate alleges discrimination by staff. No ADA tournaments have been offered on the facility.			7728 RJD	0	1/6/2017		2/22/2017	Not Confirmed	No Action	No
RJD	A	12/22/2016	1824 LOG # [REDACTED]	Inmate alleges custody staff don't give ADA inmates same amount of shower and dayroom time.			Unknown		1/6/2017		2/27/2017	Not Confirmed	No Action	No
RJD	A	12/22/2016	1824 LOG # [REDACTED]	Inmate alleges custody staff did not allow him to use the phones in the HU to make a phone call.			3017 RJD	1	1/6/2017		2/27/2017	Not Confirmed	No Action	No
RJD	A	1/5/2017	1824 LOG # [REDACTED]	Inmate alleges custody staff lost his DME: ortho shoes			Unknown		1/17/2017		2/22/2017	Not Confirmed	No Action	No
RJD	A	1/19/2017	1824 LOG # [REDACTED]	Inmate alleges Officer interfered with a wheelchair pusher getting him a food tray.			0076 RJD	0	1/30/2017		Pending			
RJD	A	1/30/2017	ADA Internal Review	11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 4/27/16 was not entered within 72hrs of receipt.			Unknown		1/30/2017		Pending			
RJD	A	1/30/2017	ADA Internal Review	11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 6/22/16 was not entered within 72hrs of receipt.			Unknown		1/30/2017		Pending			
RJD	A	1/30/2017	ADA Internal Review	11/15/16 AMT Report Exhibit A, Inmate's 1845 6/22/16 was not entered within 72hrs of receipt.			Unknown		1/30/2017		Pending			
RJD	A	1/30/2017	ADA Internal Review	11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 7/21/16 was not entered within 72hrs of receipt.			Unknown		1/30/2017		Pending			
RJD	A	1/30/2017	ADA Internal Review	11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 5/10/16 was not entered within 72hrs of receipt.			Unknown		1/30/2017		Pending			
RJD	A	1/30/2017	ADA Internal Review	11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 5/06/16 was not entered correctly in SOMS/DECS.			Unknown		1/30/2017		Pending			
RJD	A	1/30/2017	ADA Internal Review	11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 8/02/16 was not entered within 72hrs of receipt.			Unknown		1/30/2017		Pending			
RJD	A	1/31/2017	Email from ADA OT, COR	Inmate arrived at COR without his prescribed DME: pocket talker			Unknown		1/31/2017		2/17/2017	Not Confirmed	No Action	No
RJD	A	2/8/2017	Email from Compliance Analyst, OACC	Inmate arrived at CTF without his prescribed DME: brace			0002 RJD	1	2/8/2017		Pending			
RJD	A	2/8/2017	Email from Compliance Analyst, OACC	Inmate transferred to CHCF without his prescribed DME: wheelchair gloves, wheelchair cushion, back brace, ankle brace, orthopedic shoes.			Unknown		2/8/2017		2/17/2017	Confirmed	Training	No
RJD	A	2/16/2017	[REDACTED]	Inmate alleges staff denied him access to the TDD/TTY phone.			8109 RJD	4	2/21/2017		Pending			
RJD	A	2/16/2017	[REDACTED]	Inmate alleges staff denied him access to the TDD/TTY phone.			6150 RJD	0	2/21/2017		Pending			
RJD	A	2/16/2017	[REDACTED]	Inmate alleges staff denied him access to his medical supplies.			7728 RJD	0	2/21/2017		Pending			

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RJD	A	2/16/2017	1824 LOG [REDACTED]	Inmate alleges staff denied him access to his medical supplies.	[REDACTED]	[REDACTED]	1300 RJD	0	2/21/2017	[REDACTED]	Pending			
RJD	A	2/23/2017	EMAIL from CAMU CCII, RJD	Inmate alleges he is being denied necessary accommodations from custody staff			Unknown		2/28/2017		Pending			
RJD	A	2/23/2017	Email from CAMU CCII, RJD	Inmate alleges he is being denied necessary accommodations from library staff			Unknown		2/28/2017		Pending			
RJD	A	2/24/2017	Email from CAMU CCII, RJD	Inmate has a hearing impairment. An Equally Effective Communication for Hearing/Speech Impaired chrono was not completed within 14 days of being verified as DNH.								Referred to COCF		

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RJD	A	1/19/2017		Inmate alleges Officer interfered with a wheelchair pusher getting him a food tray.			0076 RJD	0	1/30/2017		3/6/2017	Not Confirmed	No Action	No
RJD	A	1/30/2017		11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 4/27/16 was not entered within 72hrs of receipt.			Unknown		1/30/2017		3/6/2017	Confirmed	Training	No
RJD	A	1/30/2017		11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 6/22/16 was not entered within 72hrs of receipt.			Unknown		1/30/2017		3/6/2017	Confirmed	Training	No
RJD	A	1/30/2017		11/15/16 AMT Report Exhibit A, Inmate's 1845 6/22/16 was not entered within 72hrs of receipt.			Unknown		1/30/2017		3/6/2017	Confirmed	Training	No
RJD	A	1/30/2017		11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 7/21/16 was not entered within 72hrs of receipt.			Unknown		1/30/2017		3/6/2017	Confirmed	Training	No
RJD	A	1/30/2017		11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 5/10/16 was not entered within 72hrs of receipt.			Unknown		1/30/2017		3/6/2017	Confirmed	Training	No
RJD	A	1/30/2017		11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 5/06/16 was not entered correctly in SOMS/DECS.			Unknown		1/30/2017		3/6/2017	Confirmed	Training	No
RJD	A	1/30/2017		11/15/16 AMT Report Exhibit A, Inmate's 1845 dtd 8/02/16 was not entered within 72hrs of receipt.			Unknown		1/30/2017		3/6/2017	Confirmed	Training	No
RJD	A	2/8/2017		Inmate arrived at CTF without his prescribed DME: brace			0002 RJD	2	2/8/2017		3/8/2017	Confirmed	Training	No
RJD	A	2/16/2017		Inmate alleges staff denied him access to the TDD/TTY phone.			8109 RJD	3	2/21/2017		3/18/2017	Not Confirmed	No Action	No
RJD	A	2/16/2017		Inmate alleges staff denied him access to the TDD/TTY phone.			6150 RJD	0	2/21/2017		3/18/2017	Not Confirmed	No Action	No
RJD	A	2/16/2017		Inmate alleges staff denied him access to his medical supplies.			7728 RJD	0	2/21/2017		Pending			
RJD	A	2/16/2017		Inmate alleges staff denied him access to his medical supplies.			1300 RJD	0	2/21/2017		Pending			
RJD	A	2/23/2017		Inmate alleges he is being denied necessary accommodations from custody staff			Unknown		2/28/2017		Pending			
RJD	A	2/23/2017		Inmate alleges he is being denied necessary accommodations from library staff			Unknown		2/28/2017		Pending			
RJD	A	3/3/2017		Inmate arrived at CHCF without his DME: ortho shoes & compression stockings			Unknown		3/8/2017		Pending			
RJD	A	3/6/2017		Inmate was erroneously moved from a wheelchair accessible cell to a non-wheelchair accessible cell.			Unknown		3/9/2017		Pending			
RJD	A	3/16/2017		Inmate alleges staff denied him ADA shower program			9366 RJD	0	3/16/2017		Pending			
RJD	A	3/16/2017		Inmate alleges staff denied him ADA shower program			7895 RJD	0	3/16/2017		Pending			
RJD	A	3/23/2017		Inmate alleges staff threaten to take his walker and antagonize him for not wearing his hearing/mobility vest; which, he claims he refused.			Unknown		Pending					
RJD	A	3/23/2017		Inmate alleges staff broke his pocket talker headphones			Unknown		Pending					
RJD	A	3/23/2017		Inmate alleges staff took his pocket talker accessory during a cell search			Unknown		Pending					
RJD	A	3/23/2017		Inmate alleges he continues to be denied access to the TDD/TTY phone by housing unit staff			Unknown		Pending					

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RJD	A	3/30/2017		Inmate alleges on 3/19/17, during count, custody staff directed his cell mate to wake him by tapping him on the shoulder. Inmate claims this action jeopardized his safety.			Unknown		Pending					
RJD	A	3/30/2017		Inmate alleges FC 3W staff deny ADA inmate assistant workers to help him and other inmates in wheelchairs			Unknown		Pending					
RJD	A	3/30/2017		Inmate alleges custody staff manipulated health care staff to change his medical needs which denied him his ADA rights.			Unknown		Pending					
RJD	A	3/30/2017		Inmate alleges discrimination because he is not notified to report to work with enough time to get properly cleaned and dressed.			Unknown		Pending					
RJD	A	3/30/2017		Inmate alleges officer refuses to open cell doors and building doors wide enough to allow wheelchair/walker access for inmates			1300 RJD	1	Pending					
RJD	A	3/30/2017		Inmate alleges staff denied him ADA shower program on 3/27/17			9366 RJD	1	Pending					

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RJD	A	2/16/2017		Inmate alleges staff denied him access to his medical supplies.			7728 RJD	0	2/21/2017		4/6/2017	Not Confirmed	No Action	No
RJD	A	2/16/2017		Inmate alleges staff denied him access to his medical supplies.			1300 RJD	0	2/21/2017		4/6/2017	Confirmed	Verbal Counseling	No
RJD	A	2/23/2017		Inmate alleges he is being denied necessary accommodations from custody staff			Unknown		2/28/2017		4/11/2017	Not Confirmed	No Action	No
RJD	A	2/23/2017		Inmate alleges he is being denied necessary accommodations from library staff			Unknown		2/28/2017		4/6/2017	Not Confirmed	No Action	No
RJD	A	3/3/2017		Inmate arrived at CHCF without his DME: ortho shoes & compression stockings			7146 RJD	0	3/8/2017		4/11/2017	Confirmed	No Action	No
RJD	A	3/3/2017		Inmate arrived at CHCF without his DME: ortho shoes & compression stockings			6510 RJD	0	3/8/2017		4/11/2017	Confirmed	No Action	No
RJD	A	3/6/2017		Inmate was erroneously moved from a wheelchair accessible cell to a non-wheelchair accessible cell.			2117 RJD	0	3/9/2017		4/11/2017	Confirmed	Training	No
RJD	A	3/6/2017		Inmate was erroneously moved from a wheelchair accessible cell to a non-wheelchair accessible cell.			0993 RJD	0	3/9/2017		4/11/2017	Confirmed	Training	No
RJD	A	3/16/2017		Inmate alleges staff denied him ADA shower program on 3/12/17			9366 RJD	0	3/16/2017		4/13/2017	Not Confirmed	No Action	
RJD	A	3/16/2017		Inmate alleges staff denied him ADA shower program on 3/12/17			7895 RJD	0	3/16/2017		4/13/2017	Not Confirmed	No Action	No
RJD	A	3/23/2017		Inmate alleges staff threaten to take his walker and antagonize him for not wearing his hearing/mobility impaired vest; which, he claims he refused.			9413 RJD	0	4/4/2017		4/24/2017	Not Confirmed	No Action	No
RJD	A	3/23/2017		Inmate alleges staff threaten to take his walker and antagonize him for not wearing his hearing/mobility impaired vest; which, he claims he refused.			8109 RJD	4	4/4/2017		4/24/2017	Not Confirmed	No Action	No
RJD	A	3/23/2017		Inmate alleges staff broke his pocket talker headphones.			9471 RJD	0	4/4/2017		4/24/2017	Not Confirmed	No Action	No
RJD	A	3/23/2017		Inmate alleges staff broke his pocket talker headphones.			4403 RJD	0	4/4/2017		4/24/2017	Not Confirmed	No Action	No
RJD	A	3/23/2017		Inmate alleges staff took his pocket talker accessory during a cell search.			4702 RJD	0	4/4/2017		4/28/2017	Not Confirmed	No Action	No
RJD	A	3/23/2017		Inmate alleges he continues to be denied access to the TDD/TTY phone by housing unit staff.			5911 RJD	0	4/4/2017		4/21/2017	Not Confirmed	No Action	No
RJD	A	3/23/2017		Inmate alleges he continues to be denied access to the TDD/TTY phone by housing unit staff.			2487 RJD	0	4/4/2017		4/21/2017	Not Confirmed	No Action	No
RJD	A	3/30/2017		Inmate alleges on 3/19/17, during count, custody staff directed his cell mate to wake him by tapping him on the shoulder. Inmate claims this action jeopardized his safety.			8768 RJD	0	4/12/2017		4/24/2017	Not Confirmed	No Action	No
RJD	A	3/30/2017		Inmate alleges FC 3rd watch staff deny ADA inmate assistant workers to help him and other inmates in wheelchairs.			2428 RJD	0	4/4/2017		4/21/2017	Not Confirmed	No Action	No

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RJD	A	3/30/2017		Inmate alleges FC 3rd watch staff deny ADA inmate assistant workers to help him and other inmates in wheelchairs.			4024 RJD	0	4/4/2017		4/21/2017	Not Confirmed	No Action	No
RJD	A	3/30/2017		Inmate alleges FC 3rd watch staff deny ADA inmate assistant workers to help him and other inmates in wheelchairs.			9413 RJD	1	4/4/2017		4/21/2017	Not Confirmed	No Action	No
RJD	A	3/30/2017		Inmate alleges that custody staff manipulated health care staff to change his medical needs which denied him his ADA rights.			5980 RJD	0	4/13/2017		4/28/2017	Not Confirmed	No Action	No
RJD	A	3/30/2017		Inmate alleges discrimination because he is not notified to report to work with enough time to get properly cleaned and dressed.			unknown		4/6/2017		4/21/2017	Not Confirmed	No Action	No
RJD	A	3/30/2017		Inmate alleges officer refuses to open cell doors and building doors wide enough to allow wheelchair/walker access for inmates			1300 RJD	1	4/6/2017		4/24/2017	Not Confirmed	No Action	No
RJD	A	3/30/2017		Inmate alleges staff denied him ADA shower program on 3/27/17			366 RJD	1	4/6/2017		4/24/2017	Not Confirmed	No Action	No
RJD	A	4/4/2017		Inmate alleges staff demonstrated deliberate indifference to his pain and suffering when they failed to give him a lower bunk.			2845 RJD	0	4/4/2017		4/24/2017	Confirmed	No Action	No
RJD	A	4/4/2017		Inmate alleges staff demonstrated deliberate indifference to his pain and suffering when they failed to give him a lower bunk.			2117 RJD	1	4/4/2017		4/24/2017	Confirmed	No Action	No
RJD	A	4/4/2017		Inmate alleges staff demonstrated deliberate indifference to his pain and suffering when they failed to give him a lower bunk.			9582 RJD	0	4/4/2017		4/24/2017	Confirmed	No Action	No
RJD	A	4/6/2017		Inmate alleges HU 11 staff deny him access to the TDD/TTY phone because he doesn't arrive with all DME items at time of scheduled call. However, the items they tell him he didn't bring, he does not have.			unknown		4/19/2017		Pending			
RJD	A	4/6/2017		Inmate alleges staff refuse him access to the TDD/TTY phone because he doesn't have a chrono to use it.			unknown		4/19/2017		Pending			
RJD	A	4/11/2017		Inmate was release by ICC on 4/6/17 but was not removed from ASU until 4/7/17.			unknown		4/25/2017		Pending			
RJD	A	4/13/2017		Inmate alleges staff lost his hearing aid during a cell search.			unknown		4/19/2017		Pending			
RJD	A	4/13/2017		Inmate alleges staff refused to allow him access to the restroom after his visit on 4/01/17.			unknown		4/19/2017		Pending			
RJD	A	4/13/2017		Inmate alleges staff again refused to allow him access to the restroom after his visit on 4/08/17.			unknown		4/19/2017		Pending			
RJD	A	4/13/2017		Inmate alleges staff refuse to process his complaints regarding ADA abuses and violations.			0268 RJD	0	4/18/2017		4/28/2017	Not Confirmed	No Action	No
RJD	A	4/13/2017		Inmate alleges staff refuse to process his complaints regarding ADA abuses and violations.			4243 RJD	0	4/18/2017		4/28/2017	Not Confirmed	No Action	No
RJD	A	4/20/2017		Inmate was denied appropriate assistance and accommodations in preparation for his parole hearings.			unknown		Pending					

APRIL 2017

DISABILITY PLACEMENT PROGRAM (DPP) - ARMSTRONG
 ALLEGATION OF NON COMPLIANCE LOG
 CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allega tions	Date Inquiry Initiated	Name & Title of Person conducting inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	4/20/2017		Inmate alleges custody staff destroyed his ADA appliances. Also alleges staff harasses ADA prisoners in wheelchairs and deliberately and maliciously violates ADA policy.			7895 RJD	1	4/26/2017		Pending			
RJD	A	4/27/2017		Inmate alleges HU 5 staff are harassing and retaliating against inmates by taking medication, glasses and other appliances.			Unknown		Pending					
RJD	A	4/27/2017		Inmate alleges continued discrimination and victimization because staff lied and said they would report his illegal false imprisonment based on disability discrimination to proper authorities if he withdrew his CDCR 602; however, when he withdrew the 602, no action was taken by staff.			4543 RJD	1	5/2/2017		Pending			

California Department of Corrections and Rehabilitation

Disability Placement Program(DPP)

Allegation of Noncompliance Log

May 2017

Institution: DAI/ DAPO/ Region: Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
NKSP	A	5/10/2017	Inquiry results from an Armstrong Violation	I/M refused an abdominal brace and it was not documented in SOMS. The brace continued to show in SOMS. A CDCR 7536 DME Receipt was not generated.								Referred to CSATF		
PBSP	A											None		
PVSP	A	5/1/2017	Staff Complaint/602	Discourteous treatment due to disability			5124 PVSP	0	5/2/2017		5/10/2017	Not Confirmed	No Action	No
PVSP	A	5/26/2017	CDCR 1824	Staff failed to assist inmate due to disability			9230 PVSP	0	5/30/2017					
PVSP	A	5/26/2017	CDCR 1824	Staff failed to assist inmate due to disability			2837 PVSP	0	5/30/2017					
RJD	A	4/6/2017		Inmate alleges HU 11 staff deny him access to the TDD/TTY phone because he doesn't arrive with all DME items at time of scheduled call. However, the items they tell him he didn't bring, he does not have.			Unknown		4/19/2017		5/9/2017	Not Confirmed	No Action	No
RJD	A	4/6/2017		Inmate alleges staff refuse him access to the TDD/TTY phone because he doesn't have a chrono to use it.			Unknown		4/19/2017		5/9/2017	Not Confirmed	No Action	No
RJD	A	4/11/2017	Email from AW, RJD SNY Facilities	Inmate was release by ICC on 4/6/17 but was not removed from ASU until 4/7/17.			8368 RJD	1	4/25/2017		5/17/2017	Confirmed	Training	No
RJD	A	4/11/2017	Email from AW, RJD SNY Facilities	Inmate was release by ICC on 4/6/17 but was not removed from ASU until 4/7/17.			2527 RJD	3	4/25/2017		5/17/2017	Confirmed	Training	No
RJD	A	4/11/2017	Email from AW, RJD SNY Facilities	Inmate was release by ICC on 4/6/17 but was not removed from ASU until 4/7/17.			2176 RJD	1	4/25/2017		5/17/2017	Confirmed	Training	No
RJD	A	4/11/2017	Email from AW, RJD SNY Facilities	Inmate was release by ICC on 4/6/17 but was not removed from ASU until 4/7/17.			4490 RJD	0	4/25/2017		5/17/2017	Confirmed	Training	No
RJD	A	4/11/2017	Email from AW, RJD SNY Facilities	Inmate was release by ICC on 4/6/17 but was not removed from ASU until 4/7/17.			6246 RJD	0	4/25/2017		5/17/2017	Confirmed	Training	No
RJD	A	4/11/2017	Email from AW, RJD SNY Facilities	Inmate was release by ICC on 4/6/17 but was not removed from ASU until 4/7/17.			8099 RJD	0	4/25/2017		5/17/2017	Confirmed	Training	No
RJD	A	4/13/2017		Inmate alleges staff lost his hearing aid during a cell search.			Unknown		4/19/2017		5/4/2017	Not Confirmed	No Action	No
RJD	A	4/13/2017		Inmate alleges staff refused to allow him access to the restroom after his visit on 4/01/17.			Unknown		4/19/2017		5/9/2017	Not Confirmed	No Action	No
RJD	A	4/13/2017		Inmate alleges staff again refused to allow him access to the restroom after his visit on 4/08/17.			Unknown		4/19/2017		5/9/2017	Not Confirmed	No Action	No
RJD	A	4/20/2017	Advocacy Letter from RBGG	Inmate was denied appropriate assistance and accommodations in preparation for his parole hearings.			Unknown		5/2/2017		5/24/2017	Not Confirmed	No Action	No
RJD	A	5/8/2017	Email from L. Maldonado, CCI CHCF	Inmate was received at CHCF from RJD/CF without DMEs including Otho shoes and Gel inserts.			Unknown		5/10/2017		5/24/2017	Confirmed	No Action	No
RJD	A	5/10/2017	Email from Katie Riley, Legal Counsel to OIA	Improper Use of Force			1566 RJD	0	5/10/2017		Pending			
RJD	A	5/30/2017	Form 22, from I/M Devon	Inmate alleges custody staff are denying access to TDD/TTY Phone			Unknown		5/30/2017		Pending			
RJD	A	4/20/2017		Inmate alleges custody staff destroyed his ADA appliances. Also alleges staff harasses ADA prisoners in wheelchairs and deliberately and maliciously violates ADA policy.			8976 RJD	1	4/26/2017		5/10/2017	Not Confirmed	No Action	No
RJD	A	4/20/2017		Inmate alleges custody staff destroyed his ADA appliances. Also alleges staff harasses ADA prisoners in wheelchairs and deliberately and maliciously violates ADA policy.			7895 RJD	2	4/26/2017		5/10/2017	Not Confirmed	No Action	No

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP)

Allegation of Noncompliance Log

May 2017

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	4/27/2017		Inmate alleges HU 5 staff are harassing and retaliating against inmates by taking medication, glasses and other appliances.			3017 RJD	2	5/2/2017		5/24/2017	Not Confirmed	No Action	No
RJD	A	5/11/2017		Custody staff did not summon emergency medical personnel			9998 RJD	2	5/12/2017		5/24/2017	Not Confirmed	No Action	No
RJD	A	5/11/2017		Custody staff did not summon emergency medical personnel			6410 RJD	1	5/12/2017		5/24/2017	Not Confirmed	No Action	No
RJD	A	5/11/2017		Custody staff did not summon emergency medical personnel			3017 RJD	2	5/12/2017		5/24/2017	Not Confirmed	No Action	No
RJD	A	5/11/2017		Custody staff denied ADA Shower from 5/3/17 through 5/9/17			1749 RJD	2	5/12/2017		5/24/2017	Not Confirmed	No Action	No
RJD	A	5/11/2017		DME / Health Care appliances returned, Legal Paper work provided and access to form 22.			0089 RJD	0	5/12/2017		5/31/2017	Not Confirmed	No Action	No
RJD	A	5/11/2017		DME / Health Care appliances returned, Legal Paper work provided and access to form 22.			0253 RJD	0	5/12/2017		5/31/2017	Not Confirmed	No Action	No
RJD	A	5/11/2017		DME / Health Care appliances returned, Legal Paper work provided and access to form 22.			4485 RJD	0	5/12/2017		5/31/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Discrimination by custody staff. Inmate is requesting property be returned and an investigation into his concerns.			Unknown		5/19/2017		Pending			
RJD	A	5/18/2017		Inmate alleges he was assaulted by three officers while placed at local hospital			Unknown		5/19/2017		Pending			
RJD	A	5/18/2017		Inmate alleges he is being harassed and being threatened by custody staff			Unknown		5/19/2017		Pending			
RJD	A	5/18/2017		Inmate alleges custody staff are denying him access to religious programs.			Unknown		5/19/2017		Pending			
RJD	A	5/18/2017		Inmate was received at CIM from RJD for MHC without his DME, Orthopedic Shoes.			Unknown		5/19/2017		Pending			
RJD	A	5/18/2017		Inmate alleges custody staff denied emergency medical care.			Unknown		5/19/2017		Pending			
RJD	A	5/18/2017		Inmate alleges on 5/10/2017, custody staff denied access to shower program.			Unknown		5/19/2017		Pending			
RJD	A	5/18/2017		Inmate alleges custody staff denied access to ADA shower program.			Unknown		5/19/2017		Pending			
RJD	A	5/18/2017		Inmate alleges ADA Coordinator is denying access to ADA rights.			Unknown		5/19/2017		Pending			
RJD	A	5/18/2017		Inmate alleges on 5/12/17 custody staff denied access to ADA shower program			Unknown		5/19/2017		Pending			
RJD	A	5/18/2017		Inmate alleges custody staff intentionally and knowingly attempted to have him Murdered.			Unknown		5/19/2017		Pending			
RJD	A	5/18/2017		Inmate alleges custody staff denied access to ADA shower.			Unknown		5/19/2017		Pending			
RJD	A	5/18/2017		Inmate alleges on 5/14/17, custody staff conspired to have him attacked by another inmate.			Unknown		5/19/2017		Pending			
RJD	A	5/18/2017		Inmate alleges custody staff are denying access to shower program, use of Form 22 and Legal Mail..			Unknown		5/19/2017		Pending			
RJD	A	4/27/2017		Inmate alleges continued discrimination and victimization because staff lied and said they would report his illegal false imprisonment based on disability discrimination to proper authorities if he withdrew his CDCR 602; however, when he withdrew the 602, no action was taken by staff.			4543 RJD	1	5/2/2017		5/24/2017	Not Confirmed	No Action	No

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - Armstrong

Allegation of Non-Compliance Log

June 2017

Institution: DAI, DAPO, Region, Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to CIA (Yes/No)
MCSP	A	2/9/2017		DPV I/M states he has been on a porter waitlist for 7 mos and is being passed up for assign			Unknown		2/19/2017		Pending			
MCSP	A	2/9/2017		DLT reports he fell accessing the shower as a result of his legs being different lengths			Unknown		2/19/2017		Pending			
MCSP	A	2/9/2017		I/M reported that he refuses to shower because of barriers			Unknown		2/19/2017		6/20/2017	Confirmed	No Action	No
MCSP	A	2/9/2017		DPW I/M reported that during a search two staff members physically lifted him out of his wheelchair			Unknown		2/19/2017		6/20/2017	Confirmed	No Action	No
MCSP	A	2/9/2017		I/M states he is made to sit during alarms despite wearing an MI vest			Unknown		2/19/2017		Pending			
MCSP	A	2/9/2017		I/M states he had an LD prior to coming to prison. No assistance given to verify his LD			Unknown		2/19/2017		Pending			
MCSP	A	2/17/2017		Failure to transfer w/o assistive device late entry			Unknown		2/27/2017		6/20/2017	Not Confirmed	No Action	No
MCSP	A	2/17/2017		R&R did not provide his orthopedic shoes in a timely fashion. I/M received w/o DME on person			Unknown		2/27/2017		Pending			
MCSP	A	2/17/2017		I/M arrived without DME			Unknown		2/27/2017		6/20/2017	Confirmed	No Action	No
MCSP	A	4/28/2017		I/M arrived without DME								Referred to Health Care		
MCSP	A	5/8/2017		I/M inappropriately housed			Unknown		5/10/2017		6/20/2017	Confirmed	No Action	No
MCSP	A	5/24/2017		I/M inappropriately housed			Unknown		5/25/2017		6/20/2017	Confirmed	No Action	No
MCSP	A	5/26/2017		I/M inappropriately housed			Unknown		5/26/2017		6/20/2017	Confirmed	No Action	No
MCSP	A	5/30/2017		I/M inappropriately housed			Unknown		5/30/2017		6/20/2017	Confirmed	No Action	No
MCSP	A	6/20/2017		I/M inappropriately housed			Unknown		6/20/2017		Pending			
NKSP	A	6/6/2017		On CDCR 1824 Log # [REDACTED] I/M stated he had come to NKSP from a mainline placement at MCCC for medical reasons and is requesting a phone call to his family. Alleges he was a mainline inmate and did not receive Extended Stay Privileges.			Unknown		6/6/2017		6/19/2017	Not Confirmed	No Action	No
NKSP	A	6/6/2017		During the interview with Plaintiffs, I/M reported that he was denied contact visits for a period of time following his receipt of Extended Stay Privileges.			9532 NKSP	0	6/6/2017		6/26/2017	Confirmed	ECR	No
NKSP	A	6/6/2017		During the interview with Plaintiffs, I/M reported that he was denied contact visits for a period of time following his receipt of Extended Stay Privileges.			9186 NKSP	0	6/6/2017		6/26/2017	Confirmed	Training	No
NKSP	A	6/29/2017		I/M was seen on 6/27/17, during 3rd watch by RN without a sign language interpreter (i.e., on-site or VRI). According to RN, written notes, which is the inmates secondary communication method, were used to communicate with the inmate.								Referred to CEO, 6/30/17		
NKSP	A	6/28/2017		On CDCR 1824 Log # [REDACTED] I/M stated a C.O. threatened him stating if he was not going to shower between 30 to 50 inmates that she would immediately find him a segregation cell; which she did on 6/19/17. Also, accused Officer of being racist and discriminating against him for wanting to take showers with only ADA inmates or with porter workers.			Unknown		6/30/2017		Pending			
NKSP	A	6/29/2017		The CDCR 602 Inmate/Parolee Appeal, I/M alleges an Officer kick him in his wheelchair and broke his right foot rest on wheelchair and was denied a phone call.			Unknown		6/30/2017		Pending			
PBSP	A											None		
PVSP	A	5/26/2017		Staff failed to assist inmate due to disability			9230 PVSP	0	5/30/2017		6/15/2017	Not Confirmed	No Action	No
PVSP	A	5/26/2017		Staff failed to assist inmate due to disability			2837 PVSP	0	5/30/2017		6/15/2017	Not Confirmed	No Action	No
PVSP	A	6/19/2017		DPM inmate housed on non-designated Facility			2511 PVSP	0	6/19/2017		6/28/2017	Confirmed	Training	No
PVSP	A	6/19/2017		DPM inmate housed on non-designated Facility			8397 PVSP	1	6/19/2017		6/28/2017	Confirmed	Training	No
PVSP	A	6/19/2017		DPM inmate housed on non-designated Facility			6843 PVSP	4	6/19/2017		6/28/2017	Confirmed	ECR	No
RJD	A	5/10/2017		Improper Use of Force			1566 RJD	0	5/10/2017		Pending			
RJD	A	6/6/2017		Inmate arrived at CMC from RJD without DME, compression socks.			Unknown		6/8/2017		Pending			
RJD	A	6/6/2017		Inmate arrived at CMC from RJD without DME, Shoes, Walker.			3911 RJD	1	6/8/2017		6/28/2017	Confirmed	No Action	No
RJD	A	6/6/2017		Inmate arrived at CMC from RJD without DME, Shoes, Walker.			0504 RJD	0	6/8/2017		6/28/2017	Confirmed	No Action	No
RJD	A	6/8/2017		Inmate arrived at SATF from RJD without his DMEs.			2294 RJD	1	6/8/2017		6/28/2017	Confirmed	Training	No
RJD	A	6/8/2017		Inmate arrived at SATF from RJD without his DMEs.			2215 RJD	1	6/8/2017		6/28/2017	Confirmed	Training	No
RJD	A	6/15/2017		Inmate was received at CIM from RJD without Hearing Aids. Claiming he dropped them in toilet at RJD.			Unknown		6/20/2017		Pending			

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - Armstrong

Allegation of Non-Compliance Log

June 2017

Institution DAI, DAPO, Region, Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Transferring Verbal Counseling, ECP, LOI, No Action)	Referral to CIA (Yes/No)
RJD	A	6/16/2017		Inmate alleges Health Care staff are denying access to care and making him stand when he is DPW.								Referred to Health Care RJD		
RJD	A	5/30/2017		Inmate alleges custody staff are denying access to TDD/TTY Phone			0154 RJD	2	5/30/2017		6/13/2017	Not Confirmed	No Action	No
RJD	A	5/30/2017		Inmate alleges custody staff are denying access to TDD/TTY Phone			3878 RJD	3	5/30/2017		6/13/2017	Not Confirmed	No Action	No
RJD	A	5/30/2017		Inmate alleges custody staff are denying access to TDD/TTY Phone			9835 RJD	2	5/30/2017		6/13/2017	Not Confirmed	No Action	No
RJD	A	6/22/2017		Inmate was received at CMC from RJD without DME: eyeglasses, hearing aids and Orthopedic Shoes.			Unknown		6/22/2017		Pending			
RJD	A	5/26/2017		Inmate returned to institution from outside hospital, discovered his cane and metal knee brace were lost or missing.			Unknown		6/21/2017		6/28/2017	Not Confirmed	No Action	No
RJD	A	5/26/2017		Inmate alleges he lost his orthopedic shoes when he went out to medical.			Unknown		6/21/2017		Pending			
RJD	A	6/28/2017		Inmate alleges discrimination, claiming ASU staff are denying access to yard activities.			4301 RJD	0	6/28/2017		Pending			
RJD	A	6/29/2017		Inmate alleges he requires ADA lift van for transportation. On 5/1/2017, I/M reported he was directed to either access van without lift or cancel appointment.			Unknown		6/29/2017		Pending			
RJD	A	6/29/2017		Inmate alleges when transferred from CMF to RJD DMEs were lost, including: hearing aids, glasses, wedge pillow, abdominal brace and hand magnifier.								Referred to CMF		
RJD	A	5/18/2017		Discrimination by custody staff. Inmate is requesting property be returned and an investigation into his concerns.			4485 RJD	3	5/19/2017		6/9/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges he was assaulted by three officers while placed at local hospital			Unknown		5/19/2017		Pending			
RJD	A	5/18/2017		Inmate alleges he is being harassed and being threatened by custody staff			3752 RJD	0	5/19/2017		6/9/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges custody staff are denying him access to religious programs.			1300 RJD	2	5/19/2017		6/9/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges custody staff are denying him access to religious programs.			4543 RJD	3	5/19/2017		6/9/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate was received at CIM from RJD for MHCB without his DME, Orthopedic Shoes.			8508 RJD	2	5/19/2017		6/1/2017	Confirmed	No Action	No
RJD	A	5/18/2017		Inmate was received at CIM from RJD for MHCB without his DME, Orthopedic Shoes.			6785 RJD	2	5/19/2017		6/1/2017	Confirmed	No Action	No
RJD	A	6/12/2017		Inmate provides he wears diapers, and alleges staff will not provide extra toilet paper and showers when requested.			5911 RJD	2	6/8/2017		6/27/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges custody staff denied emergency medical care.			0179 RJD	4	5/19/2017		6/9/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges on 5/10/2017, custody staff denied access to shower program.			1300 RJD	2	5/19/2017		6/9/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges custody staff denied access to ADA shower program.			Unknown		5/19/2017		6/9/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges ADA Coordinator is denying access to ADA rights.			8246 RJD	2	5/19/2017		6/13/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges on 5/12/17 custody staff denied access to ADA shower program			Unknown		5/19/2017		6/9/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges custody staff intentionally and knowingly attempted to have him Murdered.			9366 RJD	4	5/19/2017		6/9/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges custody staff intentionally and knowingly attempted to have him Murdered.			7895 RJD	4	5/19/2017		6/9/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges custody staff denied access to ADA shower.			Unknown		5/19/2017		6/9/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges on 5/14/17, custody staff conspired to have him attacked by another inmate.			7895 RJD	3	5/19/2017		6/9/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges on 5/14/17, custody staff conspired to have him attacked by another inmate.			9366 RJD	3	5/19/2017		6/9/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges custody staff are denying access to shower program, use of Form 22 and Legal Mail.			Unknown		5/19/2017		6/13/2017	Not Confirmed	No Action	No
RJD	A	6/23/2017		Inmate alleges his leg brace was lost by Custody staff at RJD when he transferred from RJD to COR.			2215 RJD	2	6/23/2017		Pending			
RJD	A	6/23/2017		Inmate alleges his leg brace was lost by Custody staff at RJD when he transferred from RJD to COR.			2294 RJD	0	6/23/2017		Pending			
SAC	A	5/19/2017		Inmate was transferred with a loaner wheelchair but states he had a personal wheelchair that was not returned to him prior to departure								Referred to SAC Medical		
SAC	A	6/6/2017		Dragged up the stairs			Unknown		6/12/2017		Pending			
SAC	A	6/8/2017		Staff misconduct			Unknown		6/30/2017		Pending			
SAC	A	6/14/2017		Missing DME			6758 SAC	3	6/24/2017		Pending			
SAC	A	6/14/2017		Missing DME			0473 SAC	2	6/24/2017		Pending			

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - ARMSTRONG

Allegation of Non-Compliance Log

July 2017

Institution; DAI, DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
LAC	A	7/19/2017	1824 -Inmate	Inmate alleges that he was made to remove his DME before his visit and was told if he did not his visit would be cancelled and he would receive an RVR.			Unknown		7/26/2017		Pending			
LAC	A	7/19/2017	1824 - Inmate	Inmate alleges that after going to Crisis Bed on 6/15 his DME placed in his property and have not been returned.			Unknown		7/27/2017		Pending			
LAC	A	7/20/2017		Inmate claims that his wheelchair cushion was not packed in his property.			Unknown		7/28/2017		Pending			
MCSP	A	2/9/2017	Armstrong Tour Report	DPV inmate states that ADA workers refuse to help			Unknown		2/19/2017		Pending			
MCSP	A	2/9/2017	Armstrong Tour Report	DPV I/M states he has been on a porter waitlist for 7 mos and is being passed up for assign			Unknown		2/19/2017		Pending			
MCSP	A	2/9/2017	Armstrong Tour Report	DLT reports he fell accessing the shower as a result of his legs being different lenth			Unknown		2/19/2017		Pending			
MCSP	A	2/9/2017	Armstrong Tour Report	I/M states he is made to sit during alarms despite wearing an MI vest			Unknown		2/19/2017		Pending			
MCSP	A	2/9/2017	Armstrong Tour Report	I/M states he had an LD prior to coming to prison. No assistance given to verify his LD			Unknown		2/19/2017		Pending			
MCSP	A	2/17/2017	RJD AMT Report CAMU late notification	R&R did not provide his orthopedic shoes in a timely fashion. I/M received w/o DME on person			Unknown		2/27/2017		Pending			
MCSP	A	6/20/2017	CCII CAMU	I/M inappropriately housed			Unknown		6/20/2017		Pending			
NKSP	A	6/28/2017	Prior to the the Reasonable Accommodation Panel (RAP) a review of the CDCR 1824's were being conducted by the ADA Coordinator.	On CDCR 1824 Log # [REDACTED] I/M stated a C.O. threatened him stating If he was not going to shower between 30 to 50 inmates that she would immediately find him a segregation cell; which she did on 6/19/17. Also, accused Officer of being racist and discriminating against him for wanting to take showers with only ADA inmates or with porter workers.			2459 NKSP	0	6/30/2017		7/17/2017	Not Confirmed	No Action	No
NKSP	A	6/29/2017		The CDCR 602 Inmate/Parolee Appeal, I/M alleges an Officer kick him in his wheelchair and broke his right foot rest on wheelchair and was denied a phone call.			2049 NKSP	0	6/30/2017		7/21/2017	Not Confirmed	No Action	No
NKSP	A	6/29/2017		The CDCR 602 Inmate/Parolee Appeal, I/M alleges an Officer kick him in his wheelchair and broke his right foot rest on wheelchair and was denied a phone call.			1059 NKSP	0	6/30/2017		7/21/2017	Not Confirmed	No Action	No
PBSP	A											None		
PVSP	A											None		
RJD	A	5/10/2017		Improper Use of Force			1566 RJD	0	5/10/2017			Referred to OIA		Yes

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - ARMSTRONG

Allegation of Non-Compliance Log

July 2017

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOL, No Action)	Referral to OIA (Yes/No)
RJD	A	6/6/2017		Inmate arrived at CMC from RJD without DME, compression socks.			3911 RJD	2	6/8/2017		7/7/2017	Not Confirmed	No Action	No
RJD	A	6/6/2017		Inmate arrived at CMC from RJD without DME, compression socks.			0504 RJD	1	6/8/2017		7/7/2017	Not Confirmed	No Action	No
RJD	A	6/6/2017		Inmate arrived at CMC from RJD without DME, compression socks.			9425 RJD	0	6/8/2017		7/7/2017	Not Confirmed	No Action	No
RJD	A	6/6/2017		Inmate arrived at CMC from RJD without DME, compression socks.			3911 RJD	1	6/8/2017		7/7/2017	Not Confirmed	No Action	No
RJD	A	6/15/2017		Inmate was received at CIM from RJD without Hearing Aids. Claiming he dropped them in toilet at RJD.			Unknown		6/20/2017		7/3/2017	Not Confirmed	No Action	No
RJD	A	6/29/2017		Inmate alleges he is being denied access to Law Library.			5422 RJD	1	7/5/2017		7/25/2017	Not Confirmed	No Action	No
RJD	A	6/29/2017		Inmate alleges he is being denied access to Law Library.			3988 RJD	1	7/5/2017		7/25/2017	Not Confirmed	No Action	No
RJD	A	7/6/2017		Denied access to Talking Book program.			8885 RJD	0	7/6/2017		7/11/2017	Not Confirmed	No Action	No
RJD	A	7/6/2017		Inmate was received at SATF without back brace. Inmate alleges he was never issued bakbrace at RJD.			Unknown		7/6/2017		7/19/2017	Not Confirmed	No Action	No
RJD	A	6/15/2017		Inmate alleges his pocket talker was taken during cell search.			Unknown		7/3/2017		7/18/2017	Not Confirmed	No Action	No
RJD	A	7/6/2017		Claims staff broke his C-PAP when conducting cell search.			Unknown		7/6/2017		7/18/2017	Not Confirmed	No Action	No
RJD	A	6/22/2017		Inmate was received at CMC from RJD without DME: eyeglasses, hearing aids and Orthopedic Shoes.			9454 RJD	5	6/22/2017		7/11/2017	Confirmed	Training	No
RJD	A	6/22/2017		Inmate was received at CMC from RJD without DME: eyeglasses, hearing aids and Orthopedic Shoes.			9098 RJD	0	6/22/2017		7/11/2017	Confirmed	Training	No
RJD	A	5/26/2017		Inmate alleges he lost his orthopedic shoes when he went out to medical.			Unknown		6/21/2017		7/3/2017	Not Confirmed	No Action	No
RJD	A	6/28/2017		Inmate alleges discrimination, claiming ASU staff are denying access to yard activities.			4301 RJD	0	6/28/2017		7/18/2017	Not Confirmed	No Action	No
RJD	A	6/29/2017		Inmate alleges he requires ADA lift van for transportation. On 5/1/2017, I/M reported he was directed to either access van without lift or cancel appointment.			6429 RJD	1	6/29/2017		7/14/2017	Not Confirmed	No Action	No
RJD	A	6/29/2017		Inmate alleges he requires ADA lift van for transportation. On 5/1/2017, I/M reported he was directed to either access van without lift or cancel appointment.			1888 RJD	0	6/29/2017		7/14/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges he was assaulted by three officers while placed at local hospital			3603 RJD	0	5/19/2017		7/31/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges he was assaulted by three officers while placed at local hospital			5883 RJD	0	5/19/2017		7/31/2017	Not Confirmed	No Action	No
RJD	A	5/18/2017		Inmate alleges he was assaulted by three officers while placed at local hospital			7949 RJD	0	5/19/2017		7/31/2017	Not Confirmed	No Action	No

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - ARMSTRONG

Allegation of Non-Compliance Log

July 2017

Institution: DAJ, DAPO: Region: Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	7/6/2017		Inmate claims retaliation for filing HC 602.								Referred to RJD HC		
RJD	A	7/13/2017		Inmate claims staff lost his orthopedic shoes when he was transported to hospital.			Unknown		7/13/2017		Pending			
RJD	A	7/13/2017		Inmate claims Law Library staff have pending Serious Rules Violation Reports against him, additionally denying him access due to his disability.			Unknown		7/13/2017		Pending			
RJD	A	7/27/2017		Inmate claims his walker was taken during cell search by custody staff.			Unknown		7/27/2017		Pending			
RJD	A	7/27/2017		Inmate claims DMEs were taken during cell search.			Unknown		7/27/2017		Pending			
RJD	A	7/20/2017		Inmate claims ASU legal property officer is discriminating against him.			Unknown		7/20/2017		Pending			
RJD	A	7/20/2017		Inmate alleges he missed canteen because custody staff did not properly notify him.			Unknown		7/20/2017		Pending			
RJD	A	7/20/2017		Inmate alleges he attended Perfect Pitch however, an SLI was not provided.					7/20/2017			Referred to RJD Health Care		
RJD	A	7/20/2017		Inmate is deaf and claims he recently attended UCC, however, SLI was not provided with staff assistance 24 hours prior to committee action.			Unknown		7/20/2017		Pending			
RJD	A	6/23/2017		Inmate alleges his leg brace was lost by Custody staff at RJD when he transferred from RJD to COR.			Unknown		6/23/2017		7/15/2017	Confirmed	Training	
SAC	A	6/6/2017		Dragged up the stairs			3911 SAC	1	6/12/2017		Pending			
SAC	A	6/8/2017		Staff misconduct			Unknown		6/30/2017		Pending			
SAC	A	6/8/2017		Refusal to provide accomodation			Unknown		6/15/2017		Pending			
SAC	A	7/11/2017		Removal of DME during cell extraction			3471 SAC	0	7/18/2017		Pending			
SAC	A	7/11/2017		Removal of DME during cell extraction			2874 SAC	0	7/18/2017		Pending			
SAC	A	7/11/2017		Removal of DME during cell extraction			9496 SAC	0	7/18/2017		Pending			
SAC	A	7/25/2017		DPW in non DPW bed			8041 SAC	0	7/26/2017		Pending			
SAC	A	7/25/2017		DPW in non DPW bed			5393 SAC	0	7/26/2017		Pending			
SAC	A	7/3/2017		Excessive Use of Force			1511 SAC	0	7/3/2017		Pending			
SAC	A	6/7/2017		Missing DME								Referred to SAC Medical		
SAC	A	6/14/2017		Missing DME			6758 SAC	3	6/24/2017		7/7/2017	Not Confirmed	No Action	
SAC	A	6/14/2017		Missing DME			0473 SAC	2	6/24/2017		7/7/2017	Not Confirmed	No Action	
SATF	A	6/21/2017		Inmate claims staff are not effectively communicating with him			3652 SATF	0	6/28/2017		7/14/2017	Not Confirmed	No Action	No
SATF	A	6/23/2017		Inmate claims he's being denied a job assignment due to his disability			Unknown		6/28/2017		7/11/2017	Not Confirmed	No Action	No
SATF	A	6/26/2017		Inmate inappropriately housed in an upper bunk			1382 SATF	1	6/28/2017		7/20/2017	Confirmed	Training	No
SATF	A	6/26/2017		Inmate inappropriately housed in an upper bunk			6343 SATF	0	6/28/2017		7/20/2017	Confirmed	Training	No
SATF	A	6/28/2017		Inmate state sign language interpreter was not provided during an interview with the Sergeant			Unknown		6/28/2017		7/20/2017	Not Confirmed	No Action	No

Disability Placement Program (DPP) - Armstrong

Allegation of Non-Compliance Log

August 2017

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	8/1/2017		Custody staff removed broken DME and provided receipt.			9068 RJD	0	8/1/2017		8/28/2017	Not Confirmed	No Action	No
RJD	A	8/1/2017		Inmate received at SVSP from RJD without DME Leg Brace Orthopedic shoe.			Unknown		8/1/2017		8/28/2017	Confirmed	No Action	No
RJD	A	8/1/2017		Interpreter J. Morris departed from assignment before group was completed.			8885 RJD	1	8/1/2017		8/14/2017	Not Confirmed	No Action	No
RJD	A	8/1/2017		Interpreter J. Morris departed from assignment before group was completed.			1143 RJD	0	8/1/2017		8/14/2017	Confirmed	Training	No
RJD	A	8/3/2017		Inmate alleges staff are denying access to work assignment and Mental Health groups.			Unknown		8/3/2018		Pending			
RJD	A	8/16/2017		Inmate arrived at LAC from RJD, alleging he never received his Orthopedic Boots at RJDCF.								Referred to RJDCF Health Care		
RJD	A	8/24/2017		Inmate alleges custody staff are harassing him and other inmates due to being identified as low functioning.			Unknown		8/24/2017		Pending			
RJD	A	8/31/2017		Discrimination, denial of access to yard based on medical condition.			Unknown		8/31/2017		Pending			
RJD	A	8/3/2017		Inmate alleges he was not selected for a clerk position based on ADA discrimination.			7012 RJD	0	8/3/2017		8/16/2017	Not Confirmed	No Action	No
RJD	A	8/17/2017		Inmate requires hearing aids, and alleges staff will not wake him for his early morning assignment.			Unknown		8/17/2017		Pending			
RJD	A	8/17/2017		Inmate alleges staff are denying him access to Yard activities based on ADA status.			Unknown		8/17/2017		Pending			
RJD	A	8/17/2017		Inmate alleges staff are denying him access to TTD/TTY phone.			Unknown		8/17/2017		8/29/2017	Not Confirmed	No Action	No
RJD	A	7/13/2017		Inmate claims staff lost his orthopedic shoes when he was transported to hospital.			Unknown		7/13/2017		8/1/2017	Not Confirmed	No Action	No
RJD	A	7/13/2017		Inmate claims Law Library staff have pending Serious Rules Violation Reports against him, additionally denying him access due to his disability.			7209 RJD	0	7/13/2017		8/1/2017	Not Confirmed	No Action	No
RJD	A	7/27/2017		Inmate claims his walker was taken during cell search by custody staff.			Unknown		7/27/2017		8/16/2017	Not Confirmed	No Action	No
RJD	A	7/27/2017		Inmate claims DMEs were taken during cell search.			8976 RJD	2	7/27/2017		8/23/2017	Not Confirmed	No Action	No
RJD	A	7/20/2017		Inmate claims ASU legal property officer is discriminating against him.			8960 RJD	0	7/20/2017		8/7/2017	Not Confirmed	No Action	No
RJD	A	7/20/2017		Inmate alleges he missed canteen because custody staff did not properly notify him.			8780 RJD	0	7/20/2017		8/15/2017	Not Confirmed	No Action	No
RJD	A	7/20/2017		Inmate alleges he missed canteen because custody staff did not properly notify him.			0154 RJD	0	7/20/2017		8/15/2017	Not Confirmed	No Action	No
RJD	A	8/16/2017		Inmate was received at LAC from RJD without his DME. DME was located in property.			Unknown		8/16/2017		Pending			
RJD	A	7/20/2017		Inmate is deaf and claims he recently attended UCC, however, SLI was not provided with staff assistance 24 hours prior to committee action.			1096 RJD	0	7/20/2017		8/15/2017	Confirmed	Training	No
RJD	A	7/20/2017		Inmate is deaf and claims he recently attended UCC, however, SLI was not provided with staff assistance 24 hours prior to committee action.			2817 RJD	0	7/20/2017		8/15/2017	Confirmed	Training	No
RJD	A	8/31/2017		Inmate was received at LAC from RJD without his DME.			Unknown		8/31/2017		Pending			

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
MCSP	A	8/1/2017		I/M alleges that custody failed to honor his no cuffing chrono			Unknown		8/1/2017	ADAC Weiss	Pending			
MCSP	A	8/1/2017		I/M alleges that staff refused to honor his chrono for assistance carrying his food tray			Unknown		8/1/2017	ADAC Weiss	Pending			
MCSP	A	8/11/2017		I/M inappropriately housed			Unknown		8/11/2017	Captain Buckner	Pending			
MCSP	A	8/30/2017		I/M inappropriately housed			Unknown		8/30/2017	Captain Chamberlin	Pending			
MCSP	A	8/29/2017		I/M inappropriately housed			Unknown		8/29/2017	Captain Pedersen	Pending			
MCSP	A	9/1/2017		I/M inappropriately housed			Unknown		9/1/2017	Captain Buckner	Pending			
MCSP	A	9/20/2017		I/M inappropriately housed			Unknown		9/20/17	Captain Pedersen	Pending			
NKSP	A	9/7/2017		On CDCR 1824 Log # NKSP-C [REDACTED], I/M stated C/O took his two extra blankets away that were issued by the doctor. I/M asked to see the doctor or nurse at the time. I/M stated the C/O and his partner placed him in the discipline cage for four (4) hours.			Unknown		9/8/2017	Earl Bravo, Lieutenant	9/25/2017	Not Confirmed	No Action	No
NKSP	A	9/14/2017		On CDCR 1824 Log# NKSP-C [REDACTED] I/M stated he needs his Extended Stay Privileges reinstated. I/M also states his ESP has been rescinded without cause or explanation. I/M was granted Extended Stay on May 25, 2017.			1641 NKSP	0	9/15/2017	Joseph Ortega, Captain	9/28/2017	Not Confirmed	No Action	No
PBSP	A											None		
PVSP	A	8/24/2017		Failure to properly document Disabilities on Parole Documentation			6079 PVSP	0	8/28/2017	R. Hubach, A.W.	9/11/2017	Confirmed	Training	No
PVSP	A	8/25/2017		Failure to properly document Disabilities on Parole Documentation			6079 PVSP	0	8/28/2017	R. Hubach, A.W.	9/11/2017	Confirmed	Training	No
PVSP	A	8/26/2017		Failure to properly document Disabilities on Parole Documentation			6079 PVSP	0	8/28/2017	R. Hubach, A.W.	9/11/2017	Confirmed	Training	No
PVSP	A	8/27/2017		Failure to properly document Disabilities on Parole Documentation			6079 PVSP	0	8/28/2017	R. Hubach, A.W.	9/11/2017	Not Confirmed	No Action	No
RJD	A	9/14/2017		Inmate alleges staff intentionally damaged his wheelchair armrest.			7245 RJD	0	9/14/2017	M. Rico, Sgt	9/25/2017	Not Confirmed	No Action	No
RJD	A	8/3/2017		Inmate alleges staff are denying access to work assignment and Mental Health groups during modified program.			Unknown		8/3/2017	D. Ramos, Sgt.	9/7/2017	Not Confirmed	No Action	No
RJD	A	9/1/2017		Inmate was received at CHCF from RJD without brace.			Unknown		9/1/2017	D. Argulez, Lt.	9/18/2017	Not Confirmed	No Action	No
RJD	A	9/7/2017		Inmate alleges retaliation for submitting an ADA complaint.			6695 RJD	0	9/7/2017	D. Eustaquio, Sgt.	9/18/2017	Not Confirmed	No Action	No
RJD	A	9/7/2017		Inmate alleges retaliation for submitting an ADA complaint.			8954 RJD	0	9/7/2017	D. Eustaquio, Sgt.	9/18/2017	Not Confirmed	No Action	No
RJD	A	9/7/2017		Inmate alleges retaliation for submitting an ADA complaint.			7895 RJD	4	9/7/2017	D. Eustaquio, Sgt.	9/18/2017	Not Confirmed	No Action	No
RJD	A	9/7/2017		Inmate alleges upon arrival to RJD R&R staff removed his walker and has not returned it.			3605 RJD	3	9/7/2017	P. Logan, AW	Pending			
RJD	A	9/21/2017		Inmate alleges during 1/W his wheelchair cushion was taken by unknown custody staff.			Unknown		9/28/2017	P. Logan, AW	Pending			
RJD	A	8/24/2017		Inmate alleges custody staff are targeting him by taking his ADA calls, Legal mail and harassing him and other inmates due to being identified as low functioning.			9239 RJD	0	8/24/2017	W. [REDACTED] Sgt.	9/18/2017	Not Confirmed	No Action	No
RJD	A	8/24/2017		Inmate alleges custody staff are targeting him by taking his ADA calls, Legal mail and harassing him and other inmates due to being identified as low functioning.			1697 RJD	0	8/24/2017	W. [REDACTED] Sgt.	9/18/2017	Not Confirmed	No Action	No
RJD	A	9/7/2017		Inmate alleges upon arrival to RJD, his walker was removed at R&R and not returned.			Unknown		9/7/2017	D. Argulez, Lt.	Pending			
RJD	A	8/31/2017		Inmate was received at LAC from RJD without his hearing aids.			Unknown		8/31/2017	D. Argulez, Lt.	9/22/2017	Not Confirmed	No Action	No
RJD	A	8/17/2017		Inmate requires hearing aids, and alleges staff did not wake him for his early morning assignment. He received a counseling chrono for not reporting.			Unknown		8/17/2017	J. McGee, Sgt.	Pending			

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	8/17/2017		Inmate alleges staff are denying him access to Yard activities based on ADA status.			1300 RJD	3	8/17/2017		9/11/2017	Not Confirmed	No Action	No
RJD	A	8/17/2017		Inmate alleges staff are denying him access to Yard activities based on ADA status.			7507 RJD	1	8/17/2017		9/11/2017	Not Confirmed	No Action	No
RJD	A	8/17/2017		Inmate alleges staff are denying him access to Yard activities based on ADA status.			8167 RJD	1	8/17/2017		9/11/2017	Not Confirmed	No Action	No
RJD	A	8/17/2017		Inmate alleges staff are denying him access to Yard activities based on ADA status.			3017 RJD	5	8/17/2017		9/11/2017	Not Confirmed	No Action	No
RJD	A	9/5/2017		Inmate is DPW and was removed out of wheelchair accessible bed.			1710 RJD	1	9/5/2017		9/21/2017	Confirmed	ECR	No
RJD	A	8/28/2017		Inmate alleges during incident responding staff in Housing Unit A6 damaged his wheelchair.			Unknown		9/6/2017		9/21/2017	Not Confirmed	No Action	No
RJD	A	9/7/2017		Inmate assigned to Education, SLI services not provided.			Unknown		9/7/2017		Pending			
RJD	A	9/7/2017		Inmate assigned to Education, SLI services not provided.			Unknown		9/7/2017		Pending			
RJD	A	9/20/2017		Inmate alleges custody staff denied him an ADA shower and discriminated him in front of other inmates in housing unit.			1749 RJD	1	9/20/2017		Pending			
RJD	A	8/16/2017		Inmate was received at LAC from RJD without DME on his person. DME in his property.			2878 RJD	0	8/16/2017		9/11/2017	Not Confirmed	No Action	No
RJD	A	8/16/2017		Inmate was received at LAC from RJD without DME on his person. DME in his property.			6097 RJD	4	8/16/2017		9/11/2017	Not Confirmed	No Action	No
RJD	A	8/21/2017		Inmate alleging Facility D staff lost his DMEs when he was placed in ASU. DME include Orthopedic shoes, back brace, and knee brace.			Unknown		8/21/2017		Pending			
RJD	A	8/21/2017		Inmate alleges custody staff denied him an ADA shower.			0854 RJD	0	8/21/2017		Pending			
RJD	A	8/21/2017		Inmate alleges Officer threw him to the ground, claiming staff believe they have green light to physically abuse disabled inmates.			Unknown		8/21/2017		Pending			
RJD	A	9/23/2017		Inmate alleges discrimination based on disability			Unknown		9/23/2017		Pending			
RJD	A	8/31/2017		Denial of access to yard based on discrimination of medical condition.			9889 RJD	0	8/31/2017		9/21/2017	Not Confirmed	No Action	No
SAC	A	6/8/2017		Staff misconduct			Unknown		6/30/2017		9/25/2017	Not Confirmed	No Action	No
SAC	A	7/3/2017		Aggressively applied restraints			1511 SAC	0	7/3/2017		9/25/2017	Not Confirmed	No Action	No
SAC	A	8/24/2017		Missing DME			Unknown		8/28/2017		9/25/2017	Not Confirmed	No Action	No
SAC	A	8/24/2017		Missing DME			Unknown		8/28/2017		9/25/2017	Not Confirmed	No Action	No
SAC	A	9/20/2017		Missing DME								Referred to SAC Medical		
SAC	A	9/28/2017		Missing DME			Unknown		9/27/2017		Pending			
SATF	A	8/7/2017		Inmate claims he's being denied routine access to utilize the ADA computer in the library			5136 SATF	1	8/9/2017		9/5/2017	Not confirmed	No Action	No
SATF	A	8/9/2017		Inmate claims staff are not utilizing effective communication			Unknown		8/17/2017		9/5/2017	Not confirmed	No Action	No
SATF	A	8/23/2017		Inmate claims he's being denied access to a college that offers accommodations for visually impaired			Unknown		8/31/2017		9/6/2017	Not confirmed	No Action	No
SATF	A	8/24/2017		Inmate transferred without glasses			Unknown		8/29/2017		9/8/2017	Not confirmed	No Action	No
SATF	A	8/29/2017		128B Transition to parole completed prior to UCC when inmate was designated DPV			8515 SATF	0	8/29/2017		9/13/2017	Confirmed	Training	No

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

October 2017

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	10/5/2017		Inmate alleges SLI services were not provided for initial interview for conditions of parole dated 7/22/2015			3995 RJD	0	10/13/2017		10/31/2017	Confirmed	Training	No
RJD	A	10/12/2017		Inmate housed inappropriately. Inmate requires bed move to ground floor/bottom bunk or bottom bunk.			Unknown		10/13/2017		10/31/2017	Confirmed	No Action	No
RJD	A	10/12/2017		Inmate housed inappropriately. Inmate requires bed move to ground floor/bottom bunk or bottom bunk.			Unknown		10/13/2017		10/25/2017	Not Confirmed	No Action	No
RJD	A	10/12/2017		Inmate housed inappropriately. Inmate requires bed move to ground floor/bottom bunk or bottom bunk.			Unknown		10/13/2017		10/24/2017	Not Confirmed	No Action	No
RJD	A	10/13/2017		Inmate received at LAC from RJD ASU, without DMEs.			Unknown		10/13/2017		Pending			
RJD	A	10/4/2017		In May of 2017, inmate alleges he requested SLI for religious services.			Unknown		10/13/2017		Pending			
RJD	A	9/7/2017		Inmate alleges DME and personal property was taken from cell after cell extraction.			9308 RJD	0	9/7/2017		10/25/2017	Not Confirmed	No Action	No
RJD	A	9/7/2017		Inmate alleges upon arrival to RJD R&R staff removed his walker and has not returned it.			3605 RJD	0	9/7/2017		10/1/2017	Not Confirmed- This allegation was entered in error		
RJD	A	9/21/2017		Inmate alleges during 1/W his wheelchair cushion was taken by unknown person			Unknown		9/28/2017		10/17/2017	Not Confirmed	No Action	No
RJD	A	10/18/2017		Inmate was received at LAC from RJD without DME (mobility vest).			Unknown		10/18/2017		Pending			
RJD	A	8/17/2017		Inmate requires hearing aids, and alleges staff did not wake him for his early morning assignment. He received a counseling chrono for not reporting.			Unknown		8/17/2017		10/31/2017	Not Confirmed	No Action	No
RJD	A	10/19/2017		Inmate alleges on 10/12/2017, SLI or VRI not provided for Medical Appointment.					10/19/2017			Referred to RJD Health Care		
RJD	A	9/7/2017		Inmate alleges upon arrival to RJD his walker was removed and not returned to him.			4914 RJD	0	9/7/2017		10/31/2017	Confirmed	Training	No
RJD	A	10/19/2017		Inmate alleges on 10/12/17, he was denied access to TDD/TTY and VRS phone located in Housing Unit 15.			Unknown		10/19/2017		Pending			
RJD	A	10/26/2017		Inmate alleges staff denied him access to Law Library based on Hearing Impaired.			Unknown		10/26/2017		Pending			
RJD	A	10/30/2017		Inmate requires SLI as primary method of communication. However, it does not appear SLI services were provided.			9884 RJD	0	10/30/2017		Pending			
RJD	A	10/30/2017		Inmate housed inappropriately based on housing restrictions.			Unknown		10/30/2017		Pending			
RJD	A	10/14/2017		Inmate is alleging staff denied access to cell to retrieve inhaler.			2891 RJD	0	10/14/2017		10/14/2017	Referral to OIA		Yes
RJD	A	10/30/2017		Inmate housed inappropriately based on housing restrictions.			Unknown		10/30/2017		Pending			
RJD	A	9/7/2017		Inmate assigned to Education, SLI services not provided.			7008 RJD	0	9/7/2017		10/31/2017	Confirmed	Training	No
RJD	A	9/7/2017		Inmate assigned to Education, SLI services not provided.			2732 RJD	0	9/7/2017		10/31/2017	Confirmed	Training	No
RJD	A	9/20/2017		Inmate alleges custody staff denied him a ADA shower and discriminated him in front of other inmates in housing unit.			1749 RJD	1	9/20/2017		10/11/2017	Not Confirmed	No Action	No
RJD	A	10/2/2017		Inmate alleges HCA officer attempted to escort inmate over uneven terrain placing him in danger.			0628 RJD	0	10/10/2017		10/24/2017	Not Confirmed	No Action	No
RJD	A	8/21/2017		Inmate alleging Facility D staff lost his DMEs when he was placed in ASU. DME include Orthopedic shoes, back brace and knee brace.			Unknown		8/21/2017		10/11/2017	Not Confirmed	No Action	No
RJD	A	8/21/2017		Inmate alleges he is incontinent and custody staff denied him a ADA shower.			0854 RJD	0	8/21/2017		10/12/2017	Not Confirmed	No Action	No
RJD	A	8/21/2017		Inmate alleges staff threw him to the ground.			9573 RJD	0	8/21/2017		10/12/2017	Not Confirmed	No Action	No
RJD	A	9/23/2017		Inmate request single cell and alleges discrimination based on disability and being assaulted by inmates.			Unknown		9/23/2017		10/12/2017	Not Confirmed	No Action	No
RJD	A	10/17/2017		Inmate alleges staff removed his orthopedic shoes and did not return them.			Unknown		10/17/2017		10/25/2017	Not Confirmed	No Action	No
RJD	A	10/9/2017		Inmate alleges Dr. Santos forced him to wait for services based on retaliation for submitting a HC 602.								Referred to RJD Health Care		
RJD	A	10/25/2017		Inmate housed inappropriately			Unknown		10/25/2017		Pending			

California Department of Corrections and Rehabilitation
Disability Placement Program/Developmental Disability Program

Allegation of Noncompliance Log

November 2017

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)	Column1
RJD	A	10/13/2017		Inmate received at LAC from RJD ASU, without DME's			Unknown		10/13/2017		Pending				
RJD	A	10/4/2017		In May of 2017, inmate alleges he requested SLI for religious services.			8246 RJD	1	10/13/2017		10/25/2017	Confirmed	Training	No	
RJD	A	11/2/2017		Inmate alleges he was denied access to VRS located in Housing Unit 15.			Unknown		11/2/2017		11/28/2017	Not Confirmed	No Action	No	
RJD	A	11/30/2017		Inmate was received at LAC from RJD without all his DMEs.			Unknown		11/30/2017		Pending				
RJD	A	10/18/2017		Inmate was received at LAC from RJD without DME.(mobility vest)			Unknown		10/18/2017		11/17/2017	Not Confirmed	No Action	No	
RJD	A	10/19/2017		Inmate alleges on 10/12/17, he was denied access to TDD/TTY and VRS phone located in Housing Unit 15.			Unknown		10/19/2017		11/14/2017	Not Confirmed	No Action	No	
RJD	A	10/26/2017		Inmate alleges staff denied him access to Law Library based on Hearing Impaired.			Unknown		10/26/2017		Pending				
RJD	A	10/30/2017		Inmate requires SLI as primary method of communication. However, it does not appear SLI services were provided.			9884 RJD	0	10/30/2017		11/27/2017	Not confirmed	No Action	No	
RJD	A	10/30/2017		Inmate housed inappropriately based on housing restrictions.			Unknown		10/30/2017		Pending				
RJD	A	10/30/2017		Inmate housed inappropriately based on housing restrictions.			Unknown		10/30/2017		11/27/2017	Confirmed	No Action	No	
RJD	A	10/25/2017		Inmate housed inappropriately based on housing restrictions.			Unknown		10/25/2017		11/27/2017	Confirmed	No Action	No	
RJD	A	11/2/2017		Inmate alleges based on his DPP designation of DNH his work supervisor placed him in a hostile work environment.			2567 RJD	0	11/2/2017		11/27/2017	Not Confirmed	No Action	No	
RJD	A	11/3/2017		Inmate claims retaliation based on his ADA medical concerns.			6413 RJD	0	11/3/2017		11/17/2017	Not Confirmed	No Action	No	
RJD	A	11/3/2017		Inmate was received at VSP from RJD without DME including dentures, wheelchair gloves, ortho boots, eyeglasses			Unknown		11/6/2017		Pending				
RJD	A	11/6/2017		Inmate housed inappropriately, inmate requires DPW designated bed.			Unknown		11/6/2017		Pending				
RJD	A	11/6/2017		Inmate housed inappropriately, inmate requires DPW designated bed.			Unknown		11/6/2017		Pending				
RJD	A	11/8/2017		Inmate indicates staff do not provide staff assistance and they will not push wheelchairs past Facility Gates (plaza)			Unknown		11/8/2017		Pending				
RJD	A	11/9/2017		Inmate placed in ASU however, Effective Communication concerns were noted during initial placement and administrative review.			Unknown		11/9/2017		Pending				
RJD	A	11/9/2017		Inmate placed in ASU however, Effective Communication concerns noted during initial placement and administrative review.			Unknown		11/9/2017		Pending				
RJD	A	11/13/2017		Inmate arrived at LAC from RJD without DME's			Unknown		11/13/2017		Pending				
RJD	A	11/13/2017		Inmate arrived at RJD on 11/9/17 from CHCF is designated DD3 however there is no indication in SOMS IHR was completed.			2527 RJD	3	10/30/2017		11/27/2017	Confirmed	ECR	No	

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November 2017

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)	Column1
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges sometimes staff close cell doors on wheelchair users.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges he observed a "blind white guy" beaten by officers.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges Officer slammed him to the ground after he was cuffed.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges inmates are stripped out and paraded around yard following incidents.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges inmates are stripped out and paraded around yard following incidents.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges on July 19, 2016, staff destroyed his property including his parastep during cell search. Inmate claims without parastep he is unable to stand or move and he is confined to wheelchair.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges following a cell search on April 8, 2017, staff distributed his property to other inmates. Inmates returned his property and informed him, what had taken place.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges after being rehoused in ASU, staff removed his property and did not return it.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges after being rehoused at a local hospital, staff removed his property and did not return it. Property includes: insoles dentures and personal items.			Unknown		11/15/2017		11/15/2017	Not Confirmed	No	No	
RJD	A	11/15/2017	AMT Report October 2017, (Staff identified as [REDACTED])	Anonymous inmate with designation of DPW/DPO claims an Officer is not allowing ADA workers access to Facility C Housing Unit 12 to assist inmates.			Unknown		11/22/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges staff tore up his cell following his filing an appeal regarding access to showers.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges he informed a teacher he was thinking of filing an appeal requesting disability accommodations and was cautioned not to do so.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate is DPW, alleges staff told him "you can just get up and walk" your faking" and "you should wipe your ass better, you stink".			Unknown		15-Nov-17		11/15/2017	Not Confirmed	No Action	No	
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges staff make remarks "go sit your crippled ass down".			Unknown		11/15/2017		11/15/2017	Not confirmed	No Action	No	
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges day after knee surgery he was escorted to interview and was rushed by staff. He arrived at interview with plaintiff with incorrect wheelchair, one not equipped with elevated foot rest.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges he is unable to access yard because he is required to strip out and leave housing unit in boxers. However, because of his disability he is unable to put his clothes back on.			Unknown		11/15/2017		Pending				

California Department of Corrections and Rehabilitation
 Disability Placement Program/Developmental Disability Program

Allegation of Noncompliance Log

November 2017

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)	Column1
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges he does not attend yard because there is nowhere he can hold onto. He reports filing an 1824 but fears retaliation.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate is DPW and alleges staff require him to stand during searches.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report May 26, 2017	Inmate requested lights be flickered when notification's are made due to hearing impairment.			Unknown		11/22/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges sometimes staff close cell doors on wheelchair users.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges sometimes staff close cell doors on wheelchair users.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges during medical transport custody staff initiated a verbal confrontation and he was struck.			Unknown		11/15/2017		Pending				
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges during return from medical transport he was not secured in a seatbelt. Staff intentionally swerved launching him and causing injury.			Unknown		11/15/2017		Pending				

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Allegation of Noncompliance Log
December 2017

Institution; DAJ; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
LAC	A	12/15/2017		Inmate was released at ICC yesterday but is still housed in Adseg.			Unknown		12/15/2017		Pending			
LAC	A	12/19/2017		Inmate alleges that he is being targeted by staff and undue familiarity in order to provoke misconduct and remove single cell status.			Unknown		12/20/2017		Pending			
LAC	A	12/20/2017		Inmate alleges that he has been forced to sit down during alarms.			Unknown		12/20/2017		Pending			
LAC	A	12/28/2017		Inmate arrived from DVI without crutches.					12/28/2017			Ref. to [REDACTED]		
LAC	A	12/27/2017		Inmate states he has breathing problems and he can't sleep because he doesn't have his CPAP machine.			Unknown		12/29/2017		Pending			
MCSP	A	2/9/2017		I/M states he had an LD prior to coming to prison. No assistance given to verify his LD					2/19/2017		Pending			
MCSP	A	8/1/2017		Late Entry to Log - I/M alleges that staff refused to honor his chrono for assistance carrying his food tray			Unknown		8/1/2017		8/1/2017	Not Confirmed	No Action	No
MCSP	A	8/11/2017		I/M inappropriately housed			Unknown		8/11/2017		12/11/2017	Not Confirmed	No Action	No
MCSP	A	8/30/2017		I/M inappropriately housed			Unknown		8/30/2017		12/11/2017	Confirmed	No Action	No
MCSP	A	8/29/2017		I/M inappropriately housed			Unknown		8/29/2017		12/11/2017	Not Confirmed	No Action	No
MCSP	A	9/1/2017		I/M inappropriately housed			Unknown		9/1/2017		12/11/2017	Not Confirmed	No Action	No
MCSP	A	9/20/2017		I/M inappropriately housed			Unknown		9/20/2017		12/11/2017	Not Confirmed	No Action	No
MCSP	A	12/13/2017		I/M was placed into ASU w/o prescribed DME (Cane)			Unknown		12/14/2017		12/18/2017	Pending		
NKSP	A	12/7/2017		Plaintiffs allege Inmate [REDACTED] filed an 1824, he was denied access to showers			Unknown		12/11/2017		12/20/2017	Not Confirmed	No Action	No
NKSP	A	12/7/2017		Plaintiffs allege Inmate Bryant BC6470 was not granted extended stay on or before the 91st day			Unknown		12/12/2017		12/20/2017	Not Confirmed	No Action	No
NKSP	A	12/7/2017		Plaintiffs allege the inmate was denied shower access and assistance in an 1824			Unknown		12/11/2017		12/20/2017	Not Confirmed	No Action	No
PBSP	A											None		
PVSP	A											None		
RJD	A	10/13/2017		Inmate received at LAC from RJD ASU, without DME's			0615 RJD	1	10/13/2017		12/7/2017	Confirmed	Training	No
RJD	A	10/13/2017		Inmate received at LAC from RJD ASU, without DME's			5006 RJD	2	10/13/2017		12/7/2017	Confirmed	Training	No
RJD	A	12/21/2017		Inmate alleges custody staff harrasses elderly disabled prisoners.			Unknown		12/21/2017		Pending			
RJD	A	11/30/2017		Inmate is alleging he is denied showers. He is requesting designated showers and shower accommodation when he has an accident.			Unknown		12/14/2017		Pending			
RJD	A	11/30/2017		Inmate was received at LAC from RJD without all his DMEs.			Unknown		11/30/2017		12/22/2017	Not Confirmed	No Action	No
RJD	A	12/22/2017		Allegation institution SLI refused to provide patient services on 12/20/2017			8885 RJD	1	Pending					
RJD	A	11/27/2017		Based on housing restrictions, inmate was not appropriately housed .			3255 RJD	0	11/27/2017		12/15/2017	Confirmed	Training	No
RJD	A	11/27/2017		Based on housing restrictions, inmate was not appropriately housed .			4980 RJD	2	11/27/2017		12/15/2017	Confirmed	Training	No
RJD	A	11/27/2017		Based on housing restrictions, inmate was not appropriately housed .			2871 RJD	3	11/27/2017		12/15/2017	Confirmed	ECR	No
RJD	A	11/16/2017		Discrimination based on disability. Inmate claims when using his walker staff are not allowing him to stop and rest.			Unknown		11/16/2017		12/20/2017	Not Confirmed	No Action	No
RJD	A	12/14/2017		Inmate is DPO and alleges on 12/6/17, institutional investigation unit conducted a cell search. ISU made him stand while he was searched. Inmate claims he was unstable and almost fell.			Unknown		12/19/2017		Pending			
RJD	A	12/7/2017		Inmate alleges he is placed in ASU cell without electrical outlet. Inmate claims he is unable to use his electrical DME including O2 Oxygen concentrator and nebulizer.			Unknown		12/15/2017		Pending			
RJD	A	10/26/2017		Inmate alleges staff denied him access to Law Library based on Hearing Impairment.			Unknown		10/26/2017		12/13/2017	Not Confirmed	No Action	No
RJD	A	12/19/2017		Inmate is DPH and alleges R&R SGT did not provide SLI or written notes to communicate and establish effective communication.			3605 RJD	3	12/19/2017		Pending			
RJD	A	10/30/2017		Inmate housed inappropriately based on housing restrictions.			1119 RJD	1	10/30/2017		12/7/2017	Confirmed	Training	No
RJD	A	12/7/2017		Inmate alleges he was transported to LAC from RJD without his DME and was forced into a cramped seat without barrier or seatbelt.			Unknown		12/8/2017		Pending			
RJD	A	12/7/2017		Inmate alleges he was transported to LAC from RJD without his DME.			Unknown		12/8/2017		Pending			

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Institution; DAJ; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	12/7/2017		Inmate alleging discrimination based on disability requesting allowable DME and personal property in ASU.			Unknown		12/8/2017		Pending			
RJD	A	11/3/2017		Inmate was received at VSP from RJD without DME including dentures, wheelchair gloves, ortho boots, eyeglasses			Unknown		11/6/2017		12/7/2017	Not Confirmed	No Action	No
RJD	A	11/6/2017		Inmate housed inappropriately, inmate requires DPW designated bed.			3255 RJD	1	11/6/2017		12/15/2017	Confirmed	Training	No
RJD	A	11/6/2017		Inmate housed inappropriately, inmate requires DPW designated bed.			3764 RJD	0	11/6/2017		12/15/2017	Confirmed	Training	No
RJD	A	11/6/2017		Inmate housed inappropriately, inmate requires DPW designated bed.			5675 RJD	0	11/6/2017		12/15/2017	Confirmed	Training	No
RJD	A	11/6/2017		Inmate housed inappropriately, inmate requires DPW designated bed.			2527 RJD	3	11/6/2017		12/7/2017	Confirmed	Training	No
RJD	A	11/6/2017		Inmate housed inappropriately, inmate requires DPW designated bed.			8099 RJD	3	11/6/2017		12/7/2017	Confirmed	ECR	No
RJD	A	11/8/2017		Inmate indicates staff do not provide staff assistance and they will not push wheelchairs past Facility Gates (plaza)			5890 RJD	0	11/8/2017		12/15/2017	Confirmed	Training	No
RJD	A	11/2/2017		Inmate alleges he was denied access to VRS phone on 10/26/17 located in housing unit 15			Unknown		11/2/2017		12/7/2017	Not Confirmed	No Action	No
RJD	A	11/9/2017		Inmate placed in ASU however, Effective Communication concerns were noted during initial placement and administrative review.			6445 RJD	0	11/9/2017		12/7/2017	Confirmed	Training	No
RJD	A	11/9/2017		Inmate placed in ASU however, Effective Communication concerns were noted during initial placement and administrative review.			6246 RJD	0	11/9/2017		12/7/2017	Confirmed	Training	No
RJD	A	11/9/2017		Inmate placed in ASU however, Effective Communication concerns noted during initial placement and administrative review.			6445 RJD	1	11/9/2017		12/7/2017	Confirmed	Training	No
RJD	A	11/13/2017		Inmate arrived at LAC from RJD without DME's			Unknown		11/13/2017		Pending			
RJD	A	12/11/2017	AMT Report May 26, 2017	Inmate alleges he was beaten, his clothing was removed and he was dragged across the yard.			Unknown		12/11/2017		Pending			
RJD	A	12/11/2017	AMT Report May 26, 2017	Inmate alleges he observed an Officer stage a fight in the pill line.			8109 RJD	6	12/11/2017		Pending			
RJD	A	12/11/2017	AMT Report May 26, 2017	Inmate alleges Officer has interrupted multiple medical appointments to contradict what he is saying.			8109 RJD	7	12/11/2017		Pending			
RJD	A	12/11/2017	AMT Report May 26, 2017	Inmate alleges Officer tells medical staff he has no disability. Officer runs him away from clinic then documents inmate refused services.			8109 RJD	8	12/11/2017		Pending			
RJD	A	12/11/2017	AMT Report May 26, 2017	Inmate alleges Officer has interrupted medical appointment and tackled him to the ground.			8109 RJD	10	12/11/2017		Pending			
RJD	A	12/1/2017	AMT Report May 26, 2017	Inmate alleges he is skipping EOP groups because he has seen Officer working in that area.			8109 RJD	11	12/11/2017		Pending			
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges sometimes staff close cell doors on wheelchair users.			Unknown		12/11/2017		Pending			
RJD	A	12/11/2017	AMT Report May 26, 2017	Inmate alleges being denied ADA rights and is being subject to acts of discrimination by Officer			Unknown		12/11/2017					
RJD	A	12/11/2017	AMT Report May 26, 2017	Inmate alleges Officer vandalized his cell during cell search. He indicates could not access cell with wheelchair due to property strune about cell.			Unknown		12/11/2017		Pending			
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges he observed a "blind white guy" beaten by officers.			Unknown		12/11/2017		Pending			
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges Officer slammed him to the ground after he was cuffed.			Unknown		12/11/2017		Pending			
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges inmates are stripped out and paraded around yard following incidents.			Unknown		12/11/2017		Pending			
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges inmates are stripped out and paraded around yard following incidents.			Unknown		12/11/2017		Pending			
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges on July 19, 2016, staff destroyed his property including his parastep during cell search. Inmate claims without parastep he is unable to stand or move and he is confined to wheelchair.			Unknown		12/11/2017		Pending			
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges following a cell search on April 8, 2017, staff distributed his property to other inmates. Inmates returned his property and informed him, what had taken place.			Unknown		12/11/2017		Pending			
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges after being rehoused in ASU, staff removed his property and did not return it.			Unknown		12/11/2017		Pending			
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges staff tore up his cell following his filing an appeal regarding access to showers.			Unknown		12/11/2017		Pending			

California Department of Corrections and Rehabilitation
Disability Placement Program (DPP) - Armstrong
Allegation of Noncompliance Log
December 2017

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)			
RJD	A	11/15/2017		Inmate alleges he informed a teacher he was thinking of filing an appeal requesting disability accommodations and was cautioned not to do so.			Unknown		12/11/2017		Pending						
RJD	A	11/15/2017		Anonymous inmate with designation of DPW/DPO claims Officer is not allowing ADA workers access to Facility C Housing Unit 12 to assist inmates.			Unknown		11/22/2017		12/13/2017	Not Confirmed	No Action	No			
RJD	A	11/15/2017		Inmate alleges day after knee surgery he was escorted to interview and was rushed by staff. He arrived at interview with plaintiff with incorrect wheelchair, one not equipped with elevated foot rest.			Unknown		12/11/2017		Pending						
RJD	A	11/15/2017		Inmate alleges he is unable to access yard because he is required to strip out and leave housing unit in boxers. However, because of his disability he is unable to put his clothes back on.			Unknown		12/11/2017		Pending						
RJD	A	11/15/2017		Inmate alleges he does not attend yard because there is nowhere he can hold onto. He reports filing an 1824 but fears retaliation.			Unknown		12/11/2017		Pending						
RJD	A	12/14/2017		Inmate alleges 3/W staff are discriminating against him by not providing access to Forms.			Unknown		12/14/2017		Pending						
RJD	A	12/12/2017		Inmate alleges Control Booth staff are closing cell door on him and others.			Unknown		12/13/2017		Pending						
RJD	A	11/15/2017		Inmate is DPW and alleges staff require him to stand during searches.			Unknown		12/11/2017		Pending						
RJD	A	11/15/2017		Inmate requested lights be flickered when notificationas are made due to hearing impairment.			Unknown		11/22/2017		12/20/2017	Not Confirmed	No Action	No			
RJD	A	11/15/2017		Inmate alleges sometimes staff close cell doors on wheelchair users.			Unknown		11/15/2017		Pending						
RJD	A	11/15/2017		Inmate alleges sometimes staff close cell doors on wheelchair users.			Unknown		11/15/2017		Pending						
RJD	A	11/15/2017		Inmate alleges during medical transport custody staff initiated a verbal confrontation and he was struck.			Unknown		11/15/2017		Pending						
RJD	A	11/15/2017		Inmate alleges during return from medical transport he was not secured in a seat. Staff intentionally swerved launching him and causing injury.			Unknown		11/15/2017		Pending						
SAC	A	9/26/2017		Missing DME					6348 SAC		0	9/27/2017		12/1/2017	Not Confirmed	No Action	
SAC	A	9/26/2017		Missing DME					4997 SAC		0	9/27/2017		12/1/2017	Not Confirmed	No Action	
SAC	A	10/30/2017		DME allegations					Unknown			11/8/2017		12/1/2017	Not Confirmed	No Action	
SAC	A	12/7/2017		DME removal					1074 SAC		0	12/20/2017		12/26/2017	Not Confirmed	No Action	
SAC	A	12/13/2017		Inappropriate Housing					5077 SAC		0	12/20/2017		12/29/2017	Not Confirmed	No Action	
SAC	A	12/13/2017		Inappropriate Housing					1555 SAC		0	12/20/2017		12/29/2017	Not Confirmed	No Action	
SAC	A	12/13/2017		Inappropriate Housing					4187 SAC		0	12/20/2017		12/29/2017	Not Confirmed	No Action	
SAC	A	12/13/2017	Inappropriate Housing			5393 SAC	1	12/20/2017		12/29/2017	Not Confirmed	No Action					
SATF	A	11/3/2017	Inmate transferred without DME's			Unknown		11/9/2017		12/16/2017	Not Confirmed	No Action	No				
SATF	A	11/9/2017	Inmate claims his cane was packed in his property when he left the facility			Unknown		11/16/2017		Pending							
SATF	A	11/13/2017	Inmate transferred without DME's			Unknown		11/16/2017		12/8/2017	Not Confirmed	No Action	No				
SATF	A	11/14/2017	EC not documented appropriately on CDCR 1515 dated 10/24/17			4594 SATF	0	11/16/2017		12/4/2017	Confirmed	Training	No				
SATF	A	11/14/2017	EC not documented on CDCR 1515 dated 9/26/17			8225 SATF	2	11/16/2017		12/1/2017	Confirmed	Training	No				
SATF	A	11/14/2017	EC not documented on 1515 dated 11/6/17			8225 SATF	3	11/16/2017		12/1/2017	Confirmed	Training	No				
SATF	A	11/17/2017	Housed in a non-DPW bed			Unknown		11/20/2017		12/4/2017	Confirmed	No Action	No				
SATF	A	11/17/2017	Inmate claims discrimination by custody staff by denying him access to self help groups			1440 SATF	0	11/22/2017		12/27/2017	Not Confirmed	No Action	No				
SATF	A	11/17/2017	Inmate claims discrimination by custody staff by denying him access to self help groups			7764 SATF	0	11/22/2017		12/27/2017	Not Confirmed	No Action	No				
SATF	A	11/17/2017	Inmate claims discrimination by custody staff by denying him access to self help groups			5776 SATF	1	11/22/2017		12/27/2017	Not Confirmed	No Action	No				
SATF	A	11/17/2017	Inmate claims discrimination by custody staff by denying him access to self help groups			3616 SATF	0	11/22/2017		12/27/2017	Not Confirmed	No Action	No				
SATF	A	11/17/2017	Inmate claims discrimination by custody staff by denying him access to self help groups			3084 SATF	0	11/22/2017		12/27/2017	Not Confirmed	No Action	No				
SATF	A	11/17/2017	Inmate claims discrimination by denying participation in ADA programs			5116 SATF	1	11/22/2017		12/21/2017	Not Confirmed	No Action	No				
SATF	A	11/20/2017	EC not documented on 114D dated 11/15/17			5020 SATF	0	11/20/2017		12/27/2017	Confirmed	Training	No				
SATF	A	11/20/2017	Inmate claims he was denied access to assistance and access to enlarged copy of regulations			6993 SATF	1	11/22/2017		12/11/2017	Not Confirmed	No Action	No				
SATF	A	12/4/2017	Inmate states tower officer denied him access to medical in CTC because there was no SLI available			6167 SATF	1	12/7/2017		12/29/2017	Not Confirmed	No Action	No				
SATF	A	12/4/2017	Inmate was housed inappropriately in a Non-DPW bed			Unknown		12/11/2017									
SATF	A	12/14/2017	Inmate states the closed captioning is turned off			Unknown		12/21/2017		Pending							
SATF	A	12/21/2017	Inmate transferred without ankle brace			Unknown		12/21/2017		Pending							

California Department of Corrections and Rehabilitation
Disability Placement Program (DPP) - Armstrong
Allegation of Noncompliance Log
January 2018

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	12/21/2017		Inmate alleges custody staff harass elderly disabled prisoners.			6695 RJD	1	12/21/2017		1/10/2018	Not Confirmed	No Action	No
RJD	A	11/30/2017		Inmate is alleging he is denied showers. He is requesting designated showers and shower accommodation when he has an accident.			Unknown		12/14/2017		1/10/2018	Not Confirmed	No Action	No
RJD	A	1/8/2018		SLI not provided 10/6/2017			8885 RJD	1	1/9/2018		1/25/2018	Not Confirmed	No Action	No
RJD	A	1/11/2018		Scheduled SLI not available for appointment.			8885 RJD	1	1/11/2018		1/30/2018	Not confirmed	No Action	No
RJD	A	12/14/2017		Inmate is DPO and alleges on 12/6/17, institutional investigation unit conducted a cell search. ISU had him stand while he was searched. Inmate claims he was unstable and almost fell.			Unknown		12/19/2017		1/22/2018	Not Confirmed	No Action	No
RJD	A	12/7/2017		Inmate alleges he is placed in ASU cell without electrical outlet. Inmate claims he is unable to use his electrical DME including O2 Oxygen concentrator and nebulizer.			Unknown		12/15/2017		1/23/2018	Not Confirmed	No Action	No
RJD	A	12/19/2017		Inmate is DPH and alleges R&R SGT did not provide SLI or written notes to communicate and establish effective communication.			3605 RJD	3	12/19/2017		1/17/2018	Not Confirmed	No Action	No
RJD	A	12/7/2017		Inmate alleges he was transported to LAC from RJD without his DME and was forced into a cramped seat without barrier or seatbelt.			Unknown		12/8/2017		1/10/2018	Not Confirmed	No Action	No
RJD	A	12/7/2017		Inmate alleges he was transported to LAC from RJD without his DME.			Unknown		12/8/2017		1/19/2018	Not Confirmed	No Action	No
RJD	A	12/7/2017		Inmate alleging discrimination based on disability requesting allowable DME and personal property in ASU.			Unknown		12/8/2017		1/7/2018	Not Confirmed	No Action	No
RJD	A	11/13/2017		Inmate arrived at LAC from RJD without DME's			3977 RJD	1	11/13/2017		1/23/2018	Confirmed	Training	No
RJD	A	11/13/2017		Inmate arrived at LAC from RJD without DME's			5943 RJD	1	11/13/2017		1/23/2018	Confirmed	Training	No
RJD	A	11/15/2017	AMT Report May 26, 2017	Inmate alleges he was beaten, his clothing was removed and he was dragged across the yard.			Unknown		11/15/2017		1/23/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report May 26, 2017	Inmate alleges he observed an Officer stage a fight in the pill line.			8109 RJD	4	11/15/2017		1/25/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report May 26, 2017	Inmate alleges Officer has interrupted multiple medical appointments to contradict what he is saying.			8109 RJD	4	11/15/2017		1/25/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report May 26, 2017	Inmate alleges Officer tells medical staff he has no disability. Officer runs him away from clinic then documents inmate refused services.			8109 RJD	4	11/15/2017		1/25/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report May 26, 2017	Inmate alleges Officer has interrupted medical appointment and tackled him to the ground.			8109 RJD	4	11/15/2017		1/25/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report May 26, 2017	Inmate alleges he is skipping EOP groups because he has seen Officer working in that area.			8109 RJD	4	11/15/2017		1/23/2017	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges sometimes staff close cell doors on wheelchair users.			Unknown		11/15/2017		1/23/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report May 26, 2017	Inmate alleges being denied ADA rights and is being subject to acts of discrimination by Officer. This allegation is a duplicate from 5/18/2017			Unknown		11/15/2017		1/23/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report May 26, 2017	Inmate alleges Officer vandalized his cell during cell search. He indicates could not access cell with wheelchair due to property strune about cell.			0476 RJD	0	11/15/2017		1/17/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges he observed a "blind white guy" beaten by officers.			Unknown		11/15/2017		1/23/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges Officer slammed him to the ground after he was cuffed.			8109 RJD	4	11/15/2017		1/23/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges inmates are stripped out and paraded around yard following incidents.			0076 RJD	0	11/15/2017		1/17/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges inmates are stripped out and paraded around yard following incidents.			0076 RJD	0	11/15/2017		1/17/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges on July 19, 2016, staff destroyed his property including his parastep during cell search. Inmate claims without parastep he is unable to stand or move and he is confined to wheelchair.			5070 RJD	0	11/15/2017		1/23/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges on July 19, 2016, staff destroyed his property including his parastep during cell search. Inmate claims without parastep he is unable to stand or move and he is confined to wheelchair.			4217 RJD	0	11/15/2017		1/23/2018	Not Confirmed	No Action	No

California Department of Corrections and Rehabilitation
Disability Placement Program (DPP) - Armstrong
Allegation of Noncompliance Log
January 2018

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges following a cell search on April 8, 2017, staff distributed his property to other inmates. Inmates returned his property and informed him, what had taken place.			Unknown		11/15/2017		1/17/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges after being rehoused in ASU, staff removed his property and did not return it.			9792 RJD	0	11/15/2017		1/23/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges after being rehoused in ASU, staff removed his property and did not return it.			6406 RJD	0	11/15/2017		1/23/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges staff tore up his cell following his filing an appeal regarding access to showers.			Unknown		11/15/2017		1/17/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges he informed a teacher he was thinking of filing an appeal requesting disability accommodations and was cautioned not to do so.			5942 RJD	0	11/15/2017		1/17/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Anonymous inmate with designation of DPW/DPO claims Officer is not allowing ADA workers access to Facility C Housing Unit 12 to assist inmates.			Unknown		11/22/2017		1/17/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges day after knee surgery he was escorted to interview and was rushed by staff. He arrived at interview with plaintiff with incorrect wheelchair, one not equipped with elevated foot rest.			Unknown					Referred to RJD Healthcare		
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges he is unable to access yard because he is required to strip out and leave housing unit in boxers. However, because of his disability he is unable to put his clothes back on.			Unknown		11/15/2017		1/17/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges he does not attend yard because there is nowhere he can hold onto. He reports filing an 1824 but fears retaliation.			Unknown		11/15/2017		1/17/2018	Not Confirmed	No Action	No
RJD	A	12/14/2017	1824 ██████████	Inmate alleges 3/W staff are discriminating against him by not providing access to Forms.			Unknown		12/14/2017		1/23/2018	Not Confirmed	No Action	No
RJD	A	12/13/2017	1824	Inmate alleges Control Booth staff are closing cell door on him and others.			Unknown		12/13/2017		1/10/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate is DPW and alleges staff require him to stand during searches.			Unknown		11/15/2017		1/12/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges sometimes staff close cell doors on wheelchair users.			Unknown		11/15/2017		1/22/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges sometimes staff close cell doors on wheelchair users.			Unknown		11/15/2017		1/17/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges during medical transport, custody staff initiated a verbal confrontation and he was struck.			8553 RJD	0	11/15/2017		1/23/2018	Not Confirmed	No Action	No
RJD	A	11/15/2017	AMT Report October 2017	Inmate alleges during return from medical transport he was not secured in a seat. Staff intentionally swerved launching him and causing injury.			Unknown		11/15/2017		1/23/2018	Not Confirmed	No Action	No
SAC	A	12/29/2017	Warden	Inmate hopped up stairs to IDTT			3726 SAC	0	1/3/2018		1/16/2018	Not Confirmed	No Action	No
SAC	A	12/29/2017	Warden	Inmate hopped up stairs to IDTT			9496 SAC	1	1/3/2018		1/16/2018	Not Confirmed	No Action	No
SAC	A	12/13/2017		Missing DME			Unknown		Pending					
SATF	A	11/9/2017		Inmate claims his cane was packed in his property when he left the facility			7760 SATF	0	11/16/2017		1/30/2018	Confirmed	Training	No
SATF	A	11/9/2017		Inmate claims his cane was packed in his property when he left the facility			9243 SATF	0	11/16/2017		1/30/2018	Confirmed	Training	No
SATF	A	11/9/2017		Inmate claims his cane was packed in his property when he left the facility			5115 SATF	1	11/16/2017		1/30/2018	Confirmed	Training	No
SATF	A	11/9/2017		Inmate claims his cane was packed in his property when he left the facility			5039 SATF	0	11/16/2017		1/30/2018	Confirmed	Training	No
SATF	A	11/9/2017		Inmate claims his cane was packed in his property when he left the facility			4944 SATF	0	11/16/2017		1/30/2018	Confirmed	Training	No
SATF	A	12/14/2017		Inmates states the closed captioning is turned off			Unknown		12/21/2017		1/30/2018	Not Confirmed	No Action	No
SATF	A	12/21/2017		Inmate transferred without ankle brace			Unknown		12/21/2017		Pending			
SATF	A	1/2/2018		Inmate claims he's not being allowed to take the shortest route to chow			4156 SATF	0	1/3/2018		1/26/2018	Not Confirmed	No Action	No
SATF	A	1/4/2018		Inmate claims discrimination due to his vision impairment			Unknown		1/10/2018		Pending			
SATF	A	1/5/2018		Inmate claims he's being denied access to the ADA showers			Unknown		1/10/2018		Pending			
SATF	A	1/10/2018		Inmate claims staff do not utilize written notes to effectively communicate			Unknown		1/10/2018		1/30/2018	Not Confirmed	No Action	No
SATF	A	1/30/2018		Inmate states he was denied access to chow when he was not allowed to leave the housing unit			Unknown		Pending					
SCC	A											None		
SOL	A											None		
SQ	A	1/9/2018		Overdue for Extended Stay Privileges			3376 SQ	0	1/9/2018		1/22/2018	Confirmed	Training	No

Illinois Department of Corrections and Rehabilitation
 Disability Placement Program (DPP) - Armstrong
 Allegation of Noncompliance Log
 February 2018

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	1/16/2018		Inmate alleges the cell door closed on his walker. Inmate claims he is not being allowed enough time to enter and exit his cell.			Unknown		1/24/2018		Pending			
RJD	A	1/30/2018		Inmate is DPH, requires SLI for primary method of communication, with no secondary. Inmate was placed in ASU with use of written notes.			3548 RJD	0	1/30/2018		Pending			
RJD	A	1/30/2018		Inmate is DPH, requires SLI for primary method of communication, with no secondary. Inmate was placed in ASU with use of written notes.			6445 RJD	2	1/30/2018		Pending			
RJD	A	2/1/2018		Inmate designated as a DPO since 6/20/2017, was moved from [REDACTED] on 1/31/2018. Inmate was inappropriately housed.			Unknown		2/7/2018		Pending			
RJD	A	2/1/2018		Inmate was designated as a DPO on 1/30/18 and require a ground floor-no stairs/bottom bunk bed. Inmate was not housed appropriately.			Unknown		2/7/2018		Pending			
RJD	A	2/1/2018		Inmate designated DNM, required a ground floor-limited stairs and a bottom bunk per the Accommodation Chrono dated 1/26/18. Inmate was housed inappropriately.			Unknown		2/7/2018		Pending			
RJD	A	2/8/2018		Inmate alleges he was removed from the Computer Voc. Reentry anger management and SAP. Claiming discrimination due to his hearing impairment.			Unknown		2/20/2018		Pending			
RJD	A	2/8/2018		Inmate alleges his wheelchair gloves were confiscated, do not recall who and when gloves were taken.			Unknown		2/20/2018		Pending			
RJD	A	2/8/2018		Inmate is alleging staff is not allowing him to use the concrete path from Chow hall to the clinic pill line in D yard, request access to use the path.			Unknown		2/20/2018		Pending			
RJD	A	2/15/2018		Request new I.E. because their I.E. didn't use an SLI during due process.			Unknown		Pending					
RJD	A	2/15/2018		Request new I.E. because their I.E. didn't use an SLI during due process.			Unknown		Pending					
RJD	A	2/1/2018		I/P claims that on 1/09/2018, staff transported him in a van with no wheelchair lift.			Unknown		Pending					
RJD	A	2/15/2018		IM is claiming discrimination against CO's for writing him up for not going to work.			Unknown		Pending					
RJD	A	2/15/2018		IM is claiming discrimination against CO's for writing him up for not going to work.			Unknown		Pending					
RJD	A	2/15/2018		Claims DME was stored in the CTC connex when out to the hospital. Since returning, cannot get DME back.			Unknown		Pending					
RJD	A	2/15/2018		IM is complaining custody threw away his egg crate mattresses.			Unknown		Pending					
RJD	A	2/26/2018		Inmate was transported to LAC without his DME's.			Unknown		Pending					
RJD	A	2/23/2018		Inmate was transferred to CHCF without his DME's.			Unknown		Pending					
RJD	A	2/26/2018		Inmate is claiming ADA appliances were taken and destroyed.			Unknown		Pending					
RJD	A	2/22/2018		Inmate claims that clean laundry was denied after he had an accident with colostomy bag.			Unknown		Pending					
RJD	A	2/22/2018		Inmate claims wheelchair was broken, requesting a new one.								Referred to HC		
RJD	A	2/22/2018		Inmate was transferred from DSH/CSH to CHCF to RJD without his DME's.								Referred to CHCF		
RJD	A	2/22/2018		Inmate alleges his DME's were taken during searches.			Unknown		Pending					
RJD	A	2/22/2018		Inmate claims he is not receiving his DME's.								Referred to HC		
RJD	A	1/16/2018		Inmate Hazel arrived at DVI from RJD without his cane and compression stockings. He alleges his cane was taken during a cell search while at RJD.			Unknown		1/16/2018		Pending			
RJD	A	1/9/2018		Inmate arrived at RJD on 1-6-17 without his prescribed DME, hearing aid.								RJD referred to LAC in error as documented on the January 2017 Log.		
RJD	A	1/9/2017		Inmate arrived at RJD on 1-6-17 without his prescribed DME, hearing aid.								Referred to ISP		
RJD	A	1/9/2017		Inmate arrived at RJD on 1-6-17 without his prescribed DME, compression stockings								RJD referred to ISP in error as documented on the January 2017 Log		
RJD	A	1/9/2018		Inmate arrived at RJD 1/6/17 without his prescribed DME, compression stockings								Referred to LAC. This was previously referred to ISP in error on January 2017.		
RJD	A	11/16/2016		Inmate is designated as DPV CDCR Form 611 dated 6/8/16 does not indicate inmate has a disability. Additionally, no disability comments noting effective communication.								RJD referred to NKSP-RC in error as documented on the November 2016 Log.		
RJD	A	11/18/2017		Inmate arrived to RJD on 1-18-17 without his prescribed DME prosthetic eye.								RJD referred to CMF as documented in the January Log. However, CMF did not received allegation.		
RJD	A	11/18/2017		Inmate arrived to RJD on 1-18-17 without his prescribed DME prosthetic eye.								Refer to CMF		

California Department of Corrections and Rehabilitation
Disability Placement Program (DPP) - Armstrong
Allegation of Noncompliance Log
March 2018

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
LAC	A	3/20/2018		Inmate alleges that his TTY call was cancelled due to a counselor saying to put him on speaker, he's not DNH.			Unknown		3/30/2018		Pending			
LAC	A	3/13/2018		Inmate alleges he is being discriminated against due to his disability because he has been at LAC for almost five years without a job.			Unknown		3/30/2018		Pending			
LAC	A	3/26/2018		Inmate was pending transfer to SVSP and R&R was instructed to ensure inmate left with assigned DME's; however, inmate claims his ankle brace was lost. (This allegation was originally entered on 11/16/17 and closed out on 12/12/17. Re-entering this allegation due to different results per the NCRC review 3/26/2018.			Unknown		3/26/2018		3/26/2018	Confirmed	No Action	No
MCSP	A	2/9/2017		I/M states he had an LD prior to coming to prison. No assistance given to verify his LD.			Unknown		2/19/2017		3/15/2018	Not Confirmed	No Action	No
MCSP	A	1/16/2018		I/M is DLT with GF housing restrictions but is currently housed on the upper tier.			Unknown		1/16/2018		3/15/2018	Confirmed	Training	No
MCSP	A	1/8/2018		I/M arrived at CHCF without his wheelchair, mobility vest, and cane.			Unknown		1/8/2018		3/15/2018	Confirmed	No Action	No
MCSP	A	3/14/2018		I/M is not being allowed to receive assistance as a wheelchair bound inmate.			2416 MCSP	0	3/15/2018		3/28/2018	Not Confirmed	No Action	No
MCSP	A	3/27/2018		DPW I/M states that the informational billboard in his area has information placed on it that is too high to read			Unknown		3/27/2018		Pending			
MCSP	A	2/2/2018		Patient alleges Custody Staff is not honoring a memo signed by the captain on 12/12/2017 stating all wheelchair, walker users, may go the short way to chow.			Unknown		3/30/2018		Pending			
NKSP	A											None		
PBSP	A	2/23/2018		Did not document EC and mark correct boxes			1701 PBSP	0	3/7/2018		3/22/2018	Confirmed	Training	No
PBSP	A	2/23/2018		Did not document EC and mark correct boxes			9296 PBSP	0	3/7/2018		3/22/2018	Confirmed	Training	No
PBSP	A	2/23/2018		Did not document EC and mark correct boxes			2838 PBSP	0	3/8/2018		3/23/2018	Confirmed	Training	No
PBSP	A	2/23/2018		Did not document EC and mark correct boxes			2838 PBSP	0	3/8/2018		3/27/2018	Confirmed	Training	No
PBSP	A	3/29/2018		Inmate left PBSP without DME			Unknown		3/30/2018		Pending			
PVSP	A	3/19/2018		Lack of accommodations for path of travel on Facility D			Unknown		3/20/2018		3/26/2018	Not Confirmed	No Action	No
RJD	A	1/16/2018		Inmate alleges the cell door closed on his walker, inmate claims he is not being allowed enough time to enter and exit his cell			3879 RJD	0	1/24/2018		3/12/2018	Not Confirmed	No Action	No
RJD	A	1/18/2018		Inmate alleges Housing Unit 5 staff were " slamming me shut within the cell door frame"			9108 RJD	0	2/1/2018		3/16/2018	Confirmed	Training	No
RJD	A	1/26/2018		Inmate designated DLT was released from ASU on 1/25/18 was not housed appropriately			9818 RJD	0	1/26/2018		3/16/2018	Confirmed	Training	NO
RJD	A	1/30/2018		Inmate is DPH, requires SLI for primary method of communication, with no secondary. Inmate was placed in ASU with use of written notes.			3548 RJD	0	1/30/2018		3/12/2018	Confirmed	Training	No
RJD	A	1/30/2018		Inmate is DPH, requires SLI for primary method of communication, with no secondary. Inmate was placed in ASU with use of written notes.			6445 RJD	2	1/30/2018		3/12/2018	Confirmed	Training	No
RJD	A	2/1/2018		Inmate designated as a DPO since 6/20/2017 was moved from [REDACTED] on 1/31/2018 inmate was inappropriately housed			6006 RJD	0	2/7/2018		3/16/2018	Confirmed	Training	No
RJD	A	2/1/2018		Inmate was designated as a DPO on 1/30/18 and require a ground floor-no stairs/bottom bunk bed. Inmate was not housed appropriately			Unknown		2/7/2018		Pending			
RJD	A	2/1/2018		Inmate designated DNM required a ground floor-limited stairs and a bottom bunk per the Accommodation chronodated 1/26/18, inmate was housed inappropriately			7787 RJD	0	2/7/2018		3/16/2018	Confirmed	Training	No
RJD	A	2/8/2018		Inmate alleges he was removed from the Computer Voc. Reentry anger management and SAP. Claiming discrimination due to his hearing impairment.			Unknown		2/20/2018		3/12/2018	Not Confirmed	No Action	No
RJD	A	2/8/2018		Inmates alleges his wheelchair gloves were confiscated, do not recall when or who took the gloves.			Unknown		2/20/2018		3/12/2018	Not Confirmed	No Action	No
RJD	A	2/8/2018		Inmate is alleging staff is not allowing him to use the concrete path from the Chow hall to the clinic pill line in D yard - Request access to use the path.			8420 RJD	0	2/20/2018		3/12/2018	Not Confirmed	No Action	No

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

March 2018

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	2/15/2018		Request new I.E because they didn't use an SLI during d process.			0933 RJD	0	3/15/2018		Pending			
RJD	A	2/15/2018		Request new I.E because they didn't use an SLI during d process.			2173 RJD	0	3/15/2018		Pending			
RJD	A	2/1/2018		I/P claims that on 1/09/2018, staff transported him in a v with no wheelchair lift.			Unknown		3/15/2018		Pending			
RJD	A	2/15/2018		IM is claiming discrimination against CO's for writing hi up for not going to work			2889 RJD	0	3/14/2018		Pending			
RJD	A	2/15/2018		IM is claiming discrimination against CO's for writing hi up for not going to work			9607 RJD	0	3/14/2018		Pending			
RJD	A	2/15/2018		Claims DME was stored in the CTC connex when out t the hospital. Since returning cannot get DME back.			Unknown		3/16/2018		Pending			
RJD	A	2/15/2018		IM is complaining custody threw away his egg crate mattresses			Unknown		3/16/2018		Pending			
RJD	A	3/1/2018		On 2/17/18 inmate claims his DME (walker) was given t another inmate by an Officer.			Unknown		3/5/2018		Pending			
RJD	A	2/26/2018		Inmate was transported to LAC without his DME's			Unknown		3/9/2018		Pending			
RJD	A	2/23/2018		Inmate was transferred to CHCF without his DME's			Unknown		3/1/2018		Pending			
RJD	A	2/26/2018		Inmate is claiming ADA appliances were taken and destroyed			Unknown		3/1/2018		Pending			
RJD	A	2/22/2018		Inmate claims that clean laundry was denied after he ha an accident with colostomy bag.			Unknown		3/16/2018		Pending			
RJD	A	2/22/2018		Inmate claims wheelchair was broken requesting a new one								Referred to HC		
RJD	A	2/22/2018		Inmate alleges his DME's were taken during searches			Unknown		3/5/2018		Pending			
RJD	A	1/16/2018		Inmate [REDACTED] arrived at DVI from RJD without his cane a compression stockings. He alleges his cane was taken during a cell search while at RJD.			3911 RJD	0	1/16/2018		3/16/2018	Confirmed	Training	no
RJD	A	1/16/2018		Inmate [REDACTED] arrived at DVI from RJD without his cane a compression stockings. He alleges his cane was taken during a cell search while at RJD.			5766 RJD	0	1/16/2018		3/16/2018	Confirmed	Training	no
RJD	A	3/14/2018		Inmate arrived at RJD without his prescribed DME's								Referred to CRU-SACCO MCRP-SD		
SAC	A	2/1/2018		Physical Force			7897 SAC	0	2/14/2018		3/7/2018	Not Confirmed	No Action	No
SAC	A	2/1/2018		DME Removal Cane								Referred to SAC Medical		
SAC	A	2/1/2018		DME Removal Cane								Referred to CSP Solano		
SAC	A	2/1/2018		DME Removal Cane			Unknown		2/7/2018		3/8/2018	Not Confirmed	Training	No
SAC	A	2/1/2018		DME Removal knee brace			Unknown		2/7/2018		3/8/2018	Not Confirmed	No Action	No
SAC	A	2/1/2018		DME Damage			8807 SAC	0	2/8/2018		3/15/2018	Not Confirmed	No Action	No
SAC	A	2/1/2018		Inappropriate vehicle accommodations			7564 SAC	0	2/8/2018		3/7/2018	Not Confirmed	No Action	No
SAC	A	2/1/2018		Access to showers			0424 SAC	0	2/7/2018		3/2/2018	Not Confirmed	No Action	No
SAC	A	2/1/2018		Access to showers			2278 SAC	0	2/7/2018		3/2/2018	Not Confirmed	No Action	No
SAC	A	2/1/2018		Inappropriate handcuff accommodations			7690 SAC	3	2/8/2018		3/6/2018	Not Confirmed	No Action	No
SAC	A	2/5/2018		Access to programs -Plaintiffs interview			3471 SAC	1	2/14/2018		3/2/2018	Not Confirmed	No Action	No
SAC	A	2/5/2018		Access to programs -Plaintiffs interview			3726 SAC	1	2/14/2018		3/2/2018	Not Confirmed	No Action	No
SAC	A	2/5/2018		Access to programs			3471 SAC	0	2/7/2018		3/7/2018	Confirmed	Training	No
SAC	A	12/13/2017		Missing DME			7527 SAC	0	2/7/2018		3/8/2018	Confirmed	Training	No
SAC	A	12/13/2017		Missing DME			0045 SAC	0	2/7/2018		3/8/2018	Confirmed	Training	No
SAC	A	2/27/2018		Missing DME			7528 SAC	1	3/12/2018		3/28/2018	Not Confirmed	No Action	No
SAC	A	2/27/2018		Missing DME			7527 SAC	1	3/12/2018		3/28/2018	Not Confirmed	No Action	No
SAC	A	2/16/2018		Access to services			2700 SAC	0	2/27/2018		3/15/2018	Not Confirmed	No Action	No
SAC	A	2/16/2018		Access to services			5356 SAC	0	2/27/2018		3/15/2018	Not Confirmed	No Action	No
SAC	A	2/16/2018		Access to services			6255 SAC	0	2/27/2018		3/15/2018	Not Confirmed	No Action	No
SAC	A	2/16/2018		Access to services			4714 SAC	0	2/27/2018		3/15/2018	Not Confirmed	No Action	No
SAC	A	2/16/2018		Access to services			5415 SAC	0	2/27/2018		3/15/2018	Not Confirmed	No Action	No
SAC	A	3/22/2018		Missing DME			Unknown		3/30/2018		Pending			
SATF	A	1/4/2018		Inmate claims discrimination due to his vision impairme			Unknown		1/10/2018		Pending			
SATF	A	1/30/2018		Inmate states he was denied access to chow when he w not allowed to leave the housing unit			Unknown		2/2/2018		3/9/2018	Not Confirmed	No Action	No
SATF	A	2/1/2018		Inmate housed inappropriately			Unknown		2/2/2018		Pending			
SATF	A	2/1/2018		Inmate housed inappropriately			Unknown		2/2/2018		Pending			
SATF	A	2/1/2018		Inmate housed inappropriately			Unknown		2/2/2018		Pending			
SATF	A	2/1/2018		Inmate housed inappropriately			Unknown		2/2/2018		Pending			
SATF	A	2/7/2018		Inmate claims officers are preventing him from going to mental health groups and denying ADA showers			1046 SATF	0	2/14/2018		3/9/2018	Not Confirmed	No Action	No
SATF	A	2/13/2018		Inmate claims glasses were taken during cell searches			Unknown		2/14/2018		Pending			
SATF	A	2/22/2018		Inmate alleges he was not issued clothing and bedding items upon arrival to CSATF			Unknown		2/28/2018		Pending			

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

April 2018

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
LAC	A	4/20/2018		Inmate alleges that he has not been able to access the ADA shower daily because there is a line for that shower.			Unknown		4/23/2018		Pending			
LAC	A	4/20/2018		Inmate alleges that was being denied ADA shower access while he was DNH.			Unknown		4/23/2018		Pending			
LAC	A	4/20/2018		Inmate alleges that he has difficulty accessing the "Lower B Section" shower because people who don't have mobility disabilities always get in line first to use the shower.			Unknown		4/23/2018		Pending			
LAC	A	4/20/2018		Inmate alleges that staff does not notify him of announcements.			Unknown		4/23/2018		Pending			
LAC	A	4/20/2018		Inmate alleges that staff does not flash the lights for announcements. He states that he missed dayroom because he did not hear announcements, and states housing staff told him they weren't trained to flash lights.			Unknown		4/23/2018		Pending			
LAC	A	4/25/2018		Inmate arrived from RJD without his ankle foot orthoses.			Unknown		4/25/2018			Ref. to J 4/25/18		
LAC	A	4/25/2018		Inmate states he has a short walk chrono and was harrassed when returning from evening chow, and made to show the chrono every day. He states he is given a hard time to the degree that he stopped going to chow.			Unknown		4/25/2018		Pending			
LAC	A	4/25/2018		Inmate alleges that his supplies were taken in R&R, including his ortho shoes, and tens unit.			Unknown		4/25/2018		Pending			
LAC	A	4/25/2018		Inmate alleges that he didn't get any toileting supplies for days after arrival. He states he sat in his own waste for days.			Unknown		4/25/2018		Pending			
LAC	A	4/25/2018		Inmate states he was told there was no TDD or video calls available.			Unknown		4/25/2018		Pending			
LAC	A	4/25/2018		Inmate alleges that an officer used his hearing impairment against him when he refused to feed him by not giving him a feeding tray.			Unknown		4/25/2018		Pending			
LAC	A	4/26/2018		Inmate alleges that custody staff at LAC lost his hearing aids and glasses while he was out to court.			Unknown		4/26/2018		Pending			
LAC	A	4/26/2018		Inmate alleges that an officers refused him a shower for eight days. He alleges that while he was taking a bird bath in his cell, he fell, and nobody took him to medical. He alleges this is in retaliation over PREA.			Unknown		4/26/2018		Pending			
LAC	A	4/30/2018		Inmate transferred without all his necessary DME. He claims he lost his hearing aids in dayroom three years ago.			Unknown		4/30/2018		Pending			
MCSP	A	3/27/2018		DPW I/M states that the informational billboard in his area has information placed on it that is too high too read			Unknown		3/27/2018		4/23/2018	Confirmed	Training	No
MCSP	A	2/2/2018		Patient alleges Custody staff is not honoring a memo signed by the Captain on 12/12/2017 stating all wheelchair, walker users may go the short way to chow			Unknown		3/30/2018		Pending			
MCSP	A	3/19/2018		Failure to transfer DME			Unknown		3/20/2018		Pending			
MCSP	A	3/19/2018		Failure to transfer DME			Unknown		3/20/2018		Pending			
MCSP	A	3/19/2018		Failure to transfer DME			Unknown		3/20/2018		Pending			
MCSP	A	4/23/2018		Failure to transfer DME			Unknown		4/23/2018		Pending			
NKSP	A											None		
PBSP	A	3/29/2018		Inmate left PBSP without DME			Unknown		3/30/2018		4/23/2018	Not Confirmed	No Action	No
PBSP	A	4/10/2018		Denied Access to Care								Referred to Staff Complaint and RAP Process		
PBSP	A	4/12/2018		Denied Access to Care								Referred to Staff Complaint and RAP Process		
PBSP	A	4/12/2018		Inability to Navigate Stairs								Referred to Staff Complaint and RAP Process		
PVSP	A	4/26/2018		Discrimination based on inmate disability			2899 RJD	0	4/26/2018		4/30/2018	Not Confirmed	No Action	No
RJD	A	2/1/2018		Inmate was designated DPO on 1/30/18 and required a ground floor, no stairs/Bottom Bunk. Inmate was not housed appropriately..			4036 RJD	0	2/7/2018		3/14/2018	Confirmed	Training	No
RJD	A	2/15/2018		Requested new Investigative Employee because IE did not use SLI during RVR process.			0933 RJD	1	3/15/2018		4/4/2018	Not Confirmed	No Action	No

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	2/15/2018		Requested new Investigative Employee because IE did not use SLI during RVR process.			2173 RJD	0	3/15/2018		4/4/2018	Not Confirmed	No Action	No
RJD	A	2/15/2018		Inmate/Patient claims that on 1/9/18, staff transported him in a van without a wheelchair lift.			Unknown		3/15/2018		Pending			
RJD	A	2/15/2018		Inmate claims discrimination because Officers are writing him up for not going to work			2889 RJD	0	3/14/2018		4/13/2018	Not Confirmed	No Action	No
RJD	A	2/15/2018		Inmate claims discrimination because Officers are writing him up for not going to work			9607 RJD	0	3/14/2018		4/13/2018	Not Confirmed	No Action	No
RJD	A	2/15/2018		Inmate claims DME was stored in the CTC connex went OTM and has not received DME after returning.			1065 RJD	0	3/16/2018		4/17/2018	Confirmed	Training	No
RJD	A	2/15/2018		Inmate claims Custody threw away his egg crate mattress.			Unknown		3/16/2018		4/4/2018	Not Confirmed	No Action	No
RJD	A	2/22/2018		Inmate claims DMEs were taken during cell search			Unknown		3/16/2018		4/4/2018	Not Confirmed	No Action	No
RJD	A	2/22/2018		Inmate claims clean clothes/laundry was denied after having an accident with his colostomy bag			Unknown		3/16/2018		4/17/2018	Not Confirmed	No Action	No
RJD	A	2/23/2018		Inmate was transferred to CHCF without his DMEs			0504 RJD	2	3/1/2018		4/4/2018	Confirmed	Training	No
RJD	A	2/23/2018		Inmate was transferred to CHCF without his DMEs			9098 RJD	2	3/1/2018		4/4/2018	Confirmed	Training	No
RJD	A	2/26/2018		Inmate claims ADA appliances were taken and destroyed			Unknown		3/1/2018		4/12/2018	Not Confirmed	No Action	No
RJD	A	2/26/2018		Inmate was transported to LAC without DME								Referred to HC		
RJD	A	3/1/2018		on 2/17/18 Inmate claims his walker was given to another inmate by an Officer			Unknown		3/5/2018		4/12/2018	Not Confirmed	No Action	No
RJD	A	3/8/2018		Inmate alleges Third watch officer is not setting the "72 hour or ADA shower"			1865 RJD	0	4/20/2018		4/20/2018	Not Confirmed	No Action	No
RJD	A	3/8/2018		Inmate claims his DME was taken by a "crazy person name [REDACTED]"			Unknown		4/20/2018		4/20/2018	Not Confirmed	No Action	No
RJD	A	3/8/2018		Inmate claims he is only allowed one shower per week,			Unknown		4/20/2018		4/20/2018	Not Confirmed	No Action	No
RJD	A	3/15/2018		Inmate alleges he suffered two serious falls on his way to the hospital and states that he has to be transported in a vehicle with lift, and continue to state "I was denied medical access to that"			4354 RJD	0	4/3/2018		Pending			
RJD	A	3/22/2018		Inmate alleges DME was not provided in ASU.			Unknown		4/2/2018		Pending			
RJD	A	3/26/2018		Inmate Gonzalez who has been identified as hearing impaired and requires an Equality effective Communication for Hearing/Speech impaired chrono.			2231 RJD	0	4/2/2018		Pending			
RJD	A	3/29/2018		Inmate claims he was fired out from his job in the Bravo Culinary out of pure discrimination due to his disability			6448 RJD	0	4/20/2018		4/20/2018	Not Confirmed	No Action	No
RJD	A	3/29/2018		Inmate alleges discrimination claiming access is denied to wheelchair users to medical appointments, programs and activities.			Unknown		4/20/2018		4/20/2018	Not Confirmed	No Action	No
RJD	A	3/29/2018		Inmate alleges that upon returning from the hospital his Durable Medical Equipment was missing from his assigned cell.			Unknown		4/2/2018		Pending			
RJD	A	4/2/2018		Inmate requesting single cell due to his medical condition			Unknown		4/2/2018		Pending			
RJD	A	4/5/2018		Inmate alleges he was unassigned from Central Kitchen assignment, claims discrimination due to his disability			Unknown		4/17/2018		Pending			
RJD	A	4/5/2018		Inmate claims discrimination due to his disability and wants to be assigned from central Kitchen job and be given another job.			Unknown		4/17/2018		Pending			
RJD	A	4/4/2018		Inmate arrived at SATF from RJD without DME's			Unknown		4/12/2018		Pending			
RJD	A	4/16/2018		Inmate alleges hearing aids and ADA shoes were taken from him.			Unknown		4/16/2018		Pending			
RJD	A	4/20/2018		Inmate was not housed appropriately, housing restrictions, barrier free/wheelchair accessible, ground floor-no stairs/bottom bunk.			Unknown		4/25/2018		Pending			
RJD	A	4/23/2018		Inmate alleges that no SLI was provided for his safety Training since 03/2018			Unknown		4/25/2018		Pending			
RJD	A	4/25/2018		Inmate alleges C/O closed the cell door on him more than one time in fifteen seconds. States he got caught in between the cell door.			3879 RJD	0	4/27/2018		Pending			
RJD	A	4/25/2018		Inmate alleges hearing aid and ADA shoes were taken from him.			Unknown		4/27/2018		Pending			
RJD	A	4/26/2018		Inmate alleges staff is not meeting his Adaptive Support needs			Unknown		4/30/2018		Pending			
RJD	A	4/26/2018		Inmate claims staff took his DME			Unknown		4/30/2018		Pending			
SAC	A	3/22/2018		Missing DME			5596 SAC	0	3/30/2018		4/24/2018	Not Confirmed	No Action	No
SAC	A	4/16/2018		Missing DME								Referred to Medical		
SAC	A	4/3/2018		Harassment - ADA equipment								Referred to Staff Complaint		
SATF	A	1/4/2018		Inmate claims discrimination due to his vision impairment			Unknown		1/10/2018		4/9/2018	Not Confirmed	No Action	No
SATF	A	2/1/2018		Inmate housed inappropriately			Unknown		2/2/2018		4/9/2018	Not Confirmed	No Action	No

California Department of Corrections and Rehabilitation
Disability Placement Program/Developmental Disability Program

Allegation of Noncompliance Log

May 2018

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
LAC	A	5/3/2018		During the inquiry process of an allegation that inmate ██████ made, it was discovered that medical didn't replace ██████ loaner walker when he went to AdSeg.			Unknown		5/3/2018			Ref. to LAC ██████ Healthcare, 5/3/18		
LAC	A	5/14/2018		Inmate alleges that when he arrived in May 2017, he did not receive any orientation, handbook, or video.			Unknown		5/14/2018		Pending			
LAC	A	5/14/2018		Inmate alleges that when he arrived in May 2017, he did not receive any orientation, handbook, or video.			Unknown		5/14/2018		Pending			
LAC	A	5/14/2018		Inmate arrived into R&R without his eyeglasses and cane.			Unknown		5/14/2018			Ref. to ██████ 5/14/18		
LAC	A	5/15/2018		Inmate alleges that he is not being let out of his cell for his eye drops.			Unknown		5/16/2018		Pending			
LAC	A	5/15/2018		Inmate alleges that the armrest on his wheelchair has been broken for two months.			Unknown		5/16/2018			Ref. to ██████		
LAC	A	5/15/2018		Inmate alleges that a correctional officer turned in work orders for two months regarding the broken armrest on his wheelchair, and it still isn't fixed.			3870 LAC	0	5/16/2018		Pending			
LAC	A	5/18/2018		Inmate arrived at LAC with only one hearing aid. He states he lost it at Tehachapi Prison.			Unknown		5/18/2018			Ref. to ██████ 5/18/18		
LAC	A	5/22/2018		Inmate is alleging that he is not receiving medical supplies.			Unknown		5/23/2018			Ref. to ██████		
LAC	A	5/30/2018		Inmate arrived at R&R without his cane. He states the medical staff at Calipatria took the cane from him, telling him it was discontinued.			Unknown		5/30/2018			Ref. to ██████ CAL, 5/30/18		
MCSP	A	2/2/2018		Patient alleges Custody staff is not honoring a memo signed by the Captain on 12/12/2017 stating all wheelchair, walker users may go the shortway to chow.			Unknown		3/30/2018		5/31/2018	Not Confirmed	No Action	No
MCSP	A	3/19/2018		Failure to transfer DME			Unknown		3/20/2018		Pending			
MCSP	A	3/19/2018		Failure to transfer DME			Unknown		3/20/2018		Pending			
MCSP	A	3/19/2018		Failure to transfer DME			Unknown		3/20/2018		Pending			
MCSP	A	4/23/2018		Failure to transfer DME			Unknown		4/23/2018		Pending			
NKSP	A											None		
PBSP	A											None		
PVSP	A											None		
RJD	A	2/15/2018		Inmate/Patient claims that on 1/9/18, staff transported him in a van without a wheelchair lift.			6478 RJD	0	3/15/2018		5/3/2018	Confirmed	Training	No
RJD	A	2/15/2018		Inmate/Patient claims that on 1/9/18, staff transported him in a van without a wheelchair lift.			2288 RJD	0	3/15/2018		5/3/2018	Confirmed	Training	No
RJD	A	2/15/2018		Inmate/Patient claims that on 1/9/18, staff transported him in a van without a wheelchair lift.			0615 RJD	0	3/15/2018		5/3/2018	Confirmed	Training	No
RJD	A	3/15/2018		Inmate alleges he suffered two serious falls on his way to the hospital and states that he has to be transported in a vehicle with lift, and continue to state "I was denied medical access to that"			4354 RJD	0	4/3/2018		5/3/2018	Not Confirmed	No Action	No
RJD	A	3/22/2018		Inmate alleges DME was not provided in ASU.			5675 RJD	1	4/2/2018		4/20/2018	Confirmed	Training	No
RJD	A	3/22/2018		Inmate alleges his DME medical pillows, wedge pillow and cervical pillow were taken and thrown away			Unknown		4/2/2018		5/3/2018	Confirmed	No Action	No
RJD	A	3/26/2018		Inmate ██████ who has been identified as hearing impaired and requires an Equality effective Communication for Hearing/Speech impaired chrono.			2231 RJD	0	4/2/2018		5/1/2018	Confirmed	Verbal Counseling	No
RJD	A	3/29/2018		Inmate alleges that upon returning from the hospital his Durable Medical Equipment was missing from his assigned cell.			Unknown		4/2/2018		5/3/2018	Not Confirmed	No Action	No
RJD	A	4/2/2018		Inmate requesting single cell due to his medical condition			Unknown		4/2/2018		4/5/2018	Not Confirmed	No Action	No
RJD	A	4/5/2018		Inmate alleges he was unassigned from Central Kitchen assignment, claims discrimination due to his disability			1947 RJD	0	4/17/2018		5/4/2018	Not Confirmed	No Action	No

Disability Placement Program/Developmental Disability Program

Allegation of Noncompliance Log

May 2018

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	4/5/2018		Inmate claims discrimination due to his disability and wants to be assigned from central Kitchen job and be given another job.			1947 RJD	1	4/17/2018		5/2/2018	Not Confirmed	No Action	No
RJD	A	4/5/2018		Inmate claims discrimination due to his disability and wants to be assigned from central Kitchen job and be given another job.			9737 RJD	0	4/17/2018		5/2/2018	Not Confirmed	No Action	No
RJD	A	4/4/2018		Inmate arrived at SATF from RJD without DME's			Unknown		4/12/2018		5/3/2018	Not Confirmed	No Action	No
RJD	A	4/16/2018		Inmate alleges hearing aid and ADA shoes were taken from him			Unknown		4/16/2018		5/10/2018	Not Confirmed	No Action	No
RJD	A	4/17/2018		Inmate was not afforded American Sign Language (SLI) to establish effective communication during an interview.			2975 RJD	0	4/17/2018		5/10/2018	Confirmed	Training	No
RJD	A	4/20/2018		Inmate was not housed appropriately, housing restrictions, barrie free/wheelchair accessible, ground floor-no stairs/bottom bunk			1114 RJD	0	4/25/2018		5/10/2018	Confirmed	Training	No
RJD	A	4/20/2018		Inmate was not housed appropriately, housing restrictions, barrie free/wheelchair accessible, ground floor-no stairs/bottom bunk			2641 RJD	0	4/25/2018		5/10/2018	Confirmed	Training	No
RJD	A	4/20/2018		Inmate was not housed appropriately, housing restrictions, barrie free/wheelchair accessible, ground floor-no stairs/bottom bunk			5675 RJD	0	4/25/2018		5/10/2018	Confirmed	Training	No
RJD	A	4/20/2018		Inmate was not housed appropriately, housing restrictions, barrie free/wheelchair accessible, ground floor-no stairs/bottom bunk			8505 RJD	0	4/25/2018		5/10/2018	Confirmed	Training	No
RJD	A	4/20/2018		Inmate was not housed appropriately, housing restrictions, barrie free/wheelchair accessible, ground floor-no stairs/bottom bunk			4909 RJD	0	4/25/2018		5/10/2018	Confirmed	Training	No
RJD	A	4/20/2018		Inmate was not housed appropriately, housing restrictions, barrie free/wheelchair accessible, ground floor-no stairs/bottom bunk			6246 RJD	2	4/25/2018		5/10/2018	Confirmed	ECR	No
RJD	A	4/20/2018		Inmate was not housed appropriately, housing restrictions, barrie free/wheelchair accessible, ground floor-no stairs/bottom bunk			1981 RJD	0	4/25/2018		5/10/2018	Confirmed	Training	No
RJD	A	4/20/2018		Inmate was not housed appropriately, housing restrictions, barrie free/wheelchair accessible, ground floor-no stairs/bottom bunk			1516 RJD	0	4/25/2018		5/10/2018	Confirmed	Training	No
RJD	A	4/23/2018		Inmate alleges that no SLI was provided for his safety Training since 03/2018			PIA	0	4/30/2018		Pending	Confirmed	Training	No
RJD	A	4/25/2018		Inmate alleges C/O closed the cell door on him more than one time in fifteen seconds. States he got caught in between the cell door.			3879 RJD	0	4/27/2018		5/10/2018	Not Confirmed	No Action	No
RJD	A	4/25/2018		Inmate alleges hearing aid and ADA shoes were taken from him			Unknown					Referred to HC		
RJD	A	4/26/2018		Inmate alleges staff is not meeting his Adapt Support needs			6851 RJD	0	4/30/2018		5/25/2018	Not Confirmed	No Action	No
RJD	A	4/26/2018		Inmate claims staff took his DME			Unknown		4/30/2018		Pending			
RJD	A	4/26/2018		Inmate alleges ASU staff took his Durable Medical Equipment (DME)			5980 RJD	0	5/5/2018		5/23/2018	Not Confirmed	No Action	No
RJD	A	4/26/2018		Inmate alleges ASU staff took his Durable Medical Equipment (DME)			5980 RJD	0	5/5/2018		5/23/2018	Not Confirmed	No Action	No
RJD	A	5/1/2018		Inmate claims he is not provided sufficient time to exit his cell for medication.			Unknown	Unknown	5/1/2018		5/30/2018	Not Confirmed	No Action	No
RJD	A	5/3/2018		Inmate alleges walker and back brace were lost from property storage (connex) and not found when returned from the hospital			6905 RJD	0	5/8/2018		5/30/2018	Not Confirmed	No Action	No
RJD	A	5/9/2018		Unidentified DPW Inmate(s) claimed to auditors that Officer prohibits ADA Workers access to HU12 to assist DPW inmates.			6905 RJD	4	5/18/2018		Pending			
RJD	A	5/10/2018		Inmate claims custody staff has denied showers when he soils himself and subsequently has missed meals.			9655 RJD	0	5/14/2018		5/30/2018	Not Confirmed	No Action	No
RJD	A	5/10/2018		Inmate claims custody staff has denied showers when he soils himself and subsequently has missed meals.			8960 RJD	0	5/14/2018		5/30/2018	Not Confirmed	No Action	No
RJD	A	5/14/2018		Transfer from RJD without DME (cane and glasses).			Unknown		5/14/2018		Pending	Pending	Pending	Pending
RJD	A	5/17/2018		Inmate claims Custody staff lost his orthopedic shoes.			Unknown		5/18/2018		5/31/2018	Confirmed	No Action	No
RJD	A	5/17/2018		Inmate claims staff have not submitted work orders for cell repairs which jeopardize his health			Unknown		5/18/2018		Pending			
RJD	A	5/24/2018		Inmate claims he went to the Chapel or a Board of Parole Hearing meeting and SLI was not provided for Effective Communication.			Volunteer ARC	0	5/25/2018		Pending			
RJD	A	5/24/2018		Inmate claims he went to the Chapel or a Board of Parole Hearing meeting and SLI was not provided for Effective Communication.			9266 RJD	0	5/25/2018		Pending			
RJD	A	5/24/2018		Inmate claims egg crate mattress was misplaced when out to th hospital.			Unknown		5/25/2018		Pending			

California Department of Corrections and Rehabilitation
Disability Placement Program/Developmental Disability Program

Allegation of Noncompliance Log

May 2018

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	5/24/2018		Inmate claims C-Pap and assistive hearing device/pocket talk and head phone were stolen out of his cell due to staff negligence.			Unknown		5/24/2018		Pending			
RJD	A	5/24/2018		Inmate claims Officers will not allow him to work because he is in a wheelchair and call him a "cripple".			3302 RJD	0	5/25/2018		Pending			
SAC	A	5/10/2018		Discrimination								Referred to Staff Complaint		
SAC	A	5/17/2018		Arrived with Walker								Referred to CHCF		
SAC	A	5/17/2018		Discrimination/PREA								Referred to Staff Complaint		
SATF	A	2/1/2018		Inmate housed inappropriately			Unknown		2/2/2018		Pending			
SATF	A	2/22/2018		Inmate alleges he was not issued clothing and bedding item upon arrival to CSATF			Unknown		2/28/2018		Pending			
SATF	A	2/28/2018		Inmate claims he was denied access to ADA Showers			3248 SATF	0	3/12/2018		Pending			
SATF	A	3/2/2018		Inmate claims he was forced to go 5 days without a shower			Unknown		3/13/2018		Pending			
SATF	A	3/29/2018		The ASU Placement Notice for this inmate does not reflect his DPP Status			Unknown		4/6/2018		5/24/2018	Not Confirmed	No Action	No
SATF	A	4/11/2018		Inmate alleges CCI negligent and took advantage of his DPP Status by not providing advance notice to submit documents for his Board of Parole Hearing.			Unknown		4/12/2018		Pending			
SATF	A	4/11/2018		Inmate alleges he is being discriminated against by not being placed on the Gold Coat or Clerk job assignment lists due to his disabilities.			Unknown		4/12/2018		5/30/2018	Not Confirmed	No Action	No
SATF	A	4/11/2018		Inmate alleges he is being discriminated against by not receiving effective communication in the form of a Spanish interpreter			4717 SATF	0	4/12/2018		5/24/2018	Not Confirmed	No Action	No
SATF	A	4/11/2018		Inmate alleges he is being denied access to Law Library and proper audience for 114D hearings.			8376 SATF	3	4/12/2018		5/24/2018	Not Confirmed	No Action	No
SATF	A	4/11/2018		Inmate alleges he is being denied access to Law Library and proper audience for 114D hearings.			4714 SATF	3	4/12/2018		5/24/2018	Not Confirmed	No Action	No
SATF	A	4/11/2018		Inmate alleges he is being denied access to Law Library and proper audience for 114D hearings.			4435 SATF	3	4/12/2018		5/24/2018	Not Confirmed	No Action	No
SATF	A	4/18/2018		Inmate alleges NA group sponsor told him not to ask to use the restroom during group.			Unknown		4/23/2018		Pending			
SATF	A	4/25/2018		Inmate alleges he did not receive training as an IDA worker as he was told to sign paperwork stating he was training or he would be fired.			Unknown		Pending					
SATF	A	4/25/2018		Inmate claims IDA workers request payment to provide assistance.			Unknown		Pending					
SATF	A	4/25/2018		Inmate claims IDA Workers do not help him fill out form, do not always walk him places, and say disrespectful things			Unknown		Pending					
SATF	A	4/25/2018		Inmate claims IDA Workers charge him for assistance, refuse to assist, and belittle people.			Unknown		Pending					
SATF	A	4/25/2018		Inmate claims IDA Workers steal other inmates property while helping pack			Unknown		Pending					
SATF	A	4/25/2018		Inmate claims SATF returned a new magnifying mouse that connects to his TV.			Unknown		Pending					
SATF	A	4/25/2018		Inmate claims he never receives correspondence from CDC that has enlarged text to accommodate his disability.			Unknown		Pending					
SATF	A	4/25/2018		Inmate claims staff yells at him for not standing in pill line correctly and punishes pill line for mistakes.			Unknown		Pending					
SATF	A	4/25/2018		Inmate claims SATF received his books on tape in April 2017 but did not forward them to him until September 2017.			Unknown		Pending					
SATF	A	4/25/2018		Inmate claims staff confiscated personal belongings and continually rush him to get dressed to go outside.			Unknown		Pending					
SATF	A	4/25/2018		Inmate claims staff refused to assist him and harassed him during transportation to an outside medical appointment.			Unknown		Pending					

California Department of Corrections and Rehabilitation
Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

June 2018

Institution; DAJ; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
LAC	A	5/14/2018		Inmate alleges that when he arrived in May 2017, he did not receive any orientation, handbook, or video.			6020 LAC	0	5/14/2018		6/22/2018	Confirmed	Training	No
LAC	A	5/15/2018		Inmate alleges that he is not being let out of his cell for his eye drops.			2951 LAC	0	5/16/2018		6/12/2018	Not Confirmed	No Action	No
LAC	A	5/15/2018		Inmate alleges that he is not being let out of his cell for his eye drops.			2408 LAC	0	5/16/2018		6/12/2018	Not Confirmed	No Action	No
LAC	A	5/15/2018		Inmate alleges that he is not being let out of his cell for his eye drops.			9364 LAC	0	5/16/2018		6/12/2018	Not Confirmed	No Action	No
LAC	A	5/15/2018		Inmate alleges that he is not being let out of his cell for his eye drops.			7898 LAC	0	5/16/2018		6/12/2018	Not Confirmed	No Action	No
LAC	A	5/15/2018		Inmate alleges that a correctional officer turned in work orders for two months regarding the broken armrest on his wheelchair, and it still isn't fixed.			3870 LAC	0	5/16/2018		Pending			
LAC	A	6/1/2018		Inmate alleges that he is not being provided ADA assistance to help with his legal work.			Unknown		6/1/2018		6/27/2018	Not Confirmed	No Action	No
LAC	A	6/1/2018		Inmate arrived from CHCF without his ortho shoes.					6/1/2018			Entered in error. Should be assigned to RJD.		
LAC	A	6/5/2018		Inmate arrived into R&R without his crutches.					6/5/2018					
LAC	A	6/5/2018		Inmate arrived from RJD missing his cane, crutches, foot orthoses insole, and wheelchair.					6/5/2018		6/5/2018			
LAC	A	6/6/2018		Inmate alleges that he is being discriminated against because staff is denying his 1824 requests.			Unknown		6/6/2018		Pending			
LAC	A	6/6/2018		Inmate arrived into R&R without his eyeglasses.					6/6/2018					
LAC	A	6/7/2018		Inmate arrived without his ortho shoes. He states the last time he saw his ortho shoes was at RJD.					6/7/2018					
LAC	A	5/18/2018		Inmate arrived at LAC with only one hearing aid. He states he lost it at Tehachapi Prison.					5/18/2018		6/25/2018			
LAC	A	6/25/2018		Inmate alleges that he is being refused certain jobs because of his ADA status.			Unknown		6/25/2018		Pending			
LAC	A	6/25/2018		Inmate transferred to CMF without his knee brace. He states he was never issued one.					6/25/2018		6/25/2018			
LAC	A	6/25/2018		Per the NCRC Conference call, the allegations made in Log# [REDACTED] need to be referred to LAC medical, specifically for medical needing to order a new ankle brace or providing an interim accommodation for the missing brace when inmate was transferred from LAC.					6/25/2018		6/25/2018			
LAC	A	6/27/2018		Inmate is alleging that staff denied him the use of an ADA van, and they threw him in the van without his wheelchair on a transport.			Unknown		6/27/2018		Pending			
MCSP	A	3/19/2018		Failure to transfer DME			Unknown		3/20/2018		Pending			
MCSP	A	3/19/2018		Failure to transfer DME			Unknown		3/20/2018		Pending			
MCSP	A	3/19/2018		Failure to transfer DME			Unknown		3/20/2018		Pending			
MCSP	A	4/23/2018		Failure to transfer DME			Unknown		4/23/2018		Pending			
NKSP	A											None		
PBSP	A											None		
PVSP	A											None		
RJD	A	5/9/2018		Unidentified DPW Inmate(s) claimed to auditors that an HU Officer prohibits ADA Workers access to HU12 to assist DPW inmates.			6905 RJD	4	5/18/2018		6/3/2018	Not Confirmed	No Action	No

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

June 2018

Institution; DAJ; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	5/14/2018		Transfer from RJD without DME (cane and glasses).			Unknown		5/14/2018		6/14/2018	Not Confirmed	No Action	No
RJD	A	5/17/2018		Inmate claims staff have not submitted work orders for cell repairs which jeopardize his health			6905 RJD	4	5/18/2018		6/6/2018	Not Confirmed	No Action	No
RJD	A	5/24/2018		Inmate claims he went to the Chapel or a Board of Parole Hearing meeting and SLI was not provided for Effective Communication.			Volunteer ARC	0	5/25/2018		6/15/2018	Not Confirmed	No Action	No
RJD	A	5/24/2018		Inmate claims he went to the Chapel or a Board of Parole Hearing meeting and SLI was not provided for Effective Communication.			9266 RJD	0	5/25/2018		6/20/2018	Not Confirmed	No Action	No
RJD	A	5/24/2018		Inmate claims egg crate mattress was misplaced when out to the hospital.			Unknown		5/25/2018		6/18/2018	Not Confirmed	No Action	No
RJD	A	5/24/2018		Inmate claims C-Pap and assistive hearing device/pocket talker and head phone were stolen out of his cell due to staff negligence.			0684 RJD	0	5/24/2018		6/20/2018	Not Confirmed	No Action	No
RJD	A	5/24/2018		Inmate claims C-Pap and assistive hearing device/pocket talker and head phone were stolen out of his cell due to staff negligence.			9634 RJD	0	5/24/2018		6/20/2018	Not Confirmed	No Action	No
RJD	A	5/24/2018		Inmate claims Officers will not allow him to work because he is in a wheelchair and call him a "cripple".			3302 RJD	0	5/25/2018		6/5/2018	Not Confirmed	No Action	No
RJD	A	5/25/2018		Inmate claims custody took his gloves and seat cushion.			Unknown		6/22/2018		6/22/2018	Not Confirmed	No Action	No
RJD	A	6/6/2018		Inmate (DPO) arrived to LAC from RJD without his eyeglasses.			Unknown		6/15/2018		Pending			
RJD	A	6/15/2018		Inmate designated DPV and not presented to the CSR within 14 days.			Unknown		6/22/2018		Pending			
RJD	A	6/25/2018		Inmate arrived to SVSP without DME			Unknown		6/29/2018		Pending			
RJD	A	6/28/2018		The Notice of Classification Hearing chrono, dated 1-9-18, does not document an SLI was utilized during the interview.			2248 RJD	0	7/11/2018		Pending			
RJD	A	6/28/2018		Primary method of EC was not used (SLI). Notice of Classification Hearing chrono, dated 3-29-18, documents written notes with SA was used for EC.			5148 RJD	0	7/11/2018		Pending			
RJD	A	6/28/2018		Primary method of EC was not used (SLI). Notice of Classification Hearing chrono, dated 09/29/17, documents read lips used for EC.			6169 RJD	0	7/11/2018		Pending			
RJD	A	6/28/2018		The Notice of Classification Hearing chrono, dated 1/8/18, does not document SLI was utilized during this interview. Written notes utilized; however, written notes was not documented as an EC method at the time of this interview.			3338 RJD	0	7/11/2018		Pending			
RJD	A	6/28/2018		The classification chrono, dated 9/26/17, indicates notes and lip reading was utilized during the pre-Committee. Lip reading is not documented as a method of EC. Copy of written notes not in ERMS.			2248 RJD	0	7/11/2018		Pending			
RJD	A	6/28/2018		The classification chrono, dated 11/7/17, indicates notes and lip reading was utilized during the pre-Committee. Lip reading is not documented as a method of EC. Copy of written notes not in ERMS.			2248 RJD	0	7/11/2018		Pending			
RJD	A	6/28/2018		The Notice of Classification Hearing chrono, dated 2/26/18, does not document that a SLI was utilized during this interview (Primary EC). The inmate's alternate EC of written notes was utilized to establish EC. A copy of the written notes was not located in ERMS.			271 RJD	0	7/11/2018		Pending			
SAC	A											None		
SATF	A	2/1/2018		Inmate housed inappropriately			Unknown		2/2/2018		6/7/2018	Confirmed	Training	No
SATF	A	2/22/2018		Inmate alleges he was not issued clothing and bedding items upon arrival to CSATF			Unknown		2/28/2018		6/27/2018	Confirmed	Training	No
SATF	A	2/28/2018		Inmate claims he was denied access to ADA Showers			3248 SATF	0	3/12/2018		6/11/2018	Not Confirmed	No Action	No
SATF	A	3/2/2018		Inmate claims he was forced to go 5 days without a shower			Unknown		3/13/2018		6/8/2018	Not Confirmed	No Action	No
SATF	A	4/11/2018		Inmate alleges CCI negligent and took advantage of his DDP Status by not providing advance notice to submit documents for his Board of Parole Hearing.			0627 SATF	1	4/12/2018		6/18/2018	Confirmed	Training	No
SATF	A	4/18/2018		Inmate alleges NA group sponsor told him not to ask to use the restroom during group.			Unknown		4/23/2018		6/7/2018	Not Confirmed, Same allegation as inquiry [REDACTED]	No Action	No
SATF	A	4/25/2018		Inmate alleges he did not receive training as an IDA worker and was told to sign paperwork stating he was training or he would be fired.			Unknown		6/5/2018		Pending			
SATF	A	4/25/2018		Inmate claims IDA workers request payment to provide assistance.							6/8/2018	Entered in Error - Inmate on Inmate Allegation		
SATF	A	4/25/2018		Inmate claims IDA Workers do not help him fill out form, do not always walk him places, and say disrespectful things							6/8/2018	Entered in Error - Inmate on Inmate Allegation		

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

JULY 2018

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
LAC	A	7/18/2018		Inmate alleges that his wheelchair cushion and gloves were lost/taken during the last search.			Unknown		7/18/2018		Pending			
LAC	A	7/19/2018		Inmate was transported from CMF without all his current DME.			Unknown		7/19/2018					
LAC	A	7/20/2018		Inmate alleges he was transferred from RJD without all his DME.			Unknown		7/20/2018					
LAC	A	3/29/2018		Inmate alleges that staff is not complying with his restrictions.			Unknown		3/29/2018					
LAC	A	7/23/2018		Inmate alleges that he is being denied showers.			Unknown		7/23/2018		Pending			
LAC	A	7/25/2018		Inmate alleges that a nurse practitioner is indifferent and vindictive towards inmates who are disabled.			Unknown		7/25/2018					
LAC	A	7/25/2018		Inmate alleges that a correctional officer blatantly discriminates against ADA inmates on a daily basis.			Unknown		7/25/2018		Pending			
LAC	A	7/27/2018		Inmate alleges that medical is showing deliberate indifference to sincere ADA medical needs because he has submitted numerous 7362s for replacement batteries for his pocket talker to no avail.			Unknown		7/27/2018					
LAC	A	7/30/2018		Inmate arrived at R&R without his eyeglasses and hearing aids. He states that he lost them at MCSP two months ago.			Unknown		7/30/2018					
LAC	A	7/30/2018		Inmate is inappropriately housed.			Unknown		7/30/2018		Pending			
MCSP	A	3/19/2018		Failure to transfer DME			Unknown		3/20/2018		Pending			
MCSP	A	3/19/2018		Failure to transfer DME			Unknown		3/20/2018		Pending			
MCSP	A	3/19/2018		Failure to transfer DME			Unknown		3/20/2018		Pending			
MCSP	A	4/23/2018		Failure to transfer DME			Unknown		4/23/2018		Pending			
MCSP	A	7/18/2018		Failure to transfer DME			Unknown		7/23/2018		Pending			
MCSP	A	7/26/2018		Failure to transfer DME			Unknown		7/27/2018		Pending			
MCSP	A	7/25/2018		Housing deficiency			Unknown		7/25/2018		Pending			
NKSP	A											None		
PBSP	A	7/19/2018		Disability not indicated			Unknown		7/20/2018		Pending			
PBSP	A	7/19/2018		Effective Communication not documented			Unknown		7/20/2018		Pending			
PBSP	A	7/19/2018		Effective Communication not documented			Unknown		7/20/2018		Pending			
PVSP	A											None		
RJD	A	6/6/2018		Inmate (DPO) arrived to LAC from RJD without his eyeglasses.			Unknown		6/15/2018		7/3/2018	Not Confirmed	No Action	No

California Department of Corrections and Rehabilitation
Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

JULY 2018

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	6/15/2018		Inmate designated DPV and not presented to the CSR within 14 days.			0734 RJD	0	6/22/2018		7/9/2018	Confirmed	Verbal Counseling	No
RJD	A	6/15/2018		Inmate designated DPV and not presented to the CSR within 14 days.			3338 RJD	0	6/22/2018		7/9/2018	Confirmed	Verbal Counseling	No
RJD	A	6/25/2018		Inmate arrived to SVSP without DME			Unknown		6/29/2018		7/24/2018	Confirmed	Training to 1/W staff	No
RJD	A	6/28/2018		The Notice of Classification Hearing chrono, dated 1-9-18, does not document an SLI was utilized during the interview.			2248 RJD	0	7/11/2018		7/26/2018	Confirmed	Training	No
RJD	A	6/28/2018		Primary method of EC was not used (SLI). Notice of Classification Hearing chrono, dated 3-29-18, documents written notes with SA was used for EC.			5148 RJD	0	7/11/2018		7/26/2018	Confirmed	Verbal Counseling	No
RJD	A	6/28/2018		Primary method of EC was not used (SLI). Notice of Classification Hearing chrono, dated 09/29/17, documents read lips used for EC.			6169 RJD	0	7/11/2018		7/26/2018	Confirmed	Verbal Counseling	No
RJD	A	6/28/2018		The Notice of Classification Hearing chrono, dated 1/8/18, does not document SLI was utilized during this interview. Written notes utilized; however, written notes was not documented as an EC method at the time of this interview.			3338 RJD	0	7/11/2018		7/27/2018	Confirmed	ECR	No
RJD	A	6/28/2018		The classification chrono, dated 9/26/17, indicates notes and lip reading was utilized during the pre-Committee. Lip reading is not documented as a method of EC. Copy of written notes not in ERMS.			2248 RJD	0	7/11/2018		7/24/2018	Not Confirmed	No Action	No
RJD	A	6/28/2018		The classification chrono, dated 11/7/17, indicates notes and lip reading was utilized during the pre-Committee. Lip reading is not documented as a method of EC. Copy of written notes not in ERMS.			2248 RJD	0	7/11/2018		7/24/2018	Not Confirmed	No Action	No
RJD	A	6/28/2018		The Notice of Classification Hearing chrono, dated 2/26/18, does not document that a SLI was utilized during this interview (Primary EC). The inmate's alternate EC of written notes was utilized to establish EC. A copy of the written notes was not located in ERMS.			1271 RJD	0	7/11/2018		7/25/2018	Confirmed	Training	No
RJD	A	7/19/2018		Wheelchair lost by Transportation during hospital run			0383 RJD	0	7/23/2018		Pending			
RJD	A	7/19/2018		Wheelchair lost by Transportation during hospital run			8303 RJD	0	7/23/2018		Pending			
RJD	A	7/20/2018		Inmate alleges he was transported from RJD without all his DME.					7/20/2018			Referred to State Trans		
RJD	A	7/26/2018		Inmate alleges staff misconduct and due process violations of Effective Communication and ADA rights for Rules Violation Report (RVR), Log # [REDACTED] and request the RVR be dismissed or re-issued.			1011 RJD	0	7/26/2018			Converted to 2nd Level Appeal RJD- [REDACTED] Due 9/7		
RJD	A	7/26/2018		Inmate claims he is not being called to work due to his lifting restrictions and for having a mobility vest.			8086 RJD	0	8/9/2018		Pending			
SAC	A	7/11/2018		Missing DME			Unknown		7/17/2018		Pending			
SAC	A	5/17/2018		Arrived with Walker								Referred to CHCF in error in May 2018		
SAC	A	7/25/2018		DME did not move with inmate			Unknown		Pending					

California Department of Corrections and Rehabilitation
Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

AUGUST 2018

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
PBSP	A	7/19/2018		Effective Communication not documented			4485 PBSP	0	7/20/2018		8/20/2018	Confirmed	Training	No
PBSP	A	7/19/2018		Effective Communication not documented			8829 PBSP	1	7/20/2018		8/20/2018	Confirmed	Training	No
PBSP	A	8/27/2018		Arrived at PBSP without hearing aids.					8/27/2018			Referred to [REDACTED] on 8.27.18		
PVSP	A											None		
RJD	A	07/26/18		Inmate claims he is not being called to work due to his lifting restrictions and for having a mobility vest.			8086 RJD	0	08/09/18		8/24/2018	Not Confirmed	No Action	No
RJD	A	07/19/18		Wheelchair lost by Transportation during hospital run			0383 RJD	0	07/23/18		8/15/2018	Not Confirmed	No Action	No
RJD	A	07/19/18		Wheelchair lost by Transportation during hospital run			8303 RJD	0	07/23/18		8/15/2018	Not Confirmed	No Action	No
RJD	A	08/02/18		Inmate claims his DME wedge pillow, was confiscated during cell searches on Facility E.			3197 RJD	0	08/10/18		8/24/2018	Not Confirmed	No Action	No
RJD	A	08/08/18		Inmate alleges he was denied medical access to the Treatment Triage Area (TTA) due to his disability.			0628 RJD	0	08/10/18		8/24/2018	Not Confirmed	No Action	No
RJD	A	08/08/18		Inmate claims discrimination due to lifting restrictions of 19LBS.			7299 RJD	0	08/13/18		Pending			
RJD	A	08/08/18		Inmate claims discrimination due to lifting restrictions of 19LBS.			0391 RJD	0	08/13/18		Pending			
RJD	A	08/15/18		Inmate claims staff took his asthma kit, cane, and knee brace during his placement in ASU.			Pending		08/16/18		Pending			
RJD	A	08/15/18		Inmate claims his therapeutic shoes were taken from him by Facility A staff on 8/8/18.			4583 RJD	0	08/16/18		Pending			
RJD	A	08/16/18		Inmate claiming someone during searches broke his glasses.			Pending		08/17/18		Pending			
RJD	A	08/30/18		Inmate is claiming he haven't received his property including his DME's, parastep and ankle foot orthotics.			Pending		08/31/18		Pending			
RJD	A	08/30/18		Inmate claims Custody Staff took his Hearing Impaired Vest and wheelchair gloves.			Pending		08/31/18		Pending			
SAC	A	07/11/18		Missing DME			Unknown		07/17/18		8/16/2018	Not Confirmed	No Action	No
SAC	A	07/25/18		DME did not move with inmate			4909 SAC	0	08/03/18		Pending			
SAC	A	08/17/18		DPW inmate was not housed in a DPW cell			7878 SAC	0	08/17/18		Pending			
SATF	A	4/25/2018		Inmate alleges he did not receive training as an IDA worker and was told to sign paperwork stating he was training or he would be fired.			Pending		6/5/2018		Pending			
SATF	A	4/25/2018		Inmate claims SATF returned a new magnifying mouse that connects to his TV.			Pending		6/5/2018		Pending			
SATF	A	4/25/2018		Inmate claims he never receives correspondence from CDCR that has enlarged text to accommodate his disability.			Pending		6/5/2018		Pending			
SATF	A	4/25/2018		Inmate claims staff yells at him for not standing in pill line correctly and punishes pill line for [REDACTED] mistakes.			Pending		6/5/2018		Pending			
SATF	A	4/25/2018		Inmate alleges staff members suggest inmate with disabilities do not need assistive devices such as canes. Inmate also alleges officers told him, an ADA Worker, to push someone into a wall.			Pending		6/5/2018		Pending			
SATF	A	4/25/2018		Inmate claims staff confiscated personal belongings and continually rush him to get dressed to go outside.			Pending		6/5/2018		Pending			
SATF	A	4/25/2018		Inmate claims staff refused to assist him and harassed him during transportation to an outside medical appointment.			Pending		6/5/2018		Pending			

California Department of Corrections and Rehabilitation
Disability Placement Program - ARMSTRONG

Allegation of Noncompliance Log

SEPTEMBER 2018

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
LAC	A	9/11/2018		Staff Complaint			41367 LAC					Referred to Staff Complaint		
MCSP	A	7/18/2018		Failure to transfer DME			Unknown		7/23/2018		Pending			
MCSP	A	7/18/2018		Failure to transfer DME			Unknown		7/27/2018		Pending			
MCSP	A	7/25/2018		Housing Deficiency			Unknown		7/25/2018		Pending			
MCSP	A	8/30/2018		Missing Back Brace/MI Vest			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		Lost Pocket Talker			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		Failure to Transfer DME			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		Unable to access services			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		Out of Level			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		Out of Level			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		Out of Level			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		Missing DME in ASU			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		Access to Work			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		RVR/Cane Removal			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		Delay in receiving replacement MI vest			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		Participation in Program			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		Black Box for medical Appts			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		ADA Shower Wait			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		Removal of Magnifier			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		ADA Worker Assistance for Yard			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		Harassment by staff			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		Derogatory Harassing Comments			Unknown		9/4/2018		Pending			
MCSP	A	8/30/2018		Harassed by Staff			Unknown		9/4/2018		Pending			
NKSP	A											None		
PBSP	A	09/20/18		Failure to recognize ADA issue during an incident.			2588 PBSP	1	09/20/18		09/28/18	Confirmed	ECR	nO
PVSP	A											None		
RJD	A	09/11/18		ASL was not utilized for EC			Unknown		09/13/18		Pending			
RJD	A	09/11/18		ASL was not utilized for EC			Unknown		09/13/18		Pending			
RJD	A	09/11/18		EC not documented			Unknown		09/13/18		Pending			
RJD	A	09/13/18		Claiming staff confiscated his hearing impaired vest during searches			Unknown		09/24/18		Pending			
RJD	A	09/11/18		ASL was not utilized for EC			Unknown		09/13/18		Pending			
RJD	A	8/8/2018		Inmates claims discrimination due to lifting restriction of 19LBS			7299 RJD	0	8/13/2018		9/6/2018	Confirmed	Training	No
RJD	A	8/8/2018		Inmates claims discrimination due to lifting restriction of 19LBS			0391 RJD	0	8/13/2018		9/6/2018	Confirmed	Training	No
RJD	A	8/15/2018		Inmate Claims staff took his asthma kit cane and knee brace during his placement in ASU			Unknown		8/16/2018		9/12/2018	Not Confirmed	No Action	No
RJD	A	8/15/2018		Inmate claims his therapeutic shoes were taken from him by Facility A staff on 8/8/2018			4593 RJD	0	8/16/2018		9/6/2018	Not Confirmed	No Action	No
RJD	A	8/16/2018		Inmate claiming someone during searches broke his glasses			Unknown		8/17/2018		9/12/2018	Not Confirmed	No Action	No
RJD	A	8/30/2018		Inmate is claiming he has not received his property including his DME's Para step and ankle foot orthotics.			Unknown		8/31/2018		9/27/2018	Confirmed	Training	No
RJD	A	8/30/2018		Inmate claims Custody Staff took his Hearing Impaired Vest and wheelchair gloves			Unknown		8/31/2018		9/27/2018	Not Confirmed	No Action	No
SAC	A	07/25/18		DME did not move with inmate			4909 SAC	0	08/03/18		09/05/18	Confirmed	Training	No
SAC	A	08/17/18		DPW inmate was not housed in a DPW cell			7878 SAC	0	08/17/18		09/24/18	Confirmed	Training	No
SATF	A	4/25/2018		Inmate alleges he did not receive training as an IDA worker and was told to sign paperwork stating he was training or he would be fired.			Unknown		6/5/2018		Pending			
SATF	A	4/25/2018		Inmate claims SATF returned a new magnifying mouse that connects to his TV.			Unknown		6/5/2018		Pending			

California Department of Corrections and Rehabilitation
Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

OCTOBER 2018

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
LAC	A	10/03/18		Inmate was made DPO on 10/1/18, however, no wheelchair was issued to inmate nor is there an order for the wheelchair.					10/03/18			Closed: Referred to Healthcare		
LAC	A	10/04/18		Officer is denying Inmate Glass a shower			94625 LAC		10/04/18			Closed: Refer to DOM 31140.13		
LAC	A	10/08/18		Staff took the bag he had attached to his walker that he uses to carry items, included was his bowl. Additionally Inmate Atlas alleges that staff put him against the wall and took his walker.			35649 LAC		10/08/18		10/23/18	Not Confirmed	No Action	No
LAC	A	10/22/2018		Inmate alleges he is not being allowed to shower upon request after he has incontinence issues.			89593 LAC		10/22/2018		Pending			
LAC	A	10/22/2018		Inmate is housed inappropriately			Unknown		10/22/2018		Pending			
LAC	A	10/25/2018		Inmate alleges he was released from ASU over a month ago and he still doesn't have his personal property and ADA equipment.			Unknown		10/26/2018		Pending			
LAC	A	9/11/2018		Staff Complaint			41367 LAC		9/12/2018			Closed: Refer to DOM 31140.13		
LAC	A	9/11/2018		ADA Showers			37094 LAC		9/12/2018			Closed: Allegation Complete		
MCSP	A	7/18/2018		Failure to transfer DME.					7/23/2018		Pending			
MCSP	A	7/26/2018		Failure to transfer DME.					7/27/2018		Pending			
MCSP	A	7/25/2018		Housing deficiency					7/25/2018		Pending			
MCSP	A	8/30/2018		Missing Back Brace/MI Vest					9/4/2018		Pending			
MCSP	A	8/30/2018		Lost Pocket Talker					9/4/2018		Pending			
MCSP	A	8/30/2018		Failure to transfer DME					9/4/2018		Pending			
MCSP	A	8/30/2018		Unable to access services					9/4/2018		Pending			
MCSP	A	8/30/2018		Out of Level					9/4/2018		Pending			
MCSP	A	8/30/2018		Out of Level					9/4/2018		Pending			
MCSP	A	8/30/2018		Out of Level					9/4/2018		Pending			
MCSP	A	8/30/2018		Missing DME in ASU					9/4/2018		Pending			
MCSP	A	8/30/2018		Access to Work					9/4/2018		Pending			
MCSP	A	8/30/2018		RVR/Cane Removal					9/4/2018		Pending			
MCSP	A	8/30/2018		Delay in receiving Replace MI Vest					9/4/2018		Pending			
MCSP	A	8/30/2018		Participation in Program					9/4/2018		Pending			
MCSP	A	8/30/2018		Black Box for medical Appts					9/4/2018		Pending			
MCSP	A	8/30/2018		ADA Shower Wait					9/4/2018		Pending			
MCSP	A	8/30/2018		Removal of Magnifier					9/4/2018		Pending			
MCSP	A	8/30/2018		ADA Worker Assistance for Yard					9/4/2018		Pending			
MCSP	A	8/30/2018		Harassment by Staff					9/4/2018		Pending			
MCSP	A	8/30/2018		Derogatory Harassing Comments					9/4/2018		Pending			
MCSP	A	8/30/2018		Harassed by Staff					9/4/2018		Pending			
MCSP	A	9/13/2018		Failure to transfer DME					Pending		Pending			
NKSP	A	10/29/2018		Taylor states his his tens unit, walking boots, and prescription goasses (lense) were taken.					10/30/2018			Closed: Referred to Healthcare		
NKSP	A	10/29/2018		Taylor states his his tens unit, walking boots, and prescription goasses (lense) were taken.			25461 NKSP		10/30/2018		Pending			
NKSP	A	10/29/2018		Taylor states his his tens unit, walking boots, and prescription goasses (lense) were taken.			8603 NKSP		10/30/2018		Pending			
PBSP	A											None		
PVSP	A											None		
RJD	A	9/11/2018		EC not documented			Unknown		9/13/2018			Cancelled: Entered in error		
RJD	A	9/11/2018		ASL was not utilized for EC UCC 72 hour Notice			32854 RJD		9/13/2018		9/28/2018	Pending		
RJD	A	9/11/2018		ASL was not utilized for EC UCC 72 hour Notice			32854 RJD		9/13/2018		9/28/2018	Pending		
RJD	A	9/11/2018		ASL was not utilized for EC			36189 RJD		9/11/2018		9/18/2018	Pending		

California Department of Corrections and Rehabilitation
Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

OCTOBER 2018

Institution; DAI; DAPO; Region; Unit	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD	A	9/11/2018	Internal	ASL was not utilized for EC			63194 RJD		9/11/2018		9/18/2018	Confirmed No Action Employee separated	No Action	No
RJD	A	9/6/2018	Internal	ISU staff torn and ripped off walker seat			Unknown		9/7/2018		9/27/2018	Not Confirmed	No Action	No
RJD	A	9/13/2018	Internal	He is not allowed to take showers, staff is not running showers for ADA inmates			100153 RJD		9/21/2018		10/8/2018	Not Confirmed	No Action	No
RJD	A	9/21/2018	Internal	Primary or alternate method of communication was not documented during ASU placement			31933 RJD		9/21/2018		9/28/2018	Pending		
RJD	A	10/1/2018	Third Party	Removal of DME & not honoring special cuffling.			36151 RJD		10/3/2018		10/15/2018	Pending		
RJD	A	10/4/2018	Inmate	D yard staff is messing with his food and retaliating against him for filling an ADA complaint			Unknown		10/10/2018		10/18/2018	Pending		
RJD	A	10/10/2018	Internal	Primary method of communication (read lips) was not documented as being utilized during the initial ASU placement and Manager's review					10/10/2018		Pending			
RJD	A	10/3/2018	Internal	No SLI was provided for Kairos Religious Services on 9/20/18					10/10/2018		Pending			
RJD	A	10/3/2018	Internal	No SLI/No VRI was utilized/provided for DRP (Division of Rehabilitation) on 9/10/18					10/10/2018		Pending			
RJD	A	10/4/2018	Internal	Housing accomodation					10/25/2018		Pending			
RJD	A	10/22/2018	Internal	Failure to transfer DME from RJD to CHCF (pressure reducing support mattress, wedge pillow, wheelchair gloves.)					10/22/2018		Pending			
RJD	A	9/21/2018	Internal	Primary or alternate method of communication was not documented during ASU placement			36293 RJD		9/21/2018		9/28/2018	Pending		
RJD	A	9/21/2018	Inmate	Inmate claims to have transferred from RJD to COR without DME								Closed: Referred to DAI		
RJD	A	9/13/2018	Internal	Claiming staff confiscated hearing impaired vest during searches			Unknown		9/24/2018		9/28/2018	Not Confirmed	No Action	No
SAC	A	10/29/2018	Internal	████ transferred from SAC to DVI without Mobility Impaired Disability Vest and back brace. He claims he was never issued these DMEs.					Pending					
SATF	A	4/25/2018	AMT OCT 2018 Report	Inmate alleges he did not receive training as an IDA worker and was told to sign paperwork stating he was training or he would be fired.			Unknown		6/5/2018		10/16/2018	Not Confirmed	No Action	No
SATF	A	4/25/2018	AMT OCT 2018 Report	Inmate claims SATF returned a new magnifying mouse that connects to his TV.			Unknown		6/5/2018		10/16/2018	Not Confirmed	No Action	No
SATF	A	4/25/2018	AMT OCT 2018 Report	Inmate claims he never receives correspondence from CDCR that has enlarged text to accommodate his disability.			Unknown		6/5/2018		10/31/2018	Not Confirmed	No Action	No
SATF	A	4/25/2018	AMT OCT 2018 Report	Inmate claims staff yells at him for not standing in pill line correctly and punishes pill line for █████ mistakes.			Unknown		6/5/2018		10/11/2018	Referred for Staff Complaint Determination	No Action	No
SATF	A	4/25/2018	AMT OCT 2018 Report	Inmate alleges staff members suggest inmate with disabilities do not need assistive devices such as canes. Inmate also alleges officers told him an ADA Worker to push someone into a wall.			Unknown		6/5/2018		10/19/2018	Not Confirmed	No Action	No
SATF	A	4/25/2018	AMT OCT 2018 Report	Inmate claims staff confiscated personal belongings and continually rush him to get dressed to go outside.			Unknown		6/5/2018		10/16/2018	Not Confirmed	No Action	No
SATF	A	4/25/2018	AMT OCT 2018 Report	Inmate claims staff refused to assist him and harassed him during transportation to an outside medical appointment.			Unknown		6/5/2018		10/16/2018	Not Confirmed	No Action	No
SATF	A	4/25/2018	AMT OCT 2018 Report	Inmate claims repeatedly harass him, make him walk the long way around the track and send him to the back of the line for pill call.			Unknown		6/5/2018		10/11/2018	Previously addressed as Staff Complaint Log# SATF-F-████	No Action	No
SATF	A	6/6/2018		Inmate was not provided SLI Services for Protestant Religious Services			Unknown		6/6/2018		10/8/2018	Confirmed	Training	No
SATF	A	6/13/2018		Inmate alleges custody staff do not provide EC through written notes.			Unknown		6/20/2018		10/16/2018	Confirmed	Training	No

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

NOVEMBER 2018

A	B	C	D	E	F	G	H	J	K	L	M	N	O	P	Q
Institution; DAI; DAPO; Region; Unit	ALTS Case Number	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegati ons	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD		A	10/25/2018	Internal	Claims someone took his glasses when property was packed and inventoried					10/25/2018		Pending			
RJD		A	10/18/2018	Inmate	Inmate is claiming HU officers took his eggcrate mattress			Unknown		10/31/2018		Pending			
RJD		A	11/9/2018	Internal	Assistance provided was not documented, based on the EC method that have been in SOMS during the initial ASU placement. Methods documented in SOMS are hearing aids and Staff to speak loudly and clearly. SA was not assigned.			Pending		11/13/2018		11/18/2018	Pending		
RJD		A	11/9/2018	Internal	Inmate disability was not marked, assistance provided during initial ASU placement was not documented, method utilized to determine hos EC was achieved /not achieved was not documented during initial ASU placement, SA was not assigned for ICC during Admin					11/13/2018		Pending			
RJD		A	11/9/2018	Internal	Assistance provided during ASU placement was not documented, method utilized to determine how EC was achieved/not achieved and assistance during Administrative reviw was not documented.					11/13/2018		Pending			
RJD		A	11/14/2018	Internal	Inmate is inappropriately housed and require a deb move based on the DPW status he is currently housed in INF-157L					11/15/2018		Pending			
RJD		A	11/21/2018	Internal	Inmate is inappropriately housed					11/26/2018		Pending			
RJD		A	11/26/2018	Internal	Inmate Richard arrived to CHCF from RJD without his wrist					Pending					
RJD		A	9/11/2018	Internal	ASL was not utilized for EC UCC 72 hour Notice			32854		9/13/2018		9/28/2018	Pending		
RJD		A	9/11/2018	Internal	ASL was not utilized for EC UCC 72 hour Notice			32854		9/13/2018		9/28/2018	Pending		
RJD		A	9/11/2018	Internal	ASL was not utilized for EC			36189		9/11/2018		9/18/2018	Pending		
RJD		A	9/21/2018	Internal	Primary or alternate method of communication was not documented during ASU placement			31933		9/21/2018		9/28/2018	Pending		
RJD		A	9/13/2018	Internal	Claiming staff confiscated his hearing impaired vest during searches			Unknown		9/21/2018		9/28/2018	Pending		

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

NOVEMBER 2018

Institution; DAI; DAPO; Region; Unit	ALTS Case Number	A or C	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegati ons	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)
RJD		A	10/1/2018	Third Party	Removal of DME & not honoring special cuffing			36151		10/3/2018		10/15/2018	Pending		
RJD		A	10/4/2018	Inmate	D yard staff is messing with his food and retaliating against him for filling an ADA complaint			Unknown		10/10/2018		10/18/2018	Pending		
RJD		A	10/10/2018	Internal	Primary method of communication (read lips) was not documented as being utilized during the initial ASU placement and Manager's review			28514		10/10/2018		10/17/2018	Pending		
RJD		A	10/3/2018	Internal	No SLI was provided for [REDACTED] Religious Services on 9/20/2018			Unknown		10/10/2018		10/29/2018	Pending		
RJD		A	10/3/2018	Internal	No SLI was provided for [REDACTED] Religious Services on 9/23/2018			Unknown		10/10/2018		10/29/2018	Pending		
RJD		A	9/21/2018	Internal	Primary or alternate method of communication was not documented during ASU placement			36293		9/21/2018		9/28/2018	Pending		
RJD		A	10/24/2018	Internal	Inmate [REDACTED] did not received his DME's when he returned to RJD on 10-19-2018			Unknown		10/25/2018		11/6/2018	Pending		
RJD		A	10/3/2018	Internal	No SLI/No VRI was utilized/provided for DRP (Division of Rehabilitation) on 9/10/18					10/10/2018		Pending			
RJD		A	10/4/2018	Internal	Housing accommodation					10/25/2018		Pending			
RJD		A	10/22/2018	Internal	Failure to transfer DME from RJD to CHCF (pressure reducun support mattress, wedge pillow, wheelchair gloves.)					10/22/2018		Pending			

Allegation of Noncompliance Log
DECEMBER 2018

A	B	C	D	E	F	G	H	J	K	L	M	N	O	P	Q		
Institution; DAI; DAPO; Region; Unit	A or C	ALTS Case Number	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegati ons	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)	Comments	
RJD	A		9/11/2018	Internal	ASL was not utilized for EC UCC 72 hour Notice			32854		9/13/2018		9/28/2018	Confirmed	ECR	No	Pend Sept, Oct, Nov	
RJD	A		9/11/2018	Internal	ASL was not utilized for EC UCC 72 hour Notice			32854		9/13/2018		9/28/2018	Confirmed	Verbal Counseling	No	Pend Sept, Oct, Nov	
RJD	A		9/11/2018	Internal	ASL was not utilized for EC			36189		9/11/2018		9/18/2018	Confirmed	Training	No	Pend Sept, Oct, Nov	
RJD	A		9/21/2018	Internal	Primary or alternate method of communication was not documented during ASU placement			31933		9/21/2018		9/28/2018	Confirmed	Training	No	Pending Oct. Nov.	
RJD	A		9/13/2018	Internal	Claiming staff confiscated his hearing impaired vest during searches			Unknown		9/21/2018		9/28/2018	Not Confirmed	No Action	No		
RJD	A		10/1/2018	Third Party	Removal of DME & not honoring special cuffing			36151		10/3/2018		10/15/2018	Not Confirmed	No Action	No	Pending Oct. Nov.	
RJD	A		10/4/2018	Inmate	D yard staff is messing with his food and retaliating against him for filling an ADA complaint			Unknown		10/10/2018		10/18/2018	Not Confirmed	No Action	No	Pending Oct. Nov.	
RJD	A		10/10/2018	Internal	Primary method of communication (read lips) was not documented as being utilized during the initial ASU placement and Manager's review			28514		10/10/2018		10/17/2018	Confirmed	Verbal Counseling	No	Pending Oct. Nov.	
RJD	A		10/3/2018	Internal	No SLI was provided for ██████ Religious Services on 9/20/2018			Unknown		10/10/2018		10/29/2018	Not Confirmed	No Action	No	Pending Oct. Nov.	
RJD	A		10/3/2018	Internal	No SLI was provided for ██████ Religious Services on 9/23/2018			Unknown		10/10/2018		10/29/2018	Not Confirmed	No Action	No	Not in Oct Nov.	
RJD	A		10/3/2018	Internal	No SLI/No VRI was utilized/provided for DRP (Division of Rehabilitation) on 9/10/18			Unknown		10/10/2018		Pending				Assigned	
RJD	A		10/4/2018	Internal	Housing accomodation			36606		10/25/2018		11/5/2018	Confirmed	Training	No	Inmate with DLT designation transferred to SQ from RJD and SQ cannot house DLT inmates. Inmate was transferred back to RJD on 10/06/18.	
RJD	A		10/22/2018	Internal	Failure to transfer DME from RJD to CHCF (pressure reducing support mattress, wedge pillow, wheelchair gloves.)			Unknown		10/22/2018		11/2/2018	Not Confirmed	No Action	No	Pending in Nov.	
RJD	A		9/21/2018	Internal	Primary or alternate method of communication was not documented during ASU placement			36293		9/21/2018		9/28/2018	Confirmed	Verbal Counseling	No	Pending Oct. Nov.	
RJD	A		10/24/2018	Internal	Inmate ██████ did not received his DME's when he returned to RJD on 10-19-2018			Unknown		10/25/2018		11/6/2018	Confirmed	No Action	No	(Unknown Staff) Inmate went out 911 Emergency and DME was not in his person. When released from OTM was sent to CEN. DME was issued when returned to RJD but Back Brace remained with personal property.	
RJD	A		10/25/2018	Internal	Claims someone took his glasses when property was packed and inventoried			77854		10/25/2018		11/6/2018	Not Confirmed	No Action	No	2/20/19-Rec'd email from AW ██████ Case # 1943 belongs to I/M ██████ It was originally entered in error. 2/19/18-In November, this ALTS # belonged to Inmate ██████ This month it belongs to Inmate ██████. Emailed AW ██████ for clarification.	
RJD	A		10/18/2018	Inmate	Inmate is claiming HU officers took his eggcrate mattress			Unknown		10/31/2018		11/12/2018	Not Confirmed	No Action	No	Pending in Nov.	
RJD	A		11/9/2018	Internal	Assistance provided was not documented, based on the EC method that have been in SOMS during the Initial ASU placement. Methods documented in SOMS are hearing aids and Staff to speak loudly and clearly. SA was not assigned.			28514		11/13/2018		11/18/2018	Confirmed	Verbal Counseling	No	Pending in Nov.	
RJD	A		11/9/2018	Internal	Inmate disability was not marked, assistance provided during initial ASU placement was not documented, method utilized to determine EC was achieved /not achieved was not documented during initial ASU placement			38877		11/13/2018		11/20/2018	Confirmed	Training	No	Pending in Nov.	

Institution; DAI; DAPO; Region; Unit	A or C	ALTS Case Number	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegati ons	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)	Comments	
RJD	A		11/9/2018	Internal	Assistance provided during ASU placement was not documented, method utilized to determine how EC was achieved/not achieved and assistance during Administrative review was not documented.			33288		11/13/2018		Pending				Awaiting Approval	
RJD	A		10/26/2018	Internal	Assistance provided and the method utilized for EC was achieved /not achieved was not documented during the initial ASU placement			95529		10/29/2018		11/7/2018	Confirmed	Training	No	New entry	
RJD	A		11/14/2018	Internal	DPW Inmate housed in non DPW cell [REDACTED]			36710		11/15/2018		11/22/2018	Not Confirmed	No Action	No	Pending in Nov.	
RJD	A		11/21/2018	Internal	Inmate is inappropriately housed			Unknown		11/26/2018		11/30/2018	Not Confirmed	No Action	No	Pending in Nov.	
RJD	A		11/26/2018	Internal	Inmate [REDACTED] arrived to CHCF from RJD without his wrist support brace.			33127		11/27/2018		12/5/2018	Not Confirmed	No Action	No		
RJD	A		11/30/2018	Internal	The Inmate's primary method of communication was not documented as being utilized during the Administrative review dated 11-23-2018			36922		12/4/2018		12/12/2018	Pending			Awaiting Approval	
RJD	A		11/30/2018	Internal	Inmate's primary method of communication was not documented as being utilized during the Initial ASU placement or during the Administrative Review dated 11-20-2018			40693		12/4/2018		12/17/2018	Pending			Awaiting Approval	
RJD	A		10/4/2018	Internal	Housing accomodation			68097		10/25/2018		11/5/2018	Pending			Awaiting Approval	
RJD	A		10/4/2018	Internal	Housing accomodation			94642		10/25/2018		11/5/2018	Pending			Awaiting Approval	
RJD	A		10/4/2018	Internal	Housing accomodation			34162		10/25/2018		11/5/2018	Pending			Awaiting Approval	
RJD	A		10/4/2018	Internal	Housing accomodation			36521		10/25/2018		11/5/2018	Pending			Awaiting Approval	
RJD	A		11/9/2018	Internal	Assistance provided during ASU placement was not documented, method utilized to determine how EC was achieved/not achieved and assistance during Administrative review was not documented.			31884		11/13/2018		11/27/2018	Pending			Awaiting Approval	
RJD	A		12/13/2018	Internal	DME's (hearing aid device) was lost when he went to Adseg					12/17/2018		Pending				Assigned	
RJD	A		12/13/2018	Internal	Inmate is inappropriately housed and requires a bed move based on the DNV status he is currently housed in FC [REDACTED]					12/13/2018		Pending				Assigned	
RJD	A		12/17/2018	Internal	Inmate [REDACTED] arrived from RJD without his brace-back support as indicated on his DECS report.			68818		12/20/2018		12/22/2018	Pending			Awaiting Approval	
RJD	A		12/19/2018	Internal	The assistance provided was not documented during the Initial ASU Placement					12/20/2018			Cancelled: Entered in error				
RJD	A		12/20/2018	Internal	Inmate alleges he is on wait list for work but HFM doesn't hire him due to his ADA status			Unknown		12/21/2018		Pending				Assigned	
RJD	A		12/20/2018	Internal	Claiming staff have failed to established procedures/policies to ensure ADA inmates are issued their packages within the afforded times given in the tittle 15			Unknown		12/27/2018		Pending				Assigned	
RJD	A		12/20/2018	Internal	Canteen staff was unprofessional and disrespectful			Unknown		12/27/2018		Pending				Assigned	
RJD	A		12/28/2018	Internal	During the Initial ASU placement were not checked and the assistance provided was not documented as an effective communication method noted in SOMS			Unknown		12/31/2018		Pending				Assigned	

Institution; DAI; DAPO; Region; Unit	A or C	ALTS Case Number	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegati ons	Date Inquiry Initiated	Name & Title of Person Conducting Inquiry	Inquiry Completion Date	Inquiry Result	(Training, Verbal Counseling, ECR, LOI, No Action)	Referral to OIA (Yes/No)	Comments	
RJD	A		12/28/2018	Internal	All identified disabilities were not checked, the assistance provided during the Administrative review was not listed as an effective communication method noted within SOMS			Unknown		12/31/2018		ending				Assigned	
RJD	A		11/6/2018	Internal	Inmate [REDACTED] is inappropriately housed, was designated DPW on 11/5/2019			86468		11/7/2018		/19/2018	Confirmed	Training	No		
RJD	A		11/26/2018	Internal	Inmate inappropriately housed in ASU based on the memorandum dated April 20, 2015.			15914		11/27/2018		/5/2018	Confirmed	LOI	No		
RJD	A		11/26/2018	Internal	During the Initial review and the administrative review the inmate's disability were not identified and the assistance provided was not documented as one of the Inmate's Communication methods documented, Hearing aids and reading lips			28514		11/27/2018		/4/2018	Confirmed	ECR	No		
RJD	A		11/26/2018	Internal	During the Initial review and the administrative review the inmate's disability were not identified and the Assistance provided was not documented as one of the Inmates Communication methods documented, Hearing aids and reading lips			36922		11/27/2018		/4/2018	Confirmed	ECR	No		

Disability Placement Program (DPP) - Armstrong
Allegation of Noncompliance Log

Institution; DAI; DAPO; Region; Unit	A or C	ALTS Case Number	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name of Person Conducting Inquiry	Title of Person Conducting Inquiry	Inquiry Completion Date
RJD	A		10/3/2018	Internal	No SLI/No VRI was utilized/provided for DRP (Division of Rehabilitation program) on 9/10/2018			Unknown		10/10/18			Pending
RJD	A		11/9/2018	Internal	Assistance provided during ASU placement was not documented, method utilized to determine how EC was achieved/not achieved and assistance during Administrative review was not documented.			33288		11/13/18			Pending
RJD	A		11/30/2018	Internal	The Inmate's primary method of communication was not documented as being utilized during the Administrative review dated 11-23-2018			36922		12/4/18			Pending
RJD	A		11/30/2018	Internal	Inmate's primary method of communication was not documented as being utilized during the Initial ASU placement or during the Administrative Review dated 11-20- 2018			40693		12/4/18			Pending
RJD	A		10/4/2018	Internal	Housing accomodation			68097		10/25/18			Pending
RJD	A		10/4/2018	Internal	Housing accomodation			94642		10/25/18			Pending
RJD	A		10/4/2018	Internal	Housing accomodation			34162		10/25/18			Pending
RJD	A		10/4/2018	Internal	Housing accomodation			36521		10/25/18			Pending
RJD	A		11/9/2018	Internal	Assistance provided during ASU placement was not documented, method utilized to determine how EC was achieved/not achieved and assistance during Administrative review was not documented.			31884		11/13/18			Pending
RJD	A		12/13/2018	Internal	DME's (hearing aid device) was lost when he went to Adseg			38166		12/17/18			Pending
RJD	A		12/13/2018	Internal	Inmate is inappropriately housed and requires a bed move based on the DNV status he is currently housed in FC			Unknown		12/13/18			Pending
RJD	A		12/17/2018	Internal	Inmate arrived from RJD without his brace-back support as indicated on his DECS report.			68818		12/20/18			Pending
RJD	A		12/20/2018	Internal	Inmate alleges he is on wait list for work but HFM doesn't hire him due to his ADA status			Unknown		12/21/18			Pending
RJD	A		12/20/2018	Internal	Claiming staff have failed to established procedures/policies to ensure ADA inmates are issued their packages within the afforded times given in the tittle 15			Unknown		12/27/18			Pending
RJD	A		12/20/2018	Internal	Canteen staff was unprofessional and disrespectful			89185		12/27/18			Pending
RJD	A		12/28/2018	Internal	During the Initial ASU placement were not checked and the assistance provided was not documented as an effective communication method noted in SOMS			38230		12/31/18			Pending

Disability Placement Program (DPP) - Armstrong
Allegation of Noncompliance Log

Institution; DAI; DAPO; Region; Unit	A or C	ALTS Case Number	Date of Allegation (Discovery)	Source of Allegation	Alleged Non-Compliance Action by Staff	Inmate/ Parolee Name	Inmate/ Parolee CDCR Number	Employee Identifier	# of Prior Allegations	Date Inquiry Initiated	Name of Person Conducting Inquiry	Title of Person Conducting Inquiry	Inquiry Completion Date
RJD	A		12/28/2018	Internal	All identified disabilities were not checked, the assistance provided during the Administrative review was not listed as an effective communication method noted within SOMS			35513		12/31/18			Pending
RJD	A		1/3/2019	Internal	Staff allowed Inmate/porter to log his personal property, ADA appliance			100647		1/7/19			Pending
RJD	A		1/3/2019	Internal	Staff rolled up his DME's					1/7/19			Pending
RJD	A		1/10/2019	Internal	Inmate [REDACTED] arrived to CHCF without his hearing aids which are indicated in his DECS Report.					Pending			
RJD	A		1/9/2019	Internal	[REDACTED].The I/M is innapropriately housed and required a bed move based on the DPW status he is currently housed in [REDACTED]					1/11/19			Pending
RJD	A		1/9/2019	Internal	The assistance provided was documented as reading lips but the primary method of hearing aids was not utilized during the Initial ASU Placement as an effective communication method noted in SOMS			40420		1/11/19			Pending
RJD	A		1/13/2019	Internal	Final copy of RVR Loh # [REDACTED] was issue on December 12, 2018 and primary form o communication was not used.			99530		1/14/19			Pending
RJD	A		1/10/2019	Internal	Claiming discrimination due to his disability denied effective communication as why he has been denied his worker shower			Unknown		1/15/19			Pending
RJD	A		1/10/2019	Internal	Claiming Staff is violating his ADA rights			40470		1/15/19			Pending
RJD	A		1/18/2019	Internal	Inmate claims staff allowed inmates to take his property and DME.			94564		1/23/19			Pending
RJD	A		1/29/2019	Inmate	Inmate states San Diego MCRP did not transfer him with his wheelchair cushion and gloves and any other property.					Pending			
RJD	A		1/31/2019	Internal	Staff failed to acknowledge that the inmate is hearing impaired and did not document effective communication.			40753		1/31/19			Pending

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

February 2019

Location of Allegation	ALTS Case Number	Type of Allegation	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/3/2019	DME / Property	Internal	Staff allowed Inmate/porter to log his personal property, ADA appliance			100647	Officer	1/7/2019			1/16/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/3/2019	DME / Property	Internal	Staff rolled up his DME's			Unknown	Unknown	1/7/2019			1/18/2019	Confirmed	Other
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/9/2019	Housing	Internal	██████ The I/m is inappropriately housed and required a bed move based on the DPW status he is currently housed in FB			Unknown	Unknown	1/11/2019			1/18/2019	Confirmed	Other
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/9/2019	EC	Internal	The assistance provided was documented as reading lips but the primary ,method of hearing aids was not utilized during the Initial ASU Placement as an effective communication method noted in SOMS			40420	Lieutenant	1/11/2019			1/17/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/13/2019	EC for DPV and DPH	Internal	Final copy of RVR Loh # ██████ was issued on December 12, 2018 and primary form of communication was not used.			99530	Officer	1/14/2019			1/18/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/10/2019	EC for DPV and DPH		Claiming discrimination due to his disability, denied effective communication as why he has been denied his worker shower			Unknown	Unknown	1/15/2019			1/24/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/10/2019	Housing	Internal	Claiming Staff is violating his ADA rights			40470	Officer	1/15/2019			1/23/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/18/2019	DME/Property	Inmate	Inmate claims staff allowed inmates to take his property and DME.			94564	Officer	1/23/2019			1/25/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/28/2019	EC	Internal	Staff failed to acknowledge that the inmate is hearing impaired and did not document effective communication.			40753	Lieutenant	1/31/2019			2/10/2019	Confirmed	LOI
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/4/2019	EC for DPV and DPH	Internal	Primary method of effective communication was not provided during administrative segregation placement.			41474	Lieutenant	1/7/2019			1/18/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/10/2019	DME / Property	Internal	Inmate was transferred to CTC without his DME's			38822	Sergeant	1/11/2019			1/18/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/3/2019	DME / Property	Internal	Staff allowed Inmate/porter to log his personal property, ADA appliance			114097	Officer	1/7/2019			1/16/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/3/2019	DME / Property	Internal	Staff allowed Inmate/porter to log his personal property, ADA appliance			33324	Officer	1/7/2019			1/16/2019	Not Confirmed	No Action

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

February 2019

Location of Allegation	ALTS Case Number	Type of Allegation	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	12/28/2018	EC	Internal	All identified disabilities were not checked, the assistance provided during the Administrative review was not listed as an effective communication method noted within SOMS			37760	Captain	12/31/2018			1/7/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	11/9/2018	EC for DPV and DPH	Internal	Assistance provided during Administrative placement was not documented, method utilized to determine how EC was achieved/not achieved and assistance during Administrative review was not documented			33288	Lieutenant	11/13/2018			11/27/2018	Confirmed	ECR - Employee Counselling Record
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	11/30/2018	EC	Internal	The Inmate's primary method of communication was not documented as being utilized during the Administrative review dated 11-23-2018			36922	Captain	12/4/2018			12/12/2018	Confirmed	ECR - Employee Counselling Record
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	11/30/2018	EC	Internal	Inmate's primary method of communication was not documented as being utilized during the Initial ASU placement or during the Administrative Review dated 11-20-2018			40693	Lieutenant	12/4/2018			12/17/2018	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	10/4/2018	Housing	Internal	Housing accommodation			68097	Correctional Counselor I	10/25/2018			11/5/2018	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	10/4/2018	Housing	Internal	Housing accommodation			94642	Correctional Counselor II	10/25/2018			11/5/2018	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	10/4/2018	Housing	Internal	Housing accommodation			34162	Correctional Counselor II	10/25/2018			11/5/2018	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	10/4/2018	Housing	Internal	Housing accommodation			36521	Correctional Counselor II	10/25/2018			11/5/2018	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	11/9/2018	EC	Internal	Assistance provided during Administrative placement was not documented, method utilized to determine how EC was achieved/not achieved and assistance during Administrative review was not documented			31884	Captain	11/13/2018			11/27/2018	Confirmed	ECR - Employee Counselling Record
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	12/13/2018	DME / Property	Internal	DME's (hearing aid device) was lost when he went to Adseg			38166	Officer	12/17/2018			12/28/2018	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	12/13/2018	Housing	Internal	Inmate is inappropriately housed and requires a bed move based on the DNV status he currently has			Unknown	Unknown	12/13/2018			1/3/2019	Confirmed	Other
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	12/17/2018	DME / Property	Internal	Inmate arrived from RJD without his brace-back support as indicated on his DME report.			68818	Officer	12/20/2018			12/22/2018	Not Confirmed	No Action

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

February 2019

Location of Allegation	ALTS Case Number	Type of Allegation	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	12/20/2018	Discrimination / Retaliation	Internal	Inmate alleges he is on wait list for work but HFM doesn't hire him due to his ADA status			Unknown	Unknown	12/21/2018			1/16/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	12/20/2018	Discrimination / Retaliation	Internal	Claiming staff have failed to established procedures/policies to ensure ADA inmates are issued their packages within the afforded times given in the title 15			Unknown	Unknown	12/27/2018			1/10/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	12/20/2018	Discrimination / Retaliation	Internal	Canteen staff was unprofessional and disrespectful			89185	Other	12/27/2018			1/7/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	12/28/2018	EC	Internal	During the Initial ASU placement were not checked and the assistance provided was not documented as an effective communication method noted in SOMS			38230	Lieutenant	12/31/2018			1/5/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	12/28/2018	EC	Internal	All identified disabilities were not checked, the assistance provided during the Administrative review was not listed as an effective communication method noted within SOMS			35513	Associate Warden	12/31/2018			1/7/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/10/2019	DME / Property	Internal	Inmate [REDACTED] arrived to CHCF without his hearing aids which are indicated in his DECS Report.					2/13/2019				Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/29/2019	DME / Property	Inmate	Inmate states San Diego MCRP did not transfer him with his wheelchair cushion and gloves and any other property.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	2/21/2019	Housing	Internal	[REDACTED] is housed in C13- and housing restriction is Lower/Bottom bunk only.					2/21/2019				Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	2/21/2019	Other	Inmate	[REDACTED] claims missed two outside health care appointments due to Transportation would not accommodate his need for a vehicle with a lift.			Unknown	Unknown	2/21/2019				Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	10/3/2018		Internal	No SLI/No VRI was utilized/provided for DRP (Division of Rehabilitation program) on 9/10/2018					10/10/2018				Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/25/2019	DME / Property	1845 / 7410 Review	Patient arrived to LAC on 12/20/18 from RJD without DME Left Hearing aid and Hearing impaired vest. Patients DNH code was also not reflected in SOMS and DECS.									Cancelled: Entered in Error	

California Department of Corrections and Rehabilitation

Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance Log

February 2019

Location of Allegation	ALTS Case Number	Type of Allegation	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	2/21/2019	Other	Inmate	claims missed two outside health care appointments due to Transportation would not accommodate his need for a vehicle with a lift.					2/21/2019		Associate Warden		Cancelled: Entered in Error	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	12/19/2018		Internal	The assistance provided was not documented during the Initial ASU Placement					12/20/2018		Associate Warden		Cancelled: Entered in Error	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	2/28/2019	DME / Property	Inmate	CSP-SAC received an 1824 from Inmate stating he transferred from RJD to SAC and his pocket talker and back brace did not transfer with him. The transfer occurred on 6/26/18 and it is confirmed arrived at CSP-SAC without the DMEs.									Closed: Referred to DAI (RJD)	

Location of Allegation	ALTS: Case Number	Type of Allegation	DDP (Clark) Codes	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	Level of Inquiry Required	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry Completed	Inquiry Outcome	Action Taken	Case Status
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DNH; DPM	1/10/2019	DME / Property	Internal	Inmate [REDACTED] arrived to CHCF without his hearing aids which are indicated in his DECS Report.					2/13/2019	Full Inquiry				Pending		Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPH	1/18/2019	DME / Property	Inmate	Inmate claims staff allowed inmates to take his property and DME.			94564	Officer	1/23/2019	Full Inquiry			1/25/2019	Pending		Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPO	1/29/2019	DME / Property	Inmate	Inmate states San Diego MCRP did not transfer him with his wheelchair cushion and gloves and any other property.						Full Inquiry				Pending		Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DNH	2/1/2019	DME / Property	Internal	Inmate was transferred to LAC from RJD without his DME's. Refer to HC ALTS 4213.			89482	Officer	2/1/2019	Full Inquiry			2/22/2019	Referred to HC - ALTS [REDACTED]		Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DNH; DPM	2/4/2019	DME / Property	Inmate	Claims returned 1/2/19 from hospital missing DME property.					2/7/2019	Full Inquiry				Pending		Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPW	2/11/2019	Housing	Internal	Inmate [REDACTED] is currently assigned to a non DPW bed.					2/12/2019	Full Inquiry				Pending		Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPV	2/13/2019	EC for DPV and DPH	Internal	Inmate [REDACTED] was given an ASU placement notice and it does not appropriately note EC was established.			38230	Lieutenant	2/13/2019	Full Inquiry				Pending		Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPM	2/21/2019	Housing	Internal	[REDACTED] is housed in C13-147U and housing restriction is Lower/Bottom bunk only.					2/21/2019	Full Inquiry				Pending		Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPM	2/21/2019	Other	Inmate	[REDACTED] claim he missed two outside health care appointments due to Transportation would not accommodate his need for a vehicle with a lift.					2/21/2019	Full Inquiry				Pending		Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPH; DPS	10/3/2018		Internal	No SLI/No VRI was utilized/provided for DRP (Division of Rehabilitation program) on 9/10/2018					10/10/2018	Full Inquiry				Pending		Assigned
RJD - RJ Donovan Correctional Facility		DDP (Clark)	DD2 - Needs reminders & assistance	DPM	10/26/2018	EC	Internal	Assistance provided and the method utilized for effective communication was achieved/not achieved was not documented during the Administrative Reviewers Interview					10/29/2018	Full Inquiry				Pending		Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DNV; DPW	2/4/2019	DME / Property	Inmate	Claims on 1/2/19, bifocal glasses were lost by transportation staff.			91896	Officer	2/7/2019	Full Inquiry			2/26/2019	Pending		Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPM	3/8/2019	Discrimination / Retaliation	Inmate	[REDACTED] claims officers denied him medical treatment when he was not feeling good.			104344	Officer	3/18/2019	Full Inquiry				Pending		Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPO	2/28/2019	ADA Workers	Inmate	[REDACTED] claims housing unit officer denied him ADA Worker assistance and disrespected him			14312	Officer	3/7/2019	Full Inquiry				Pending		Assigned

RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DNH	2/28/2019	DME / Property	Inmate	CSP-SAC received an 1824 from Inmate ██████ stating he transferred from RJD to SAC and his pocket talker and back brace did not transfer with him. The transfer occurred on 6/26/18 and it is confirmed ██████ arrived at CSP-SAC without the DMEs.			3/1/2019	Full Inquiry		Pending	Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPW; TABE4	3/1/2019	EC	Other	██████ EC not documented on non-compliance interview memorandum relevant to 0.0 TABE			3/1/2019	Full Inquiry		Pending	Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPM	2/28/2019	EC	Internal	██████ received 114D and effective communication was not appropriately documented.		Lieutenant	2/28/2019	Full Inquiry		Pending	Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPM	2/28/2019	EC	Internal	██████ received 114D and effective communication was not appropriately documented.		Captain	2/28/2019	Full Inquiry		Pending	Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPW	3/1/2019	DME / Property	Other	██████ - RJD staff failed to ensure inmate had access to his DME's upon arrival.			3/1/2019	Full Inquiry		Pending	Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPW	3/8/2019	DME / Property	Internal	Inmate ██████ arrived to CHCF from RJD on 3/2/2019 without his brace-wrist support, eyeglasses, hearing aid, and wheelchair gloves as indicated in his DECS Report			3/11/2019	Full Inquiry		Pending	Assigned
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPH	1/10/2019	EC for DPV and DPH	Inmate	Claiming discrimination due to his disability, denied effective communication as why he has been denied his worker shower			1/15/2019	Full Inquiry	1/24/2019	Pending	Awaiting Approval
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DNH; DPO	1/10/2019	DME / Property	Internal	Inmate ██████ was transferred to CTC without his DME's (pocket talker, dentures, knee and ankle brace)			1/11/2019	Full Inquiry	2/5/2019	Pending	Awaiting Approval
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPM	2/21/2019	Other	Inmate	██████ claims missed two outside health care appointments due to Transportation would not accommodate his need for a vehicle with a lift.			2/21/2019	Full Inquiry		Pending	Cancelled: Entered in Error
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPM; TABE4	2/1/2019	DME / Property	Internal	Inmate was transferred from AHMC to CTC without his DME's. Refer to HC ALTS ██████			2/1/2019	Full Inquiry	2/7/2019	Not Confirmed	Closed: Allegation Completed
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DNV; DPW	2/4/2019	DME / Property	Inmate	Claims on 1/2/19, bifocal glasses were lost by transportation staff.	102671	Officer	2/7/2019	Full Inquiry	2/26/2019	Not Confirmed	Closed: Allegation Completed
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DNH; DPM; TABE4	2/6/2019	Facilities	Inmate	Claims HU 20 control booth officer does not give enough time to get out of the cell.	28735	Officer	2/7/2019	Full Inquiry	2/17/2019	Not Confirmed	Closed: Allegation Completed
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		DPH	3/6/2019	DME / Property	Third Party	Inmate arrived to VSP from RJD without his eyeglasses and inmate alleged his eye glasses were not sent purposely.				Full Inquiry		Pending	New

California Department of Corrections and Rehabilitation
Disability Placement Program/Developmental Disability Program
Allegation of Noncompliance
April 2019

Location of Allegation	ALTS: Case Number	Type of Allegation	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		P (Armstrong)	10/3/2018		Internal	No SLI/No VRI was utilized/provided for DRP (Division of Rehabilitation program) on 9/10/2018					10/10/2018		Correctional Counselor III		Pending	
RJD - RJ Donovan Correctional Facility		P (Armstrong)	11/9/2018	EC	Internal	Assistance provided was not documented, based on the EC method that have been in SOMS during the Initial ASU placement. Methods documented in SOMS are hearing aids and Staff to speak loudly and clearly. SA was not assigned.					11/13/2018			11/18/2018	Pending	
RJD - RJ Donovan Correctional Facility		P (Armstrong)	11/9/2018	EC for DPV and DPH	Internal	Assistance provided during ASU placement was not documented, method utilized to determine how EC was achieved/not achieved and assistance during Administrative review was not documented.					11/13/2018			11/27/2018	Pending	
RJD - RJ Donovan Correctional Facility		P (Armstrong)	11/14/2018	Housing	Internal	DPW Inmate housed in non DPW cell INF 157L					11/15/2018			11/22/2018	Pending	
RJD - RJ Donovan Correctional Facility		P (Armstrong)	11/21/2018	Housing	Internal	Inmate is inappropriately housed					11/26/2018			11/30/2018	Pending	
RJD - RJ Donovan Correctional Facility		P (Armstrong)	12/17/2018	DME / Property	Internal	Inmate arrived from RJD without his brace-back support as indicated on his DECS report.					12/20/2018			12/22/2018	Pending	
RJD - RJ Donovan Correctional Facility		P (Armstrong)	1/10/2019	DME / Property	Internal	Inmate arrived to CHCF without his hearing aids which are indicated in his DECS Report.					2/13/2019				Pending	
RJD - RJ Donovan Correctional Facility		P (Armstrong)	11/26/2018	Housing	Internal	Inmate inappropriately housed in ASU based on the memorandum dated April 20, 2015.					11/27/2018			12/5/2018	Pending	
RJD - RJ Donovan Correctional Facility		P (Armstrong)	11/26/2018	EC	Internal	During the initial review and the administrative review the inmate's disability were not identified and the Assistance provided was not documented as one of the Inmates Communication methods documented, Hearing aids and reading lips			28514	Lieutenant	11/27/2018			12/4/2018	Pending	
RJD - RJ Donovan Correctional Facility		P (Armstrong)	1/10/2019	EC for DPV and DPH	Inmate	Claiming discrimination due to his disability, denied effective communication as why he has been denied his worker shower					1/15/2019			1/24/2019	Pending	

California Department of Corrections and Rehabilitation
Disability Placement Program/Developmental Disability Program
Allegation of Noncompliance
April 2019

Location of Allegation	ALTS: Case Number	Type of Allegation	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/18/2019	DME / Property	Inmate	Inmate claims staff allowed inmates to take his property and DME.			94564	Officer	1/23/2019			/25/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/29/2019	DME / Property	Inmate	Inmate states San Diego MCRP did not transfer him with his wheelchair cushion and gloves and any other property.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	2/1/2019	DME / Property	Internal	Inmate [REDACTED] was transferred to LAC from RJD without his DME's. Refer to HC ALTS 4213.			89482	Officer	2/1/2019			/22/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/3/2019	DME / Property	Internal	Staff allowed Inmate/porter to log his personal property, ADA appliance			114097	Officer	1/7/2019			/16/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	2/6/2019	DME / Property	Internal	Inmate arrived from RJD without his ortho shoes. Inmate states RJD staff left them in his cell.					2/13/2019			/20/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	2/4/2019	DME / Property	Inmate	Claims returned 1/2/19 from hospital missing DME property.					2/7/2019				Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	1/10/2019	DME / Property	Internal	Inmate [REDACTED] was transferred to CTC without his DME's (pocket talker, dentures, knee and ankle brace)					1/11/2019			2/5/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	2/11/2019	Housing	Internal	Inmate [REDACTED] is currently assigned to a non DPW bed.					2/12/2019				Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	2/13/2019	EC for DPV and DPH	Internal	Inmate [REDACTED] was given an ASU placement notice and it does not appropriately note EC was established.			38230	Lieutenant	2/13/2019			/21/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	2/21/2019	Housing	Internal	[REDACTED] is housed in [REDACTED] and housing restriction is Lower/Bottom bunk only.					2/21/2019				Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	2/21/2019	Other	Inmate	[REDACTED] claim he missed two outside health care appointments due to Transportation would not accommodate his need for a vehicle with a lift.					2/21/2019				Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	2/21/2019	Other	Inmate	[REDACTED] claims missed two outside health care appointments due to Transportation would not accommodate his need for a vehicle with a lift.					2/21/2019				Cancelled: Entered in Error	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	2/28/2019	DME / Property	Inmate	CSP-SAC received an 1824 from Inmate [REDACTED] stating he transferred from RJD to SAC and his pocket talker and back brace did not transfer with him. The transfer occurred on 6/26/18 and it is confirmed [REDACTED] arrived at CSP SAC without the DMEs.					3/1/2019				Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	3/1/2019	EC	Other	[REDACTED] EC not documented on non-compliance interview memorandum relevant to 0.0 TABE					3/1/2019				Pending	

California Department of Corrections and Rehabilitation
Disability Placement Program/Developmental Disability Program
Allegation of Noncompliance
April 2019

Location of Allegation	ALTS: Case Number	Type of Allegation	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	2/28/2019	EC	Internal	█ received 114D and effective communication was not appropriately documented.				Lieutenant	2/28/2019				Pending	
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	2/28/2019	EC	Internal	█ received 114D and effective communication was not appropriately documented.				Captain	2/28/2019				Pending	
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	3/1/2019	DME / Property	Other	RJD staff failed to ensure inmate had access to his DME's upon arrival.					3/1/2019				Pending	
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	3/8/2019	DME / Property	Internal	Inmate █ arrived to CHCF from RJD on 3/2/2019 without his brace-wrist support, eyeglasses, hearing aid, and wheelchair gloves as indicated in his DECS Report					3/11/2019				Pending	
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	3/6/2019	DME / Property	Third Party	Inmate arrived to VSP from RJD without his eyeglasses and inmate alleged his eye glasses were not sent purposely.					3/16/2019			3/20/2019	Pending	
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	2/4/2019	DME / Property	Inmate	Claims on 1/2/19, bifocal glasses were lost by transportation staff.			91896	Officer	2/7/2019			2/26/2019	Pending	
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	3/7/2019	Discrimination / Retaliation	Inmate	Staff discriminating against him because of his disabilities.			106102	Officer	3/17/2019				Pending	
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	3/18/2019	DME / Property	Internal	Inmate █ transferred to SVSP on 3/17/2019 and arrived missing DME (back brace)					3/28/2019				Pending	
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	3/8/2019	Discrimination / Retaliation	Inmate	█ claims officers denied him medical treatment when he was not feeling good.			104344	Officer	3/18/2019				Pending	
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	2/28/2019	ADA Workers	Inmate	█ claims housing unit officer denied him ADA Worker assistance and disrespected him			14312	Officer	3/7/2019				Pending	
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	4/9/2019	DME / Property	Internal	Inmate █ arrived at CHCF from RJD without his DME (knee brace) as indicated on his DECS report.									Pending	
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	4/12/2019	DME / Property	Internal	Inmate arrived on 4/12/19 to CEN for CEN-CTC (temporary/med&return) placement without all his prescribed DMEs, from Tri-City Medical Center. Inmate █ arrived without his hearing aid, orthotic shoes, and ankle orthotics.									Closed: Referred to DAI	
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	2/13/2019	EC for DPV and DPH	Internal	Inmate █ was given an ASU placement notice and it does not appropriately note EC was established.			36922	Captain	2/13/2019			2/21/2019	Pending	
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	4/8/2019	EC	Internal	Inmate █ was designated DNH on 3/15/2019; however, was interviewed on 4/3/2019 not within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired memorandum dated January 22, 2007.					4/17/2019				Pending	

California Department of Corrections and Rehabilitation
Disability Placement Program/Developmental Disability Program
Allegation of Noncompliance
April 2019

Location of Allegation	ALTS: Case Number	Type of Allegation	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	4/8/2019	EC	Internal	Inmate [REDACTED] (DPO, DNH) was designated DNH on 3/12/2019; however, was not interviewed within 14 days					4/17/2019		sociate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	4/8/2019	EC	Internal	Inmate [REDACTED] was designated DNH on 3/27/2019; however, was not interviewed within 14 days					4/17/2019				Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	4/8/2019	EC	Internal	Inmate [REDACTED] (DNH) was designated DNH on 3/13/2019; however, was not interviewed within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired, dated January 22, 2007.					4/17/2019				Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	4/29/2019	Housing	Internal	Inmate [REDACTED] was housed in A3 238L and was moved there on 4/27/2019 from [REDACTED]. He currently has housing restrictions of Lower Bunk/Lower Tier and is DPM.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	4/30/2019	DME / Property	Inmate	Inmate [REDACTED] claims his DME (eye glasses) are in Ad-Seg Property.					Pending					

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPS	10/3/2018		Internal	No SLI/No VRI was utilized/provided for DRP (Division of Rehabilitation program) on 9/10/2018					10/10/2018				Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM; TABE4	11/9/2018	EC	Internal	Assistance provided was not documented, based on the EC method that have been in SOMS during the Initial ASU placement. Methods documented in SOMS are hearing aids and Staff to speak loudly and clearly. SA was not assigned.			28514	Lieutenant	11/13/2018			11/18/2018	Confirmed	Verbal Counselling
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	11/9/2018	EC for DPV and DPH	Internal	Assistance provided during ASU placement was not documented, method utilized to determine how EC was achieved/not achieved and assistance during Administrative review was not documented.			33288	Lieutenant	11/13/2018			11/27/2018	Confirmed	ECR - Employee Counselling Record
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW; TABE4	11/14/2018	Housing	Internal	DPW Inmate housed in non DPW cell			36710	Sergeant	11/15/2018			11/22/2018	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPV	11/21/2018	Housing	Internal	Inmate is inappropriately housed			Unknown	Unknown	11/26/2018			11/30/2018	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	12/17/2018	DME / Property	Internal	Inmate arrived from RJD without his brace-back support as indicated on his DECS report.			68818	Officer	12/20/2018			12/22/2018	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	1/10/2019	DME / Property	Internal	Inmate arrived to CHCF without his hearing aids which are indicated in his DECS Report.					2/13/2019			2/20/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT	11/26/2018	Housing	Internal	Inmate inappropriately housed in ASU based on the memorandum dated April 20, 2015.			15914	Lieutenant	11/27/2018			12/5/2018	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	11/26/2018	EC	Internal	During the Initial review and the administrative review the inmate's disability were not identified and the Assistance provided was not documented as one of the Inmates Communication methods documented, Hearing aids and reading lips			28514	Lieutenant	11/27/2018			12/4/2018	Confirmed	ECR - Employee Counselling Record
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	1/10/2019	EC for DPV and DPH	Inmate	Claiming discrimination due to his disability, denied effective communication as why he has been denied his worker shower			Unknown	Unknown	1/15/2019			1/24/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	1/18/2019	DME / Property	Inmate	Inmate claims staff allowed inmates to take his property and DME.			94564	Officer	1/23/2019			1/25/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	1/29/2019	DME / Property	Inmate	Inmate states San Diego MCRP did not transfer him with his wheelchair cushion and gloves and any other property.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	2/1/2019	DME / Property	Internal	Inmate was transferred to LAC from RJD without his DME's. Refer to HC ALTS 4213.			89482	Officer	2/1/2019			2/22/2019	Not Confirmed	No Action

RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	12/28/2018	EC	Internal	All identified disabilities were not checked, the assistance provided during the Administrative review was not listed as an effective communication method noted within SOMS		37760	Captain	12/31/2018		1/7/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/6/2019	DME / Property	Internal	Inmate arrived from RJD without his ortho shoes. Inmate states RJD staff left them in his cell.		88429	Officer	2/13/2019		2/20/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	2/4/2019	DME / Property	Inmate	Claims returned 1/2/19 from hospital missing DME property.				2/7/2019			Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPO	1/10/2019	DME / Property	Internal	Inmate [REDACTED] was transferred to CTC without his DME's (pocket talker, dentures, knee and ankle brace)		Unknown	Unknown	1/11/2019		2/5/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	2/11/2019	Housing	Internal	Inmate [REDACTED] is currently assigned to a non DPW bed.		41749	Sergeant	2/12/2019		2/25/2019	Confirmed	Verbal Counselling
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPV	2/13/2019	EC for DPV and DPH	Internal	Inmate [REDACTED] was given an ASU placement notice and it does not appropriately note EC was established.		38230	Lieutenant	2/13/2019		2/21/2019	Confirmed	LOI - Letter of Instruction
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/21/2019	Housing	Internal	[REDACTED] is housed in C13-147U and housing restriction is Lower/Bottom bunk only.				2/21/2019			Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/21/2019	Other	Inmate	[REDACTED] claims missed two outside health care appointments due to Transportation would not accommodate his need for a vehicle with a lift.		100657	Officer	2/21/2019		3/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; TABE4	2/28/2019	DME / Property	Inmate	CSP-SAC received an 1824 from Inmate [REDACTED] stating he transferred from RJD to SAC and his pocket talker and back brace did not transfer with him. The transfer occurred on 6/26/18 and it is confirmed [REDACTED] arrived at CSP-SAC without the DMEs.		68818	Officer	3/1/2019		3/12/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW; TABE4	3/1/2019	EC	Other	[REDACTED] EC not documented on non-compliance interview memorandum relevant to 0.0 TABE		40089	Sergeant	3/1/2019		4/4/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM; TABE4	2/28/2019	EC	Internal	[REDACTED] received 114D and effective communication was not appropriately documented.		39622	Lieutenant	2/28/2019		4/8/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/28/2019	EC	Internal	[REDACTED] received 114D and effective communication was not appropriately documented.		31884	Captain	2/28/2019		4/8/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/1/2019	DME / Property	Other	[REDACTED] - RJD staff failed to ensure inmate had access to his DME's upon arrival.		31355	Sergeant	3/1/2019		3/7/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/8/2019	DME / Property	Internal	Inmate [REDACTED] arrived to CHCF from RJD on 3/2/2019 without his brace-wrist support, eyeglasses, hearing aid, and wheelchair gloves as indicated in his DECS Report				3/11/2019			Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	3/6/2019	DME / Property	Third Party	Inmate arrived to VSP from RJD without his eyeglasses and inmate alleged his eye glasses were not sent purposely.		Unknown	Unknown	3/16/2019		3/20/2019	Not Confirmed	No Action

RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNV; DPW	2/4/2019	DME / Property	Inmate	Claims on 1/2/19, bifocal glasses were lost by transportation staff.		91896	Officer	2/7/2019		2/26/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/7/2019	Discrimination / Retaliation	Inmate	Staff discriminating against him because of his disabilities.		106102	Officer	3/17/2019		3/22/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/18/2019	DME / Property	Internal	Inmate [REDACTED] transferred to SVSP on 3/17/2019 and arrived missing DME (back brace)		36259	Officer	3/28/2019		3/23/2019	Not Confirmed	Other
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	3/8/2019	Discrimination / Retaliation	Inmate	[REDACTED] claims officers denied him medical treatment when he was not feeling good.		104344	Officer	3/18/2019		3/29/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	2/28/2019	ADA Workers	Inmate	[REDACTED] claims housing unit officer denied him ADA Worker assistance and disrespected him		14312	Officer	3/7/2019			Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	4/9/2019	DME / Property	Internal	Inmate [REDACTED] arrived at CHCF from RJD without his DME (knee brace) as indicated on his DECS report.							Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPV	2/13/2019	EC for DPV and DPH	Internal	Inmate [REDACTED] was given an ASU placement notice and it does not appropriately note EC was established.		36922	Captain	2/13/2019		2/21/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	4/8/2019	EC	Internal	Inmate [REDACTED] was designated DNH on 3/15/2019; however, was interviewed on 4/3/2019 not within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired memorandum dated January 22, 2007.		41832	Correctional Counselor I	4/17/2019		4/24/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPO	4/8/2019	EC	Internal	Inmate [REDACTED] (DPO, DNH) was designated DNH on 3/12/2019; however, was not interviewed within 14 days				4/17/2019			Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	4/8/2019	EC	Internal	Inmate [REDACTED] was designated DNH on 3/27/2019; however, was not interviewed within 14 days				4/17/2019			Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	4/8/2019	EC	Internal	Inmate [REDACTED] (DNH) was designated DNH on 3/13/2019; however, was not interviewed within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired, dated January 22, 2007.				4/17/2019			Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	4/8/2019	EC	Internal	Inmate [REDACTED] (DNH) was designated DNH on 3/13/2019; however, was not interviewed within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired, dated January 22, 2007.				4/17/2019			Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		4/29/2019	Housing	Internal	Inmate [REDACTED] was housed in A3 238L and was moved there on 4/27/2019 from [REDACTED]. He currently has housing restrictions of Lower Bunk/Lower Tier and is DPM.							Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	4/30/2019	DME / Property	Inmate	Inmate [REDACTED] claims his DME (eye glasses) are in Ad-Seg Property.				5/3/2019			Pending	

RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	5/6/2019	Other	Internal	Inmate [REDACTED] was placed in DPP with a DNH code on 4/16/19. A review of his file indicates he was not interviewed within 14 calendar days of being placed in the program.			5/7/2019		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/18/2019	DME / Property	Internal	Inmate [REDACTED] transferred to SVSP on 3/17/2019 and arrived missing DME (back brace)	77841	Officer	3/28/2019	4/23/2019	Not Confirmed	Other
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 3/22/2018 No SLI was utilized.			5/28/2019		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 4/2/2018 Delivery of Initial Copy of RVR / No SLI utilized		Officer	5/28/2019		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 4/2/2018 Interview with Staff Assistant / No SLI Utilized		Officer	5/28/2019		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 6/7/2018 Delivery of Hearing results / No SLI Utilized		Officer	5/28/2019		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 5/19/2018 Delivery of Initial Copy of RVR / No SLI utilized		Officer	5/28/2019		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 5/19/2018 Interview with Staff Assistant / No SLI Utilized		Officer	5/28/2019		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 7/5/2018 Delivery of Hearing results / No SLI Utilized		Officer	5/28/2019		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 3/22/2018 Delivery of Initial Copy of RVR - No SLI utilized		Officer	5/29/2019		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 6/11/2018 Delivery of Multiple RVR Documents / No SLI utilized		Officer	5/29/2019		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 6/11/2018 Delivery of Other RVR Related Documents / No SLI Utilized		Officer	5/29/2019		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 10/8/2018 Interaction type other / No SLI Utilized		Officer	5/29/2019		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 9/28/2018 Interview with Staff Assistant / No SLI utilized		Officer	5/29/2019		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 10/30/2018 Delivery of Hearing Results / No SLI Utilized		Officer	5/29/2019		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 7/30/2018 Delivery of Multiple RVR Documents - No SLI utilized		Officer	5/29/2019		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 7/30/2018 Interview with Staff Assistant - No SLI utilized		Officer	5/29/2019		Pending	

RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 10/17/2018 Delivered Copy of Hearing Results - No SLI utilized			Officer	5/29/2019		Pending	
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DNM; DPH	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 3/14/2019 Delivery of Custodial Counseling Chrono- No documentation of SLI being utilized			Officer	5/29/2019		Pending	
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DNM; DPH	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 11/6/2018 Delivery of Hearing Results ? No Documentation of SLI being utilized			Officer	5/29/2019		Pending	
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPH	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 2/26/2019 Delivery of Hearing Results - No documentation of SLI being utilized			Officer	5/29/2019		Pending	

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPS	10/3/2018		Internal	No SLU/No VRI was utilized/provided for DRP (Division of Rehabilitation program) on 9/10/2018					10/10/2018		Correctional Counselor III		Cancelled: Entered in Error	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	1/10/2019	DME / Property	Internal	Inmate [REDACTED] arrived to CHCF without his hearing aids which are indicated in his DECS Report.					2/13/2019		Lieutenant	2/20/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT	11/26/2018	Housing	Internal	Inmate inappropriately housed in ASU based on the memorandum dated April 20 2015.			15914	Lieutenant	11/27/2018		Correctional Counselor II Supervisor	12/5/2018	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	1/29/2019	DME / Property	Inmate	Inmate states San Diego MCRP did not transfer him with his wheelchair cushion and gloves and any other property.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	2/4/2019	DME / Property	Inmate	Claims returned 1/2/19 from hospital missing DME property.			29331	Officer	2/7/2019		Sergeant	2/20/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/21/2019	Housing	Internal	[REDACTED] is housed in C13 [REDACTED] and housing restriction is Lower/Bottom bunk only.			86468	Sergeant	2/21/2019		Sergeant	2/28/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/21/2019	Other	Inmate	[REDACTED] claims missed two outside health care appointments due to Transportation would not accommodate his need for a vehicle with a lift.			100657	Officer	2/21/2019		Sergeant	3/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; TABE4	2/28/2019	DME / Property	Inmate	CSP-SAC received an 1824 from Inmate [REDACTED] stating he transferred from RJD to SAC and his pocket talker and back brace did not transfer with him. The transfer occurred on 6/26/18 and it is confirmed [REDACTED] arrived at CSP-SAC without the DMEs.			68818	Officer	3/1/2019		Sergeant	3/12/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW; TABE4	3/1/2019	EC	Other	[REDACTED] EC not documented on non-compliance interview memorandum relevant to 0.0 TABE			40089	Sergeant	3/1/2019		Lieutenant	4/4/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/28/2019	EC	Internal	[REDACTED] received 114D and effective communication was not appropriately documented.			31884	Captain	2/28/2019		Sergeant	4/8/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/1/2019	DME / Property	Other	[REDACTED] - RJD staff failed to ensure inmate had access to his DME's upon arrival.			31355	Sergeant	3/1/2019		Lieutenant	3/7/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/8/2019	DME / Property	Internal	Inmate [REDACTED] arrived to CHCF from RJD on 3/2/2019 without his brace-wrist support, eyeglasses, hearing aid, and wheelchair gloves as indicated in his DECS Report			36174	Officer	3/13/2019		Sergeant	3/21/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/7/2019	Discrimination / Retaliation	Inmate	Staff discriminating against him because of his disabilities.			106102	Officer	3/17/2019		Associate Warden	4/22/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	3/8/2019	Discrimination / Retaliation	Inmate	[REDACTED] claims officers denied him medical treatment when he was not feeling good.			104344	Officer	3/18/2019		Sergeant	3/29/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	2/28/2019	ADA Workers	Inmate	[REDACTED] claims housing unit officer denied him ADA Worker assistance and disrespected him			14312	Officer	3/7/2019		Lieutenant	3/27/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPV	2/13/2019	EC for DPV and DPH	Internal	Inmate [REDACTED] was given an ASU placement notice and it does not appropriately note EC was established.			36922	Captain	2/13/2019		Lieutenant	2/21/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	4/8/2019	EC	Internal	Inmate [REDACTED] was designated DN on 3/15/2019; however, was interviewed on 4/3/2019 not within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired memorandum dated January 22, 2007.			41832	Correctional Counselor I	4/17/2019		Sergeant	4/24/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPO	4/8/2019	EC	Internal	Inmate [REDACTED] (DPO, DNH) was designated DNH on 3/12/2019; however, was not interviewed within 14 days			36606	Correctional Counselor II	4/17/2019		Sergeant	4/20/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	4/8/2019	EC	Internal	Inmate [REDACTED] was designated DN on 3/27/2019; however, was not interviewed within 14 days			36606	Correctional Counselor II	4/17/2019		Sergeant	4/25/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	4/8/2019	EC	Internal	Inmate [REDACTED] (DNH) was designated DNH on 3/13/2019; however, was not interviewed within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired, dated January 22, 2007.					4/17/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	4/29/2019	Housing	Internal	Inmate [REDACTED] was housed in A3 238 and was moved there on 4/27/2019 from A3 [REDACTED]. He currently has housing restrictions of Lower Bunk/Lower Tier and is DPM.			113535	Officer	5/3/2019		Sergeant	5/9/2019	Pending	

RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	4/30/2019	DME / Property	Inmate	Inmate [REDACTED] claims his DME (eye glasses) are in Ad-Seg Property.	102607	Officer	5/3/2019		Sergeant	5/14/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	5/6/2019	EC for DPV and DPH	Internal	Inmate [REDACTED] was placed in DPP with a DNH code on 4/16/19. A review of his file indicates he was not interviewed within 14 calendar days of being placed in the program.	29578	Correctional Counselor I	5/7/2019		Associate Warden	5/14/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; TABE4	2/28/2019	DME / Property	Inmate	CSP-SAC received an 1824 from Inmate [REDACTED] stating he transferred from RJD to SAC and his pocket talker and back brace did not transfer with him. The transfer occurred on 6/26/18 and it is confirmed [REDACTED] arrived at CSP-SAC without the DMEs.	20623	Officer	3/1/2019		Sergeant	3/12/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/21/2019	Other	Inmate	[REDACTED] claims missed two outside health care appointments due to Transportation would not accommodate his need for a vehicle with a lift.	34828	Officer	2/21/2019		Sergeant	3/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/21/2019	Other	Inmate	[REDACTED] claims missed two outside health care appointments due to Transportation would not accommodate his need for a vehicle with a lift.	39249	Officer	2/21/2019		Sergeant	3/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 3/22/2018 No SLI was utilized Issuing Officer was Claudia Avila	40110	Officer	5/28/2019		Lieutenant	6/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 4/2/2018 Delivery of Initial Copy of RVR ? No SLI utilized	40110	Officer	5/28/2019		Lieutenant	6/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 4/2/2018 Interview with Staff Assistant ? No SLI Utilized	40110	Officer	5/28/2019		Lieutenant	6/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 6/7/2018 Delivery of Hearing results ? No SLI Utilized	102205	Officer	5/28/2019		Associate Warden	6/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 5/19/2018 Delivery of Initial Copy of RVR ? No SLI utilized	40110	Officer	5/28/2019		Lieutenant	6/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 5/19/2018 Interview with Staff Assistant ? No SLI Utilized	40110	Officer	5/28/2019		Lieutenant	6/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 7/5/2018 Delivery of Hearing results ? No SLI Utilized	102205	Officer	5/28/2019		Lieutenant	6/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 3/22/2018 Delivery of Initial Copy of RVR - No SLI utilized		Officer	5/29/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 6/11/2018 Delivery Multiple RVR Documents ? No SLI utilized	99530	Officer	5/29/2019		Lieutenant	6/5/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 6/11/2018 Delivered Other RVR Related Documents ? No SLI Utilized	99530	Officer	5/29/2019		Associate Warden	6/5/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 10/8/2018 Interaction type other ? No SLI Utilized		Officer	5/29/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 9/28/2018 Interview with Staff Assistant ? No SLI Utilized		Officer	5/29/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 10/30/2018 Delivery of Hearing Results ? No SLI Utilized		Officer	5/29/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 7/30/2018 Delivery of Multiple RVR Documents - No SLI utilized	99530	Officer	5/29/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 7/30/2018 Interview with Staff Assistant - No SLI utilized	99530	Officer	5/29/2019		Lieutenant	6/5/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 10/17/2018 Delivered Copy of Hearing Results - No SLI utilized		Officer	5/29/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNM; DPH	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 3/14/2019 Delivery of Custodial Counseling Chrono- No documentation of SLI being utilized	37902	Officer	5/29/2019		Associate Warden	5/31/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNM; DPH	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 11/6/2018 Delivery of Hearing Results ? No Documentation of SLI being utilized	37902	Officer	5/29/2019		Lieutenant	5/31/2019	Pending	

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California Department of Corrections and Rehabilitation
Disability Placement Program (DPP) - Armstrong
Allegation of Noncompliance
July 2019

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	1/10/2019	DME / Property	Internal	Inmate [REDACTED] arrived to CHCF without his hearing aids which are indicated in his DECS Report.	[REDACTED]	[REDACTED]	Unknown	Unknown	2/13/2019	[REDACTED]	Lieutenant	2/20/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT	11/26/2018	Housing	Internal	Inmate inappropriately housed in ASU based on the memorandum dated April 20, 2015.	[REDACTED]	[REDACTED]	5914	Lieutenant	11/27/2018	[REDACTED]	Correctional Counselor II Supervisor	12/5/2018	Confirmed	LOI - Letter of Instruction
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	1/29/2019	DME / Property	Inmate	Inmate states San Diego MCRP did not transfer him with his wheelchair cushion and gloves and any other property.	[REDACTED]	[REDACTED]				[REDACTED]			Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	2/4/2019	DME / Property	Inmate	Claims returned 1/2/19 from hospital missing DME property.	[REDACTED]	[REDACTED]	9331	Officer	2/7/2019	[REDACTED]	Sergeant	2/20/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/21/2019	Housing	Internal	[REDACTED] is housed in C13-147U and housing restriction is Lower/Bottom bunk only.	[REDACTED]	[REDACTED]	6468	Sergeant	2/21/2019	[REDACTED]	Sergeant	2/28/2019	Confirmed	Verbal Counselling
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/21/2019	Other	Inmate	[REDACTED] claims missed two outside health care appointments due to Transportation would not accommodate his need for a vehicle with a lift.	[REDACTED]	[REDACTED]	00657	Officer	2/21/2019	[REDACTED]	Sergeant	3/11/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; TABE4	2/28/2019	DME / Property	Inmate	CSP-SAC received an 1824 from Inmate [REDACTED] stating he transferred from RJD to SAC and his pocket talker and back brace did not transfer with him. The transfer occurred on 6/26/18 and it is confirmed [REDACTED] arrived at CSP-SAC without the DMEs.	[REDACTED]	[REDACTED]	8818	Officer	3/1/2019	[REDACTED]	Sergeant	3/12/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW; TABE4	3/1/2019	EC	Other	[REDACTED] EC not documented on non-compliance interview memorandum relevant to 0.0 TABE	[REDACTED]	[REDACTED]	0089	Sergeant	3/1/2019	[REDACTED]	Lieutenant	4/4/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/28/2019	EC	Internal	[REDACTED] received 114D and effective communication was not appropriately documented.	[REDACTED]	[REDACTED]	1884	Captain	2/28/2019	[REDACTED]	Sergeant	4/8/2019	Confirmed	LOI - Letter of Instruction
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/1/2019	DME / Property	Other	[REDACTED] - RJD staff failed to ensure inmate had access to his DME's upon arrival.	[REDACTED]	[REDACTED]	1355	Sergeant	3/1/2019	[REDACTED]	Lieutenant	3/7/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/8/2019	DME / Property	Internal	Inmate [REDACTED] arrived to CHCF from RJD on 3/2/2019 without his brace-wrist support, eyeglasses, hearing aid, and wheelchair gloves as indicated in his DECS Report	[REDACTED]	[REDACTED]	6174	Officer	3/13/2019	[REDACTED]	Sergeant	3/21/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/7/2019	Discrimination / Retaliation	Inmate	Staff discriminating against him because of his disabilities.	[REDACTED]	[REDACTED]	06102	Officer	3/17/2019	[REDACTED]	Associate Warden	4/22/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	3/8/2019	Discrimination / Retaliation	Inmate	[REDACTED] claims officers denied him medical treatment when he was not feeling good.	[REDACTED]	[REDACTED]	04344	Officer	3/18/2019	[REDACTED]	Sergeant	3/29/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	2/28/2019	ADA Workers	Inmate	[REDACTED] claims housing unit officer denied him ADA Worker assistance and disrespected him	[REDACTED]	[REDACTED]	4312	Officer	3/7/2019	[REDACTED]	Lieutenant	3/27/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	4/9/2019	DME / Property	Internal	Inmate [REDACTED] arrived at CHCF from RJD without his DME (knee brace) as indicated on his DECS report.	[REDACTED]	[REDACTED]	6174	Officer	5/13/2019	[REDACTED]	Sergeant	5/17/2019	Not Confirmed	No Action

California Department of Corrections and Rehabilitation
Disability Placement Program (DPP) - Armstrong
Allegation of Noncompliance
July 2019

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPV	2/13/2019	EC for DPV and DPH	Internal	Inmate [REDACTED] was given an ASU placement notice and it does not appropriately note EC was established.			36922	Captain	2/13/2019		lieutenant	2/21/2019	Confirmed	LOI - Letter of Instruction
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	4/8/2019	EC	Internal	Inmate [REDACTED] was designate DNH on 3/15/2019; however, was interviewed on 4/3/2019 not within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired memorandum dated January 22, 2007.			41832	Correctional Counselor I	4/17/2019		lieutenant	4/24/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPO	4/8/2019	EC	Internal	Inmate [REDACTED] (DPO, DNH) was designated DNH on 3/12/2019; however, was not interviewed within 14 days			36606	Correctional Counselor II	4/17/2019		lieutenant	4/20/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	4/8/2019	EC	Internal	Inmate [REDACTED] was designated DNH on 3/27/2019; however, was not interviewed within 14 days			36606	Correctional Counselor II	4/17/2019		lieutenant	4/25/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	4/8/2019	EC	Internal	Inmate [REDACTED] (DNH) was designated DNH on 3/13/2019; however, was not interviewed within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired, dated January 22, 2007.					4/17/2019		associate warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	4/29/2019	Housing	Internal	Inmate [REDACTED] was housed in A 238L and was moved there on 4/27/2019 from A3 [REDACTED]. He currently has housing restrictions of Lower Bunk/Lower Tier and is DPM.			113535	Officer	5/3/2019		lieutenant	5/9/2019	Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	4/30/2019	DME / Property	Inmate	Inmate [REDACTED] claims his DME (eye glasses) are in Ad-Seg Property.			102607	Officer	5/3/2019		lieutenant	5/14/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	5/6/2019	EC for DPV and DPH	Internal	Inmate [REDACTED] was placed in DPP with a DNH code on 4/16/19. A review of his file indicates he was not interviewed within 14 calendar days being placed in the program.			29578	Correctional Counselor I	5/7/2019		associate warden	5/14/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	3/8/2019	Discrimination / Retaliation	Inmate	[REDACTED] claims officers denied him medical treatment when he was not feeling good.			115078	Officer	3/18/2019		lieutenant	3/29/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; TABE4	2/28/2019	DME / Property	Inmate	CSP-SAC received an 1824 from Inmate [REDACTED] stating he transferred from RJD to SAC and his pocket talker and back brace did not transfer with him. The transfer occurred on 6/26/18 and it is confirmed [REDACTED] arrived at CSP-SAC without the DMES.			20623	Officer	3/1/2019		lieutenant	3/12/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/21/2019	Other	Inmate	[REDACTED] claims missed two outside health care appointments due to Transportation would not accommodate his need for a vehicle with a lift.			34828	Officer	2/21/2019		lieutenant	3/11/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/21/2019	Other	Inmate	[REDACTED] claims missed two outside health care appointments due to Transportation would not accommodate his need for a vehicle with a lift.			39249	Officer	2/21/2019		lieutenant	3/11/2019	Confirmed	Training

California Department of Corrections and Rehabilitation
Disability Placement Program (DPP) - Armstrong
Allegation of Noncompliance
July 2019

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 3/22/2018 No SLI utilized Issuing Officer was Claudia Avila			40110	Officer	5/28/2019		Jeutenant	6/11/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 4/2/2018 Delivery of Initial Copy of RVR. No SLI utilized			40110	Officer	5/28/2019		Jeutenant	6/11/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 4/2/2018 Interview with Staff Assistant. No SLI Utilized			40110	Officer	5/28/2019		Jeutenant	6/11/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 6/7/2018 Delivery of Hearing results/No SLI Utilized			102205	Officer	5/28/2019		Associate Warden	6/11/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 5/19/2018 Delivery Initial Copy of RVR / No SLI utilized			40110	Officer	5/28/2019		Jeutenant	6/11/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 5/19/2018 Interview with Staff Assistant / No SLI Utilized			40110	Officer	5/28/2019		Jeutenant	6/11/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 7/5/2018 Delivery of Hearing results / No SLI Utilized			102205	Officer	5/28/2019		Jeutenant	6/11/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 3/22/2018 Delivery Initial Copy of RVR - No SLI utilized			90672	Officer	5/29/2019		Associate Warden	6/11/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 6/11/2018 Delivery Multiple RVR Documents / No SLI utilized			99530	Officer	5/29/2019		Jeutenant	6/5/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 6/11/2018 Delivered Other RVR Related Documents / No SLI Utilized			99530	Officer	5/29/2019		Associate Warden	6/5/2019	Confirmed	LOE - Letter of Expectation
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 7/8/2018 Interaction type other / No SLI Utilized			90672	Officer	5/29/2019		Sergeant	6/11/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 9/28/2018 Interview with Staff Assistant / No SLI utilized			90672	Officer	5/29/2019		Sergeant	6/11/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 10/30/2018 Delivery of Hearing Results / No SLI Utilized			90672	Officer	5/29/2019		Associate Warden	6/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 7/30/2018 Delivery Multiple RVR Documents - No SLI utilized			99530	Officer	5/29/2019		Jeutenant	6/5/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 7/30/2018 Interview with Staff Assistant - No SLI utilized			99530	Officer	5/29/2019		Jeutenant	6/5/2019	Pending	
RJD - RJ Donovan Correctional Facility		PP (Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 10/17/2018 Delivery Copy of Hearing Results - No SLI utilized			90672	Officer	5/29/2019		Sergeant	6/11/2019	Not Confirmed	No Action

California Department of Corrections and Rehabilitation
Disability Placement Program (DPP) - Armstrong
Allegation of Noncompliance
July 2019

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNM; DPH	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 3/14/2019 Delivery of Custodial Counseling Chrono- No documentation of SLI being utilized			7902	Officer	5/29/2019		Associate Warden	5/31/2019	Confirmed	Verbal Counselling
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNM; DPH	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 11/6/2018 Delivery of Hearing Results / No Documentation of SLI being utilized			7902	Officer	5/29/2019		Lieutenant	5/31/2019	Confirmed	Verbal Counselling
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] / Interaction date 2/26/2019 Delivery of Hearing Results - No documentation of SLI being utilized			7902	Officer	5/29/2019		Associate Warden	6/4/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	4/9/2019	DME / Property	Internal	Inmate [REDACTED] arrived at CHCF from RJD without his DME (knee brace) as indicated on his DECS report.			5109	Officer	5/13/2019		Sergeant	5/17/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPO	6/10/2019	DME / Property	Other	Missing DME's					6/11/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	6/6/2019	DME / Property	Inmate	I/M [REDACTED] states in 1824 log # [REDACTED] that his wheelchair was taken to take I/M Gomez out on emergency medical.			8822	Sergeant	6/12/2019		Associate Warden	6/15/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	6/19/2019	DME / Property	Inmate	Inmate transferred to SATF on 5/14/2019 from RJD without DME's (hearing aid, back brace, foot orthoses, wrist support brace, crutches, eyeglass frames, hearing impairment vest, orthotics).					6/25/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	7/25/2019	DME / Property	Internal	Inmate [REDACTED] arrived to CHCF from RJD without his walker as indicated in SOMS.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	6/13/2019		Other	[REDACTED] Jr. # [REDACTED] was placed in ASU was provided with a staff assistant at the time of initial placement. However it appears, during the Administrative Review, the Captain assigned himself as the staff assistant, and/or did not assign a s									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	6/13/2019		Other	He was not provided with a staff assistant									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	7/30/2019		Other	DMEs missing									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	7/30/2019		Inmate	Not provided a Staff Assistant at initial placement									Pending	

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	1/29/2019	DME / Property	Inmate	Inmate states San Diego MCRP did not transfer him with his wheelchair cushion and gloves and any other property.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/28/2019	EC	Internal	█████ received 114D and effective communication was not appropriately documented.			1884	Captain	2/28/2019		Sergeant	4/8/2019	Confirmed	LOI - Letter of Instruction
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/1/2019	DME / Property	Other	█████ - RJD staff failed to ensure inmate had access to his DME's upon arrival.			1355	Sergeant	3/1/2019		Lieutenant	3/7/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	4/8/2019	EC	Internal	Inmate █████ (DNH) was designated DNH on 3/13/2019; however, was not interviewed within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired, dated January 22, 2007.					4/17/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M █████ RVR log # █████ / Interaction date 10/30/2018 Delivery of Hearing Results / No SLI Utilized			0672	Officer	5/29/2019		Associate Warden	6/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M █████ RVR log # █████ / Interaction date 7/30/2018 Interview with Staff Assistant - No SLI utilized			9530	Officer	5/29/2019		Lieutenant	6/5/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M █████ RVR log # █████ / Interaction date 10/17/2018 Delivery of Hearing Results - No SLI utilized			0672	Officer	5/29/2019		Sergeant	6/11/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPO	6/10/2019	DME / Property	Other	Missing DME's					6/11/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	6/6/2019	DME / Property	Inmate	I/M █████ states in 1824 log █████ that his wheelchair was taken to take I/M Gomez out on emergency medical.			8822	Sergeant	6/12/2019		Associate Warden	6/15/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	6/19/2019	DME / Property	Inmate	Inmate transferred to SATF on 5/14/2019 from RJD without DME's (hearing aid, back brace, foot orthoses, wrist support brace, crutches, eyeglass frames, hearing impairment vest, orthotics).					6/25/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPS	7/23/2019	Discrimination / Retaliation	Inmate	1824 - Alleges staff confiscated his hearing impaired vest and was forced to walk away without his vest. He alleges mistreatment by custody officer.					8/1/2019		Associate Warden	8/1/2019	Pending	

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	7/25/2019	DME / Property	Internal	Inmate [REDACTED] arrived to CHCF from RJD without his walker as indicated in SOMS.					7/30/2019		Sergeant	8/7/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	6/13/2019	Other	Other	[REDACTED] was placed in ASU was provided with a staff assistant at the time of initial placement. However it appears, during the Administrative Review, the Captain assigned himself as the staff assistant, and/or did not assign a s									Cancelled: Entered in Error	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	6/13/2019	Other	Other	He was not provided with a staff assistant			100645	Officer	8/7/2019		Sergeant	8/7/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	7/30/2019	DME / Property	Inmate	DMEs missing			92848	Sergeant	7/31/2019		Sergeant	8/6/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	7/30/2019	Other	Inmate	Not provided a Staff Assistant at initial placement					8/5/2019		Sergeant	8/5/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	7/24/2019	Housing	Other	It is alleged he was housed in ASU in violation of court order regarding the housing of Armstrong inmates in the ASU.			40859	Lieutenant	8/2/2019		Sergeant	8/2/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	7/3/2019	Other	Inmate	It is alleged the inmate was not provided a staff assistant 24 hours prior to his Administrative Segregation Initial Institutional Classification Committee.			31285	Correctional Counselor II	7/31/2019		Sergeant	8/9/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	8/16/2019	Other	Inmate	Inmate alleged that Correctional staff on 2nd and 3rd watch become angry and use foul language whenever DDP inmates ask for assistance. Officers do not provide any assistance.			99462	Officer	8/16/2019			8/19/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPS	7/16/2019	Other	Other	Inmate alleged via 1824Log# [REDACTED] that Effective communication was not established (Written notes) when placed in ASU. Although written notes were provided it is not clear who wrote the notes and what questions were asked during due process encounter.			37144	Lieutenant	8/14/2019		Sergeant	8/14/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	8/16/2019	Other	Other	The allegation is that inmate Pereya was placed in the ASU without EC being established (using written notes) when issuing the ASU Placement notice.			37144	Lieutenant	8/17/2019		Lieutenant	8/20/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	7/10/2019	Other	Other	Inmate claims his DME (hearing aid, canes, mobility impairment vest hearing vest, knee brace, & therapeutic shoes) were taken away by the 3rd watch lieutenant.					8/14/2019		Lieutenant	8/20/2019	Pending	

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	7/24/2019	Other	Other	█████ alleged that Staff won't let him out to group and as a result missed group several times. Also alleged staff in the dayroom never paying attention (safety issue). Other inmate states he cusses as people and refuses to open doors..			7123	Officer	8/16/2019		Sergeant	8/20/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	8/24/2018	Other	Other	Inmate was housed in an upper bunk in violation of lower bunk chrono on 8/24/2018			5468	Sergeant	2/28/2019		Sergeant	2/28/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	8/28/2018	Other	Other	Inmate claims that on August 12, 2019, the transportation team pressured him to climb into the van, he refused which caused him to miss his medical appointment.					8/23/2019		Sergeant	8/27/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	10/1/2018	Other	Other	Inmate claims that in October 2018 while being transported in a van, his wheelchair tipped over backwards, even after staff strapped him in. Inmate claims he hit his head on van door.					8/23/2019		Sergeant	8/27/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	8/12/2018	Other	Other	Inmate alleges that on 8/12/18, the transportation staff did not help him climb into the van which on one occasion caused him to fall and cut his elbow.					8/23/2019		Sergeant	8/27/2019	Pending	

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		(Armstrong)	DPO	1/29/2019	DME / Property	Inmate	Inmate states San Diego MCRP did not transfer him with his wheelchair cushion and gloves and any other property.									Pending	
RJD - RJ Donovan Correctional Facility		(Armstrong)	DPM	2/28/2019	EC	Internal	received 114D and effective communication was not appropriately documented.			31884	Captain	2/28/2019		Sergeant	4/8/2019	Confirmed	LOI - Letter of Instruction
RJD - RJ Donovan Correctional Facility		(Armstrong)	DPW	3/1/2019	DME / Property	Other	- RJD staff failed to ensure inmate had access to his DME's upon arrival.			31355	Sergeant	3/1/2019		Lieutenant	3/7/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		(Armstrong)	DNH	4/8/2019	EC	Internal	Inmate (DNH) was designated DNH on 3/13/2019; however, was not interviewed within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired, dated January 22, 2007.					4/17/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		(Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M RVR log # Interaction date 10/30/2018 Delivery of Hearing Results. No SLI Utilized			90672	Officer	5/29/2019		Associate Warden	6/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		(Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M RVR log # Interaction date 7/30/2018 Interview with Staff Assistant - No SLI utilized			99530	Officer	5/29/2019		Lieutenant	6/5/2019	Pending	
RJD - RJ Donovan Correctional Facility		(Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M RVR log # Interaction date 10/17/2018 Delivered Copy of Hearing Results - No SLI utilized			90672	Officer	5/29/2019		Sergeant	6/11/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		(Armstrong)	DNH; DPO	6/10/2019	DME / Property	Other	Missing DME's					6/11/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		(Armstrong)	DPO	6/6/2019	DME / Property	Inmate	I/M states in 1824 log that his wheelchair was taken to take I/M Gomez out on emergency medical.			38822	Sergeant	6/12/2019		Associate Warden	6/15/2019	Pending	
RJD - RJ Donovan Correctional Facility		(Armstrong)	DNH	6/19/2019	DME / Property	Inmate	Inmate transferred to SATF on 5/14/2019 from RJD without DME's (hearing aid, back brace, foot orthoses, wrist support brace, crutches, eyeglass frames, hearing impairment vest, orthotics).					6/25/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		(Armstrong)	DPH; DPS	7/23/2019	Other	Inmate	1824- alleges staff confiscated his hearing impaired vest and was forced to walk away without his vest. He alleges mistreatment by custody officer.					8/1/2019		Sergeant	8/1/2019	Pending	
RJD - RJ Donovan Correctional Facility		(Armstrong)	DPO	7/25/2019	DME / Property	Internal	Inmate arrived to CHCF from RJD without his walker as indicated in SOMS.					7/30/2019		Sergeant	8/7/2019	Pending	
RJD - RJ Donovan Correctional Facility		(Armstrong)	DPH	6/13/2019	Other	Other	He was not provided with a staff assistant during administrative review of CDCR 114-D ASU.			100645	Officer	8/7/2019		Sergeant	8/7/2019	Pending	
RJD - RJ Donovan Correctional Facility		(Armstrong)	DPM	7/30/2019	DME / Property	Inmate	1128B- Allegedly claims that he returned from the hospital without his DMEs (Back-Brace, and Knee Brace)					7/31/2019		Sergeant	8/6/2019	Pending	
RJD - RJ Donovan Correctional Facility		(Armstrong)	DPH	7/30/2019	Other	Inmate	1824-I/M was not provided a Staff Assistant at initial placement					8/5/2019		Sergeant	8/5/2019	Pending	

Disability Placement Program (DPP) - Armstrong

Allegation of Noncompliance

September 2019

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DP (Armstrong)	DNH	7/24/2019	Housing	Internal	It is alleged he was housed in ASU in violation of court order regarding the housing of Armstrong inmates in the ASU.			40859	Lieutenant	8/2/2019		Sergeant	8/2/2019	Pending	
RJD - RJ Donovan Correctional Facility		DP (Armstrong)	DPH	7/3/2019	Other	Internal	It is alleged the inmate was not provided a staff assistant 24 hours prior to his Administrative Segregation Initial Institutional Classification Committee.			94642	Correctional Counselor II	7/31/2019		Sergeant	8/9/2019	Pending	
RJD - RJ Donovan Correctional Facility		DP (Armstrong)	DPH	8/16/2019	Other	Inmate	Inmate alleged that Correctional staff on 2nd and 3rd watch become angry and use foul language whenever DDP inmates ask for assistance. Officers do not provide any assistance.			99462	Officer	8/16/2019			8/19/2019	Pending	
RJD - RJ Donovan Correctional Facility		DP (Armstrong)	DPO; DPS	7/23/2019	EC	Other	Inmate alleged via 1824 Log# [REDACTED] that Effective communication was not established (Written notes) when placed in ASU. Although written notes were provided it is not clear who wrote the notes and what questions were asked during due process encounter.			37144	Lieutenant	8/14/2019		Sergeant	8/14/2019	Pending	
RJD - RJ Donovan Correctional Facility		DP (Armstrong)	DPO; DPS	7/23/2019	EC	Other	The allegation is that inmate [REDACTED] was placed in the ASU without EC being established (using written notes)when issuing the ASU Placement notice			37144	Lieutenant	8/13/2019		Lieutenant	8/20/2019	Pending	
RJD - RJ Donovan Correctional Facility		DP (Armstrong)	DLT; DPH	8/14/2019	DME / Property	Inmate	Inmate claims his DME[hearing aid, canes, mobility impairment vest hearing vest, knee brace, & therapeutic shoes) were taken away by the 3rd watch lieutenant.					8/14/2019		Lieutenant	8/20/2019	Pending	
RJD - RJ Donovan Correctional Facility		DP (Armstrong)	DPH	7/24/2019	Other	Other	[REDACTED] alleged that Staff won't let him out to group and as a result missed group several times. Also alleged staff in the dayroom never paying attention (safety issue). Other inmate states he cusses at people and refuses to open doors.			37123	Officer	8/16/2019		Sergeant	8/20/2019	Pending	
RJD - RJ Donovan Correctional Facility		DP (Armstrong)	DPM	8/24/2018	Other	Third Party	Inmate was housed in an upper bunk in violation of lower bunk chrono on 8/24/2018			86468	Sergeant	2/28/2019		Sergeant	2/28/2019	Pending	
RJD - RJ Donovan Correctional Facility		DP (Armstrong)	DPH; DPW	8/23/2018	Other	Other	Inmate claims that on August 12, 2019 the transportation team pressured him to climb into the van, he refused which caused him to miss his medical appointment.					8/23/2019		Sergeant	8/27/2019	Pending	
RJD - RJ Donovan Correctional Facility		DP (Armstrong)	DPH; DPW	10/1/2018	Other	Third Party	AMT Log-I/M [REDACTED] claims that in October 2018 while being transported in a van his wheelchair tipped over backwards even after staff strapped him in. Inmate claims he hit his head on van floor.					8/23/2019		Sergeant	8/27/2019	Pending	

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO; DPV	8/12/2018	Other	Third Party	Inmate alleges that on 8/12/18 the transportation staff did not help him climb into the van which on one occasion caused him to fall and cut his elbow.					8/23/2019		ergeant	8/27/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	8/23/2018	Other	Third Party	AMT Log- I/M [REDACTED] claims that the C/O closed the cell door on him, trapping him between the wall and the door			24758	Officer	8/23/2019		ergeant	8/27/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	8/23/2019	Other	Third Party	AMT Log- I/M [REDACTED] claims that on March 7, 2019, staff in building three closed the door on him, and started making fun of him.					8/23/2019		ergeant	8/28/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	TABE4	6/29/2018	Other	Third Party	AMT Log- I/M [REDACTED] claims that on 6/29/18 staff member slammed him into the ground two times for trying to take a shower.					8/23/2019		ergeant	8/27/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	8/23/2018	Other	Third Party	AMT Log- I/M [REDACTED] claims that on 8/1/18 the C/O betrayed him, handcuffed him, and made him lift weight that he is not able to.			40632	Officer	8/23/2019		ergeant	8/29/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	4/1/2019	Housing	Third Party	AMR Log- I/M [REDACTED] claims that he was housed in upper bunk, which is in violation of his lower-bunk chrono					8/26/2019		ergeant	8/27/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	8/23/2019	Other	Third Party	AMT Log- I/M [REDACTED] claims that on 8/21/18 the C/O used foul language, peppered sprayed, kicked, and hit him in the face and eyes.			100641	Officer	8/23/2019		ergeant	8/28/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW; TABE4	9/9/2019	DME / Property	Inmate	1824-alleges staff confiscated his Tennis shoes, eyeglasses, pair of wheelchair gloves and lumbar back brace									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNM; DPM	9/12/2019	Other	Inmate	1824- Claims that he was pushed to the ground by an unidentified Correctional Officer					9/13/2019				Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	9/6/2019	DME / Property	Inmate	1824- Allegedly claims that his DMEs were not returned to him after being released from Ad-Seg									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	8/23/2019	DME / Property	Third Party	AMT Log- I/M [REDACTED] claims that on 9/26/18 his DMEs were misplaced upon his return from the hospital					8/23/2019		ergeant	9/2/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	8/23/2019	Facilities	Third Party	AMT Log- I/M [REDACTED] claims that he was told by the C/O not to report to assignment, but was later written up for not reporting.			40792	Officer	8/23/2019		ieutenant	9/2/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	8/23/2019	Housing	Third Party	AMT Log- I/M [REDACTED] claims that on 8/20/18 was housed incorrectly in ASU during layover while being transferred					8/23/2019		ieutenant	9/2/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	9/18/2019	DME / Property	Internal	I/M [REDACTED] transferred from RJD to CMF (via CIM) on 9/16/19 without prescribed DME: Knee Brace									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; TABE4	9/26/2019	EC	Internal	It appears that the 1515 completed by the CCI on 2/7/19 did not document effective communication with [REDACTED] (DD2, DLT) on page 5.					9/26/2019		ssociate Varden		Pending	

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPV; DPW	8/23/2019	Other	Third Party	I/M [REDACTED] claims that on Oct. 15, 2018 that when he was asked the housing unit staff for extra toilet paper as an accommodation for his incontinence, staff told him to "Get the fuck out"			41649	Officer	8/26/2019		Sergeant	8/30/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	8/23/2019	Other	Third Party	I/M [REDACTED] claims that on June 29, 2019 staff denied him showers necessary to keep his stump clean, claiming that he was not allowed					8/26/2019		Sergeant	9/1/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNV; DPW; TABE4	9/9/2019	DME / Property	Inmate	The allegation is that staff confiscated his eyeglasses with case, lumbar sacral back brace and one (1) pair of wheel chair gloves, new white Sketcher tennis shoes and placed on his bed by a Lady Sergeant then returned to them missing									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM; TABE4	9/13/2019	Other	Inmate	Claims that on 09/01/2019 at approximately 1215 hours, he was pushed to the ground by an unidentified Correctional Officer, during 2nd watch.					9/13/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	9/13/2019	DME / Property	Inmate	Claims that on 05/07/2019, he was placed in Ad-Seg on false charges, and was stripped away from his DMEs except for his wheelchair and reading glasses. Furthermore, he also claims that after being released from Ad-Seg on 07/03/2019, DMEs were not returned					9/23/2019		Sergeant	9/23/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM	9/17/2019	DME / Property	Inmate	Inmate [REDACTED] claims that upon returning from the hospital he was not given his DMEs, which consist of a nebulizer/breathing machine.					9/25/2019		Sergeant	9/25/2019	Pending	

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Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	1/29/2019	DME / Property	Inmate	Inmate states San Diego MCRP did not transfer him with his wheelchair cushion and gloves and any other property.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/28/2019	EC	Internal	██████ received 114D and effective communication was not appropriately documented.			31884	Captain	2/28/2019		Sergeant	4/8/2019	Confirmed	LOI - Letter of Instruction
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/1/2019	DME / Property	Other	██████ - RJD staff failed to ensure inmate had access to his DME's upon arrival.			31355	Sergeant	3/1/2019		Lieutenant	3/7/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	4/8/2019	EC	Internal	Inmate ██████ (DNH) was designated DNH on 3/13/2019; however, was not interviewed within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired, dated January 22, 2007.					4/17/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M ██████ RVR log # ██████ / Interaction date 10/8/2018 Interaction type other / No SLI Utilized			90672	Officer	5/29/2019		Sergeant	6/11/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M ██████ RVR log # ██████ / Interaction date 10/30/2018 Delivery of Hearing Results / No SLI Utilized			90672	Officer	5/29/2019		Associate Warden	6/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M ██████ RVR log # ██████ / Interaction date 7/30/2018 Interview with Staff Assistant - No SLI utilized			99530	Officer	5/29/2019		Lieutenant	6/5/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M ██████ RVR log # ██████ / Interaction date 10/17/2018 Delivered Copy of Hearing Results - No SLI utilized			90672	Officer	5/29/2019		Sergeant	6/11/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPO	6/10/2019	DME / Property	Other	Missing DME's			40693	Lieutenant	6/11/2019		Associate Warden	7/23/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	6/6/2019	DME / Property	Inmate	I/M ██████ states in 1824 log #19-3246 that his wheelchair was taken to take I/M ██████ out on emergency medical.			38487	Officer	6/12/2019		Sergeant	6/15/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	6/19/2019	DME / Property	Inmate	Inmate transferred to SATF on 5/14/2019 from RJD without DME's (hearing aid, back brace, foot orthoses, wrist support brace, crutches, eyeglass frames, hearing impairment vest, orthotics).					6/25/2019		Associate Warden	7/9/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPS	7/23/2019	Other	Inmate	1824- alleges staff confiscated his hearing impaired vest and was forced to walk away without his vest. He alleges mistreatment by custody officer.					8/1/2019		Sergeant	8/1/2019	Not Confirmed	No Action

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RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	7/25/2019	DME / Property	Internal	Inmate [REDACTED] arrived to CHCF from RJD without his walker as indicated in SOMS.					7/30/2019		Sergeant	8/7/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	6/13/2019	Other	Other	He was not provided with a staff assistant during administrative review of CDCR 114-D ASU.			46261	Captain	8/7/2019		Sergeant	8/7/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	7/30/2019	DME / Property	Inmate	11288- Allegedly claims that he returned from the hospital without his DMEs (Back-Brace, and Knee Brace)					7/31/2019		Sergeant	8/6/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	7/30/2019	Other	Inmate	1824-1 [REDACTED] was not provided a Staff Assistant at initial placement					8/5/2019		Sergeant	8/5/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	7/24/2019	Housing	Internal	It is alleged he was housed in ASU in violation of court order regarding the housing of Armstrong inmates in the ASU.			40859	Lieutenant	8/2/2019		Sergeant	8/2/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	7/3/2019	Other	Internal	It is alleged the inmate was not provided a staff assistant 24 hours prior to his Administrative Segregation Initial Institutional Classification Committee.			94642	Correctional Counselor II	7/31/2019		Sergeant	8/9/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	8/16/2019	Other	Inmate	Inmate alleged that Correctional staff on 2nd and 3rd watch become angry and use foul language whenever DDP inmates ask for assistance. Officers do not provide any assistance.			99462	Officer	8/16/2019		Sergeant	8/19/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO; DPS	7/23/2019	EC	Other	Inmate alleged via 1824 Log# [REDACTED] that Effective communication was not established (Written notes) when placed in ASU. Although written notes were provided it is not clear who wrote the notes and what questions were asked during due process encounter.			37144	Lieutenant	8/14/2019		Sergeant	8/14/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO; DPS	7/23/2019	EC	Other	The allegation is that inmate [REDACTED] was placed in the ASU without EC being established (using written notes)when issuing the ASU Placement notice			37144	Lieutenant	8/13/2019		Lieutenant	8/20/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; DPH	8/14/2019	DME / Property	Inmate	Inmate claims his DME(hearing aid, canes, mobility impairment vest hearing vest, knee brace, & therapeutic shoes) were taken away by the 3rd watch lieutenant.					8/14/2019		Lieutenant	8/20/2019	Not Confirmed	No Action

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RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	7/24/2019	Other	Other	█████ alleged that Staff won't let him out to group and as a result missed group several times. Also alleged staff in the dayroom never paying attention (safety issue). Other inmate states he cusses at people and refuses to open doors.			37123	Officer	8/16/2019		Sergeant	8/20/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	8/24/2018	Other	Third Party	Inmate was housed in an upper bunk in violation of lower bunk chrono on 8/24/2018			86468	Sergeant	2/28/2019		Sergeant	2/28/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPW	8/23/2018	Other	Other	Inmate claims that on August 12, 2019 the transportation team pressured him to climb into a the van, he refused which caused him to miss his medical appointment.					8/23/2019		Sergeant	8/27/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPW	10/1/2018	Other	Third Party	AMT Log- I/M █████ claims that in October 2018 while being transported in a van his wheelchair tipped over backwards even after staff strapped him in. Inmate claims he hit his head on van floor.					8/23/2019		Sergeant	8/27/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO; DPV	8/12/2018	Other	Third Party	Inmate alleges that on 8/12/18 the transportation staff did not help him climb into the van which on one occasion caused him to fall and cut his elbow.					8/23/2019		Sergeant	8/27/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	8/23/2018	Other	Third Party	AMT Log- I/M █████ claims that the C/O closed the cell door on him, trapping him between the wall and the door			24758	Officer	8/23/2019		Sergeant	8/27/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	8/23/2019	Other	Third Party	AMT Log- I/M █████ claims that on March 7, 2019, staff in building three closed the door on him, and started making fun of him.					8/23/2019		Sergeant	8/28/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	TABE4	6/29/2018	Other	Third Party	AMT Log- I/M █████ claims that on 6/29/18 staff member slammed him into the ground two times for trying to take a shower.			29289	Officer	8/23/2019		Sergeant	8/27/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	8/23/2018	Other	Third Party	AMT Log- I/M █████ claims that on 8/1/18 the C/O betrayed him, handcuffed him, and made him lift weight that he is not able to.			40632	Officer	8/23/2019		Sergeant	8/29/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	4/1/2019	Housing	Third Party	AMR Log- I/M █████ claims that he was housed in upper bunk, which is in violation of his lower-bunk chrono			31893	Officer	8/26/2019		Sergeant	8/27/2019	Pending	

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RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	8/23/2019	Other	Third Party	AMT Log- I/M [REDACTED] claims that on 8/21/18 the C/O used foul language, peppered sprayed, kicked, and hit him in the face and eyes.			100641	Officer	8/23/2019		Sergeant	8/28/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW; TABE4	9/9/2019	DME / Property	Inmate	1824-alleges staff confiscated his Tennis shoes, eyeglasses, pair of wheelchair gloves and lumbar back brace									Cancelled: Entered in Error	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNM; DPM	9/12/2019	Other	Inmate	1824- Claims that he was pushed to the ground by an unidentified Correctional Officer					9/13/2019				Cancelled: Entered in Error	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	9/6/2019	DME / Property	Inmate	1824- Allegedly claims that his DMEs were not returned to him after being released from Ad-Seg									Cancelled: Entered in Error	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	8/23/2019	DME / Property	Third Party	AMT Log- I/M [REDACTED] claims that on 9/26/18 his DMEs were misplaced upon his return from the hospital					8/23/2019		Sergeant	9/2/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	8/23/2019	Facilities	Third Party	AMT Log- I/M [REDACTED] claims that he was told by the C/O not to report to assignment, but was later written up for not reporting.			40792	Officer	8/23/2019		Lieutenant	9/2/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	8/23/2019	Housing	Third Party	AMT Log- I/M [REDACTED] claims that on 8/20/18 was housed incorrectly in ASU during layover while being transferred			34347	Sergeant	8/23/2019		Lieutenant	9/2/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	9/18/2019	DME / Property	Internal	I/M [REDACTED] transferred from RJD to CMF (via CIM) on 9/16/19 without prescribed DME: Knee Brace					9/27/2019		Lieutenant	10/10/2019	Closed: Referred to Healthcare	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT; TABE4	9/26/2019	EC	Internal	It appears that the 1515 completed by CCI on 2/7/19 did not document effective communication with [REDACTED] (DD2, DLT) on page 5.			32660	Correctional Counselor I	9/26/2019		Associate Warden	9/27/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPV; DPW	8/23/2019	Other	Third Party	I/M [REDACTED] claims that on Oct. 15, 2018 that when he was asked the housing unit staff for extra toilet paper as an accommodation for his incontinence, staff told him to "Get the fuck out"			41649	Officer	8/26/2019		Sergeant	8/30/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	8/23/2019	Other	Third Party	I/M [REDACTED] claims that on June 29, 2019 staff denied him showers necessary to keep his stump clean, claiming that he was not allowed					8/26/2019		Sergeant	9/1/2019	Confirmed	Training

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RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNV; DPW; TABE4	9/9/2019	DME / Property	Inmate	The allegation is that staff confiscated his eyeglasses with case, lumbar sacral brace and one (1) pair of wheel chair gloves, new white Sketcher tennis shoes and placed on his bed by a Lady Sergeant then returned to them missing			91957	Officer	9/9/2019		Sergeant	9/18/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM; TABE4	9/13/2019	Other	Inmate	Claims that on 09/01/2019 a approximately 1215 hours, he was pushed to the ground by an unidentified Correctional Officer, during 2nd watch.					9/13/2019		Sergeant	9/24/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	9/13/2019	DME / Property	Inmate	Claims that on 05/07/2019, he was placed in Ad-Seg on false charges, and was stripped away from his DMEs except for his wheelchair and reading glasses. Furthermore, he also claims that after being released from Ad-Seg on 07/03/2019, DMEs were not returned					9/23/2019		Sergeant	9/23/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPM	9/17/2019	DME / Property	Inmate	Inmate [REDACTED] claims that upon returning from the hospital he was not given his DMEs, which consist of a nebulizer/breathing machine					9/25/2019		Sergeant	9/25/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPV; DPW	8/23/2019	Other	Third Party	I/M [REDACTED] claims that on Oct 15, 2018 that when he was asked the housing unit staff for extra toilet paper as an accommodation for his incontinence, staff told him to "Get the fuck out"			88974	Officer	8/26/2019		Sergeant	8/30/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNV; DPW; TABE4	9/9/2019	DME / Property	Inmate	The allegation is that staff confiscated his eyeglasses with case, lumbar sacral brace and one (1) pair of wheel chair gloves, new white Sketcher tennis shoes and placed on his bed by a Lady Sergeant then returned to them missing			106087	Officer	9/9/2019		Sergeant	9/18/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	9/18/2019	DME / Property	Internal	I/M [REDACTED] transferred from RJD to CMF (via CIM) on 9/16/19 without prescribed DME: Knee Brace					9/27/2019		Lieutenant	10/10/2019	Cancelled: Entered in Error	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	9/30/2019	Housing	Inmate	Claims that the C/O shut his cell door before he was clear pinning his hand between his walker and the door frame.					10/7/2019		Lieutenant	10/10/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	9/30/2019	Other	Inmate	Claims that he is being denied ADA/Medical laundry					10/7/2019		Sergeant	10/10/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPH	10/2/2019	Other	Inmate	Claims that the officer refused to transport Mr. Feathers due to handcuffing issues.					10/7/2019		Lieutenant	10/11/2019	Pending	

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RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	1/9/2019	Housing	Internal	Claims that he was inappropriately housed and required a bed move based on his DPW status.					1/11/2019		Lieutenant	1/18/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW; TABE4	5/10/2018	Other	Inmate	Claims that custody staff has denied him showers when he soils himself, due to incontinence, and sequently has missed meals			5/14/2018	Sergeant	5/21/2018		Pending			
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	10/8/2019	Housing	Inmate	Claims that he was inappropriately housed, and was designated as a DPW on 11-5-18.							Pending			
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT	10/8/2019	DME / Property	Inmate	Claims that his DMEs were confiscated during search on May 23, 2019							Pending			
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT	10/15/2019	Discrimination / Retaliation	Inmate	Claims there was not an SLI at off site appointment.							Pending			
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	9/30/2019	EC	Inmate	Claims counselor in Building 8 has no and/or refused to accomodate him with EC due to the fact that he is DPH			28786	Correctional Counselor I	10/7/2019		Lieutenant	10/14/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPH	10/9/2019	County Jail Notification	Inmate	Specifically, inmate █████ CDCR █████ (DPW) claims that he was inappropriately housed, and was designated as a DPW on 11-5-18.							Pending			
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	10/1/2019	DME / Property	Inmate	Specifically, inmate █████ CDCR █████ (DPM/DNH) claims that officers discriminated against Mr. █████ by expecting him to walk in his socks and not putting on his shoes in the first place.							Pending			
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT	10/24/2019	EC	Internal	After reviewing the lock-up order, staff did not document whether or not the Inmate had his hearing aids during initial placement and the administrative review.							Pending			

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH; DPS	10/3/2018		Internal	No SLI/No VRI was utilized/provided for DRP (Division of Rehabilitation program) on 9/10/2018					10/10/2018		Correctional Counselor III		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM; TABE4	11/9/2018	EC	Internal	Assistance provided was not documented, based on the EC method that have been in SOMS during the Initial ASU placement. Methods documented in SOMS are hearing aids and Staff to speak loudly and clearly. SA was not assigned.			28514	Lieutenant	11/13/2018		Associate Warden	11/18/2018	Confirmed	Verbal Counselling
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	11/9/2018	EC for DPV and DPH	Internal	Assistance provided during ASU placement was not documented, method utilized to determine how EC was achieved/not achieved and assistance during Administrative review was not documented.			33288	Lieutenant	11/13/2018		Associate Warden	11/27/2018	Confirmed	ECR - Employee Counselling Record
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW; TABE4	11/14/2018	Housing	Internal	DPW Inmate housed in non DPW cell			36710	Sergeant	11/15/2018		Sergeant	11/22/2018	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPV	11/21/2018	Housing	Internal	Inmate is inappropriately housed			Unknown	Unknown	11/26/2018		Lieutenant	11/30/2018	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	12/17/2018	DME / Property	Internal	Inmate arrived from RJD without his brace-back support as indicated on his DECS report.			68818	Officer	12/20/2018		Sergeant	12/22/2018	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	1/10/2019	DME / Property	Internal	Inmate arrived to CHCF without his hearing aids which are indicated in his DECS Report.					2/13/2019		Lieutenant	2/20/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DLT	11/26/2018	Housing	Internal	Inmate inappropriately housed in ASU based on the memorandum dated April 20, 2015.			15914	Lieutenant	11/27/2018		Correctional Counselor II Supervisor	12/5/2018	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	11/26/2018	EC	Internal	During the Initial review and the administrative review the inmate's disability were not identified and the Assistance provided was not documented as one of the Inmates Communication methods documented, Hearing aids and reading lips			28514	Lieutenant	11/27/2018		Lieutenant	12/4/2018	Confirmed	ECR - Employee Counselling Record
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	1/10/2019	EC for DPV and DPH	Inmate	Claiming discrimination due to his disability, denied effective communication as why he has been denied his worker shower			Unknown	Unknown	1/15/2019		Sergeant	1/24/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	1/18/2019	DME / Property	Inmate	Inmate claims staff allowed inmates to take his property and DME.			94564	Officer	1/23/2019		Sergeant	1/25/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	1/29/2019	DME / Property	Inmate	Inmate states San Diego MCRP did not transfer him with his wheelchair cushion and gloves and any other property.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	2/1/2019	DME / Property	Internal	Inmate was transferred to LAC from RJD without his DME's. Refer to HC ALTS 4213.			89482	Officer	2/1/2019		Sergeant	2/22/2019	Not Confirmed	No Action

RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	12/28/2018	EC	Internal	All identified disabilities were not checked, the assistance provided during the Administrative review was not listed as an effective communication method noted with SOMS		37760	Captain	12/31/2018		Lieutenant	1/7/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/6/2019	DME / Property	Internal	Inmate arrived from RJD without his ortho shoes. Inmate states RJD staff left them in his cell.		88429	Officer	2/13/2019		Lieutenant	2/20/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	2/4/2019	DME / Property	Inmate	Claims returned 1/2/19 from hospital missing DME property.				2/7/2019		Sergeant		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPO	1/10/2019	DME / Property	Internal	Inmate [REDACTED] was transferred to CTC without his DME's (pocket talker, dentures, knee and ankle brace)		Unknown	Unknown	1/11/2019		Sergeant	2/5/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	2/11/2019	Housing	Internal	Inmate [REDACTED] is currently assigned to a non DPW bed.		41749	Sergeant	2/12/2019		Sergeant	2/25/2019	Confirmed	Verbal Counselling
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPV	2/13/2019	EC for DPV and DPH	Internal	Inmate [REDACTED] was given an ASU placement notice and it does not appropriately note EC was established.		38230	Lieutenant	2/13/2019		Lieutenant	2/21/2019	Confirmed	LOI - Letter of Instruction
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/21/2019	Housing	Internal	[REDACTED] is housed in C13 [REDACTED] and housing restriction is Lower/Bottom bunk only.				2/21/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/21/2019	Other	Inmate	[REDACTED] claims missed two outside health care appointments due to Transportation would not accommodate his need for a vehicle with a lift.		100657	Officer	2/21/2019		Sergeant	3/11/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; TABE4	2/28/2019	DME / Property	Inmate	CSP-SAC received an 1824 from Inmate [REDACTED] stating he transferred from RJD to SAC and his pocket talker and back brace did not transfer with him. The transfer occurred on 6/26/18 and it is confirmed [REDACTED] arrived at CSP-SAC without the DMEs.		68818	Officer	3/1/2019		Sergeant	3/12/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW; TABE4	3/1/2019	EC	Other	[REDACTED] EC not documented on no compliance interview memorandum relevant to 0.0 TABE		40089	Sergeant	3/1/2019		Lieutenant	4/4/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM; TABE4	2/28/2019	EC	Internal	[REDACTED] received 114D and effective communication was not appropriately documented.		39622	Lieutenant	2/28/2019		Sergeant	4/8/2019	Confirmed	Training
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	2/28/2019	EC	Internal	[REDACTED] received 114D and effective communication was not appropriately documented.		31884	Captain	2/28/2019		Sergeant	4/8/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/1/2019	DME / Property	Other	[REDACTED] - RJD staff failed to ensure inmate had access to his DME's upon arrival.		31355	Sergeant	3/1/2019		Lieutenant	3/7/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/8/2019	DME / Property	Internal	Inmate [REDACTED] arrived to CHCF from RJD on 3/2/2019 without his brace-wrist support, eyeglasses, hearing aid, and wheelchair gloves as indicated in his DECS Report				3/11/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPH	3/6/2019	DME / Property	Third Party	Inmate arrived to VSP from RJD without his eyeglasses and inmate alleged his eye glasses were not sent purposely.		Unknown	Unknown	3/16/2019		Associate Warden	3/20/2019	Not Confirmed	No Action

RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNV; DPW	2/4/2019	DME / Property	Inmate	Claims on 1/2/19, bifocal glasses were lost by transportation staff.		91896	Officer	2/7/2019		Lieutenant	2/26/2019	Not Confirmed	No Action
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/7/2019	Discrimination / Retaliation	Inmate	Staff discriminating against him because of his disabilities.		106102	Officer	3/17/2019		Associate Warden	4/22/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	3/18/2019	DME / Property	Internal	Inmate [REDACTED] transferred to SVSP on 3/17/2019 and arrived missing DME (back brace)		36259	Officer	3/28/2019		Sergeant	4/23/2019	Not Confirmed	Other
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	3/8/2019	Discrimination / Retaliation	Inmate	[REDACTED] claims officers denied him medical treatment when he was not feeling good.		104344	Officer	3/18/2019		Sergeant	3/29/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	2/28/2019	ADA Workers	Inmate	[REDACTED] claims housing unit office denied him ADA Worker assistance and disrespected him		14312	Officer	3/7/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	4/9/2019	DME / Property	Internal	Inmate [REDACTED] arrived at CHCF from RJD without his DME (knee brace) as indicated on his DECS report.								Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPV	2/13/2019	EC for DPV and DPH	Internal	Inmate [REDACTED] was given an ASU placement notice and it does not appropriately note EC was established.		36922	Captain	2/13/2019		Lieutenant	2/21/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	4/8/2019	EC	Internal	Inmate [REDACTED] was designated DNH on 3/15/2019; however, was interviewed on 4/3/2019 not within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired memorandum dated January 22, 2007.		41832	Correctional Counselor I	4/17/2019		Sergeant	4/24/2019	Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPO	4/8/2019	EC	Internal	Inmate [REDACTED] (DPO, DNH) was designated DNH on 3/12/2019; however, was not interviewed within 14 days				4/17/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPM	4/8/2019	EC	Internal	Inmate [REDACTED] was designated DNH on 3/27/2019; however, was not interviewed within 14 days				4/17/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	4/8/2019	EC	Internal	Inmate [REDACTED] (DNH) was designated DNH on 3/13/2019; however, was not interviewed within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired, dated January 22, 2007.				4/17/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	4/8/2019	EC	Internal	Inmate [REDACTED] (DNH) was designated DNH on 3/13/2019; however, was not interviewed within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired, dated January 22, 2007.				4/17/2019		Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)		4/29/2019	Housing	Internal	Inmate [REDACTED] was housed in A 238L and was moved there on 4/27/2019 from A3 [REDACTED]. He currently has housing restrictions of Lower Bunk/Lower Tier and is DPM.								Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	4/30/2019	DME / Property	Inmate	Inmate [REDACTED] claims his DME (eye glasses) are in Ad-Seg Property.				5/3/2019		Associate Warden		Pending	

RJD - RJ Donova Correctional Facility		DPP (mstrong)	DNH	5/6/2019	Other	Internal	Inmate [REDACTED] was placed in DPP with a DNH code on 4/16/19. A review of his file indicates he was not interviewed within 14 calendar days being placed in the program.			5/7/2019		Associate Warden		Pending	
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DPW	3/18/2019	DME / Property	Internal	Inmate [REDACTED] transferred to SVSP on 3/17/2019 and arrived missing DME (back brace)	77841	Officer	3/28/2019		Sergeant	4/23/2019	Not Confirmed	Other
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 3/22/2018 No SLI was utilized.			5/28/2019		Associate Warden		Pending	
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 4/2/2018 Delivery of Initial Copy of RVR / No SLI utilized		Officer	5/28/2019		Associate Warden		Pending	
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 4/2/2018 Interview with Staff Assistant / No SLI Utilized		Officer	5/28/2019		Associate Warden		Pending	
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 6/7/2018 Delivery of Hearing results / No SLI Utilized		Officer	5/28/2019		Associate Warden		Pending	
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 5/19/2018 Delivery Initial Copy of RVR / No SLI utilized		Officer	5/28/2019		Associate Warden		Pending	
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 5/19/2018 Interview with Staff Assistant / No SLI Utilized		Officer	5/28/2019		Associate Warden		Pending	
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DPH; DPM; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 7/5/2018 Delivery of Hearing results / No SLI Utilized		Officer	5/28/2019		Associate Warden		Pending	
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 3/22/2018 Delivery Initial Copy of RVR - No SLI utilized		Officer	5/29/2019		Associate Warden		Pending	
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 6/11/2018 Delivery Multiple RVR Documents / No SLI utilized		Officer	5/29/2019		Associate Warden		Pending	
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 6/11/2018 Delivery Other RVR Related Documents / No SLI Utilized		Officer	5/29/2019		Associate Warden		Pending	
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 10/8/2018 Interaction type other / No SLI Utilized		Officer	5/29/2019		Associate Warden		Pending	
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 9/28/2018 Interview with Staff Assistant / No SLI utilized		Officer	5/29/2019		Associate Warden		Pending	
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 10/30/2018 Delivery of Hearing Results / No SLI Utilized		Officer	5/29/2019		Associate Warden		Pending	
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 7/30/2018 Delivery Multiple RVR Documents - No SLI utilized		Officer	5/29/2019		Associate Warden		Pending	
RJD - RJ Donova Correctional Facility		DPP (mstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] ? Interaction date 7/30/2018 Interview with Staff Assistant - No SLI utilized		Officer	5/29/2019		Associate Warden		Pending	

RJD - RJ Donovan Correctional Facility	[REDACTED]	DPP (Armstrong)	DPH; DPS	5/20/2019	Failure to Provide SLI	Internal	I/M WHITE [REDACTED] log # [REDACTED] Interaction date 10/17/2018 Delivered Copy of Hearing Results - No SLI utilized	[REDACTED]	Officer	5/29/2019	[REDACTED]	Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility	[REDACTED]	DPP (Armstrong)	DNM; DPH	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 3/14/2019 Delivery of Custodial Counseling Chrono- No documentation of SLI being utilized	[REDACTED]	Officer	5/29/2019	[REDACTED]	Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility	[REDACTED]	DPP (Armstrong)	DNM; DPH	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 11/6/2018 Delivery of Hearing Results ? No Documentation of SLI being utilized	[REDACTED]	Officer	5/29/2019	[REDACTED]	Associate Warden		Pending	
RJD - RJ Donovan Correctional Facility	[REDACTED]	DPP (Armstrong)	DPH	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR log # [REDACTED] Interaction date 2/26/2019 Delivery of Hearing Results - No documentation of SLI being utilized	[REDACTED]	Officer	5/29/2019	[REDACTED]	Associate Warden		Pending	

California Department of Corrections and Rehabilitation
Disability Placement Program (DPP) - Armstrong
Allegation of Noncompliance
December 2019

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPO	1/29/2019	DME / Property	Inmate	Inmate states San Diego MCRP did not transfer him with his wheelchair cushion and gloves and any other property.									Pending	
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DNH	2/21/2019	EC	Internal	Inmate [REDACTED] (DNH) was designated DNH on 3/13/2019; however, was not interviewed within 14 days as required pursuant to the Equally Effective Communication For Hearing and Speech Impaired, dated January 22, 2007.					2/21/2019		Sergeant	2/28/2019	Pending	
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DLT; DPH; TABE4	5/20/2019	Failure to Provide SLI	Internal	I/M [REDACTED] RVR/Interaction date 10/30/2018 Delivery of Hearing Results/No SLI Utilized			90672	Officer	5/29/2019		Associate Warden	6/11/2019	Pending	
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DNH; DPO	6/10/2019	DME / Property	Other	Missing DME's			40693	Lieutenant	6/11/2019		Associate Warden	7/23/2019	Confirmed	LOI - Letter of Instruction
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPO	6/6/2019	DME / Property	Inmate	I/M [REDACTED] states in 1824 log [REDACTED] that his wheelchair was taken to take I/M Gomez out on emergency medical.			38487	Officer	6/12/2019		Sergeant	6/15/2019	Confirmed	ECR - Employee Counselling Record
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DNH	6/19/2019	DME / Property	Inmate	Inmate transferred to SATF on 5/14/2019 from RJD without DME's (hearing aid, back brace, foot orthoses, wrist support brace, crutches, eyeglass frames, hearing impairment vest, orthotics).			Employee Separated	Employee Separated	6/25/2019		Associate Warden	7/9/2019	Confirmed	No Action - Employee Separated
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPO	7/25/2019	DME / Property	Internal	Inmate [REDACTED] arrived to CHCF from RJD without his walker as indicated in SOMS.			Unknown	Unknown	7/30/2019		Sergeant	8/7/2019	Confirmed	No Action
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPM	8/23/2019	Other	Third Party	AMT Log- I/M [REDACTED] claims that on March 7, 2019, staff in building three closed the door on him, and started making fun of him.			Unknown	Unknown	8/23/2019		Sergeant	8/28/2019	Not Confirmed	No Action
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPM	4/1/2019	Housing	Third Party	AMR Log- I/M [REDACTED] claims that he was housed in upper bunk, which is in violation of his lower-bunk chrono			31893	Officer	8/26/2019		Sergeant	8/27/2019	Not Confirmed	No Action
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPM	8/23/2019	Other	Third Party	AMT Log- I/M [REDACTED] claims that on 8/21/18 C/O used foul language, peppered sprayed, kicked, and hit him in the face and eyes.			100641	Officer	8/23/2019		Sergeant	8/28/2019	Confirmed	Training
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPH	8/23/2019	Housing	Third Party	AMT Log- I/M [REDACTED] claims that on 8/20/18 was housed incorrectly in ASU during layover while being transferred			34347	Sergeant	8/23/2019		Lieutenant	9/2/2019	Pending	
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPM	8/23/2019	Other	Third Party	I/M [REDACTED] claims that on June 29, 2019 staff denied him showers necessary to keep his stump clean, claiming that he was not allowed			Unknown	Unknown	8/26/2019		Sergeant	9/1/2019	Not Confirmed	Training
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPM	9/30/2019	Other	Inmate	Claims that he is being denied ADA/Medical laundry			Unknown	Unknown	10/7/2019		Sergeant	10/10/2019	Not Confirmed	No Action
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DNH; DPH	10/2/2019	Other	Inmate	Claims that officer refused to transport Mr. [REDACTED] due to handcuffing issues.			Unknown	Unknown	10/7/2019		Lieutenant	10/11/2019	Not Confirmed	No Action

California Department of Corrections and Rehabilitation
Disability Placement Program (DPP) - Armstrong
Allegation of Noncompliance
December 2019

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPW	1/9/2019	Housing	Internal	Claims that he was inappropriately housed and required a bed move based on his DPW status.			Unknown	Unknown	1/11/2019		Lieutenant	1/18/2019	Confirmed	Training
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPW; TABE4	5/10/2018	Other	Inmate	Claims that custody staff has denied him showers when he soils himself, due to incontinence, and sequently has missed meals			Unknown	Unknown	5/14/2018		Sergeant	5/21/2018	Not Confirmed	No Action
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DLT	10/22/2019	DME / Property	Inmate	Claims that his DMEs were confiscated during search on May 23, 2019			Unknown	Unknown	10/29/2019		Sergeant	10/29/2019	Not Confirmed	No Action
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPH; DPS	10/22/2019	Failure to Provide SLI	Internal	Claims there was not an SLI at off site appointment									Pending	
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPH	9/30/2019	EC	Inmate	Claims counselor in Building 8 has no and/or refused to accomodate him with EC due to the fact that he is DPH			28786	Correctional Counselor I	10/7/2019		Lieutenant	10/14/2019	Not Confirmed	No Action
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPW	10/22/2019	Housing	Other	Specifically, inmate [REDACTED] CDCR [REDACTED] (DPW) claims that he was inappropriately housed, and was designated as a DPW on 11-5-18.			99548	Sergeant	10/31/2019		Sergeant	11/1/2019	Confirmed	ECR - Employee Counselling Record
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DNH; DPH	10/22/2019	Discrimination / Retaliation	Other	Specifically, inmate [REDACTED] CDCR [REDACTED] (DPM/DNH) claims that officers discriminated against Mr. Baker by expecting him to walk in his socks and not putting on his shoes in the first place.			33983	Officer	10/25/2019		Lieutenant	10/25/2019	Not Confirmed	No Action
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DLT	10/24/2019	EC	Internal	After reviewing the lock-up order, staff did not document whether or not the Inmate had his hearing aids during initial placement and the administrative review.									Pending	
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPH; DPS	9/30/2019	EC for DPV and DPH	Inmate	IP submitted an 1824 alleging an SLI was not present for Dr. appointment			29492	Other	10/2/2019		Associate Warden	10/30/2019	Confirmed	ECR - Employee Counselling Record
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DNH	11/1/2019	DME / Property	Internal	During the Admin review the Inmate indicates he does not have hearing aids; however hearing aids are noted on his DME list			Unknown	Unknown	11/1/2019		Sergeant	11/11/2019	Not Confirmed	No Action
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DPM	11/2/2019	DME / Property	Internal	Simpson transferred to VSP from RJD without his DMEs (ankle foot orthoses/knee ankle, eyeglasses frames, knee brace, wedge pillow, mobility impaired vest, foot orthoses and walker).									Pending	
RJD - RJ Donova Correctional Facility		DPP (Armstrong)	DNH	11/14/2019	Discrimination / Retaliation	Inmate	Specifically, inmate [REDACTED] [REDACTED] claims that staff are singling him out, and assaulting him.									Cancelled: Entered in Error	

California Department of Corrections and Rehabilitation
 Disability Placement Program (DPP) - Armstrong
 Allegation of Noncompliance
 December 2019

Location of Allegation	ALTS: Case Number	Type of Allegation	DPP (Armstrong) Codes	Date of Discovery	Overall Category of Allegation	Source of Allegation	Allegation Description	Offender's last name	CDC_number	Allegation Employee's PERNR	Allegation Employee's Classification	Date Inquiry Initiated	CDCR Inquiry Supervisor Last name	CDCR Inquiry Supervisor Classification	Date Inquiry completed	Inquiry Outcome	Action Taken
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPW	11/19/2019	Housing	Other	Specifically, Inmate [REDACTED] is currently housed inappropriately as he is in a non-DPW cell. As of today, 11/19/2019, he still has not been re-housed appropriately.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPO	11/19/2019	Housing	Other	Specifically, inmate [REDACTED] arrived to Richard J. Donovan (RJD) on 11/17/2019 and was immediately housed in the CTC. However, review of SOMS notes that an Initial Housing Review was not completed.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	11/22/2019	Other	Inmate	Specifically, inmate [REDACTED] claims that an Officer slammed him against the door twice, and has been picking on him. Furthermore, he also claims there are no 602 forms to fill out in the building.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPW	12/4/2019	Discrimination / Retaliation	Inmate	Specifically Inmate [REDACTED] claims that he was denied a wheelchair in retaliation for reporting employee misconduct.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH	12/5/2019	DME / Property	Inmate	Specifically, inmate [REDACTED] claims that he has been in Ad-Seg for four days without his DME (hearing aids).									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DNH; DPW	12/5/2019	Discrimination / Retaliation	Inmate	Specifically, inmate [REDACTED] claims that he was left in handcuffs for 48 hours, and is being tortured physically, mentally, sexually, and a victim of cruel and unusual punishment.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	12/5/2019	DME / Property	Internal	Inmate [REDACTED] was transferred to VSP from RJD on December 4, 2019 without his Therapeutic Shoes.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPO	12/5/2019	DME / Property	Internal	Inmate [REDACTED] was transferred to VSP from RJD on December 4, 2019 without his Therapeutic Shoes.									Closed: Referred to DAI	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	12/12/2019	DME / Property	Inmate	1824 claims Inmate Arrived at VSP from RJD without anti-shox insoles. After discussing with VSP Medical on 12/12 inmate had both, full foot (anti-shox) insoles and heel cup style orthoses. Inmate arrived with only heel cup orthoses.									Pending	
RJD - RJ Donovan Correctional Facility		DPP (Armstrong)	DPM	12/12/2019	DME / Property	Inmate	1824 claims Inmate Arrived at VSP from RJD without anti-shox insoles. After discussing with VSP Medical on 12/12 inmate had both, full foot (anti-shox) insoles and heel cup style orthoses. Inmate arrived with only heel cup orthoses.									Closed: Referred to DAI	

Exhibit 76

California State Prison – Los Angeles County (LAC)
May 21-24, 2019 Monitoring Tour
Armstrong v. Newsom

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F. Staff Misconduct Targeting Prisoners with Disabilities

We continue to receive disturbing allegations of staff misconduct from class members at LAC. In particular, during our tour we received multiple reports from class members that they were subjected to excessive or unnecessary force by officers and that officers show regular indifference or outright disdain for their accommodation needs. These allegations come most persistently from *Armstrong* class members housed in the EOP units at LAC (C5, D-Yard, and the D5 ASU Hub) and from the units on B-Yard and C-Yard that house the largest number of individuals who use wheelchairs. These complaints repeatedly name the same officers, again and again, who class members say target vulnerable prisoners with disabilities in need of assistance. Plaintiffs' Counsel in *Coleman* have also recently reported extensive concerns regarding staff misconduct, particularly the use of excessive force, against EOPs at LAC. See **Exhibit D**. Despite these ongoing reports, supervisory staff at LAC have been unable to bring this staff misconduct to an end. In light of the ongoing staff misconduct reports, we have questions about what has been done thus far to combat this problem:

- What has LAC management done thus far in response to the numerous staff misconduct complaints covering *Armstrong* and *Coleman* class members at LAC during the last few years?
- How many officers or other staff have been disciplined at LAC for the staff misconduct issues reported in plaintiffs' letter and reports?
- What other steps has LAC considered to combat staff misconduct?
- Has the institution considered expanding the use of video cameras to combat this problem?
- What about using the 30% of positions not covered by post and bid to hand select officers for the EOP buildings and the buildings with large numbers of individuals who use wheelchairs? Has LAC used this approach?
- Has LAC management moved any correctional officers to different yards of housing units due to reports of staff misconduct against them?

LAC's problems with staff misconduct and high rates of use of force have been well-documented by the Office of the Inspector General in recent reports.

In his recent special report regarding staff complaint inquiries at Salinas Valley State Prison, the Inspector General noted that only two institutions (SVSP and CMC) processed more staff misconduct complaints than the 184 complaints processed by LAC staff during the six-month review period. Office of the Inspector General, Special Review of Salinas Valley State Prison's Processing of Inmate Allegations of Staff

Misconduct [“OIG SM Report”] at 20 (Jan. 2019).³ In that Report, the Inspector General concluded that “the dependability of the staff complaint inquiries [at Salinas Valley State Prison] was significantly marred by inadequate investigative skills that reviewers demonstrated—notably, by their deficiencies in interviewing, collecting evidence, and writing reports.” *Id* at 3. The OIG “found at least one significant deficiency in 173 of the 188 staff complaint inquiries (92 percent).” *Id*. The Inspector General noted, in particular, that “[a]lthough [his] special review focused only on Salinas Valley, the process we reviewed is in place at prisons statewide. Therefore, the conditions we found may also exist to some degree at other institutions.” *Id* at 89. In a subsequent California State Assembly Budget Subcommittee hearing, Inspector General Roy Wesley bluntly told the state assembly that CDCR’s staff complaint inquiry process is “entirely driven by the purpose to exonerate staff.” See 3/4/19 Hr’g Audio Recording at 1:53:53.⁴

In his most recent use of force monitoring report, the Inspector General found that only three institutions employed force more often than LAC, which recorded 421 use of force incidents in 2018. Office of the Inspector General, Monitoring the Use of Force [“OIG UOF Report”] at 36 (Jun. 2019). The Report also found that four incidents reviewed by the Inspector General did not comply with departmental policies in their actual use of force, that five out of seven reviewed controlled use of force incidents did not comply with policy, and that fifty incidents were out of compliance outside of the actual use of force. *Id* at 32, 38.

1. **Staff Misconduct Allegations From *Armstrong* Class Members in the D5 ASU Hub**

We continue to receive numerous alarming accounts of staff misconduct from class members in the D5 ASU Hub. Class members in the D5 ASU Hub have repeatedly told our staff that D5 officers use demeaning racial epithets in conversation with them, subject them to violent and unnecessary force, and ignore their requests for help during mental health crises.

Of note, our December 2018 Report contained three allegations of excessive or unreasonable force involving class members in the D5 Unit. *See* December 2018 Report at 13-15. Likewise, *Coleman* Plaintiffs’ April 2019 Letter detailed twenty-six different allegations involving as many as nineteen different officers regarding staff abuse of

³ Available at https://www.oig.ca.gov/wp-content/uploads/2019/05/2019_Special_Review_-_Salinas_Valley_State_Prison_Staff_Complaint_Process.pdf.

⁴ Available at <https://www.assembly.ca.gov/media/assembly-budget-subcommittee-5-public-safety-20190304/audio>.

mentally ill prisoners in the D5 Hub. *See* Ex. D at 5-8, 14, 17-21. Additional reports that we received during our May 2019 LAC tour are detailed below.

1. [REDACTED], reported that he experienced bad heartburn on April 17, 2019 and asked Officer [REDACTED] if he could be taken to the TTA. Officer [REDACTED] responded curtly “don’t waste my time.” Around the same time, a nurse practitioner warned him not to go “man down” if he felt chest pains. A few weeks later, Mr. [REDACTED] felt chest pains and again asked to go to the TTA. Officer [REDACTED] allegedly told him “shut your mouth you fucking nigger” and told him “I hope you go man down and I can take you there,” implying that he would use unnecessary force on Mr. [REDACTED] if he went “man down.”⁵ During this same day, Officer [REDACTED] responded “fuck you” to Mr. [REDACTED] when he asked for medical attention. Mr. [REDACTED] also reported that numerous officers in the D5 Unit give wrong-size portions during meal times and often trade meals to prisoners in exchange for their yard time or showers. In particular, Mr. [REDACTED] reported that Officers [REDACTED] and [REDACTED] often gives prisoners extra food to skip a shower. According to Mr. [REDACTED]’ reports, Officer [REDACTED] is often verbally abusive towards prisoners in D5, telling them things like “fuck you go to sleep” in response to requests for assistance.

2. [REDACTED], reported during our interview with him on May 21, 2019 that officers in the D5 Unit continually call him “Coleman Snitch” because of the role he played in testifying in the 2013 Enforcement Hearings in *Coleman v. Newsom*. He said that he was assaulted by Officers [REDACTED], [REDACTED], [REDACTED], and Sergeant [REDACTED] on June 13, 2017 and that these officers – on second watch – regularly abuse and use excessive force against mentally ill prisoners. He also reported that multiple prisoners in the EOP hub are ignored after they engage in self-harm.

3. [REDACTED], reported in a letter following our tour that Officer [REDACTED] assaulted him on June 17, 2018 after he refused to wear his anti-seizure helmet.⁶ He alleged that, after he refused to put on his anti-seizure helmet, Officer [REDACTED] slammed his head into his top bunk, lifting him out of his wheelchair. [REDACTED], separately reported witnessing this incident. He informed us that he saw Officer [REDACTED] punch Mr. [REDACTED] in the face that day from his cell. Mr. [REDACTED]’s records document that he told medical staff about the assault that same day: “Patient alleges earlier today he was assaulted regarding his refusal to wear his safety helmet. Patient noted with small superficial scrapes on lower right extremity Lateral aspect of right knee noted with soft tissue swelling... c/o pain to right and left side of his head... [t]his writer reported observed injuries to Dr. [REDACTED] in the TTA, patient requested to

⁵ Other prisoners have alleged that Officer [REDACTED] used racially demeaning epithets during interactions with them as well. *See* Ex. D at 17.

⁶ Other class members have also alleged that Officer [REDACTED] used excessive or unnecessary force on them. *See* December 2018 Report at 13-15.

be brought up for further evaluation.” Another note in Mr. [REDACTED]’s medical file repeats Mr. [REDACTED]’s allegation: “I/P alleges he was assaulted with his own helmet and the officer slammed his helmet on his head in an aggressive manner and was told he has to wear his helmet due to a history of seizures.” Following the incident, Mr. [REDACTED] told mental health staff that he felt unsafe in the D5 Hub and requested to be discharged to the CCCMS level of care, presumably so that he would not be around Officer [REDACTED].

4. [REDACTED], reported that he was severely beaten by first watch officers in the D5 Unit on August 25, 2018 while he was asleep in his cell. Due to his injuries, he requested a wheelchair, a permanent cane, neck brace, knee brace, elbow brace, seizure helmet, dentures, and ankle brace. In response to his request, he was provided with dentures and a helmet was ordered for his seizures. Dr. [REDACTED] found that he had “no medical ind for: neck brace, elbow brace, wheelchair, or stockings.” His appeal was also treated as a staff misconduct complaint, but was not placed on the non-compliance log because the RAP claimed “there is not nexus [sic] to your disability.”

If they have not already been investigated, by outside investigators, we request that the staff misconduct incidents described in this section be investigated by staff from outside LAC.

2. Staff Misconduct Allegations Against Facility-C Officer [REDACTED]

During our tour, we interviewed C-Yard Building 1 3rd Watch Officer [REDACTED], who until recently worked in the C5 EOP Unit on 3rd Watch. Officer [REDACTED] was the subject of one allegation of excessive force in the December 2018 Report and eight allegations in Plaintiffs’ April 2019 Letter in the *Coleman* case. See December 2018 Report at 13, Ex. D at 10-11, 15-16, 21-24. Of note, at least sixty-five EOP prisoners signed a petition to the C-Yard Captain in September 2018 requesting that Officer [REDACTED] be moved out of the C5 Unit due to his alleged practice of assaulting prisoners with mental illnesses at whim. Ex. D at 27-28. As we interviewed him using the routine questions for housing unit officers, Officer [REDACTED] joked about using force on prisoners (“What do you do if a prisoner breaks his cane to use it as a weapon?” “Then we spray them.”) and evinced clear disdain for the needs of prisoners with disabilities (“Can you keep the shower hose in the ADA shower for class members to use?” “No, we can’t put [the hose] in there, they’ll fucking break it and it’ll need to be replaced.”).

We also received two more allegations of staff misconduct regarding Officer [REDACTED]. These allegations are detailed below.

1. [REDACTED], reported that he accidentally got lotion in his one functioning eye on April 25, 2019. He asked Psychiatric Technicians [REDACTED] and [REDACTED] for medical attention, but they ignored him, only responding “leave us alone.” No officers let him out of his cell for three hours after the accident. After he was let out of his cell, he went to talk to Sergeant [REDACTED], who would not talk to him and

motioned him away. Officer [REDACTED] (a different custody staff member) then came over and said “Lock it Up!”, to which Mr. [REDACTED] responded “I’m trying to talk to the Sergeant.” Officer [REDACTED] then came over, said “I’m tired of this,” and grabbed Mr. [REDACTED] by the shoulders, leading him back to his cell. Mr. [REDACTED], who is well aware of the danger of resisting Officer [REDACTED], let himself be led back to his cell, but looked back once at Officer [REDACTED]. Officer [REDACTED] immediately barked “if you look around again I’ll drop you right here”, to which Mr. [REDACTED] turned his head back quickly. The next day, Mr. [REDACTED] was able to go and see medical staff. After he was evaluated by medical staff in the D/C-Yard medical building, he was sent to a hospital emergency room, because staff told him he had a corneal ulcer and could lose his eye, which would render him completely blind. His medical records confirm that he was diagnosed with a corneal ulceration on April 26, 2019 by his primary care provider, who then sent him to the Palmdale Regional Medical Center, where he was diagnosed and treated for a left corneal abrasion.

2. [REDACTED] reported a staff misconduct incident involving Officer [REDACTED] on March 22, 2019. That evening, Mr. [REDACTED] returned from dinner during 3rd Watch to find his assigned cell has been searched, with all of his personal belongings spilled onto the floor. Mr. [REDACTED] was told by Officer [REDACTED] that Officer [REDACTED] had searched his cell. Mr. [REDACTED] could not find Officer [REDACTED], so he returned to his cell and began to clean up his belongings. While he was cleaning his cell, Officer [REDACTED] came over to him and told him again that Officer [REDACTED] had conducted the cell search. A few hours later, during evening dayroom, Mr. [REDACTED] went over to Officer [REDACTED] and asked why his property had been thrown around his cell; in response, Officer [REDACTED] allegedly told Mr. [REDACTED] that he would “search his cell anyway he wants to.”

During the cell search, Officer [REDACTED] took six apples from Mr. [REDACTED], which he had as an approved snack for his diabetes. Officer [REDACTED] also claimed he had one and a half gallons of alcohol in his cell, but other inmates who witnessed the cell search reported that this is not accurate. For instance, [REDACTED] reported that he was in the C5 Unit during the search and heard Officer [REDACTED] going through Mr. [REDACTED]’s property; soon after, Mr. [REDACTED] reported seeing Officer [REDACTED] exit Mr. [REDACTED]’s cell with a small bag of apples. Later that day, another officer in the unit, Officer [REDACTED], gave Mr. [REDACTED] a cell search receipt with his name on it claiming that alcohol was found in his cell, even though Officer [REDACTED] was reportedly doing the diabetic line at the time. Mr. [REDACTED] was later written up for possession of contraband alcohol.

3. Other Allegations of Staff Misconduct

We have also received additional reports of staff misconduct against other prisoners with disabilities, including the following.

1. [REDACTED]. We have received reports of a concerning excessive use of force incident involving class member Mr. [REDACTED] and an Officer [REDACTED] on December 9, 2018. As is the case with Officer [REDACTED], Officer [REDACTED] has been the subject of previous excessive force complaints involving *Coleman* class members at LAC. *Id* at 8-9. According to class members' recent reports, Officer [REDACTED] was recently reassigned to the mail room and no longer interacts with class members on a daily basis.

The incident on December 9, 2018 began when Mr. [REDACTED] asked his neighbor for a glove so that he could clean his toilet. After his neighbor handed him the glove, Officer [REDACTED], formerly B1 3rd Watch, thought that the pair had exchanged contraband, so he directed Tower Officer [REDACTED] to open Mr. [REDACTED]'s cell door. Rather than ask Mr. [REDACTED] to cuff up, Officer [REDACTED] immediately slammed Mr. [REDACTED] into the ground, severely injuring Mr. [REDACTED]'s spine. Mr. [REDACTED] was then strip-searched and had his cell searched, both with negative findings.

Mr. [REDACTED]'s cellmate, [REDACTED], reported that he witnessed the entire incident. While Mr. [REDACTED] sat on his bunk, he witnessed Officers [REDACTED] and [REDACTED] arrive at his cell-front. After the door had opened, Mr. [REDACTED] reported that he witnessed Officer [REDACTED] grab Mr. [REDACTED] by the shoulder without any warning, pull him towards the cell door, and then yank him to the ground. According to Mr. [REDACTED]'s report, Mr. [REDACTED] fell hard on his back. Officer [REDACTED] then flipped Mr. [REDACTED] over and brought him out of the cell. While this was in process, Mr. [REDACTED] attempted to tell Officer [REDACTED] that Mr. [REDACTED] had serious back problems, but Officer [REDACTED] ignored him. Mr. [REDACTED] then walked over to his cell-front and witnessed Officer [REDACTED] press his knee into Mr. [REDACTED]'s back and then cuff Mr. [REDACTED] up. While on the ground, Mr. [REDACTED] allegedly told Officer [REDACTED] that he was a DPP prisoner and, after he struggled to stand on his own accord, brought a wheelchair for him to be wheeled to the program office. A few minutes later, a number of officers arrived at Mr. [REDACTED]'s cell-front, cuffed him up, and took him to the lower-A shower, where he was strip searched and then returned to his cell approximately twenty minutes later. A few minutes after that, Mr. [REDACTED] was returned to his cell; Mr. [REDACTED] had to help him get to the lower bunk bed due to his evident discomfort from the incident.

Mr. [REDACTED] filed an 1824 request soon after the incident (*B*-[REDACTED]), in which he reported that Officer [REDACTED] used excessive force to slam him to the ground during third watch in the B1 building. In his 1824, he requested a back brace and a mobility walker – which he had previously been prescribed by his doctor – to deal with the pain from the assault. Inappropriately, the IAP instructed Mr. [REDACTED] to “fill out a 1824 requesting medical to reevaluate his medical treatment plan” in response to his request on December 12, 2018.

While Mr. [REDACTED] was ordered a back brace and provided with a walker on that day, the RAP incorrectly claimed that his requests were denied and directed him to file a

602 about his issue rather than an 1824. His allegations about excessive force were not placed on the non-compliance log.

Mr. [REDACTED]'s medical records document he also filed a 7362 request the day after the incident, writing "I'm in extreme [*sic*] pain due to inmate officer involved incident I need immediate [*sic*] medical help." **Exhibit E at 1.** On December 11, 2018, two days after he was assaulted, Mr. [REDACTED] went "man down" and was taken to the clinic for an evaluation. At the clinic, he told Dr. [REDACTED] that "on Sunday he was slammed down by custody officers and has since been complaining of progressively worsening acute on chronic lower back pain radiating down left leg..." *Id.* at 2. According to his medical records, he also informed RN [REDACTED] that "custody slammed me down last Sunday and now it hurts back, I cannot sit up or walk." *Id.* at 3. At the clinic, Mr. [REDACTED] was given a wheelchair to help him ambulate and was sent out for an MRI.

The MRI results, received a month later, resulted in Mr. [REDACTED] being diagnosed with multilevel degenerative spondylosis with a left asymmetric disc extrusion. Due to his injuries, Mr. [REDACTED] was made DPO, which remains his designation today.

Incredibly, Officer [REDACTED] claimed that no force was used during the incident. In his description of the incident, Officer [REDACTED] wrote "I approached cell [REDACTED] and instructed the Control Booth Officer to open the cell door. As the cell door opened, [REDACTED] stood in the doorway facing my position. I gave [REDACTED] a direct order to exit the cell; [REDACTED] stated, "No" and quickly turned his body towards his right side, losing his balance causing his momentum to bring him stumbling towards my position and falling on the ground... I asked [REDACTED] if he needed medical attention, [REDACTED] refused medical attention by stating, "No, I'm good." **Exhibit F.** No incident report was produced to Plaintiffs' Counsel regarding the incident.

Following the assault, Mr. [REDACTED] filed a staff misconduct complaint against Officer [REDACTED] and was accordingly interviewed by ISU Officers. Mr. [REDACTED] expressed serious reservations about the credibility and thoroughness of this investigation, as many of the LAC ISU officers are reportedly friends with Officer [REDACTED].

2. [REDACTED], likewise alleged that he was a victim of excessive force at the hands of custody staff. He reported that he was assaulted by Officer [REDACTED] on April 15, 2019.⁷ The day of the assault, he had not been let out of his cell to take the medications he is prescribed to prevent seizures and had suffered a seizure that morning as a result. His medical records document that Mr. [REDACTED] did indeed have a seizure that morning. Mr. [REDACTED] informed our staff that, because he had not been let out of his cell to take his medications that morning, he complained to

⁷Officer [REDACTED] was also the subject of one complaint in *Coleman* Plaintiffs' April 2019 Letter. *See* Ex. D at 15.

staff about the issue. Later that day, Officer [REDACTED] approached him in front of the chow hall, twisted his arm, knocked his seizure-prevention helmet off of his head, and said “who’s a bitch now?” According to Mr. [REDACTED], Mr. [REDACTED]’s left hearing aid was broken during the assault. As of the date of our interview, his hearing aid had not been repaired.

As in the case of Mr. [REDACTED], Mr. [REDACTED]’s custody records claim that no force was used by Officer [REDACTED] during the incident. In his write-up of the incident for a Rules Violation Report for “Threatening Staff” from the incident, Officer [REDACTED] claims that he originally approached Mr. [REDACTED] to order him “to tuck in his shirt before entering the dining hall.” **Exhibit G.** Mr. [REDACTED] then allegedly became very tense and cursed at Officer [REDACTED], who directed him to cuff up; according to the report, Mr. [REDACTED] at first refused and then peaceably cuffed up without resistance. Mr. [REDACTED] was then taken to the D-Yard Gym and placed into a holding cell. Officer [REDACTED]’s report does not state that he used force on Mr. [REDACTED], nor does it articulate an imminent threat to justify the use of force, as required by policy.

3. [REDACTED], also reported a disturbing use of force incident that occurred in early April 2019. When he arrived to LAC from RJD on April 10, 2019, he was placed into the ASU building without any of his property. He told one of the officers in the building that he needed his testosterone shot and his morphine, but was told that they did not have the testosterone shot and that his morphine had been discontinued. He began to suffer withdrawals from morphine and broke the windows in his cell, so staff took him out of his cell and placed him in a holding cage. After he was placed in the cage, he continued to inform officers of his withdrawals, to which the 3rd Watch Sergeant told him “fuck you man.” He grew frustrated and began to kick the door of his holding cell, so the Sergeant opened the cell door, put a lock around his fist to form makeshift brass knuckles, stepped on Mr. [REDACTED]’s bad foot, and said challengingly “kick me, motherfucker, kick me.” During this altercation, the Lieutenant walked around the corner, saw what was happening, and spun on his heel to leave the vicinity without intervening. The Sergeant then shut and locked the cage, leaving Mr. [REDACTED] there for the next three hours. Then two officers came, retrieved Mr. [REDACTED], and placed him in Z1-[REDACTED], which was covered in feces. He was left in that cell for five days and did not receive any cleaning supplies the whole time. He filed a staff misconduct appeal about these events, but as of the time of his interview on May 23, 2019 had yet to receive a response or a log number.

Is there a record of Mr. [REDACTED]’s appeal? If so, please provide a copy to Plaintiffs’ Counsel.

4. [REDACTED], reported on August 27, 2018 that Officers in the D4 EOP Unit, including Officers [REDACTED], [REDACTED], and [REDACTED], refused to provide him with assistance when he was experiencing severe chest pains. He requested to be moved from the D4 Unit to a different unit where he could receive

medical assistance when needed. In response to his request, CCI [REDACTED] moved him to the D1 Unit, and the RAP treated his allegations as a staff misconduct complaint.

5. [REDACTED], reported that on September 18, 2018 he left the chow hall with his walker, which has a bag on it to help him carry his possessions, as he cannot hold items while pushing his walker. He alleged that three officers stopped him, put him up against the wall, took his walker, and then took the bag from the walker and threw it out. He requested to have his bag returned to him, which he needs to carry his legal materials and other supplies. His allegation was placed on the non-compliance log for further inquiry. In response to his appeal, the RAP informed Mr. [REDACTED] that he could request assistance from ADA workers with carrying items and did not return his bag to him.

6. [REDACTED], reported that he was jumped by an officer on April 29, 2018, who then stole his eyeglasses. His appeal was not stamped received by staff until almost six months later on October 19, 2018. On October 23, 2018 his PCP submitted a request for a new pair of glasses for him and the RAP referred his allegation to the Inmate Appeals office to process as a staff complaint. His allegation was not placed on the non-compliance log.

7. [REDACTED], reported that on July 31, 2018 Officer [REDACTED] searched his cell (B3-[REDACTED]) and removed his mattress. Officer [REDACTED] did not return Mr. [REDACTED]'s mattress to him or replace it with another mattress, leaving Mr. [REDACTED] to sleep on his hard metal bed. Mr. [REDACTED] requested to have his mattress returned to him. According to staff, Mr. [REDACTED] was offered a different mattress later that day, but refused. He was not provided another mattress until August 7, 2018. His allegation was also placed onto the non-compliance log for further inquiry.

8. [REDACTED], reported on December 18, 2018 that Officer [REDACTED] in the D4 Unit took all of his DMEs from him on December 1, 2018, including his TENS unit, nasal inhaler, therapeutic boots, and braces. According to Mr. [REDACTED]'s allegations, he was then assaulted by multiple officers, who hit him in the back, knees, and chest. The assault exacerbated Mr. [REDACTED] chronic pain. Mr. [REDACTED] requested replacement of all of his DMEs. He also requested a walker to help him ambulate around his unit.

Despite the fact that Mr. [REDACTED]'s DME were verified through the appeal process, he was not provided with the DME. Instead, Dr. [REDACTED] found he had "no medical indication" for any of his lost DMEs and refused to return them to him. Mr. [REDACTED]'s allegations were processed as a staff complaint, but were not placed on the non-compliance log.

Why was a new medical opinion sought regarding Mr. [REDACTED] DME? We strongly object to this punitive approach to prisoners who file 1824 requests seeking

to have missing DME returned. Mr. [REDACTED]' existing entitlement to these DME should have been enough basis to return them to him or order new replacement DME. This appeal raises serious concerns about retaliation in the 1824 process.

9. [REDACTED], reported that Tower Officer [REDACTED] refused to let him out of his cell on January 19, 2019 when other inmates were allowed out, and that this was done in retaliation for Mr. [REDACTED]'s frequent grievances and requests. The RAP screened out Mr. [REDACTED]'s appeal and did not place his allegations on the non-compliance log. In another appeal (A-19-[REDACTED]), Mr. [REDACTED] reported on February 11, 2019 that it was twenty-four degrees Fahrenheit in his unit and yet officers refused to turn on the heat. According to Mr. [REDACTED]'s allegations, officers instead taunted inmates for being cold and belittled their need for a livable temperature. He requested that officers be rotated from his unit so that he and other prisoners did not have to face harassment from officers. His request was screened out as non-ADA related and he was directed to file a 602 about his concerns.

In still another complaint filed on December 7, 2018 (A-18-[REDACTED]), Mr. [REDACTED] reported that staff often place his property on his upper bunk after cell searches, which he cannot reach due to his DPW status, without risking a serious fall or injury. In response to his appeal, the RAP informed him that "custody staff assigned to the housing units have been informed to be mindful when searching the cells of inmates with disabilities to ensure when items are moved they are not placed in an area such as on the top of the bunk or other areas within the cell, which may make it difficult for the inmate to reach." Mr. [REDACTED]'s allegation was not placed on the non-compliance log.

10. [REDACTED], reported that he was told by an officer in his unit that he would be written up if he took his wheelchair into his cell. He requested to be moved into an ADA cell. The RAP declined to move him, and failed to respond to his complaint about the threat to write Mr. [REDACTED] up for taking his own DME into his cell.

11. [REDACTED], reported that he attempted suicide on July 18, 2018 and was beaten up by guards on C-Yard as a result. He reported that this incident severely impacted his mental health and that he was severely depressed as a result. Rather than treat his appeal as a staff misconduct problem or convert it to a 602-SM, the RAP merely told him to file a new 602-SM about the incident.

12. [REDACTED] reported that his mobility vest was taken from him and thrown away by staff during a mass search on July 30, 2018. He requested a new mobility vest. The IAP Reviewer (CCI [REDACTED]) attempted – but was unable – to find out which staff threw away Mr. [REDACTED]'s vest. The RAP provided him with a new vest on August 13, 2018 and placed his allegations on the non-compliance log. In another 1824 request, (B-18-[REDACTED]), Mr. [REDACTED] reported that he was placed in flex-cuffs behind his back on July 30, 2018 for five hours, despite his

permanent waist-chains chrono. This cuffing caused Mr. [REDACTED] to reinjure his right shoulder. During the IAP, Mr. [REDACTED] informed CCI [REDACTED] that he was not sure the name of the staff member who cuffed him in contravention of his waist-chains chrono. According to the RAP, his complaint was reviewed by the Warden, who determined it should be addressed via the staff complaint process. Mr. [REDACTED]'s complaint was not placed on the non-compliance log.

13. [REDACTED], reported that on August 9, 2018 he went out to the hospital following an overdose and, upon his return the next day, all of his property including his DMEs were gone. Mr. [REDACTED] finally received his property back and was given a hearing impaired vest nearly three weeks later on August 28, 2018. He also had hearing aids reordered the same day. However, he did not receive his orthotics, as Dr. [REDACTED] found he had "no medical indication" for them. His allegation was placed onto the non-compliance log.

As was the case with Mr. [REDACTED] above, we do not understand why was a new medical opinion was sought regarding Mr. [REDACTED]'s DME as part of the 1824 process. We strongly object to this punitive approach to prisoners who file 1824 requests seeking to have missing DME returned. Mr. [REDACTED]' existing entitlement to these DME should have been enough basis to return them to him or order new replacement DME. This appeal raises serious concerns about retaliation in the 1824 process.

Dr. [REDACTED] also used the wrong standard in resolving whether Mr. [REDACTED] should have his orthotics. The standard is reasonable accommodation – basically, are the orthotics helpful.

Plaintiffs request an update regarding the investigations into the allegations of staff misconduct in our December 2018 Report. We also ask that all of the allegations detailed above be investigated by non-LAC ISU staff. We ask that this section of the report not be shared with line staff at LAC, and that any investigation into our class members' allegations be conducted by non-LAC staff. Like Mr. [REDACTED], we are concerned that any investigation by LAC ISU staff will merely paper over our class members' complaints and obstruct any attempts to bring about badly needed changes to LAC.

We furthermore request that headquarters and institutional leadership develop a corrective action plan to address our class members' repeated and consistent allegations of staff misconduct at LAC.

Exhibit 77

OFFICE OF LEGAL AFFAIRS

Jennifer Neill
General Counsel
P.O. Box 942883
Sacramento, CA 94283-0001



July 23, 2019

VIA EMAIL ONLY

Mr. Thomas Nolan
Rosen Bien Galvan & Grunfeld LLP
tnolan@rbgg.com

Re: California State Prison, Los Angeles County: Non Class Action Allegations

Dear Mr. Nolan:

This letter is to acknowledge receipt of the correspondence received from your office on July 16, 2019, concerning allegations at California State Prison, Los Angeles County (LAC).

The allegations mentioned below, that were presented in your correspondence, were routed to the appropriate personnel at CDCR. The Legal Liaison for the High Security Mission, Alan Sobel, will provide you with information when it becomes available.

- Page 21 – All six bullet points.
- Page 23 , number 1 regarding Mr. [REDACTED].
- Page 23, number 2 regarding Mr. [REDACTED].
- Page 24, number 4 regarding Mr. [REDACTED]. The first sentence in this paragraph will be responded to by Mr. Sobel. This allegation was also previously reported on page 13 of Plaintiff's LAC Dec 2018 AMT report dated 3/19/19, and has already been assigned to Mr. Sobel. The rest of the paragraph will be responded to through *Armstrong*.
- Page 24, number 1 regarding Mr. [REDACTED].
- Page 25, number 2 regarding Mr. [REDACTED].
- Page 26, number 1 regarding Mr. [REDACTED].
- Page 28, number 3 regarding Mr. [REDACTED].
- Page 28, number 4 regarding Mr. [REDACTED].
- Page 29, number 6 regarding Mr. [REDACTED].
- Page 29, number 7 regarding Mr. [REDACTED].
- Page 29, number 8 regarding Mr. [REDACTED]. The second and third sentences will be responded to by Mr. Sobel. The remainder will be responded to through *Armstrong*.

Mr. Thomas Nolan

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- Page 30, number 9 regarding Mr. [REDACTED]. The second half of the first paragraph beginning with “In another appeal (A-19-[REDACTED])” and ending with “file a 602 about his concerns.”, will be responded to by Mr. Sobel. Everything else in number 9 will be responded to through *Armstrong*.
- Page 30, number 11 regarding Mr. [REDACTED] has been assigned to OLA’s *Coleman* team.

If we need any additional information in order to address these matters, we will contact your office.

Sincerely,

/s/ Erin D. Anderson

ERIN D. ANDERSON
Appeals and Compliance Coordinator
Office of Legal Affairs

cc: Russa Boyd, Attorney IV
Alan Sobel, Attorney IV
Tamiya Davis, Attorney III

Exhibit 78



101 Mission Street, Sixth Floor
San Francisco, California 94105-1738
T: (415) 433-6830 ▪ F: (415) 433-7104
www.rbgg.com

Thomas Nolan
Email: [REDACTED]

April 10, 2019

VIA ELECTRONIC MAIL ONLY

**PRIVILEGED AND
CONFIDENTIAL**
**SUBJECT TO
PROTECTIVE ORDERS**

[REDACTED]

CDCR Office of Legal Affairs

[REDACTED]

Re: *Coleman v. Newsom*: Plaintiffs' Renewed Concerns About
Excessive Use of Force and Staff Misconduct Incidents at LAC
Our File No. 0489-03

Dear OLA Team:

We write to raise concerns about multiple new incidents of serious staff misconduct targeting *Coleman* class members at LAC. We have received numerous complaints from class members at LAC over the past year that custody staff have used unreasonable or excessive force on them, ignored their requests for assistance during mental health crises, subjected them to demeaning and racially abusive language, and retaliated against them for filing 602 complaints or sending letters to LAC supervisory staff. These complaints have come most heavily from the EOP units at LAC, particularly the D5 ASU Hub and the C5 Unit.

These complaints are especially concerning given that they continue to multiply despite our numerous, seemingly unheeded, reports over the last few years that staff misconduct against *Coleman* class members at LAC is particularly pervasive. Most recently, we sent a letter to CDCR's Office of Legal Affairs on June 5, 2018 about staff

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misconduct, deficient treatment, and use of force at LAC.¹ This letter, attached hereto as **Exhibit A**, raised twelve separate reported incidents of staff misconduct at LAC, including five reports of excessive or unreasonable force. Defendants' response, on July 13, 2018, dismissed ten of the twelve reports as unsubstantiated following investigations by LAC's Investigative Services Unit (ISU). (The remaining two reports were submitted to the ISU for investigation, and we have not received any information as to the outcomes.)

As Defendants are no doubt aware, the Office of the Inspector General (OIG) recently found "that the dependability of the staff complaint inquiries [at Salinas Valley State Prison] was significantly marred by inadequate investigative skills that reviewers demonstrated—notably, by their deficiencies in interviewing, collecting evidence, and writing reports." Office of the Inspector General, Special Review of Salinas Valley State Prison's Processing of Inmate Allegations of Staff Misconduct ["OIG Report"] at 3 (Jan. 2019).² The OIG "found at least one significant deficiency in 173 of the 188 staff complaint inquiries (92 percent)." *Id.*; see also *id.* at 89 ("Although this special review focused only on Salinas Valley, the process we reviewed is in place at prisons statewide. Therefore, the conditions we found may also exist to some degree at other institutions."). In a subsequent California State Assembly Budget Subcommittee hearing, Inspector General Roy Wesley bluntly informed state legislators that CDCR's staff complaint inquiry process is "entirely driven by the purpose to exonerate staff." See 3/4/19 Hr'g Audio Recording at 1:53:53.³

Given these findings, we are concerned that our previous reports of staff misconduct at LAC were improperly disregarded and dismissed without any rigorous investigation of our reports. This concern is heightened by the fact that almost every incident described in this letter, *infra*, involves significant problems regarding LAC's staff complaint process. We therefore request that Defendants disclose the contours of the LAC ISU investigations conducted in response to our June 5, 2018 letter.

¹ Plaintiffs' counsel in *Armstrong v. [REDACTED]* also raised concerns about staff misconduct at LAC in their March 19, 2019 Monitoring Report, which described numerous incidents involving prisoners who are both *Armstrong* and *Coleman* class members. Relevant excerpts of that report are attached hereto as **Exhibit B**.

² Available at

[https://www.oig.ca.gov/media/reports/Reports/Reviews/2019 Special Review - Salinas Valley State Prison Staff Complaint Process.pdf](https://www.oig.ca.gov/media/reports/Reports/Reviews/2019%20Special%20Review%20-%20Salinas%20Valley%20State%20Prison%20Staff%20Complaint%20Process.pdf).

³ Available at <https://www.assembly.ca.gov/media/assembly-budget-subcommittee-5-public-safety-20190304/audio>.

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We further request that any future investigations into staff misconduct as a result of this letter be completed by non-LAC personnel. We are concerned that any local investigation will cause class members' complaints to be inappropriately dismissed, like the prior complaints we provided to you. Lastly, we have only included in this letter the names of class members who have given us permission to do so. However, due to widespread reports of retaliation and harassment from class members for filing 602 complaints, we also ask that this letter **not** be shared with line staff at LAC. We also want to underscore the fact that many more class members have reported detailed accounts of staff misconduct issues to our office, but were too fearful of retaliation to allow us to use their information in this letter.

1. Troubling Use of Force Disparities and Complaints at LAC

Unconstitutional use of force against class members has a long history in this case, beginning with the *Coleman* Court's original finding more than twenty years ago that prisoners with serious mental illnesses are subjected to punitive measures by custody staff "without regard to the cause of the [inmate's] behavior, the efficacy of such measures, or the impact of those measures on the inmates' mental illnesses." *Coleman v. Wilson*, 912 F. Supp. 1282, 1320 (1995). In 2014, the Court again found that Defendants subjected class members to unconstitutional use of force and ordered Defendants to revise their policies accordingly. 4/10/14 Order, ECF No. 5131 at 72. In response, Defendants filed policies and procedures meant to foster a "sweeping culture change for CDCR as it expects staff to step back and evaluate the totality of the circumstances, whenever circumstances permit, before using force." ECF No. 5190 at 10.

Five years later, culture change has yet to arrive at LAC in any meaningful way. CDCR's publicly posted COMPSTAT data shows that from January 2018 to January 2019, 85% of LAC's reported use of force incidents involved prisoners with mental illnesses. In December 2018 and January 2019, 90% and 88% of use of force incidents, respectively, involved mentally ill prisoners. This rate was eight to ten times higher than the equivalent rate for prisoners without mental illnesses in these months. The below table shows use of force disparities at LAC over the last thirteen months.⁴

⁴ The COMPSTAT reports, *available at* <https://www.cdcr.ca.gov/COMPSTAT/>, provide data on "Documented Use of Force," "UOF Incidents Involving MH Inmates," and "UOF Incidents Involving MH Inmates Per 100 MH Inmates," as well as population figures for each level of mental health care. Using these figures, we calculated the remaining columns in this table.

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	Documented Use of Force (UoF)	Documented UoF Per 100 Prisoners	UoF Incidents Involving Non- MH Prisoners	UoF Incidents Involving MH Prisoners	UoF Incidents Involving MH Prisoners Per 100 MH Prisoners	UoF Incidents Involving Non-MH Prisoners Per 100 Non-MH Prisoners	How Many Times Higher is the UoF Rate Against MH Prisoners?
Jan-18	44	1.30	8	36	2.22	0.46	4.88
Feb-18	45	1.36	6	39	2.41	0.36	6.77
Mar-18	41	1.26	4	37	2.31	0.24	9.57
Apr-18	41	1.27	4	37	2.39	0.24	10.07
May-18	56	1.73	7	49	3.20	0.41	7.77
Jun-18	41	1.30	3	38	2.49	0.18	13.46
Jul-18	51	1.59	9	42	2.72	0.54	5.00
Aug-18	54	1.69	12	42	2.83	0.70	4.04
Sep-18	56	1.75	9	47	3.17	0.53	6.03
Oct-18	47	1.47	5	42	2.75	0.30	9.21
Nov-18	48	1.51	13	35	2.35	0.77	3.07
Dec-18	31	0.97	3	28	1.83	0.18	10.11
Jan-19	51	1.61	6	45	3.02	0.36	8.42

These figures are especially troubling because the Court noted this very issue five years ago in its April 10, 2014 Order, finding “plaintiffs’ evidence suggests that force is used against mentally ill inmates at a rate greatly disproportionate to their presence in the overall inmate population. ... [I]n several [prisons], 87 to 94% of the use of force incidents were against mentally ill inmates. ... this is evidence, at least, of a systemic failure to understand ‘what a mentally ill person might be experiencing before or during a use of force incident, or of how mental illness may make it difficult for an inmate to immediately conform his or her behavior in response to an order.’” 4/10/14 Order, ECF No. 5131 at 17-18 (quoting Plaintiffs’ expert).

The Court’s concerns—that a large disparity between the rates of use of force on *Coleman* versus non-*Coleman* prisoners evinces a continued disregard for the underlying causes of mentally ill prisoners’ behavior—are reflected in our class members’ recent complaints about use of force incidents at LAC. And if abusive, unwarranted use of force were not bad enough, numerous class members reported being subjected to improper, excessive force while they were already experiencing extreme mental distress, including anxiety, suicidality, and psychosis. Others reported that the use of force seriously exacerbated their mental health decompensation. Many of these complaints are verified in class members’ mental health treatment files.

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For example, [REDACTED] (who was EOP at the time of this incident and housed in D5-[REDACTED]), reported a troubling incident that occurred in the early morning hours of June 29, 2018 while he was under extreme mental duress.⁵ The previous day, he had been sent to Antelope Valley Hospital (“AVH”) to receive an MRI to identify why he had been unable to urinate for two days. Mr. [REDACTED] suffers from extreme anxiety and was unable to relax and sit still during the MRI (despite the administration of Vistaril to help calm him). He was returned from the hospital with his urinary problem unresolved. Mr. [REDACTED] requested and received a copy of his AVH treatment files so he could show them to his LAC physician. He was anxious that without this documentation his urine retention issue would go unaddressed at LAC. When he returned to the LAC D5 unit at around 1:00 a.m. on June 29, 2018, a nurse asked him what he was holding (in reference to his medical papers) and told him he could not hold the papers. This made Mr. [REDACTED] extremely agitated. In response, Officer [REDACTED] told him to stop moving and grabbed his arms (Mr. [REDACTED] was double-cuffed at the time). Sergeant [REDACTED] then came out and reportedly said to Mr. [REDACTED], “you better go [back to your cell], or it will be bad for you – look at you [referencing his double-cuffing].” Because Mr. [REDACTED] was agitated about losing his medical paperwork, he refused to return to his cell. Officer [REDACTED] then threw Mr. [REDACTED] against the sink, causing him to hit his head, and punched him to the ground while telling him “we don’t give a fuck about your bladder.” Officer [REDACTED] then punched and kicked him repeatedly in his distended bladder. Mr. [REDACTED] also reported that Officer [REDACTED] got on top of him and pressed his knee into his back. Due to this force, Mr. [REDACTED] defecated on himself. Mr. [REDACTED] reported that he filed a staff misconduct appeal about this incident, but was never interviewed by staff for his complaint.

Mr. [REDACTED]’s medical records document that he was seen by nursing staff at LAC on June 29, 2018 for “right side rib pain” and “pain on the right mid back” after an “assault.” His records further note that “he was assaulted by the custody 628/18 [sic].” On July 2, 2018, Mr. [REDACTED] was seen by mental health staff in his unit, who documented that he informed them that he wanted to cut himself “very much” and would do it the first chance he got. That same day, his clinician noted that he reported significant anxiety and expressed a restricted range of affect, which was congruent with his reported mood. On October 22, 2018, Mr. [REDACTED] received a mental health assessment (MHA) for an RVR for “resisting staff” from the incident, which found that his mental health did not play any role in his actions. We raised our concerns regarding

⁵ Unless medical records, RVR documentation, or another source is indicated, the class member accounts described in this letter arise from reports from the class members themselves who contacted our office.

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this assessment in our recent letter regarding the MHA process for disciplinary write-ups, noting that the assessor filled out the MHA form incorrectly and gave sparse, superficial responses. *See* Letter from Cara E. Trapani to Defs. Re: Plaintiffs' Concerns Regarding RVR Process ["RVR Letter"] at 9 (March 1, 2019).

██████████, who was EOP at the time of this incident, reported an incident involving his refusal to take his court-ordered involuntary medication. After refusing his medication on October 5, 2018, he was taken to the medical building by Officers J. ██████████ and I. ██████████ in order to receive the medication as an injection. Once there, Mr. ██████████ reportedly told staff that he did not want to take any medications. Mr. ██████████ informed us that Officer ██████████ then slammed his head against the window and threw him—while handcuffed—to the ground. Officers ██████████ and ██████████ then repeatedly punched Mr. ██████████ in the face, splitting his lip open. The officers then held him face down on the ground while the nurse administered his shot. His medical records documented that he was then taken to the TTA, where he was treated for a "small laceration to the right lower lip" which he received after "an altercation." Another class member, ██████████, reported ██████████ to an individual (who we believe is Mr. ██████████) around the time of this incident and seeing injuries on that individual's face and mouth. After the incident, Mr. ██████████ was written up for the charge of "Resisting Staff." As in the case of Mr. ██████████, discussed *supra*, we cited the MHA that Mr. ██████████ received for his write-up in our March 1, 2019 RVR Letter, noting that the assessor did not adequately document the clinical rationale for his conclusions. *Id.* at 7-8.

Mr. ██████████'s medical records document that on October 4, 2018, the day prior to the incident described above, his clinician noted that he "continues to present as mildly paranoid, [with] ongoing issues concerning custody" and that he reported ongoing command hallucinations directing him to hurt himself or others. These symptoms may have affected his behavior the next day. Later, on November 1, 2018, Mr. ██████████ informed his clinician, who documented it in a treatment note, that his "voices keep telling me that I must have enjoyed the abuse by my father because then why didn't I stop it. It really gets to me. The voices tell me something and I start responding back, then when an officer starts ██████████ to me, I allow the voices to control me and I end up getting into trouble."

██████████, (who was EOP and housed in D5-██████████ at the time of this incident), reported that he was beaten up by staff during a cell extraction on June 3, 2018 in the midst of a mental health crisis. Mr. ██████████ reported that the incident ensued following his mental decompensation, which itself came to a head when he swallowed two razor blades and some unknown pills in a suicide attempt on May 27, 2018. That same day, he was admitted to Antelope Valley Hospital (AVH), where tests showed he

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had foreign bodies in his stomach. Due to his suicidality, however, Mr. [REDACTED] refused treatment, so he was returned from the hospital the next day and placed in a holding cell. While in the holding cell, Mr. [REDACTED] requested that he be placed in the CTC and referred to the crisis bed. In response to his requests, Officer [REDACTED] came to Mr. [REDACTED]'s cell and reportedly told him "you wanted to commit suicide, this is what you get." On May 28, 2018, Mr. [REDACTED] was taken off of suicide watch by psychologist Amir Mahdavi and housed in cell D2-[REDACTED], even though he had reported suicidality during his appointment with Dr. Mahdavi. On May 29, 2018, Mr. [REDACTED] informed Officer [REDACTED] that he was still suicidal. Officer [REDACTED] placed him in a holding cell, where Mr. [REDACTED] then cut his wrist. Mr. [REDACTED] was referred to the CTC and had an IDTT on May 30; the IDTT discharged him back to EOP. Mr. [REDACTED] remained at the EOP level of care until June 2, 2018, when he swallowed 40 pills in front of Officers [REDACTED] and [REDACTED] and was sent back to the hospital. Mr. [REDACTED] returned from the hospital six hours later, and repeatedly told staff he was suicidal upon his return. On June 3, 2018, Mr. [REDACTED] was placed on suicide watch during third watch. When he entered the suicide watch cell, Mr. [REDACTED] put his mattress under the bunk and pulled the blanket over himself so he was covered from view in an attempt to avoid [REDACTED] to anyone or be seen nearly naked. Officers [REDACTED] and [REDACTED] then told Mr. [REDACTED] he had to come out from under the bunk, to which he did not respond. The officers then entered the cell and performed a cell extraction and pulled Mr. [REDACTED] from underneath the bed. Once he was on the ground, Officer [REDACTED] slammed a shield on Mr. [REDACTED]'s head and body and then Officers [REDACTED] and [REDACTED] kicked, punched, and pepper-sprayed him repeatedly. Mr. [REDACTED] reported that the officers then dragged him naked out of his cell and into the yard. He was then placed into D5-[REDACTED], where he was allowed to decontaminate himself. On June 7, Mr. [REDACTED] filed a staff misconduct 602 about the incident, for which he received an interview by a D5 staff sergeant on June 21. During the interview, the sergeant strongly implied Mr. [REDACTED] would suffer retaliation if he continued with his 602. Mr. [REDACTED] was also written up for the incident (battery on a peace officer) on June 12, for which he was found guilty on July 20.

Mr. [REDACTED]'s records document that he went to AVH on May 27, 2018 after ingesting a foreign body, and was placed on suicide watch upon his return on May 28, 2018. That same day, Mr. [REDACTED] was discharged from suicide watch following a SRASHE by Dr. Mahdavi. On May 30, 2018, Mr. [REDACTED] again reported suicidality, made superficial scratches to his wrist, and reported that he had swallowed a razor, and was admitted to the MHCB that afternoon. Mr. [REDACTED]'s records show that he was discharged the next day to the CCCMS level of care. On June 2, 2018, he went out to AVH due to a drug overdose and was returned the next morning; from there he was placed into segregation. That night, a "First Medical Responder" note reads:

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2326: The institutional alarm and radio call for a Mandown in D2 Building regarding I/P, but code 4.

2330: Arrived D2 Building via Mary 3 ambulance with medical emergency equipment and gurney escorted by custody, I/P received at the main entrance into D2 building seated on the floor with custody officers with him. Sgt. [REDACTED] states no issues for medical and that Mary 3 can leave.

2340: The watch command called Mary 3 back for 7219 form completion and MH7, stated I/P will be transferring to D5 building. On assing [sic] and evaluating I/P, now in D5 building in the holding tank, I/P noted with minor abrasion/scratch on the left side of the forehead and cut/laceration to the left hand. I/P stated, "I refused to respond to the officer's call and they jumped on me." I/P further states the O.C. spray in the cell room, had a scratch in the head and the left hand cut was from previous suicidal attempt from the other day. I/P verbalized suicidal thoughts and refused wound care, stated "I don't need that." I/P educated on infection risk and need for medical attention, I/P continue to refused stated "I have no issue."

Mr. [REDACTED]'s records document that he was not evaluated by mental health staff prior to his cell extraction on June 3, 2018.

Please provide us with a copy of the videotape taken of Mr. [REDACTED]'s June 3, 2018 cell extraction within 15 days.

[REDACTED], who was CCCMS at the time of this incident, reported that he was assaulted by multiple custody officers on B-Yard after an altercation with an officer during breakfast. Mr. [REDACTED] reported that on October 13, 2018, Officer [REDACTED] approached him during breakfast and told him to sit between two prisoners. Mr. [REDACTED] reported that, as he did not know the two prisoners, he refused the officer's request. When Mr. [REDACTED] walked outside the chow hall after finishing breakfast, the officer reportedly asked Mr. [REDACTED] "what's your issue?" to which Mr. [REDACTED] replied "I don't have an issue." The two then proceeded to argue. Officer [REDACTED] then reportedly asked "the next time I tell you to sit somewhere are you going to do it?" Mr. [REDACTED] said he would refuse if the order was unnecessary. Officer [REDACTED] then told Mr. [REDACTED] to turn around so that he could pat him down. Mr. [REDACTED] turned around and held his arms up, as the officer continued to admonish him for not following the order. Then another custody officer, Officer [REDACTED] appeared and told him to follow orders. Mr. [REDACTED] reported that at this point, his arms had grown tired and he put them down. Officer [REDACTED] then told Mr. [REDACTED] to put his arms back up. Mr. [REDACTED] said he could not because his arms

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were tired, at which point Officers [REDACTED] [REDACTED] [REDACTED] attacked him, followed by [REDACTED]. All of these officers hit, kicked, and stomped Mr. [REDACTED] while he was on the ground, [REDACTED] his leg, ribs, and scarring his head and face. Mr. [REDACTED]'s medical records document that he suffered right rib fractures to his eighth, ninth, and tenth ribs, as well as a fracture to his right fibula.

Over the next few weeks, Mr. [REDACTED] quickly decompensated, expressing increasing paranoia and anxiety about custody staff to his clinician. On October 24, 2018, his clinician noted that he was "ruminating over how he was 'set up' by custody" and reported feeling "stressed out" due to the recent altercation. Mr. [REDACTED] refused his next few mental health contacts, but he was seen by his clinician on November 21, 2018, the clinician noted that he "appears paranoid and ruminates excessively over his perceived conspiracies between medical and custody, difficult to redirect, TC paranoid. *Appears to be slowly decompensating over the past month, evidenced by his changes in presentation and TC.*" (emphasis added).⁶ Mr. [REDACTED]'s clinician noted the same troubling symptoms a week later. On November 29, 2018, his treatment team raised his level of care to EOP during an emergency IDTT.

[REDACTED], who was at the EOP level of care at the time of this incident, reported that he arrived at LAC on November 8, 2018 and immediately experienced problems with getting ducats for his mental health groups. Mr. [REDACTED]'s records show that he reported this issue to his clinician as early as November 27, 2018, and then reported it again on December 4, 2018. On December 5, 2018 Mr. [REDACTED] told his clinician, Dr. Seo, that he might decompensate from being locked in his cell all day when Dr. Seo walked by his cell. Mr. [REDACTED]'s mental health records document that he informed his clinician during that contact that "he was not getting called out for groups" and that "being locked up all day is detrimental to his mental health." Later that day, Mr. [REDACTED] received another contact from his clinician. Midway through the encounter with Dr. Seo, another clinician, Dr. Seliktor, and Sergeant [REDACTED] came into the room while Mr. [REDACTED] was in the midst of telling his clinician that he might need a higher level of care. Mr. [REDACTED] reported Dr. Seliktor whispered something to Sergeant [REDACTED] who then cuffed Mr. [REDACTED] up and took him out of the appointment. Dr. Seo's progress note from the encounter records that Mr. [REDACTED] had an "agitated presentation" during the appointment and that "[a]fter some attempt to deescalate IP, the contact was terminated" and "the IP was escorted out of the interview." Mr. [REDACTED] reported that Sergeant [REDACTED] took him to the gym where a number of officers, including Officers [REDACTED] and [REDACTED] beat him up. Mr. [REDACTED] reported [REDACTED] the officers why they were doing this and whether it was due to his complaints

⁶ We are unfamiliar with the meaning of "TC" in this treatment note.

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about treatment. Sergeant [REDACTED] reportedly replied “yeah, welcome to Lancaster.” Mr. [REDACTED] reported that he received a write-up for battery on a peace officer on December 12, 2018. The RVR claimed that force was required because Mr. [REDACTED] refused to go back to his cell after his appointment. Dr. Seliktor later conducted the MHA for this write-up. Dr. Seliktor claimed that Mr. [REDACTED] was interviewed for the assessment, even though Mr. [REDACTED] refused to talk to him.⁷

Three days after the incident, Mr. [REDACTED] filed a 7362 in which he wrote that he “was involved in a[n] excessive force incident that caused intensive pain in back and shoulder from being kicked and arms bent in opposite direction of bone joint.” The same day, he filed another 7362, in which he wrote that he would “appreciate [REDACTED] to someone about current mental health status particularly about decompensation and fear of interacting with officers on ‘D’ Yard.” Two days later, Mr. [REDACTED] received an initial assessment from his new clinician, who recorded that he had “challenges with depression, anxiety, anger, and agitation due to a recent conflict with custody and recent housing change to Ad-Seg.” The next day, his clinician again noted that Mr. [REDACTED] “has been ruminating about recent RVR and interactions with MH staff and custody.”

[REDACTED], reported that when he was housed in C5 at the EOP level of care, he saw another EOP class member in that housing unit get assaulted by custody officers after reporting safety concerns. Specifically, Mr. [REDACTED] told us that on July 7, 2018 he heard the other class member’s report from inside his cell to C5 Officers [REDACTED] and [REDACTED] that he was afraid he would be jumped by other prisoners if he left his cell. Mr. [REDACTED] reported seeing the officers ignore the other class member’s concerns, to which the class member responded by starting to call for assistance from inside his cell. Mr. [REDACTED] then saw Officer [REDACTED] open the other class member’s cell, grab him by the throat, and throw him against a locker. According to Mr. [REDACTED], Officer [REDACTED] then briefly left the class member’s cell, only to re-enter it with Officer [REDACTED] at which point they both proceeded to repeatedly punch and kick the class member while he was on the ground. [REDACTED], and [REDACTED], who were housed in C5 at the EOP level of care at the time, also reported witnessing this incident.

[REDACTED] a different EOP class member housed in C5, also reported a troubling use of force incident involving Officer [REDACTED]. Specifically, Mr. [REDACTED] reported that after he was found with heroin inside his cell on August 24, 2018, he was grabbed by Officer [REDACTED] slammed into the ground of his cell, cuffed up, then hit on

⁷ We note that Dr. Seliktor is the same clinician who conducted the deficient MHA for Mr. [REDACTED]’s write-up, *supra*.

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the head with a baton by Officer [REDACTED]. Mr. [REDACTED] was then escorted to the C-Yard gym by Officers [REDACTED] and [REDACTED]. While being escorted, Mr. [REDACTED] heard a voice on the loudspeaker say “staff assault.” Mr. [REDACTED] reported that he then stated, “wow you all beat me up then charge me? Wow you guys are bitches.” In response, he reported that Officer [REDACTED] grabbed him by the neck and slammed him down in the middle of the yard in full view of other officers and prisoners. Mr. [REDACTED]’s medical records document that he suffered from right shoulder pain and lacerations to his face and scalp from this incident.

After this altercation, Mr. [REDACTED] was placed into segregation, where his clinician noted the effect that the incident had on Mr. [REDACTED]’s mental health. In her initial assessment following his segregation placement, Mr. [REDACTED]’s clinician documented that he “states that he is depressed, has a lot of negative thoughts about the situation, has lost interest in food, can’t [REDACTED] and was prescribed Remeron and Vistaril by the doctor, can’t concentrate enough even to read a book.”⁸

Reports of staff misconduct against class members are not limited to EOP units. For instance, [REDACTED], reported that on September 19, 2018 at around 7:00 a.m. ASU second watch Officers [REDACTED] and [REDACTED] approached his cell and told him that transportation officers were on their way to pick him up from LAC to transfer him to SATF. Mr. [REDACTED] informed the officers that he refused to transfer until staff responded to his pending property and medical appeals. For the next hour, Officers [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] each reportedly threatened Mr. [REDACTED] with physical harm if he continued to refuse to leave his cell to transfer. They all told him they were members of the “Green Wall” gang and would give him a “special treatment” inside his cell (i.e., circumvent the cell extraction procedures) if he continued to refuse to move. At around 8:00 a.m., the officers returned to Mr. [REDACTED]’s cell and told him they would harm him if he continued to refuse to move. Officer [REDACTED] then announced over the radio the unresponsive inmate code and Mr. [REDACTED]’s cell was opened by the control officer, Officer [REDACTED]. Officers [REDACTED] and [REDACTED] then rushed into his cell and beat and sexually assaulted him (details discussed, *infra*). Mr. [REDACTED]’s records do not reflect that he received an assessment from mental health staff prior to this cell extraction.

⁸ We note that Officer [REDACTED] was named in the complaints of Mr. [REDACTED] and Mr. [REDACTED] discussed in Section 2, *infra*, as well as in the *Armstrong* Plaintiffs’ December 2018 LAC Monitoring Report, *see* Ex. B at 2. We discuss an additional group complaint involving Officer [REDACTED] in Section 4, *infra*.

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Mr. [REDACTED] reported that during the extraction he was pushed to the ground and then punched and kicked by the officers while they made racially degrading remarks towards him. Officers cuffed Mr. [REDACTED]'s arms behind his back and he heard one officer say, "We have to do a body cavity [REDACTED] check." Officers [REDACTED] and [REDACTED] then tore off Mr. [REDACTED]'s clothes, and then while he was held down on his stomach Officer [REDACTED] forcefully penetrated Mr. [REDACTED]'s rectum with a hard foreign object (possibly a stick baton). Mr. [REDACTED] was then turned over onto his front and subjected to further sexually degrading actions, as Officers [REDACTED] used his stick baton to move Mr. [REDACTED]'s genitals around while reportedly [REDACTED] sarcastic degrading statements. After the assault, Mr. [REDACTED] was transferred to SATF, where he was placed on a f-day follow-up due to his distress from the incident. Mr. [REDACTED] also filed a staff misconduct appeal and PREA complaint about the incident, for which he was interviewed on October 5, 2018. After the interview, administrators at SATF did not forward that appeal to LAC staff for review, but instead had their ISU staff interview Mr. [REDACTED] for his appeal.

Other class members reported that staff at LAC threatened them with force for minor infractions, such as refusal to comply with an order or accept assigned housing. [REDACTED], reported that he arrived to LAC from MCSP at around 2:30 p.m. on Friday, November 30, 2018. Mr. [REDACTED] was at the EOP level of care at the time. Mr. [REDACTED] reported that when he arrived at LAC, he told custody staff that he would not cell up with anyone due to his paranoia and history of in-cell fights. He was then placed into a holding cell. Within two minutes of being placed into the holding cell, Sergeant P. [REDACTED] arrived and asked Mr. [REDACTED] why he was refusing to house. After Mr. [REDACTED] reiterated he did not want a cellmate, Sergeant [REDACTED] reportedly said, "You're giving me a battery, you're not going to Ad-Seg without one!" Mr. [REDACTED] was then evaluated by a nurse in the holding cage. During the evaluation, Lieutenant [REDACTED] arrived and moved Mr. [REDACTED] to the back of R&R to a holding cage. During the transport, Lieutenant A. [REDACTED] reportedly said "this guy's going to get his ass beat!" Once in the holding cage, the Lieutenant again told Mr. [REDACTED], "you're giving us a battery." Mr. [REDACTED] responded "I don't have to prove anything to you, so go ahead and beat me up." The Lieutenant reportedly replied "you're not going to have a mark on you, but you're giving me a battery ... you're gonna give me a battery, I'm gonna bash my head on this cage or better yet I'll have one of my officers come punch me in the face. Who do you think they're gonna believe – a lieutenant with 25 years or some punk convict, wait you're not even a convict, a punk inmate! I'll make sure you spend the rest of your life in here." Mr. [REDACTED] did not clarify in his report to us what happened immediately after this exchange. Ultimately, it appears Mr. [REDACTED] was placed into

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segregation, where he remained until he was moved to a different cell on D-Yard a few days later.

██████████, a CCCMS class member at the time of this incident, also reported that excessive force was used against him when he refused to accept assigned housing. He informed us that staff used force on him after he refused to accept a cellmate on December 7, 2018, shortly after arriving at LAC.⁹ During his PREA screening, Mr. ██████████ informed the Inmate Housing Assignment sergeant and lieutenant that he had mental health issues, suffered from trauma from sexual harassment, and that as a result he required a single cell. The sergeant reportedly told Mr. ██████████ that he would be housed by himself. However, Mr. ██████████ was then taken to a cell occupied by another individual who was a known gang member. Mr. ██████████ refused to enter this cell. Upon hearing his refusal, B-Yard Sergeants ██████████ and ██████████ reportedly told Mr. ██████████ that if he wanted to be housed by himself then he needed to kill his cellmate. Mr. ██████████ was then handcuffed and officers attempted to force him into the cell. Because he continued to refuse to enter the cell, the officers slammed Mr. ██████████ to the ground while handcuffed and then kned him in the back. He was then taken to segregation with a charge of battery on staff. That night, Mr. ██████████ reported the incident to Lieutenant ██████████ the commanding officer on shift. On December 9, 2018, Mr. ██████████ also reported this incident to LAC's warden. On December 13, 2018, Associate Warden M. Stratman wrote to inform Mr. ██████████ that his statements were being reviewed regarding the use of force incident. Mr. ██████████ recently reported that he has yet to receive a final response to his appeal.

We reviewed Mr. ██████████'s treatment files. From his clinician's notes, the incident appears to have had a significant effect on his mental health. Five days after the incident, Mr. ██████████ was seen by his psychiatrist, who noted that he reported a "long trauma history," that he was struggling with a recent death in his family, that he was "readily tearful during [the] exam," and that he recently had a "battery on an officer bc he had safety concerns about who he was supposed to be cell with." His psychiatrist emphasized that "[g]iven his tearfulness and marked dysphoria in affect he was thoroughly screened for suicidality." Despite this documentation of his presentation, the RVR MHA stemming from the incident, received six days later, inexplicably found that "I/P appears well adjusted and would not destabilize as the result of assessing penalties." This finding was directly belied by Mr. ██████████'s treatment team's decision only eight days later to raise his level of care to EOP. Over the ensuing weeks, the use of force incident and its aftermath continued to weigh heavily on Mr. ██████████. Forty days after the incident, Mr.

⁹ Plaintiffs' counsel in *Armstrong* raised concerns regarding LAC's problematic Single-Celling Status LOP in their December 2018 *Armstrong* Report. See Ex. B at 7.

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██████ told his clinician, “I ain’t good. I got no ██████ since Tuesday maybe one hour. I can still replay the incident in my head and that bothers. I have a fear of becoming desensitized.”

As these incidents document, the use of force on class members with serious mental illnesses can have serious decompensatory effects. The fact that LAC custody staff not only use force against prisoners with mental illnesses, but use it at far higher rates as compared to prisoners without mental illnesses is especially concerning.

2. Custodial Indifference to Urgent Medical and Mental Health Needs Including Reports of Suicidal Ideation and Suicide Attempts

In addition to suffering the physical abuses described above, class members also report that custody staff ignore their requests for assistance during medical and mental health emergencies, or otherwise demean them after suicide attempts.

████████████████████, reported that he attempted suicide sometime in early March 2019 by hanging in his cell (D5-██████) early in the morning. He was at the EOP level of care at this time. Officers discovered him, cut him down, and placed him onto his stomach with a shield over him. Because he was on his stomach, Mr. ██████ could not tell who the officers were, although he stated that they were the first watch D5 staff. While Mr. ██████ was on the ground, one of the officers reportedly threatened him “don’t say anything [to nursing staff]. We will talk to them.” When nursing staff arrived, they asked the custody staff whether Mr. ██████ was found hanging, to which the officers replied “No” and claimed that he had been found unresponsive on the floor of his cell. Mr. ██████ was then taken to the CTC. During a brief period of the transport during which he was unsupervised by officers, Mr. ██████ took the opportunity to tell nursing staff that he was suicidal. He was then returned to his cell and placed on suicide watch in D5. The next morning, Mr. ██████ informed the assessing clinician, Ms. Parker, that he was suicidal. She reportedly asked him, “Do you have a desire to die right now?” He replied “yes.” However, Ms. Parker decided to clear him anyway and Mr. ██████ was returned to his cell. Mr. ██████ informed us that he has been continually suicidal since this incident, but that he feels lethargic and lacks energy due to his depression. Mr. ██████ has been housed in C-section of D5 as punishment since then, which he said is where officers house problematic ASU Hub patients—those who act out or “go suicidal”—because that area lacks heating and is not cleaned by officers.

████████████████████, (an EOP patient housed in C5 at the time of this incident), reported witnessing an unidentified prisoner attempt suicide on September 12, 2018 by jumping off of the second tier in C5. The prisoner was housed in C5-██████ at the

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time; Mr. [REDACTED] was housed in C5-[REDACTED]. Mr. [REDACTED] reported that he was in his cell, and witnessed the prisoner walk up the stairs and jump off the tier. He reported that officers [REDACTED] and [REDACTED] then walked over to the suicidal prisoner. Officer [REDACTED] told the prisoner to lay down, but Officer [REDACTED] told him to get up, and then picked him up. Officer [REDACTED] was also reportedly saying things like “get your bitch ass up, you wanna die, well we’ll kill your fucken ass, get your [REDACTED] ass up.” Mr. [REDACTED] saw that Officer [REDACTED] was holding the prisoner by the throat and that he pushed him backwards into a holding cage. After he placed the prisoner into the cage, Officer [REDACTED] started [REDACTED] about the suicide attempt, saying things like “this motherfucker thought he could fly.” Twenty minutes later, nursing staff arrived and attended to the prisoner, and then returned him to the holding cage. Shortly afterwards, the unidentified prisoner asked Officer [REDACTED] for his dinner tray, to which Officer [REDACTED] reportedly replied “I thought you wanted to kill yourself, now you wanna eat, no, you can’t have shit.” Mr. [REDACTED] estimated that the prisoner stayed in the holding cage for another twenty minutes before being taken out to a crisis bed. Mr. [REDACTED] reported that this incident was investigated by an outside office, who interviewed him and the unidentified prisoner. He added that the prisoner was sent something to sign for this investigation. Mr. [REDACTED] reported that when the unidentified prisoner showed the document to the officers, they threatened him if he pursued it, so the prisoner decided not to pursue the complaint. Unlike the unidentified prisoner, Mr. [REDACTED] decided to report the incident. But since then, Mr. [REDACTED] has had his cell searched multiple times by officers in what appears to be retaliation. Another prisoner, who did not want his name to be used in this letter out of fear of retaliation, reported to us that he had also witnessed this incident, and told us that “[t]he 3rd watch C/Os ruffed him up Bad, as if he was resisting. But the inmate wasn’t combative, or anything. He wanted to die.”

[REDACTED], reported that on October 12, 2018, he told staff on first watch in his unit (C5) that he was suicidal, but they refused to help him or contact mental health staff. He was EOP at the time. Later that night, Mr. [REDACTED] told multiple officers on first watch, including Officer [REDACTED] that he was suicidal and showed them his arm, which was [REDACTED] profusely from a cut he made. He was refused help again. Mr. [REDACTED] was kept in his cell until second watch, when he was taken to see mental health staff. Following this experience, Mr. [REDACTED] filed a 602 appeal, which found that staff had not violated policy.

Other class members reported that custody staff actively discouraged them from going to a crisis bed because they did not want to deal with the paperwork involved. For instance, [REDACTED], reported that D4 second watch Officer [REDACTED] told him in late October 2018 that if he “went suicidal” and was admitted to a crisis bed, all of his property would be “lost” or that he would be “jumped” upon his return. Mr. [REDACTED] was

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at the EOP level of care at that time. Mr. [REDACTED] reported that this threat made him afraid to ask mental health staff for assistance or share any information with staff that might lead to his placement into a crisis bed. Another class member who did not give us permission to use his name out of fear of retaliation reported that it is “impossible” to get help if you are feeling suicidal during third watch in C5, and that if you do report suicidality, you run the risk of getting assaulted by staff or having your cell searched and property confiscated in retribution. [REDACTED], likewise reported that when he was at the EOP level of care and housed in C5, third watch Officers [REDACTED] and [REDACTED] actively discourage EOP patients from reporting suicidality, as they do not want to have to complete the paperwork associated with suicide watch.

C5 custody staff’s failure to assist class members in the throes of suicidal ideation likely contributed to the recent suicide death of EOP class member [REDACTED] in C5 on [REDACTED] 2018. Two class members, neither of whom gave permission for us to share their names due to fears of retaliation, reported that second watch officers in C5 ignored Mr. [REDACTED]’s requests for assistance that afternoon. One class member reported that Mr. [REDACTED] told Officer [REDACTED] on second watch that he was feeling suicidal, to which the officer responded “wait until third watch.” Another class member similarly reported that Officer [REDACTED] ignored Mr. [REDACTED]’s requests for assistance. Mr. [REDACTED] was found hanging in his cell later that day by third watch.

Still other class members reported an overarching custody-dominated culture that deters patients from opening up to their clinicians about their mental health symptoms. For example, Mr. [REDACTED] reported seeing nurses show their computers to custody officers. Whether true or not, this sends a message to class members that anything they tell nurses or their clinician may be inappropriately relayed to custody staff. Another patient who requested to remain anonymous for fear of retaliation told us that his mental health clinician in the ASU EOP Hub divulged confidential information he had shared in a 1-on-1 to custody staff. [REDACTED], reported similar concerns about seeing mental health staff sharing information with custody staff.

We are seriously troubled by these reports, which indicate that custody staff not only ignore class members’ requests for urgent attention but also actively discourage and belittle these requests. These actions by staff only serve to create a demeaning and traumatizing environment for *Coleman* class members, which appears to permeate through all of the EOP units at LAC.

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3. Racially Targeted Discrimination and Harassment of African-American Prisoners

We have also received multiple troubling complaints from African-American class members who state they were subjected to repeated demeaning abuse from custody staff—most often Hispanic officers—at LAC, particularly in the D5 ASU EOP Hub. In our June 5, 2018 letter, we raised two similar incidents. *See* Ex. A at 3-6. In one report, [REDACTED], stated that he was called a “stupid nigger” by D5 second watch Officer [REDACTED] who pepper-sprayed him during a suicide attempt. Mr. [REDACTED] was in the EOP program at the time. Another EOP patient, [REDACTED], stated that C5 Officer [REDACTED] called him a “nigger” on February 28, 2018 while he was housed in that unit. These reports were dismissed by Defendants in their response to our letter, who reported that both Mr. [REDACTED] and Mr. [REDACTED] had withdrawn the allegations that they made in 602 appeals regarding their reports.

That both Mr. [REDACTED] and Mr. [REDACTED] withdrew their reports is unsurprising, as we have received multiple reports from class members about the extensive retaliation class members experience when they file staff misconduct complaints.

For instance, [REDACTED], reported that on December 7, 2018 he handed Lieutenant [REDACTED] a group 602 about racial discrimination that prisoners in D5 have faced from officers. Mr. [REDACTED] was at the EOP level of care at this time. The group 602, which was signed by six other prisoners, is enclosed hereto as **Exhibit C**.¹⁰ In the 602, Mr. [REDACTED] claims that Sergeant [REDACTED] and Officers [REDACTED] and [REDACTED] (D5 second watch), along with Officers [REDACTED] and [REDACTED] (D5 third watch) subject African-American prisoners in D5 to racist slurs, calling them “niggers, monkeys, and coons, along with several other derogatory [sic] racist comments.” In his letters to our office, Mr. [REDACTED] has also reported that Sergeant [REDACTED] refers to African-American prisoners as “you people,” “your kind,” and makes comments like “I thought you were one of the good ones.”

Instead of turning in Mr. [REDACTED]’s group 602, Lieutenant [REDACTED] held it for two days. Mr. [REDACTED] reported to us that on December 9, 2018, Lieutenant [REDACTED] and Officer [REDACTED] brought him into the sergeant’s office and tried to intimidate him into dropping the appeal. Lieutenant [REDACTED] told him “if you want to turn this 602 in I will but just know this I’m going to label you a snitch and to sabotage this 602 I’m going to have my black officer start [REDACTED] with you.... I want you to know that for one it’s going

¹⁰ We have redacted the names of the other prisoners in this 602 as they have not given us permission to disclose their names in this letter.

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to get rejected because I got pull like that, for two I'm going to make sure all my staff put you on the shit list, and for three I'm going to be pissed." Officer [REDACTED] then brought Mr. [REDACTED] back to his cell and told him during the escort "prison is like Vegas what goes on in prison stays in prison nobody that doesn't work in prison needs to know what goes on in here especially D5 [LAC's EOP ASU Hub]." The appeal was ultimately turned in on December 13, 2018 (after the D5 Officers had all read it), and since then Mr. [REDACTED] has been subjected to repeated reprisals from officers:

- On December 16, 2018, Sergeant [REDACTED] came to Mr. [REDACTED]'s cell door while he was [REDACTED] kicked it loudly, called him a snitch, and told him that "when the time is right you will be getting fucked up for filing that 602 with my name on it."
- That same day, Officer [REDACTED] came to Mr. [REDACTED]'s door and told him he was on the "shit list" for writing the 602 and that he would "get what was coming to him," and that other officers had cell extracted Mr. [REDACTED] (discussed, *supra*) as retaliation for signing the group 602 about racial discrimination.
- On Monday, December 17, 2018, Sergeant [REDACTED] told Mr. [REDACTED], "I know it's your dead mother's birthday – fuck that bitch's grave."
- Sergeant [REDACTED] also told Mr. [REDACTED] that he would "work hard on Dr. Porter [the EOP D5 Supervisor] to get her to CCC you," i.e., drop his level of care from EOP to CCCMS.
- On December 18, 2018, Officer [REDACTED] made loud monkey noises and said the word "nigga" as Mr. [REDACTED] was escorted down the stairs for groups.
- On December 21, 2018, Officer [REDACTED] conducted a cell search of Mr. [REDACTED]'s cell, leaving his cell "trashed and disorganized" with two pictures of his mother ripped on the floor. Shortly after Mr. [REDACTED] arrived back at his cell, Officer [REDACTED] came to his cell-front and told him "you need to quit writing bullshit 602s on my co-workers and stop causing issues for us or else things are going to get worse for you." The cell search slip for this incident is enclosed hereto as **Exhibit D**.
- On December 26, 2018, Mr. [REDACTED] reported the cell search incident through a 602 form.

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- That same day, Officer [REDACTED] threatened to kill Mr. [REDACTED] when he “least expected it” for writing the 602 about racial discrimination.
- On December 30, 2018, Sergeant [REDACTED] told Mr. [REDACTED] that when he came out of his cell he was going to “kill him.”
- On December 31, 2018, Sergeant [REDACTED] told Mr. [REDACTED] that he would talk to Dr. Porter about [REDACTED] him off of EOP, because Mr. [REDACTED] “didn’t fit the criteria in [Sergeant [REDACTED] eyes.”
- On January 2, 2019, Officer [REDACTED] slammed a door blocker in front of Mr. [REDACTED]’s cell and stated to him “this is to make sure you don’t fish any food, since you’re on a hunger strike, I’m going to make sure you starve to death you fat nigger.”¹¹
- On January 2, 2019, Officer [REDACTED] kicked his door open at around 12:30 p.m. during group release and stated “wake your bitch ass up.”
- On January 3, 2019, Officer [REDACTED] walked by his door and kicked it, stating “wake up no [REDACTED] for snitches.”
- On January 7, 2019, he said that Lieutenant [REDACTED] came to his door [he was still on a hunger strike at the time] and said, “Come on [REDACTED] I know your big ass is hungry... do you really think we’re [REDACTED] this hunger strike serious?”
- That same day, Officer [REDACTED] walked by his cell during medication pass and stated “your door blocker looks like a dead body in front of it. If you come out to yard this morning it’s going to be yours.”
- Later that day, Officer [REDACTED] and other officers conducted a cell extraction on Cell [REDACTED] in D5 (the EOP ASU Hub) and beat up the class member in that cell, dragging him down the stairs and cuffing him to a wheelchair. Following the incident, Officer [REDACTED] looked at Mr. [REDACTED]’s cell and stated, “If you come out of your cell, you’re next.”

¹¹ Mr. [REDACTED] reported that he went on a hunger strike on December 24, 2018 to protest the abuse that guards subjected him to in the D5 Unit.

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- On January 16, 2019, Sergeant [REDACTED] called Mr. [REDACTED] a “fat black nigger.” That same day, his cell was searched again and Mr. [REDACTED] was extracted to another cell without his property – only his t-shirt and boxers. Mr. [REDACTED] reported that staff used pepper spray on him during the cell extraction, and did not allow him to fully rinse-off afterwards. Specifically, Mr. [REDACTED] was placed into a cell without a [REDACTED] sink or toilet after the extraction, prohibiting him from rinsing off the pepper spray, and left there. The cell was in the C-Section of D5, where Mr. [REDACTED] reported officers place patients that they do not like, as the section is not cleaned or heated.
- On January 17, 2019, Sergeant [REDACTED] walked by his cell, kicked his door, and stated “you bitch ass is stuck in that shitty ass cell till you leave fuck you you fat piece of trash.”
- On January 23, 2019, while Mr. [REDACTED] was on the way back from his shower, Sergeant [REDACTED] grabbed his butt and told him “since you play with shit, I want to play with your shit.” Mr. [REDACTED] filed a PREA complaint about this the next day.
- On January 24, 2019, Officer [REDACTED] walked by his cell, kicked it, and stated “you know you done fucked up by now by lying on my sergeant with that sexual harassment bullshit.”
- That same day, Officer [REDACTED] searched his cell during groups and took away his copy of the PREA complaint.
- On January 26, 2019, Sergeant [REDACTED] told Mr. [REDACTED] “when I grabbed your ass yesterday that made my dick hard keep it wet and moist for me baby.”

Mr. [REDACTED] reported that this abuse has caused him to become suicidal and repeatedly consider harming himself, and that he repeatedly refused his mental health contacts because he was afraid to leave his cell. Mr. [REDACTED]’s records document that he first reported being harassed by officers in the EOP ASU Hub building to his clinician on December 19, 2018. On December 21, 2018, he was urgently seen by his clinician after reporting distress arising from “negative interactions with custody and torn pictures of his deceased mother found in his cell following a cell search.” Mr. [REDACTED] told his clinician that “his cell was searched by Officer [REDACTED] and two pictures of his mother were ripped.” In the treatment note, Mr. [REDACTED]’s clinician documented that he “was visibly distraught by the idea that [Officer [REDACTED]] would tear up pictures of his mother whose birthday had just passed and whose death anniversary is approaching. I/P was tearful and

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trying to compose himself while relaying what happened.” Mr. [REDACTED]’s mental health records document that on December 26, 2018, he boarded up in the LAC D5 Mental Health building bathroom because he was “afraid for his life” due to custody officers in his unit, and had to be talked down so that controlled force would not be used. Mr. [REDACTED]’s records document that he continued to report distressing encounters with staff up until his transfer to CSP – Sacramento on February 20, 2019.

We have also received concerning reports from other class members in the D5 ASU EOP Hub about racially targeted abuse. For instance, [REDACTED], reported that Officers [REDACTED] and [REDACTED] repeatedly demeaned him with racial epithets while he was housed in the D5 ASU EOP Hub and refused his requests for urgent mental health care.

Another class member who requested to remain anonymous reported that Hispanic custody staff on B-Yard second watch, including Sergeant [REDACTED] and Lieutenant [REDACTED] specifically assault and harass African-American prisoners, causing many of them to stay in their cells to avoid being targeted. This results in class members missing out on mental health treatment, the bulk of which is scheduled to occur during second watch. [REDACTED], a CCCMS class member, similarly stated that Hispanic officers on C-Yard target African-American individuals. Mr. [REDACTED] reported that no African-Americans have porter jobs on second watch due to this discrimination. He also reported that the majority of patients are reluctant to file 602s out of fear of retaliation, including receiving false RVRs.

4. Retaliation for Participation in the Appeals Process or Letters to Supervisory Staff

Many of the cases detailed above describe instances of retaliation against class members after they spoke out against staff abuse. *See, e.g.*, reports of Mr. [REDACTED], Mr. [REDACTED], and Mr. [REDACTED], *supra*. Most troubling is the report from Mr. [REDACTED], who reported no less than twenty-two detailed instances of harassment in retaliation for a 602 complaint he filed. In other reports, such as that of Mr. [REDACTED], class members reported that they were assaulted by staff because they had engaged in the appeals process.

Class members also reported experiencing retaliation for writing letters to supervisory staff at LAC. In particular, we received reports from three different class members that they were retaliated against for signing a petition to the C-Yard Captain to have a C5 second watch Officer, [REDACTED] reassigned to another unit in September

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2018.¹² This petition, enclosed hereto as **Exhibit E**, was signed by approximately 63 prisoners in the C5 Unit and asked that Officer [REDACTED] be assigned to another unit due to his abusive behavior, which allegedly includes assaulting suicidal individuals and charging them with false write-ups. Ex. E at 1. We have redacted the names of all of the prisoners but the few who gave us permission to write about their involvement in the petition in this letter.

The principal signatory of the petition, EOP class member [REDACTED], reported that after filing the petition against Officer [REDACTED] on September 16, 2018, he was placed into segregation on October 20, 2018 after “false confidential information from [REDACTED] inmate workers” was provided to staff alleging that he was planning to have other prisoners murder Officer [REDACTED]. Mr. [REDACTED]’s records document that he informed his ASU EOP Hub clinician that he was “placed in EOP ASU HUB after ISU came to inform him that they were in receipt of an anonymous letter alleging conspiracy to commit murder on an officer” and that “the officer he was allegedly conspiring to murder was an officer he wrote a staff complaint about with regard to a false RVR and the officer setting up inmate fights.” In segregation, Mr. [REDACTED] decompensated, reporting suicidal ideation with a plan on November 28, 2018. After he was found guilty of the allegedly false RVR in early March 2019, his records document that he felt he “has nothing to live for” and that he “created a rope and hid it in his vent.” Following this decompensation, Mr. [REDACTED] was referred to and placed in a crisis bed. He is now in the CHCF PIP.

Another EOP class member who signed the petition, [REDACTED], reported that he was assaulted by another prisoner on November 4, 2018, who told him during the attack that “this is for Officer [REDACTED].” The other prisoner reportedly punched Mr. [REDACTED] in the back of the head and then repeatedly kicked him while he was on the ground until other prisoners pulled him off. During the attack, Mr. [REDACTED] lost consciousness and suffered from deep lacerations to his forehead and face along with a severe concussion. Mr. [REDACTED]’s records document that he suffered severe injuries following the assault, which necessitated his placement on a medical lay-in for the following week. Mr. [REDACTED] reported that Officer [REDACTED] provided his attacker with information about Mr. [REDACTED]’s underlying criminal conviction from his C-File in order to encourage the other prisoner to attack Mr. [REDACTED]. Mr. [REDACTED] also reported that multiple other prisoners who signed the petition were retaliated against or forced into segregation by Officer [REDACTED].

¹² As noted in Sections 1 and 2, *supra*, Officer [REDACTED] was named in numerous other class member complaints. *See also* fn. 8, *supra*.

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The attack on Mr. [REDACTED] appears to have had a severe impact on his mental health. His records reflect that on November 14, 2018, Mr. [REDACTED] told his clinician that he feels “anxious every time he goes to chow since he was attacked coming back from chow.” His clinician noted he “reports lack of [REDACTED] and crying spells as well as ‘bad dreams’.... [and] was educated regarding PTSD and his symptoms.” When seen by his clinician on D-Yard recently, it was clear that the assault and Officer [REDACTED] role in it continues to weigh heavily on Mr. [REDACTED]. During this contact on March 25, 2019, Mr. [REDACTED] “reported anxiety because the officer he feels is behind his assault came into D1 recently.” His clinician noted that he “continues to talk about the CO on C yard that [he] feels is behind [his] assault and is fixated on that topic. [He] is sometimes difficult to re-direct.”

Another EOP class member who signed the petition complaining about Officer [REDACTED] harassment, [REDACTED], reported that the day after he signed the petition, his cell was searched by officers. Over the next few weeks, Officer [REDACTED] repeatedly refused to let Mr. [REDACTED] out for yard and pod time, and made snide remarks to the effect that Mr. [REDACTED] had “gone against him.” Mr. [REDACTED] also reported that multiple other prisoners were retaliated against for signing the petition against Officer [REDACTED]

Other class members also reported retaliation for [REDACTED] out against Officer [REDACTED]. For instance, on July 8, 2018, EOP class member [REDACTED], sent a letter to the LAC Warden and C-Yard Captain raising his concerns about Officer [REDACTED] behavior. In his letter, Mr. [REDACTED] added that Officer [REDACTED] has repeatedly engaged in retaliatory behavior against EOP class members. This letter, which was also sent to our office, is enclosed hereto as **Exhibit F**. The letter reports, *inter alia*, that Officer [REDACTED] assaulted a an EOP class member “[REDACTED],” housed in cell C5-[REDACTED], on July 5, 2018 after Mr. [REDACTED] reported mental distress, auditory hallucinations, and safety concerns on the C5 Unit. Ex. F at 2. Following his July 8 letter to LAC supervisory staff, Mr. [REDACTED] was assaulted twice by other prisoners, on July 18 and 20, 2018. After suffering these assaults, Mr. [REDACTED] heard Officer [REDACTED] tell the other prisoners “[REDACTED] you” and “good job” in reference to their attacks on Mr. [REDACTED]

We were especially concerned to hear about this extensive retaliation given the sheer number of class members who signed the petition against Officer [REDACTED]. Did the Warden or C-Yard Captain investigate class members’ complaints against Officer [REDACTED] in response to this petition? If so, what was the nature of this investigation and what were the findings? We also have numerous questions about Officer [REDACTED] including:

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- How many staff misconduct appeals have been filed against Officer [REDACTED] in the last twelve months? How many of these led to findings of officer misconduct?
- How many documented use of force incidents has Officer [REDACTED] been involved in in the previous twelve months? How many of these incidents were immediate rather than controlled incidents?
- Has Officer [REDACTED] been subjected to any CDCR-989 inquiries in the last twelve months? If so, what were the findings?

5. Conclusion

We are immensely troubled by the numerous use of force and staff misconduct allegations by class members at LAC. Over the past year and a half, we have repeatedly raised such concerns, only to be rebuffed by a staff misconduct investigation system that, in the view of the Inspector General Wesley, serves only to exonerate staff. We request that Defendants develop and implement plans to address the pervasive staff misconduct at LAC, including instituting on-site supervision, oversight, and investigation by Headquarters' personnel and investigators from outside of LAC.

We await your responses to these important concerns.

Sincerely,

ROSEN BIEN
GALVAN & GRUNFELD LLP

/s/ Thomas Nolan

Thomas Nolan

By: Of Counsel

TN:CET:DVC

Encl.: Exhibits

cc:

[REDACTED]

Exhibit 79

OFFICE OF LEGAL AFFAIRS

Jennifer Neill
General Counsel
P.O. Box 942883
Sacramento, CA 94283-0001



February 13, 2020

Mr. Thomas Nolan, Esq. (Of Counsel)
Rosen Bien Galvan & Grunfeld LLP
101 Mission Street, Sixth Floor
San Francisco, CA 94105

**CDCR RESPONSE TO ADVOCACY LETTER ON BEHALF OF INMATE [REDACTED]
(CDCR NO. [REDACTED])**

Dear Mr. Nolan:

Please accept this correspondence from the California Department of Corrections & Rehabilitations (CDCR) as a status update to the allegation(s) presented on behalf of Inmate [REDACTED] (CDCR No.: [REDACTED]) concerning his incarceration at California State Prison – Los Angeles County (LAC).

CDCR acknowledges that our response to the allegation(s) on behalf of Inmate [REDACTED] (CDCR No.: [REDACTED]) has been pending for some time. Nevertheless, CDCR takes every allegation we receive seriously. Recently, CDCR has committed additional resources (including assigning staff from other CDCR institutions) to expedite the completion of the outstanding inquiries to allegations of inappropriate custody staff conduct at LAC. Specifically, CDCR is still in the process of completing the inquiry into the allegations raised on behalf of Inmate [REDACTED] (CDCR No.: [REDACTED]), and we will provide an updated status once it is completed.

Should you have any questions, or need further assistance, please do not hesitate to contact the undersigned.

Thank you,

/s/ Alan L. Sobel

ALAN L. SOBEL
Attorney IV Legal Liaison, High Security Mission
Office of Legal Affairs

cc: R. Johnson, Warden

OFFICE OF LEGAL AFFAIRS

Jennifer Neill
General Counsel
P.O. Box 942883
Sacramento, CA 94283-0001



February 13, 2020

Mr. Thomas Nolan, Esq. (Of Counsel)
Rosen Bien Galvan & Grunfeld LLP
101 Mission Street, Sixth Floor
San Francisco, CA 94105

CDCR RESPONSE TO ADVOCACY LETTER ON BEHALF OF ANONYMOUS INMATE AS TO ISSUES(S) IN C5

Dear Mr. Nolan:

Please accept this correspondence from the California Department of Corrections & Rehabilitations (CDCR) as a status update to the allegation(s) presented on behalf of Anonymous Inmate as to issue(s) in C5 concerning his incarceration at the California State Prison—Los Angeles County (LAC).

CDCR acknowledges that our response to the allegation(s) on behalf of Anonymous Inmate as to issue(s) in C5, has been pending for some time. Nevertheless, CDCR takes every allegation we receive seriously. Recently, CDCR has committed additional resources (including assigning staff from other CDCR institutions) to expedite the completion of the outstanding inquiries to allegations of inappropriate custody staff conduct at LAC. Specifically, CDCR is still in the process of completing the inquiry into the allegations raised on behalf of Anonymous Inmate as to issue(s) in C5, and we will provide an updated status once it is completed.

Should you have any questions, or need further assistance, please do not hesitate to contact the undersigned.

Thank you,

/s/ Alan L. Sobel

ALAN L. SOBEL
Attorney IV Legal Liaison, High Security Mission
Office of Legal Affairs

cc: R. Johnson, Warden

OFFICE OF LEGAL AFFAIRS

Jennifer Neill
General Counsel
P.O. Box 942883
Sacramento, CA 94283-0001



February 13, 2020

Mr. Thomas Nolan, Esq. (Of Counsel)
Rosen Bien Galvan & Grunfeld LLP
101 Mission Street, Sixth Floor
San Francisco, CA 94105

**CDCR RESPONSE TO ADVOCACY LETTER ON BEHALF OF INMATE [REDACTED]
(CDCR NO. [REDACTED])**

Dear Mr. Nolan:

Please accept this correspondence from the California Department of Corrections & Rehabilitations (CDCR) as a status update to the allegation(s) presented on behalf of Inmate [REDACTED] (CDCR No.: [REDACTED]) concerning his incarceration at the California State Prison—Los Angeles County (LAC).

CDCR acknowledges that our response to the allegation(s) on behalf of Inmate [REDACTED] (CDCR No.: [REDACTED]) has been pending for some time. Nevertheless, CDCR takes every allegation we receive seriously. Recently, CDCR has committed additional resources (including assigning staff from other CDCR institutions) to expedite the completion of the outstanding inquiries to allegations of inappropriate custody staff conduct at LAC. Specifically, CDCR is still in the process of completing the inquiry into the allegations raised on behalf of Inmate [REDACTED] (CDCR No.: [REDACTED]), and we will provide an updated status once it is completed.

Should you have any questions, or need further assistance, please do not hesitate to contact the undersigned.

Thank you,

/s/ Alan L. Sobel

ALAN L. SOBEL
Attorney IV Legal Liaison, High Security Mission
Office of Legal Affairs

cc: R. Johnson, Warden

OFFICE OF LEGAL AFFAIRS

Jennifer Neill
General Counsel
P.O. Box 942883
Sacramento, CA 94283-0001



February 13, 2020

Mr. Thomas Nolan, Esq. (Of Counsel)
Rosen Bien Galvan & Grunfeld LLP
101 Mission Street, Sixth Floor
San Francisco, CA 94105

**CDCR RESPONSE TO ADVOCACY LETTER ON BEHALF OF INMATE [REDACTED]
(CDCR NO. [REDACTED])**

Dear Mr. Nolan:

Please accept this correspondence from the California Department of Corrections & Rehabilitations (CDCR) as a status update to the allegation(s) presented on behalf of Inmate [REDACTED] (CDCR No.: [REDACTED]) concerning his incarceration at the California State Prison—Los Angeles County (LAC).

CDCR acknowledges that our response to the allegation(s) on behalf of Inmate [REDACTED] (CDCR No.: [REDACTED]) has been pending for some time. Nevertheless, CDCR takes every allegation we receive seriously. Recently, CDCR has committed additional resources (including assigning staff from other CDCR institutions) to expedite the completion of the outstanding inquiries to allegations of inappropriate custody staff conduct at LAC. Specifically, CDCR is still in the process of completing the inquiry into the allegations raised on behalf of Inmate [REDACTED] (CDCR No.: [REDACTED]), and we will provide an updated status once it is completed.

Should you have any questions, or need further assistance, please do not hesitate to contact the undersigned.

Thank you,

/s/ Alan L. Sobel

ALAN L. SOBEL
Attorney IV Legal Liaison, High Security Mission
Office of Legal Affairs

cc: R. Johnson, Warden

OFFICE OF LEGAL AFFAIRS

Jennifer Neill
General Counsel
P.O. Box 942883
Sacramento, CA 94283-0001



February 13, 2020

Mr. Thomas Nolan, Esq. (Of Counsel)
Rosen Bien Galvan & Grunfeld LLP
101 Mission Street, Sixth Floor
San Francisco, CA 94105

**CDCR RESPONSE TO ADVOCACY LETTER ON BEHALF OF INMATE [REDACTED]
(CDCR NO. [REDACTED])**

Dear Mr. Nolan:

Please accept this correspondence from the California Department of Corrections & Rehabilitations (CDCR) as a status update to the allegation(s) presented on behalf of Inmate [REDACTED] (CDCR No.: [REDACTED]) concerning his incarceration at the California State Prison—Los Angeles County (LAC).

CDCR acknowledges that our response to the allegation(s) on behalf of Inmate [REDACTED] (CDCR No.: [REDACTED]) has been pending for some time. Nevertheless, CDCR takes every allegation we receive seriously. Recently, CDCR has committed additional resources (including assigning staff from other CDCR institutions) to expedite the completion of the outstanding inquiries to allegations of inappropriate custody staff conduct at LAC. Specifically, CDCR is still in the process of completing the inquiry into the allegations raised on behalf of Inmate [REDACTED] (CDCR No.: [REDACTED]), and we will provide an updated status once it is completed.

Should you have any questions, or need further assistance, please do not hesitate to contact the undersigned.

Thank you,

/s/ Alan L. Sobel

ALAN L. SOBEL
Attorney IV Legal Liaison, High Security Mission
Office of Legal Affairs

cc: R. Johnson, Warden

Exhibit 80



PRISON LAW OFFICE

General Delivery, San Quentin, CA 94964
Telephone (510) 280-2621 • Fax (510) 280-2704
www.prisonlaw.com

Director:
Donald Specter

Managing Attorney:
Sara Norman

Staff Attorneys:
Rana Anabtawi
Patrick Booth
Steven Fama
Alison Hardy
Sophie Hart
Corene Kendrick
Rita Lomio
Margot Mendelson
Shira Tevah

BY EMAIL ONLY

January 24, 2020

Russa Boyd
Nick Weber
CDCR Office of Legal Affairs

Re: *Armstrong v. Newsom, Coleman v. Newsom: Allegations of Staff
Misconduct at California Institution for Women*

Dear Russa and Nick:

This letter memorializes allegations of serious staff misconduct that emerged from the Prison Law Office's tour of California Institution for Women (CIW) on October 7–9, 2019.¹ We have previously reported serious concerns about staff misconduct at CIW, including inappropriate use of force, retaliation, failure to protect vulnerable people, harassment and intimidation, and inappropriate responses to medical and mental health concerns. *See, e.g.,* Letter from S. Tevah, PLO, to M. Hill, CDCR, PREA Retaliation at CIW (Oct. 18, 2019); December 2017 *Armstrong* Report re Staff Misconduct at CIW; December 2016 CIW *Armstrong* Monitoring Report at 7. We are troubled that reports of staff misconduct persist. Because the majority of the allegations of staff misconduct set forth herein come from people who are both *Coleman* and *Armstrong* class members, we issue this letter jointly under both cases.

The vast majority of the allegations of staff misconduct we received occurred in CIW's Long-Term Restricted Housing (LTRH) Unit and Support Care Unit (SCU). This report is based on interviews with nine people who were incarcerated in the SCU or LTRH/SHU, prison staff, and documents reviewed during the *Armstrong* monitoring period (August 24, 2018 to August 26, 2019). The report only includes allegations for which the person was willing to let us share her or his name with CDCR, or for which the person wanted to remain anonymous but gave us permission to share the facts of the allegation. In many cases, people incarcerated at CIW were so concerned about retaliation that they were unwilling to let us share details of misconduct. All of the allegations included in this report should be investigated.

¹ On January 23, 2020, Plaintiffs' counsel issued a general *Armstrong* monitoring report based on our October 2019 tour of CIW.

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A. Support Care Unit and Psychiatric Services Unit

CIW's Support Care Unit (SCU) is intended to house people with serious mental health concerns. The SCU includes CDCR's only Psychiatric Services Unit (PSU) for women. According to the June 20, 2019 CDCR bed audit, 59 people lived in the SCU non-disciplinary building and five people lived in the PSU. The people we interviewed who lived in the SCU and PSU described inappropriate and abusive conduct by custody staff.

Inappropriate Use of Force

1. [REDACTED] EOP, MHCB,² reports that in August 2019 while she was living in the PSU, she told staff that she would kill herself unless she was able to speak with a lieutenant. She reports that Sergeant [REDACTED] told her to go ahead and kill herself. She then covered the window on the door to the cell and asked to speak with a mental health clinician, who arrived and said that she would talk with Ms. [REDACTED] later. Ms. [REDACTED] reports that a short time later, Sergeant [REDACTED] was still at her door and said, "fuck it, code one, unresponsive inmate." She reports that he and approximately four to five other officers then entered Ms. [REDACTED] cell and pushed her down onto the bed. She told the officers that she had difficulty breathing. She reports that following the incident, she had bruises and scratches between her legs and buttocks. She reports that she was restrained in handcuffs and leg irons and placed in a small holding cage for four to five hours, during which time she was not offered water or access to the bathroom. She reports that staff did not film the cell extraction.

Ms. [REDACTED] medical records indicate that this event may have occurred on August 9, 2019. According to the electronic medical record, on August 9, 2019, a psychologist noted at 13:44 that Ms. [REDACTED] "has had ongoing complaints with custody and most recently, [REDACTED] was upset about her canteen privileges being temporarily suspended. Custody has noted they would look into the situation. Today, [REDACTED] became agitated when her canteen was returned." The same psychologist noted at 13:00 that:

Custody staff reported that IP threatened, "call the Lt or I'm gonna hang myself" and staff noted that IP gestured the hanging motion. Upon arrival, IP cell windows were boarded up and IP refused to respond to mental health and did not reply to multiple prompts and questions to assess IP well-being and safety. IP cell windows remained boarded up thus custody determined emergency cell entry was necessary.

² It appears that Ms. [REDACTED] was transferred to CCWF on November 8, 2019.

The same note continued:

█████ stated, "I feel they tried to rape me when they entered my cell. They held me down on my bed with the shield and tried to put their hands under my dress." █████ again stated, "I don't want to hurt myself, I don't want to die, I want this recorded!" █████ was adamant that she did not require placement in MHCB and did not want to harm self. Staff was informed. █████ was informed that staff would follow up with investigation. █████ assessed again for self harm and higher level of care and █████ was adamant she did not require MHCB placement.

Another note, from a psych tech at 14:55, notes that:

at approximately 1315 that alarm had been sounded on housing unit due to IP boarding up her cell windows and becoming unresponsive to verbal commands and requests from Custody. IP was escorted via wheelchair to PSU MH building to interview with MHPC and have physical report of injury documented if any. IP was yelling, pushing upper body backward, forward, left and right, in apparent struggle while in wheelchair. IP was then escorted to Treatment Module in conference room. Writer approached TM to interview IP and check for any injury. █████ yelled that the restraints were too tight on her legs, and the Officers are lying about what happened on the unit. IP yelled that she wasn't supposed to have cuffs on in a Treatment Module.

This note and another from the same psych tech at 15:18 indicate that staff made multiple offers to remove Ms. █████ leg restraints but that she refused because "I want to leave them on so that they can video me when they see how tight these cuffs are."

2. █████ EOP, SCU, reports that she entered SCU after attempting suicide in June 2019. After entering SCU, she reported that CO █████ "flirted" with her. She reports that when she declined his advances, his "attitude" toward her changed, becoming more angry. She reports that in September 2019 around 7:45 p.m., she "called him out in front of staff." CO █████ became angry, grabbed Ms. █████ arm, twisted it behind her back, and lifted her off the ground and pushed her against the wall. Ms. █████ reported that she screamed at the pain caused by CO █████ Sergeant █████ then arrived and instructed CO █████ to put Ms. █████ down and escort her to Group Room 4. She reports that CO █████ was present in addition to Armstrong class member █████
3. █████ LD, SCU, reports that in September 2019 on third watch she saw Ms. █████ and CO █████ yell at each other. She then saw CO █████ grab Ms. █████ twist her arm behind her back, lift her off the ground, and slam her against a window in the SCU. She reported that Ms.

██████████ is about five feet tall while CO ██████████ is over six feet, five inches tall. Ms. ██████████ said that when she yelled at CO ██████████ to stop, he put Ms. ██████████ down on the floor. Ms. ██████████ reported that CO ██████████ was also working and present that day. Ms. ██████████ reported that she was afraid that staff would hurt Ms. ██████████ when CO ██████████ and CO ██████████ took her to a room because she has seen CO ██████████ hurt others. Ms. ██████████ reported that she spoke with a Sergeant about the incident who responded, “Well, she shouldn’t act like that.” Ms. ██████████ reported that when staff escorted Ms. ██████████ back to her room, Ms. ██████████ asked to speak with mental health staff. Ms. ██████████ reported that because custody staff was not responding, she spoke with mental health staff about Ms. ██████████ Ms. ██████████ reported that this was the second time CO ██████████ had grabbed Ms. ██████████ and bruised her arms. According to the electronic medical record, on September 26, 2019, Ms. ██████████ reported to mental health staff that she “saw an officer use force when he should[n’t] have, and when he saw me or I yelled out ‘hey stop’, he stopped.”

4. [REDACTED] LD, SCU, reports that in the summer of 2019 she heard another person incarcerated in the SCU whose nickname was "[REDACTED]" ask CO [REDACTED] if she could speak with a sergeant. Ms. [REDACTED] then saw CO [REDACTED] slam [REDACTED] onto the ground in front of the officer's office. Ms. [REDACTED] reports that then everybody was ordered to return to their rooms. [REDACTED] has since paroled. We have limited information about this incident because we are relying on an eyewitness account from someone who was not directly involved, but we are concerned that the use of force here may have been inappropriate given other reports about CO [REDACTED] detailed above.

Verbal Abuse

5. [REDACTED] SCU, reports that CO [REDACTED] has told her that the DDP is for people who are “mentally retarded” and that Ms. [REDACTED] did not fit that description so she was “just manipulating the system.” Ms. [REDACTED] reports that there were several times she needed assistance reading Title 15, but CO [REDACTED] said she would not help her and instead referred Ms. [REDACTED] to another officer. She reported that the last time this happened was around June or July 2019. On July 26, 2019, Ms. [REDACTED] filed an 1824 (CIW-A-[REDACTED]) reporting that custody, health care, and mental health care staff have told her that she does not have a learning disability because she has a high TABE score and because she has filed 602s. The response, issued on August 8, 2019, states that her concern was responded to in CIW-A-[REDACTED] and fails to address Ms. [REDACTED] allegations.
6. A class member who asked to remain anonymous out of fear of retaliation reports that in September 2019, CO [REDACTED] told them that it was okay for a man to hit a woman. He told them that he did not like working at the women’s prison because women “bitch and cry a lot.”

7. A person we interviewed who asked to remain anonymous out of fear of retaliation reports that CO [REDACTED] who works on third watch in the SCU yells at people who are incarcerated there. They report that the last time they heard CO [REDACTED] yell at somebody was in September 2019 when he called somebody "crazy."
8. A class member we interviewed in the SCU who asked to remain anonymous out of fear of retaliation reports that CO [REDACTED] and CO [REDACTED] who work on third watch call people who are incarcerated in the unit "dummies," "stupid," and "bitch." The class member reported that the verbal abused used to be a daily occurrence, but lessened in October because more people are reporting the staff misconduct.

Retaliation

9. [REDACTED] LD, EOP, DD1, SCU, reports that she does not recall when, but [REDACTED] who is no longer incarcerated in the SCU filed a group 602 reporting CO [REDACTED] misconduct. As a result, CO [REDACTED] had to attend training. When CO [REDACTED] returned from the training, she and other staff searched everybody's cell, throwing blankets and property on the floor. Ms. [REDACTED] heard Ms. [REDACTED] yell that she was going to "get everyone on that paper." Ms. [REDACTED] reported that she was thankful that she had not signed the 602.

B. Long Term Restricted Housing

The LTRH is a separate building that houses people who receive CCCMS level of care in isolation for disciplinary and security reasons. It is the only LTRH for women in California. According to the June 20, 2019, CDCR bed audit, 68 people lived in the LTRH/SHU building. The people we interviewed who lived in the LTRH described inappropriate and abusive conduct by custody staff who worked there. The below allegations involve staff misconduct perpetrated against one person, [REDACTED]. The nature of the allegations suggest that these issues are not limited to Mr. [REDACTED].

Inappropriate Use of Force

1. [REDACTED] DLT, CCCMS, LTRH, reports that on June 24, 2019, he was in a van going to an onsite medical appointment from the SHU. CO [REDACTED] and CO [REDACTED] were driving and crashed the van into the gate by the CTC. There were no seatbelts in the van and Mr. [REDACTED] hit his head when the van crashed. After the crash, the COs left the van, leaving Mr. [REDACTED] locked in the hot vehicle with the windows rolled up for five minutes. Mr. [REDACTED] reports that he called the custody officers "idiots" for not letting him out. When staff allowed Mr. [REDACTED] out of the van, he told CO [REDACTED] that he would report

the incident, to which CO [REDACTED] responded that she did not “give a fuck.” CO [REDACTED] jerked Mr. [REDACTED] around by the arm and the two fell on the ground. Other custody officers then held Mr. [REDACTED] down on the ground while CO [REDACTED] got on top of Mr. [REDACTED] punched him and slammed his head on the concrete. Mr. [REDACTED] reported that Lieutenant [REDACTED], Sergeant [REDACTED], and other COs were present. CO [REDACTED] yelled that other officers got CO [REDACTED] off of Mr. [REDACTED] CO [REDACTED], CO [REDACTED], and CO [REDACTED] helped Mr. [REDACTED] stand and escorted him to the CTC.

Mr. [REDACTED] reports that he saw a nurse only briefly because she was called to attend to staff who reported they were injured. Staff gave Mr. [REDACTED] ice and he was escorted back to SHU. He reports that RN Ordaz later saw Mr. [REDACTED] in SHU and asked what happened. RN Ordaz asked second watch staff if he could see Mr. [REDACTED] but they refused, and Mr. [REDACTED] did not see medical staff until third watch when he was sent out to the hospital. Mr. [REDACTED] reports that he filed a 602 about the incident and about receiving an RVR for battery as a result, for which he was found guilty.

According to the electronic medical record, on June 24, 2019, RN Stephens noted,

I/P escorted to TTA for assessment of injury or unusual occurrence; I/P noted with abrasion/ mild swelling to L forehead above eye and L cheek. Small abrasion/bleeding to R elbow and scratches to L forearm. I/P states "Unnecessary use of force because they want to leave me in a van by myself for over 5 mins." I/P denies pain at this time. I/P stable; released to custody.

The 7219 completed after the incident notes that Mr. [REDACTED] reported feeling dizzy and seeing spots. On June 27, 2019, a provider noted that Mr. [REDACTED] eyeglasses were broken as a result of the incident.

2. Mr. [REDACTED] also reports that on August 29, 2019, he was in the dayroom of the SHU. Mr. [REDACTED] was in leg restraints and chained to the table. He reports that CO [REDACTED] and Sergeant [REDACTED] approached him while CO [REDACTED] and CO [REDACTED] approached him from behind. CO [REDACTED] said to Mr. [REDACTED] that he was “going to give him a good one.” CO [REDACTED] unlocked the leg restraints and when he stood up, punched Mr. [REDACTED] in the face with his fist. Mr. [REDACTED] reports that the other officers began to hit him. Mr. [REDACTED] reports that he then began to have an asthma attack, which he told the officers. The officers stopped hitting him and cuffed him behind his back despite his cuffing restriction to accommodate his disability. Mr. [REDACTED] reports that since that time, he has had memory and concentration problems, blurry vision, and pain in his hands. He submitted a 602 about the incident (CIW-S-[REDACTED]). The October 2, 2019, response states that the matter was referred to the Office of

Internal Affairs. Mr. [REDACTED] believes that the assault was in retaliation for having reported staff misconduct in the past.

[REDACTED], CCCMS, LTRH, reports that she lives in [REDACTED] and had a direct view from her cell when custody officers assaulted Mr. [REDACTED]. She reports that custody staff present included CO [REDACTED], CO [REDACTED], and [REDACTED]. She reported that custody staff unnecessarily punched and kicked Mr. [REDACTED].

According to Mr. [REDACTED] electronic medical record, on August 29, 2019, a psych tech noted:

IM WAS INVOLVED USE OF FORCE. INJURIES NOTED, DOCUMENTED ON A 7219 AND CERNER NOTE COMPLETED. CONVEYED ALL INFORMATION TO THE TTA RN COLE. RN COLE ADVISED STAFF TO SEND IM [REDACTED] TO TTA FOR FURTHER EVALUATION.

The associated emergency response notes are minimal and fail to document injuries. The following day, on August 30, 2019, a psychologist noted:

Covering clinician conducted a cell-front routine consult in a non-confidential setting due to Use of Force on IP 8/29/19. Covering clinician observed IP with multiple bruises and a black eye. IP's account vastly differed from the NOU Use of Force. IP requested pictures, video, and interview to document injuries and IP's account. IP stated "they have 72 hours" IP is requesting sooner to document injuries on video. IP discussed the physical pains experiencing in neck, legs, wrists, and face due to injuries. Although IP reported physical injuries, IP did not appear to be in significant distress; therefore, an evaluation for a higher level of care was not warranted. IP presented as stable and did not endorse SI/SIB/HI. Covering clinician consulted with site supervisor regarding situation. Per consultation with site supervisor, covering clinician emailed site supervisor IP's account for site supervisor to escalate to LT.

Harassment, Retaliation, and Verbal Abuse

1. [REDACTED], DLT, CCCMS, LTRH, who is transgender, reports that in approximately August 2019, Sergeant [REDACTED] misgendered him. He said "I don't give a damn, you're still a woman, [REDACTED]."
2. [REDACTED], DLT, CCCMS, LTRH, reports that the weeks of September 16, September 30, and October 8, 2019, staff searched his room and left his belongings all over the floor. She reports that staff "destroyed" his hygiene supplies. He reported that he had not received a cell-search receipt

every time it has happened. He believes this is in retaliation for reporting staff misconduct.

3. [REDACTED] *DLT, CCCMS, LTRH*, reports that Sergeant [REDACTED] uses abusive and unprofessional language. In early October 2019, the sergeant told Mr. [REDACTED] that he “didn’t give a fuck” if Mr. [REDACTED] reported his misconduct because Sergeant [REDACTED] said he “doesn’t give a fuck what his superiors say.” CO [REDACTED] also said she “didn’t give a fuck” and told Mr. [REDACTED] to “do what he needed to do.” Mr. [REDACTED] had told the officers that he would write them up for retaliation and harassment.

Inappropriate responses to medical emergencies

4. [REDACTED] *DLT, CCCMS, LTRH*, reports that on July 17, 2019, during second watch his blood pressure was high. He reports that Sergeant [REDACTED] would not allow him to see medical staff. He reports that he was finally able to see medical staff on third watch when he was sent out to the hospital. “They ignore medical emergencies on second watch; it’s not until third watch that I get attention.” Medical records confirm that Mr. [REDACTED] saw medical staff at 2:20 p.m. when he reported nausea and dizziness. He was subsequently sent to the hospital.

C. Other allegations

We also received allegations of staff misconduct that occurred in other parts of the prison. One *Coleman* class member allowed us to share her experience:

1. [REDACTED] *EOP*, was incarcerated in the mental health crisis bed when we met with her. She previously lived in the PSU. She reported that on February 25, 2019, she used a wheelchair after she fell when she had a seizure. She reported that she was outside the pill-call area when custody staff ordered the ADA worker who was assisting her to stop pushing her wheelchair. Staff then ordered Ms. [REDACTED] to leave the area, but she was unable to do so because she could not move her wheelchair. CO [REDACTED] told her to stand up so that she could handcuff her for a reason unknown to Ms. [REDACTED]. Ms. [REDACTED] reported that CO [REDACTED] then pepper sprayed her, pulled her to the ground, and slammed her head against the concrete.

We reviewed the electronic medical record, and on February 25, 2019, a nurse noted:

Pt. escorted by 2 officers for Use of Force & Preadseg. Pt. stated “She pulled me out of the wheelchair & slammed me onto the concrete, my right side of my head hurts. My wrists hurt, my lower back hurts. Small flat red area to right lateral forehead/hairline area noted, no protrusion and no swelling noted.

D. Conclusion

Plaintiffs' counsel requests that Headquarters staff take action to address and remedy ongoing patterns of staff misconduct at CIW, including an investigation into the institution's staff misconduct accountability systems.

During the exit meeting at CIW in October, managerial staff at the prison told us that they had requested cameras be installed throughout the prison. It is unclear if or when the cameras will be installed.³ Based on our experience at other prisons, including HDSP and CCWF, we believe that cameras throughout the prison can be a powerful tool to bolster staff accountability. We strongly encourage CDCR to approve and install the cameras throughout CIW.

Until there is appropriate and transparent investigation into and accountability for staff misconduct that includes termination or administrative time off, as well as a shift in staff attitudes, CIW will remain out of compliance with the ADA, the *Armstrong* court's orders, and other state and federal laws.

We welcome discussion to find solutions to address these concerns.

Sincerely,

/s/ *Margot Mendelson*
Margot Mendelson
Staff Attorney

/s/ *Amber Norris*
Amber Norris
Investigator

cc: Ed Swanson, *Armstrong* Court Expert; Matt Lopes, *Coleman* Special Master Team (ColemanSpecialMasterTeam@rbgg.com); Co-counsel; Nicholas Meyer; Patricia Ferguson; Tamiya Davis; Erin Anderson; Alexander Powell; Melissa Bentz; Kristen Moose; Dillon Hockerson; Jerome Hessick; OLAArmstrongCAT@cdcr.ca.gov; OLAColemanCAT@cdcr.ca.gov (OLA); Matt Espenshade; Lois Welch; Steven Faris (OACC); Adam Fouch; Teauna Miranda; Landon Bravo; Laurie Hoogland (DAI); Annakarina De La Torre-Fennell; Damon McClain; Joanne Hood; Sean Lodholz;

³ We note that a Budget Change Proposal was recent created for fiscal year 2020–21 “to enhance drug interdiction efforts by completing additional deployments of the Correctional Video Surveillance project at three institutions,” including CIW. See Budget Change Proposal, 5225-022-BCP-2020-GB, available at https://esd.dof.ca.gov/Documents/bcp/2021/FY2021_ORG5225_BCP3573.pdf. Among other benefits, cameras “provide[] evidence and transparency in allegations of staff misconduct, use of force, and sexual misconduct; and the introduction and possession of drugs and contraband. High quality visual recordings of incidents will serve as irrefutable evidence in investigations, and in administrative, civil, or criminal proceedings. The existence of evidence improves the institution’s ability to conduct and conclude investigations compared to investigations reliant solely on eyewitness testimony.”

Elise Thorn; Adriano Hrvatin; Tyler Heath; Robert Henkels; Sharon Garske; Jeffrey Fisher; Kyle Lewis (OAG); Bruce Beland and Robert Gaultney (CCHCS Legal); John Dovey; Vince Cullen; Donald Meier; Robin Hart; Ceasar Aguila; CCHCS Accountability; Cindy Flores; Joseph (Jason) Williams; Cathy Jefferson; Desiree Collum; Lynda Robinson; Barb Pires; Ngoc Vo; Samantha Chastain; Dawn Stevens; Olga Dobrynina; Alexandra Tonis; Gently Arredo (CCHCS); Christine Ciccotti; Sean Rashkis; Antonina Raddatz; Kristopher Kent (DSH); Roman Silberfeld and Glenn Danas (outside counsel)

Exhibit 81



PRISON LAW OFFICE

General Delivery, San Quentin, CA 94964
Telephone (510) 280-2621 • Fax (510) 280-2704
www.prisonlaw.com

Director:
Donald Specter

Managing Attorney:
Sara Norman

Staff Attorneys:
Rana Anabtawi
Patrick Booth
Steven Fama
Alison Hardy
Sophie Hart
Corene Kendrick
Rita Lomio
Margot Mendelson
Thomas Nosewicz
Shira Tevah

VIA EMAIL ONLY

February 12, 2020

Ms. Russa Boyd
CDCR Office of Legal Affairs

RE: *Armstrong Advocacy Letter*
[REDACTED] [REDACTED] [REDACTED] COR

Dear Ms. Boyd:

We write on behalf of *Armstrong* class member [REDACTED] DNM, who is housed at California State Prison, Corcoran. Mr. [REDACTED] is also a Coleman class member, receiving care at the CCCMS level of care. Mr. [REDACTED] reports that he was assaulted by a correctional officer on Corcoran's 3A Facility. Mr. [REDACTED] says that around 6:00 PM on September 24, 2019, he was exiting from the 3A Westside Dining Hall carrying his food and a cup of tea. Mr. [REDACTED] reports that, on his way out of the dining hall, he had a brief conversation with Lt. [REDACTED], who had instructed Mr. [REDACTED] to dispose of his tea before continuing back to his housing unit.

Immediately after his interaction with Lt. [REDACTED] Mr. [REDACTED] was stopped by Correctional Officer T. [REDACTED] who ordered Mr. [REDACTED] to submit to a clothed body search. Mr. [REDACTED] complied with the order. He reports that Officer [REDACTED] standing directly behind Mr. [REDACTED] leaned in about half an inch from Mr. [REDACTED] ear and ordered through clenched teeth, "Raise your fucking arms." Mr. [REDACTED] says that, when he complied, Officer [REDACTED] aggressively removed the Kosher meal from him. When Mr. [REDACTED] told Officer [REDACTED] that he is Kosher and is allowed to eat his meal in his housing unit, Officer [REDACTED] responded, "So fucking what."

At this point, Mr. [REDACTED] was standing right outside the chow hall in the body search position, with Officer [REDACTED] behind him. Many incarcerated people were exiting the dining hall and walking back to their housing unit. Mr. [REDACTED] reports that Officer [REDACTED] very roughly kicked the inside of Mr. [REDACTED] legs, apparently to make him to spread his legs further. Mr. [REDACTED] however, has difficulty spreading his legs because of his documented mobility disability. He reports that he previously fractured his left hip, and his right groin area also causes him significant pain. He said that he is not even able to spread his legs shoulder-width apart. Mr. [REDACTED] medical records confirm his mobility impairment; he has a DNM code and requires a cane to ambulate. *See* 1845/7410, August 27, 2018 (assigning Mr. [REDACTED] the DNM code); Outpatient Progress Note, December 6, 2018 ("He has a cane because he fell off a 3rd floor balcony in 2006 and messed up his vertebrae and ended up with sciatica in his left leg which goes down to his baby toe on the left").

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Re: [REDACTED]
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He reports that he tried spreading his legs as far as he could to comply with Officer [REDACTED] order. Officer [REDACTED] was apparently unsatisfied with how far Mr. [REDACTED] had spread his legs and kicked the inside of Mr. [REDACTED] legs again, causing him “excruciating pain.” Mr. [REDACTED] turned his head, but did not move the rest of his body, and told Officer [REDACTED] that he has mobility issues that prevent him from spreading his legs further and that the repeated kicking was very painful. Mr. [REDACTED] reports that Officer [REDACTED] responded, “I don’t give a shit!” and immediately slammed Mr. [REDACTED] to the ground. He said that Officer [REDACTED] then punched him in the left eye and kicked him in the rib area on his left side. Officer [REDACTED] placed a handcuff on Mr. [REDACTED] left arm and put his entire body weight onto the back of Mr. [REDACTED] head, pressing his face into the concrete floor. When Officer [REDACTED] cuffed Mr. [REDACTED] right arm, Mr. [REDACTED] continued to lay on the ground as Officer [REDACTED] stood up. Mr. [REDACTED] reports that Officer [REDACTED] then placed his left foot on top of Mr. [REDACTED] head and proceeded to high-five three correctional officers who were in the vicinity, Lt. [REDACTED], Officer [REDACTED] and Officer [REDACTED].

Mr. [REDACTED] medical records confirm that he suffered a nondisplaced nasal fracture and a deviated septum in his nose as a result of this incident. *See* XR Nasal Bones – 3 VWS, November 4, 2019; Outpatient Progress Note, November 26, 2019 (“The patient on physical examination is noted to have a deviated septum”). He also reports that his chronic hip pain was aggravated by Officer’s [REDACTED] repeated kicking. *See* CDCR Form 7362, November 11, 2019 (“My leg on the right inner has worsened, it’s serious. I’ve repeatedly made requests about the issue for months now and can barely get my leg to function correctly.”). On November 13, 2019, Mr. [REDACTED] was issued a four-wheeled walker because of the significant pain he was experiencing in his legs. *See* 7536 DME Supply Receipt, November 13, 2019.

After the assault, Officer [REDACTED] issued Mr. [REDACTED] an RVR for “Assault on a Peace Officer by Means Not Likely to Cause Great Bodily Harm.” Exhibit A, Incident Log Number COR-03A-[REDACTED]. Officer [REDACTED] reported in the RVR paperwork that he ordered Mr. [REDACTED] to submit to a clothed body search, to which Mr. [REDACTED] complied. *Id.* at 1. Officer [REDACTED] then wrote that he ordered Mr. [REDACTED] to raise his arms, and Mr. [REDACTED] became agitated but complied. *Id.* Officer [REDACTED] alleged that when he began his “cursory body search,” Mr. [REDACTED] “abruptly... turned to his right and attempted to strike me with his right elbow in my facial area,” which led Officer [REDACTED] to “immediately use physical force to take inmate [REDACTED] to the ground.” *Id.* Mr. [REDACTED] denies that he turned his body at all or that he tried to strike Officer [REDACTED] with his elbow. Instead, Mr. [REDACTED] reports that he only was turning his head to tell Officer [REDACTED] to stop kicking his legs. Lt. [REDACTED], one of the officers that allegedly high-fived Officer [REDACTED] while his foot was on Mr. [REDACTED] head, served as both a witness to the incident and the Reviewing Supervisor for the RVR. *Id.* at 2. On November 27, 2019, Mr. [REDACTED] was found guilty by Hearing Officer Lt. [REDACTED] and was placed on C-status for 60 days. Exhibit B.

On October 29, 2019, Mr. [REDACTED] filed a CDCR Form 602 (“602”) to report the staff assault, and the institution’s response was due on December 2, 2019. Log No. CSPC-[REDACTED]. However, Mr. [REDACTED] has received several notices delaying the review of his 602, most recently on January 21, 2020. Exhibit C. He has been unable to exhaust his administrative remedies because the institution has thus far failed to respond to his initial complaint.

Mr. [REDACTED] report of excessive force is alarming. It is important to note that Mr. [REDACTED] is a 50 year-old man who is 5 foot 5 inches tall with a history of well-documented mobility issues. The level of force

Ms. Russa Boyd

Re: [REDACTED]

February 12, 2020

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used in this incident – *i.e.* repeated kicking of Mr. [REDACTED] inner legs and pinning him to ground in a manner that broke his nose – is unacceptable. Perhaps most troubling is that Mr. [REDACTED] report is consistent with other reports our office has received from *Armstrong* class members housed at Corcoran. During the four-month period of September 1 to December 31, 2019, we have received **fifteen additional reports of staff assaults on incarcerated people** from individuals at Corcoran, five of which are specifically about Officer [REDACTED]

Mr. [REDACTED] reports that Officer [REDACTED] assault was not an act of retaliation for anything in particular; rather, it happened because Officer [REDACTED] “intentionally targets people with mobility or mental health issues.” Similarly, another class member said that, while staff’s use of excessive force is not uncommon at Corcoran, “Officer [REDACTED] is the worst offender” and that he “seems to take pleasure in beating people up.” A *Coleman* class member, who also reports that Officer [REDACTED] assaulted him, said that [REDACTED] is “extremely dangerous” because he is the “head honcho” of “the hit squad.” The consistent allegations of excessive and unnecessary force against *Armstrong* class member by Corcoran custody staff, especially against Officer [REDACTED] are troubling.

Unsurprisingly, other class members that alleged staff misconduct to our office refused to allow us to use their names when reporting to CDCR, each of them fearing retaliation from custody staff. One class member reported that when he filed a 602 to report his own assault, custody staff brought him into a secluded area and told him that if he did not withdraw the 602, he would suffer more beatings. He reported that he immediately withdrew his 602. Similarly, multiple *Armstrong* class members reported that, not only are they unwilling to file 602s to report staff misconduct, they also fear filing CDCR Form 1824s to request accommodations. Mr. [REDACTED] reports that he is afraid to ask staff for accommodations now because he believes his request might lead to another assault and/or RVR. He said that Officer [REDACTED] still works on the same yard, and Mr. [REDACTED] tries to avoid any contact with Officer [REDACTED] or any officers that associate with him, even if that means foregoing accommodations that he needs. The culture of staff misconduct, and the fear of retaliation, at Corcoran undermine the goals of the Armstrong Remedial Plan (“ARP”). See ARP § I (“It is the policy of the California Department of Corrections (CDC) to provide access to its programs and services to inmates and parolees with disabilities, with or without reasonable accommodation, consistent with legitimate penological interests.”); ARP § IV (I)(23)(a) (“The CDC Form 1824 shall be readily available to inmates/parolees. Departmental staff shall provide assistance to all disabled inmates/parolees who require assistance in using the appeal process.”). It is impossible to have a system that reasonably accommodates individuals with disabilities if people are too afraid to report their needs to staff.

In light of these concerns, we request that Defendants reevaluate Mr. [REDACTED] RVR and consider dismissing it in the interests of justice. Additionally, we ask that the institution provide a response to the 602 that Mr. [REDACTED] filed. We also request that Defendants provide additional training to custody staff at Corcoran regarding use of force incidents. Lastly, we request that Defendants provide Officer [REDACTED] with informal counseling, training, heightened supervision, or some other corrective measure, given the number of allegations we have received about his use of force against individuals housed at Corcoran, including *Armstrong* class members.

Ms. Russa Boyd
Re: [REDACTED]
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Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'Patrick Booth', written on a light-colored background.

Patrick Booth
Legal Fellow

cc: Mr. [REDACTED]
Co-Counsel
Ed Swanson, Court Expert
Nicholas Meyer, Erin Anderson, Alexander Powell, Amber Lopez,
OLAArmstrongCAT@cdcr.ca.gov, Tamiya Davis, Patricia Ferguson (OLA)
Lois Welch, Matt Espenshade, Steven Faris (OACC)
Kelly Mitchell, Teauna Miranda, Laurie Hoogland, Landon Bravo (DAI)
John Dovey, Vince Cullen, Don Meier, Laurene Payne, Ceasar Aguila, Samantha Lawrence-
Chastain, Olga Dobrynina, m_CCHCSAccntLog@cdcr.ca.gov, Alexandria Tonis, Barbara Pires,
Bruce Beland, Bryan McCloughan, Cathy Jefferson, Ceasar Aguila, Cindy Flores, Dawn Malone-
Stevens, Desiree Collum, Donald Meier, Gently Armedo, John Dovey, Laurene Payne, Lynda
Robinson, Ngoc Vo, Robin Hart, Steven Blum, Joseph Williams (CCHCS)
Adriano Hrvatin, Joanna Hood, Damon McClain, Sean Lodholz (DOJ)
Annakarina De La Torre-Fennell (OAG)

Exhibit 82



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General Delivery, San Quentin, CA 94964
Telephone (510) 280-2621 • Fax (510) 280-2704
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Director:
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Corene Kendrick
Rita Lomio
Margot Mendelson
Thomas Nosewicz
Shira Tevah

February 14, 2020

Via email only

Nick Weber
CDCR Office of Legal Affairs

Re: [REDACTED] EOP, CSP-SAC

Dear Nick:

I write regarding [REDACTED] EOP, a *Coleman* class member currently housed at California State Prison, Sacramento. Mr. [REDACTED] reports that he was assaulted by custody staff when he was housed at California State Prison, Corcoran. He says that his assault was committed in retaliation for him alerting medical staff about an assault by staff on another *Coleman* class member in his housing unit.

Mr. [REDACTED] reports that on September 23, 2019, correctional officers physically assaulted another *Coleman* class member that lives in Mr. [REDACTED] housing unit, seriously injuring this person. Later that evening, Mr. [REDACTED] submitted a CDCR Form 7362 ("7362") on behalf of the victim. The victim of this assault does not want his name to be reported to CDCR, for fear of further retaliation, but his medical records indicate that a 7362 was submitted on September 23, 2019. The handwriting of the 7362 is consistent with Mr. [REDACTED] handwriting, and the victim of the assault received emergency medical attention that night at an outside hospital.

Mr. [REDACTED] reports that on September 24, 2019, the day after he submitted the 7362 on the victim's behalf, Correctional Officer [REDACTED] Office [REDACTED] and Sergeant [REDACTED] discovered that Mr. [REDACTED] had reported the assault and threatened to assault him next. Fearing for his safety, Mr. [REDACTED] says that he wrote letters to CDCR headquarters, the Kings County Sheriff Department, the Kings County District Attorney, the Ombudsman office, and the Office of the Inspector General. He also submitted a 7362 on September 30, 2019, requesting mental health services for himself. Exhibit A. In the 7362, Mr. [REDACTED] wrote, "C/O I. [REDACTED] C/O [REDACTED] and their supervisor J. [REDACTED] keep coming to my living cell making threats to kill and assault me. And C/O I. [REDACTED] keep calling me a 'snitch' openly in front of my peers because I sued him and filed a staff complaint. Their actions have now jeopardized my life, and is causing me mental anguish. I am now concerned for my welfare, and am seeking mental health services." *Id.* (emphasis in original). Similarly, during an encounter with mental health staff on October 1, 2019, Mr. [REDACTED] said that he was "fine. I am not suicidal or homicidal. I just want custody staff to stop messing with me." Suicide Risk and Self Harm Evaluation, October 1, 2019.

Mr. [REDACTED] reports that on October 2, 2019, Captain [REDACTED] and Lieutenant [REDACTED] approached his cell early in the morning and told him that if he did not withdraw his various complaints, he would be assaulted that day. Captain [REDACTED] said he was going to move Mr. [REDACTED] former

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cellmate back to Mr. [REDACTED] cell to kill him. Mr. [REDACTED] had problems with that cellmate in the past. , Mr. [REDACTED] reports that Officers [REDACTED] and [REDACTED] also told other incarcerated people in Mr. [REDACTED] housing unit that day that he was a “prison snitch, and a sex offender/child molester.” Mr. [REDACTED] said that despite these threats and rumors, he refused to recant or withdraw his complaints.

Mr. [REDACTED] reports that later that day Officers [REDACTED] and [REDACTED] ordered him to submit to handcuffs, then ordered him to step to the back of his cell. Mr. [REDACTED] former cellmate was then placed in the cell, and his handcuffs were removed, while Mr. [REDACTED] remained cuffed. According to Mr. [REDACTED] the former cellmate then assaulted Mr. [REDACTED] while correctional officers watched. Eventually, the former cellmate refused to continue the attack, and he was ordered to re-submit to handcuffing. Mr. [REDACTED] reports that the former cellmate told custody officers that he could no longer beat a handcuffed man, despite custody staff urging him to continue doing so. Officer [REDACTED] then sprayed an entire can of pepper spray into the cell through the food-port, with both men still inside. The former cellmate was then removed from the cell and placed in the shower. Mr. [REDACTED] reports that Officer [REDACTED] removed him from his cell and sprayed him directly in the face for a second time. Mr. [REDACTED] says that the custody officers nearby ([REDACTED] [REDACTED] [REDACTED] [REDACTED]) rushed at him and punched him in the face and head [REDACTED] times. He was slammed to the ground and repeatedly kicked and stomped on. Officer [REDACTED] then reportedly dragged him out of the cell and kicked him in the face, chipping one of his teeth. He was eventually sent to the Adventist Hospital emergency room in Bakersfield. Medical records confirm this hospital admission. *See* Outside Records – Hospital, October 2, 2019.

Mr. [REDACTED] emergency room records indicate that he was “brought in to the ED from Corcoran State Prison for evaluation of pain to the head, face, and bilateral hands status post physical assault by Correctional Officers that occurred today at 1100.” *Id.* at p. 2. He reported to emergency room staff that “he was struck by multiple correctional officers[;] he recalls being kicked, struck by a baton, and struck with bare fists.... The patient also was pepper sprayed.” *Id.* His injuries from the assault included:

laceration with dried blood above R eye, large swollen area to back of skull, lost two upper teeth, bilateral eyes reddened, dried blood under chin, laceration to upper lip, laceration above R hip, ecchymosis above R patella, abrasion below L patella, superficial lacerations to bilateral hands and wrists, bruise in repeating pattern to R thumb “someone stomped on it,” those were the injuries visible by moving jumpsuit around.

Progress Note – Nurse, CIT Activation, October 2, 2019.

In the days after his assault, Mr. [REDACTED] continued to maintain that custody staff was responsible for his injuries and declining mental health. For example, on October 3, the day after he was assaulted, Mr. [REDACTED] was sent to a mental health crisis bed because he had expressed suicidal ideation. *See* MHCB Pre-Admission Screening, October 3, 2019. Mr. [REDACTED] told his clinician that he was suicidal, and “that he did not have an altercation with his cellmate and that custody ‘beat [him] up.’ IP appeared slightly [*sic*] agitated and was unable to calm down.” *Id.* Similarly, on October 4, Mr. [REDACTED] clinician noted that he “appeared depressed and did not want to talk” because “custody who had beat him up.” MHPC Inpatient Progress Note, October 4, 2019. On October 5, Mr. [REDACTED] told his psychiatrist, “‘They jumped on me, they said that was in a cellfight.’ I/p elaborates. I/p goes on to state that he has already informed headquarters regarding his concerns. I/p goes on to say that his cellie did attack him.” MHMD Inpatient Progress Note, October 6, 2019.

Mr. [REDACTED] reports of continued staff misconduct, culminating in his own beating, are troubling for [REDACTED] reasons. First, at the time of the assault, Mr. [REDACTED] was at the EOP level of mental health care. He had previously reported to mental health staff, to CDCR headquarters, and to multiple state agencies that he was having issues with custody staff, which was negatively affecting his mental health. As noted below, we have received multiple reports from Coleman class members about staff assaults at CSP-Corcoran, including from other EOP class members in Mr. [REDACTED] housing unit. Given the particular needs of the EOP population, it is concerning that there are multiple reports from *Coleman* class members about violence perpetrated by custody staff in this housing unit. These reports are also supported by CDCR's own data, which demonstrates that, depending on the month, between 65 percent and 88 percent of all use of force incidents at Corcoran involve *Coleman* class members, even though they make up only 44 percent of the institution's population.¹

Second, we are troubled by the reports of staff misconduct and violence at Corcoran in general. During the four month period of September 1 to December 31, 2019, our office has received **fifteen additional reports of staff assaults** at Corcoran, thirteen of which were reported by *Coleman* class members. Many *Coleman* class members, like Mr. [REDACTED] are reporting to our office that the culture of violence and retaliation perpetuated by custody staff is significantly impacting their mental health. In fact, many of the individuals that have reported staff misconduct to our office allege that custody staff is specifically targeting people with mental health issues. This is unacceptable.

Third, and finally, we are concerned about Mr. [REDACTED] allegation that custody staff are screening out CDCR Form 602s ("602") and other grievance paperwork. Our office has received similar reports from multiple *Coleman* class members, many of whom declined to give permission to use their names for fear of retaliation. For example, one class member reported that custody staff ordered him to withdraw his 602 or he would be suffer consistent beatings. Another class member reported that he filed [REDACTED] 602s, but he never received a response or even a log number to any of them. Importantly, California regulations grant individuals in CDCR custody the right to appeal "any policy, decision, action, condition, or omission" that has "a material adverse effect upon his or her health, safety, or welfare." Cal. Code Regs., tit. 15, § 3084.1 (a). The regulations similarly provide that "[n]o reprisal shall be taken against an inmate or parolee for filing an appeal." Cal. Code Regs., tit. 15, § 3084.1 (d). Based on the reports that our office has received, there are indications of serious defects in the grievance process at Corcoran.

* * * * *

In light of these concerns, we request that CDCR conduct a full and impartial investigation into Mr. [REDACTED] allegations and take steps to monitor the conduct of officers in Mr. [REDACTED] housing unit. Please report back on your findings.

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//
//

¹ CDCR COMPSTAT DAI Statistical Report – 13 Month (July 11, 2019), available at https://www.cdcr.ca.gov/research/wp-content/uploads/sites/174/2019/10/2019_05_DAI-General-Population-Males.pdf.

Sincerely,



Patrick Booth
Legal Fellow



Margot Mendelson
Staff Attorney

Cc: Mr. [REDACTED]
Co-Counsel
Coleman Special Master Team
Adriano Hrvatin
Elise Thorn
Tyler Heath
Damon McClain
Roman Silberfeld
Glenn Danas
Kyle Lewis
Jerome Hessick
Melissa Bentz
Dillon Hockerson

Exhibit 83

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,

Plaintiffs,

vs.

No. C94 2307 CW

GAVIN NEWSOM, et al.,

Defendants.

_____/

30(b)(6) DEPOSITION OF KIMBERLY A. SEIBEL

* CONFIDENTIAL EXCERPT *

JANUARY 29, 2020

9:55 A.M.

101 Mission Street, Suite 600

San Francisco, California

REPORTED BY:

Mark W. Banta

CSR No. 6034, CRR

A P P E A R A N C E S

For the Plaintiff:

ROSEN BIEN GALVAN & GRUNFELD LLP
BY MICHAEL FREEDMAN
101 Mission Street, Sixth Floor
San Francisco, California 94105-1738
415.433.6830
mfreedman@rbgg.com

For the Defendants:

DEPARTMENT OF JUSTICE, OFFICE OF THE ATTORNEY
GENERAL
BY ANNAKARINA De La TORRE-FENNELL, Deputy Attorney
General
BY JOANNA B. HOOD, Deputy Attorney General
1300 I Street, Suite 1101
Sacramento, California 94244-2550
916.445.8194
annakarina.fennell@doj.ca.gov
joanna.hood@doj.ca.gov

- and -

STATE OF CALIFORNIA DEPARTMENT OF CORRECTIONS AND
REHABILITATION
BY TAMIYA DAVIS, Attorney III
1515 S Street, Suite 314S
Sacramento, California 95811
916.341.6960
tamiya.davis@cdcr.ca.gov

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The following sections of testimony have been
designated by a party as Protected Material:

CONFIDENTIAL EXCERPTS INCLUDED

SECTION #	DESIGNATION	STARTS	ENDS
1	Confidential	34	187

1 (The following testimony has been designated as
2 CONFIDENTIAL.)

3 (Exhibit 8 marked.)

4 BY MR. FREEDMAN:

5 Q. This is a memorandum dated December 10th, 2018,
6 entitled Findings of Inmate Interviews at Richard J.
7 Donovan Correctional Facility, December 4-5, 2018,
8 authored by J.L. Bishop and directed to you. Correct?

9 A. Correct.

10 Q. Did you review this document when it was sent to
11 you?

12 A. Yes.

13 Q. Did you confer with Associate Warden Bishop
14 regarding the contents of this memorandum before he sent
15 it to you?

16 A. Yes.

17 Q. Who else besides you received a copy of this
18 document?

19 A. I forwarded copies to my boss and counsel.

20 Q. Did the warden at RJD receive a copy of this
21 document.

22 A. I'm going to estimate and say yes.

23 Q. But you don't know for certain, it sounds like?

24 A. Right.

25 Q. Did Secretary Diaz receive a copy of this

1 A. Well, the majority of us in CDC are not
2 statisticians, so -- so regarding the 14 percent, just
3 the fact that I have 102 people interviewing is
4 significant.

5 Q. So if you have information from 102 incarcerated
6 people, that's enough for you to start drawing some
7 conclusions about whether there's something behind what
8 they have to say?

9 A. Correct. But it doesn't disregard if I got the
10 information from one person.

11 Q. Please take a look at the paragraph in italics
12 at the bottom of page 3. AW Bishop wrote, quote: A
13 total of 84 of 102 inmates who participated in the
14 interview process provided meaningful information
15 alleging one or more of the core concerns of this review.
16 Stated another way, over 82 percent of the inmates who
17 were actually interviewed spoke of significant problems
18 on Facility C RJD, similar to plaintiffs' concerns, end
19 quote.

20 Do you see that?

21 A. Yes.

22 Q. What was CDCR's reaction upon seeing that
23 written in AW Bishop's memo?

24 A. It gave some credibility to the other documents
25 that we received, but it was very concerning. Very

1 concerning.

2 Q. Is reports from 82 percent of interviewees a
3 high number of complaints about problems on a particular
4 facility?

5 A. Yes.

6 Q. Is it a very high number?

7 A. It is to me. It is to the department.

8 Q. Has CDCR ever conducted interviews like this
9 before at other institutions?

10 A. Yes. It was done at High Desert State Prison
11 and it was done at -- it was either CCWF or CIW, one of
12 the two women's prisons. I could be getting them mixed
13 up, but it was done at one.

14 Q. Was the same worksheet that was used by RJD used
15 at those other prisons when they had the strike force
16 there?

17 A. The interview questions?

18 Q. Yes.

19 A. That form? It was very similar to this.

20 Q. So CDCR has some information about how the
21 information gathered at RJD compared to the information
22 gathered at High Desert State Prison and one of the
23 women's prisons; is that right?

24 MS. DE LA TORRE-FENNELL: Objection. That's
25 outside of the scope of the topics. We're limited to RJD

1 Q. And still work at RJD?

2 A. Yes.

3 Q. Do you know what position Officer [REDACTED] currently
4 fills at RJD?

5 A. No. And I would need to verify.

6 Q. Do you know if he's in a position where he comes
7 into contact with incarcerated people?

8 A. I would need to verify.

9 Q. Do you know what Sergeant [REDACTED] role at RJD is
10 now?

11 A. I would need to verify.

12 Q. Okay. So you indicated that Officer [REDACTED] was
13 terminated; correct?

14 A. Correct.

15 Q. Why was Officer [REDACTED] terminated?

16 A. I believe it was based on misconduct, but I
17 would need to verify the specifics of the case.

18 Q. You don't know the nature of the misconduct?

19 A. No. I believe there was more than one
20 allegation.

21 Q. Officer [REDACTED], do you know why he was fired,
22 or she?

23 A. [REDACTED], [REDACTED] and [REDACTED] was all from the same
24 incident.

25 Q. And what was that incident?

1 A. It was in regards to an incident on Facility C
2 in which the use of force did not match the reports or
3 the injuries sustained.

4 Q. How did CDCR determine that the use of force did
5 not match the reports of force or the injuries sustained?

6 A. A video camera.

7 Q. I'm going to just go back for a second. We
8 discussed these six officers' names. Are you aware of
9 any other officers' names who were viewed as the bad
10 actors on Facility C?

11 A. There's other names that I've read in reports.
12 They're just not coming to my memory.

13 Q. Okay. So the six are the ones that you can
14 remember sitting here today?

15 A. Yes.

16 Q. Okay. And you said that [REDACTED] and
17 [REDACTED] were all terminated related to the same incident?

18 A. Correct.

19 Q. With respect to Officer [REDACTED] was there any
20 videotape involved -- video surveillance tape involved in
21 the evidence used to support his termination?

22 A. I'm not aware of video surveillance on his case.
23 It doesn't mean it wasn't there or used. I just don't
24 recall it.

25 Q. Do you know what evidence did exist -- sorry.

1 Do you know what evidence CDCR did rely on to
2 support its decision to terminate Officer [REDACTED]

3 A. If my memory recalls correctly, it was based on
4 a clinician witness statement.

5 Q. If I recall your testimony correctly, you said
6 that you did not remember the specifics of Officer
7 [REDACTED]' incident; is that correct?

8 A. Um-hmm.

9 Q. Do you remember the specifics of the incident
10 for [REDACTED] [REDACTED] and [REDACTED]?

11 A. If I -- if I remember that -- so [REDACTED], if I
12 recall correctly, because he had more than one, one 989
13 or request for investigation. If I recall correctly, the
14 one that [REDACTED] was terminated on was one where it was
15 alleged that he had kicked the inmate in the head.

16 [REDACTED], [REDACTED] and [REDACTED] was on Facility C, on
17 the roadway in front of the chapel -- I don't know if
18 you're familiar with RJD.

19 Q. I am.

20 A. Okay. On the roadway, and the allegation was
21 that he had pulled -- they had pulled an inmate out of a
22 walker-type wheelchair, you know, the sit-down walker
23 type, threw him on the ground, picked him up, threw him
24 out again.

25 Q. Were all three officers involved in the use of

1 A. Yes. They requested a Skelly.

2 Q. With respect to Officer [REDACTED] who was the
3 hiring authority when the allegation of misconduct was
4 discovered?

5 A. Going back, who was... it was either Poramo,
6 Daniel Poramo, or Patrick Covello.

7 Q. Since January 1st, 2017, how many hiring
8 authorities have there been at RJD?

9 A. Three.

10 Q. And who are they?

11 A. Daniel Paramo was there from 2011 -- or from
12 January 1st, 2017, until he retired on November 30th,
13 2018. And Patrick Covello was there until August 31st,
14 2019, and now Marcus Pollard is there.

15 Q. Did Patrick Covello serve as warden or acting
16 warden?

17 A. Acting warden.

18 Q. Did -- is Marcus Pollard serving as warden or
19 acting warden?

20 A. Acting warden.

21 Q. The fact that he is serving as acting warden,
22 does that mean that he has not been confirmed yet?

23 A. That's correct. Confirmed and appointed.

24 Q. Is there a timeline for that process to be
25 completed?

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[REDACTED]

[REDACTED] So that was immediately changed.

The captain and the associate warden's offices were moved to Facility C. The associate warden's office was placed in the corner of the gym. There's an office there that gives the inmates direct access as the gym is typically open for recreational activity. He also has windows to oversee the yard.

The captain's office was moved and placed in the facility in the program area which also gives the inmate population more direct access.

The appeals box on Facility C, based on a lot of the allegations that, as noted here, we changed the way they were picked up, specifically for Facility C. So now the analyst or the office technician or a staff member that's assigned specific to the appeals office picks up the appeals just for that yard every day.

The hiring authority reviews all the staff complaints specifically for Facility C. That process was put into place as well.

We've done a lot of training with staff and managers at RJD in regards to this.

We monitor their use of force, their institution executive review committees. We're doing assessments of

1 the investigations backlog, and we're also monitoring the
2 backlog of staff complaints, the allegations of staff
3 complaints as well as allegations of excessive or
4 unnecessary use of force.

5 We've sent various staff down there as subject
6 matter experts in different fields to work with them,
7 continue to do -- we've sent use of force subject matter
8 experts to help out the analyst in processing the cases
9 and providing additional training to the use of force
10 analyst there.

11 The wardens have done training. The chief
12 deputy warden has given written expectations to all the
13 managers there. We've had other wardens come in and
14 provide training.

15 Ombudsmans are constantly out in the field.
16 When we see issues arising, we'll get with the ombudsmans
17 that are touring out there and will meet -- ask them to
18 look into specific issues or areas of concern that we
19 might have, and they report back directly to the
20 director.

21 We implemented the captains having weekly -- we
22 started out with weekly meetings with the staff on their
23 facilities, both second and third watch, and for the
24 watch commander to come in on first watch to have more
25 increased communication in everything that was going on.

1 We also implemented some field training
2 sergeants. We had a sergeant, one for an entire year did
3 nothing but focused on Facility C doing training, doing
4 communication training on policies, procedures and how to
5 work with the different missions that we have there. We
6 had another sergeant for about two months.

7 We've sent additional staff down there to assist
8 with all the backlog of the advocacy letters and the
9 staff complaints, to look into the allegations from this
10 memorandum as well. We've pulled staff from their post
11 and put them on special assignment.

12 We had additional staff trained to do staff
13 complaints down at RJD.

14 We've moved staff from different areas, trained
15 to put the best person in the right job.

16 Done quite a few things down there.

17 Q. That's a big list. Is there anything else that
18 you didn't discuss that you all have done at RJD in
19 response to AW Bishop's memo?

20 A. We've put in a request for video cameras. We
21 have -- currently have a BCP in the process. It made the
22 governor's budget. We're currently in the legislative
23 process trying to get it funded. RJD was our number one
24 prison. We have three of them in the budget.

25 Q. Anything else?

1 A. We've done mentors for the wardens. We've had
2 mentors. We've had retired annuitants that are mentors
3 that go down there. We've had [REDACTED] down there.
4 She's down there currently. We've had [REDACTED]
5 there. We currently have three associate wardens
6 redirected to RJD. We have an additional lieutenant, two
7 lieutenants. Well, we have -- that started this week,
8 but we have a total of three being redirected down there,
9 two specifically to work on the backlog of inquiries and
10 the third one is working on policies.

11 The department is also, in response to a lot of
12 the appeals allegations and the appeals -- the lack of
13 transparency in the appeals process, is developing -- has
14 actually rolled out this week, it's our allegation
15 inquiry management section. And it's going to be a new
16 section that falls -- that supports the grievance
17 process. The staff are not working in the institution,
18 they're working under the Office of Internal Affairs, and
19 I think someone else can give you all the details of
20 that, but that will lend itself to a lot of -- a lot more
21 transparency and a lot more independent review of
22 allegations of staff misconduct.

23 OACC will provide audits of that unit once it is
24 fully operational, but right now they're rolling it out
25 for Northern California, and because RJD is one of those

1 high priority prisons, it's Northern California and RJD.
2 And we've hired two retired annuitants just to focus on
3 RJD.

4 Q. Anything else?

5 A. I just want to confirm, this is specific to
6 Facility C?

7 Specific to Facility C?

8 Q. Let's talk about the whole institution.

9 A. Okay. So we've -- because of allegations of the
10 inmates feeling that they're victimized by other inmates,
11 we did flip one of our yards. Facility A had five
12 buildings, two were EOP, three were GP; Facility B had
13 the two Ad-Seg and three SNY.

14 When EOP went non-designated, the inmates, some
15 of them are dual diagnosis or dual -- you've got EOPs
16 that are also class members for ADA -- feeling they were
17 being victimized by the GP inmates, we flipped those
18 three buildings and the level of violence reduced in the
19 incidents on that yard.

20 Q. Anything else?

21 A. If I think of something, I'll share it.

22 Q. Okay.

23 Q. How many facilities are there at RJD?

24 A. Six.

25 Q. And what are those facilities?

1 let me know when you're done looking those over. Okay?

2 A. Okay.

3 Q. Did CDCR disagree with any of the
4 recommendations made by AW Bishop?

5 A. They did not disagree.

6 Q. So if you look at page 12, the first
7 recommendation, AW Bishop recommended that, quote,
8 live-feed cameras to be installed

9

10

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12

13 Cameras should be accessible for remote viewing by
14 supervisory and administrative staff at all hours.

15 Cameras should record constantly such that the digital
16 footage can be extracted for us -- for use in evaluation
17 of incidents for use of force review, including inmate
18 and staff discipline, as well as in support of any
19 charges of criminal misconduct by inmates or staff, end
20 quote.

21 Do you see that?

22 A. I do.

23 Q. Are cameras an important tool for preventing
24 staff from engaging in staff misconduct?

25 A. I wouldn't say they're a good tool in preventing

1 it. I would say they're a good tool in either
2 discovering it, supporting the allegation, and supporting
3 discovery of misconduct. And can I back up just a little
4 bit?

5 When you asked if the department -- was it
6 disputed any of these or supported them?

7 Q. I believe the question was did CDCR disagree
8 with any of the recommendations made by AW Bishop.

9 A. Okay. While we may not have disagreed, it
10 doesn't mean that we supported as whole or in full as
11 what was recommended.

12 Q. Okay. Could you point out to me the parts of
13 his recommendations that CDCR did not support in full?

14 A. So do you want to go by 1 through whatever?

15 Q. Well, we're going to talk about each one.

16 A. Okay.

17 Q. So why don't we do it as we get to each one.

18 A. Go through.

19 Q. So why don't we start with recommendation 1. So
20 what, if any, parts of recommendation 1 did CDCR not
21 support in full?

22 A. So CDCR recognizes the need for cameras. So we
23 currently have a BCP, budget concept proposal, in place
24 that was supported in the Governor's budget, like I
25 mentioned earlier, and we're going through the

1 legislative process to get it funded. And hopefully, we
2 get it funded. I mean it's a high priority.

3 RJD is number one on our list. If the funding
4 comes through, that's the one that's going to -- you
5 know, it will go out to bid and then that will be the
6 institution that gets them first.

7 We do realize we need them all over, and the
8 system we're looking at is very similar in nature to High
9 Desert. So there will be cameras in primarily all the
10 locations as indicated here.

11 Q. So are there any parts of his recommendation
12 that CDCR did not support in full?

13 A. When we were doing our justification, it wasn't
14 based solely on this. So this might be just a part of
15 it, but it's not based solely on that.

16 Q. I understand. But are there any parts of this
17 recommendation that CDCR disagrees with?

18 A. The constant viewing, having someone -- cameras
19 should be accessible for remote viewing at all hours.
20 They should be accessible to be reviewed or viewed, but
21 we're not going to have staff just sitting in front of --
22 watching cameras all day long 24/7. But with the camera
23 capability to record, we can always go back.

24 Q. Is there anything else in this recommendation
25 that CDCR did not support fully?

1 A. I don't have any others at this time.

2 Q. Now, I believe in response to a previous
3 question, you said that cameras -- I don't want to
4 misstate it -- are less an important tool for preventing
5 staff misconduct than for catching and holding people
6 accountable for misconduct; correct?

7 A. Correct. Because there's cameras everywhere.
8 Staff forget there's cameras everywhere. So I don't
9 think staff knowing that a camera is there is going to
10 stop them from doing what they're going to do. And
11 that's just a speculation.

12 Q. Does CDCR believe that cameras do not have any
13 deterrent effect?

14 A. Oh, we believe they have a deterrent effect. I
15 would be foolish to say I think it's going to stop it,
16 but it has a deterrent effect.

17 Q. Would it be fair to say, then, that cameras are
18 an important tool for reducing the instances of staff
19 misconduct as opposed to eliminating it only standing
20 alone?

21 A. I would say it's going to play a part in
22 reducing it.

23 Q. Okay. And just to be clear, cameras are an
24 important tool for holding staff accountable if they
25 engage in staff misconduct; is that correct?

1 A. Yes. They're just -- it's a portion of the
2 disciplinary process. It's a portion of the -- you know,
3 the evidence being used to find someone guilty.

4 Q. At the time that CDCR sent this strike force to
5 RJD to conduct these interviews, were there security
6 cameras that were operational at RJD?

7 A. Yes. There was a few.

8 Q. Can you tell me where those cameras were?

9 A. So we currently have cameras -- let me look at
10 my notes so I can verify this. So facility --

11 Q. And just to be clear, I'm asking about in
12 December 2018 where there were cameras.

13 A. Yes.

14 Q. Okay.

15 A. So on December 2018, on Facility C, there were
16 cameras. They have a camera on [REDACTED]
17 [REDACTED]. Some of those were inoperable. However, I
18 don't have specific timeframes, but they were replaced in
19 March of 2018. And also in Facility C, [REDACTED]

20 [REDACTED]

21 Q. Okay.

22 A. The cameras are old. They don't have -- [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

1

2 Q. Okay. So just to be clear, there's [REDACTED] camera
3 on the [REDACTED] correct?

4 A. Um-hmm. (Witness nods head).

5 Q. In what direction are those cameras pointing?

6 A. I would have to get a map and go out there and
7 look because each one is different.

8

9

10

11 Q. Are all of those cameras pointing [REDACTED]

12 [REDACTED] to some extent?

13 A. Yes.

14 Q. Do those [REDACTED] cameras, when they're coverage is
15 combined, result in coverage of -- video coverage of the
16 [REDACTED]?

17 A. I would have to look.

18 Q. And now you stated that some of the cameras at
19 the time the strike force were down there that were on
20 the [REDACTED] were inoperable. Is
21 that correct?

22 A. At the time they were there, the cameras were
23 there. I would have to verify which ones were operable
24 and which ones were not, specifically the times they were
25 there.

1 Q. Have all of the cameras, all [REDACTED] of the cameras
2 on the [REDACTED] been replaced since
3 December 2018?

4 A. They've been replaced in March of 2018 -- fixed,
5 but it's not to the [REDACTED] of what we're looking at
6 purchasing with the new BCP.

7 Q. So the cameras that are currently on the outside
8 of the housing units of Facility C are of a [REDACTED]
9 than CDCR would like right now, is that correct?

10 A. Yes. That's correct.

11 Q. And you said there were [REDACTED] cameras in the [REDACTED]

12 A. Um-hmm.

13 Q. Are all of those cameras operable?

14 A. Yes.

15 Q. Are they old cameras of a [REDACTED] than CDCR
16 would like?

17 A. Less than what we desire, yes.

18 Q. Do they provide full camera coverage of all
19 [REDACTED]
20 [REDACTED]

21 A. No, [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]

25 Q. In December 2018, were there cameras in any

1 other places at RJD other than the cameras you've
2 mentioned on Facility C?

3 A. Yes. So there's Facility E which is our infill
4 yard, that's the level 2. It opened in December of 2017.
5 That came with a full complement of cameras. There's
6 close to [REDACTED] cameras, estimated, approximately on the
7 yard.

8 Facility A, B and D have cameras [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]

14 Our visiting rooms have cameras which are
15 operational.

16 Q. [REDACTED]

17 A. [REDACTED]

18 Q. [REDACTED]

19 A. [REDACTED]

20 Q. Operational cameras in Facility B in Buildings 6
21 and 7 covering the day rooms?

22 A. Correct. And the backyard. The small
23 management areas.

24 Q. Thank you. And Facility C has approximately [REDACTED]
25 cameras on it because it's a newer facility. Is that

1 correct?

2 A. E.

3 Q. I'm sorry. Facility E has approximately [REDACTED]

4 cameras on it because it's a newer facility?

5 A. Yes.

6 Q. And it was built with cameras; correct?

7 A. Correct.

8 Q. And the visiting rooms have cameras?

9 A. Correct.

10 Q. Are there any cameras at RJD that you have not
11 told me about? Operational cameras, I should specify.

12 A. If there are, I'm unaware of them. There's
13 mobile cameras, video cameras.

14 Q. And are those the cameras that staff use when
15 engaging in controlled use of force or immediate use of
16 force where they have time to get a camera?

17 A. Yes.

18 Q. Those cameras are not running 24 hours a day;
19 correct?

20 A. Correct.

21 Q. Those cameras are only used to respond to an
22 incident; correct?

23 A. An incident. Um-hmm.

24 I also wanted to clarify, on [REDACTED] we were
25 able to do some checking. He did have his State

1 A. So I just want to clarify. You want to know if
2 it's our current policy that if we have access to video
3 that it is mandated that it's part of the package?

4 Q. Correct.

5 A. No, it's not mandated. But it's highly
6 recommended that we use it as supporting evidence.

7 Q. Is it mandated that something be done to make
8 sure that video doesn't get deleted before that package
9 is put together?

10 A. Well, it's not mandated, but that's why we have
11 designated staff that only have access to it.

12 Q. Let me see if I can ask it a little bit
13 differently. So there's a use of force incident on the
14 yard on Facility C.

15 A. Um-hmm.

16 Q. An officer submits a use of force report
17 regarding the use of force incident. Does the submission
18 of that report trigger anything that results in video
19 that might have captured that use of force being retained
20 beyond 30 days?

21 A. Okay. I want to clarify. We have an incident
22 on Facility C on the yard. Happens on a Saturday. On
23 Monday, typically the supervisor is going to request ISU
24 to go get a copy of that video. So they're going to go
25 get a copy of the video, download it onto a CD or however

1 A. The faster it's -- the money's approved, the
2 faster we can get moving forward.

3 Q. Is it possible that cameras would not be
4 operational at RJD until sometime after June 2021?

5 A. If the budget -- if the funding is not -- if
6 this BCP is not funded.

7 Q. Have you been involved in implementation of
8 prior BCPs in any of your roles in CDCR?

9 A. No.

10 Q. Could you turn to page 6 of the BCP. It does
11 not look like they are numbered, though, so let's figure
12 out how we can get you there. Actually, it's page 5. My
13 apologies. No. Page 6, the last paragraph.

14 The BCP reads, quote: Since implementation at
15 CCWF and High Desert State Prison (HDSP), both
16 institutions have utilized their ABSS to identify
17 suspects in investigations, including attempted
18 homicides. Both institutions have successfully utilized
19 video from their respective systems to locate lost,
20 misplaced, or stolen items, eliminating the need for
21 lengthy searches and potential lockdown situations. CCWF
22 and HDSP have also identified opportunities to enhance
23 staff training by reviewing video of actual incidents and
24 providing staff guidance on how to handle similar
25 incidents in the future.

1 Do you see that?

2 A. I do.

3 Q. Those statements indicate that audio and video
4 recording technology have been effective tools for CDCR
5 in creating safer environments at CCWF and HDSP; correct?

6 A. That's correct.

7 Q. Has CDCR produced any documents, memoranda, or
8 studies analyzing the effectiveness of audio and video
9 recording at CCWF and HDSP?

10 MS. DE LA TORRE-FENNELL: Objection. That's
11 outside the scope of the topics of this deposition
12 limited to RJD.

13 BY MR. FREEDMAN:

14 Q. You can answer.

15 A. I'm not aware of any studies regarding the
16 audio/video surveillance systems at these two prisons.

17 Q. Are you aware of any studies at other prisons?

18 A. No.

19 Q. Are you aware of any studies in CDCR about the
20 effectiveness of audio/video surveillance systems?

21 A. No, I'm not aware of any studies being conducted
22 on our ABSS system.

23 Q. Do any staff at RJD wear body-worn cameras?

24 A. No.

25 Q. Are there any plans for future use of body-worn

1 cameras at RJD?

2 A. No.

3 Q. Why not?

4 A. Let's just work on our ABSS. No, there's no
5 plans for body cameras for staff at this point. We are
6 very hopeful that this will be able to give us all the
7 audio/video surveillance that we need.

8 Q. Would body-worn cameras provide additional
9 information to CDCR regarding staff misconduct incidents
10 that were captured on video?

11 A. I suppose they would, but I would be speculating
12 because I'm not familiar with body cameras, how they work
13 or operate or their capabilities.

14 Q. Do any current CDCR regulations or policies
15 require that staff review video evidence when it might be
16 relevant to an inquiry or investigation into staff
17 misconduct?

18 A. It's not man -- staff misconduct? Yes. They
19 should be reviewing any and all evidence for staff
20 misconduct, yes.

21 Q. Is there a written policy that requires that
22 they look at it?

23 A. No.

24 Q. Do any --

25 A. Not -- there's no local written policy that they

1 identified by AW Bishop? Is that correct?

2 A. Not investigating, but just doing an inquiry
3 into them.

4 Q. And I know I have to be careful with my
5 inquiry/investigation language, and I'll do my best to do
6 so when we go through. Please continue to point out when
7 I use it wrong.

8 Did CDCR conduct additional interviews with all
9 of the incarcerated people on pages 14 to 17 of the
10 Bishop report?

11 A. Follow-up interviews?

12 Q. Correct.

13 A. From the interviews? That was part of the team
14 was to follow up on their allegations.

15 Q. And do you know if this follow-up team
16 interviewed all of the individuals listed on pages 14 to
17 17 of AW Bishop's report?

18 A. I would venture to say no at this time, because
19 they have not completed all of their inquiries.

20 Q. Did they conduct an initial follow-up interview
21 with each of the people listed on pages 14 to 17 of
22 AW Bishop's memo?

23 A. So you want to know if the teams went back and
24 then followed up on the claim that they were just
25 interviewed on? Because they were interviewed on tape

1 A. Correct.

2 Q. And then if any other allegations were
3 discovered in the course of --

4 A. Right.

5 Q. -- those inquiries --

6 A. Another incident or another date or another
7 staff member, it should have branched off into those.

8 Q. And I would just caution both of us not to talk
9 over each other because he can only write down one of us
10 talking at a time. So I'll make sure to be careful and
11 hopefully you can as well.

12 A. Sorry.

13 Q. No. That's okay. Do you know how many of the
14 inquiries that were started as a result of the strike
15 force team interviews at RJD are complete?

16 A. I would have to get an updated log to see where
17 they're at, but we currently have teams there still
18 working through them.

19 Q. So some of the inquiries are still open?

20 A. Yes.

21 Q. At RJD?

22 A. Some are open and some are closed. I just don't
23 have an accurate number of where they're at.

24 Q. Now, you just referenced a log. What log are
25 you talking about?

1 jeopardizes security.

2 So if a staff member, if it was deemed that --
3 if the allegations were deemed true or if there was
4 enough for the hiring authority to make a call, they
5 would typically redirect the employee to the mail room
6 where they wouldn't have inmate contact, where we can
7 still give work versus paying them their full paycheck to
8 stay home.

9 Q. As far as you know, though, were any officers
10 placed on administrative time off as a result of these
11 inquiries from the December 2018 interviews during the
12 pendency of the inquiries?

13 A. No, I'm not aware of anyone being placed on ATO
14 while an inquiry was being conducted.

15 Q. Did you state, though, that some officers
16 were -- sometimes officers are reassigned during a
17 pendency of an inquiry; correct?

18 A. An inquiry or an investigation, yes.

19 Q. Were any officers reassigned from their
20 positions on Facility C as a result of inquiries into
21 allegations of staff misconduct that came out of the
22 December 2018 interviews?

23 A. Yes, there's been staff reassigned.

24 Q. How many staff were reassigned?

25 A. I would have to -- I would have to go back

1 there's a gang or gang-like group on fast C.

2 MS. DE LA TORRE-FENNELL: That would be under
3 the scope I believe of Inspector General or somebody
4 outside of CDCR to investigate. I think it's --

5 MR. FREEDMAN: I'm asking what CDCR did.

6 MS. DE LA TORRE-FENNELL: Okay.

7 BY MR. FREEDMAN:

8 Q. I believe you were starting to answer the
9 question.

10 A. So CDCR is currently exploring an outside agency
11 to come in and do some investigative work.

12 Q. When you say "exploring," what does that mean?

13 A. We're looking into different avenues of what we
14 can do. However, those decisions -- and I know I'm
15 speaking on behalf of the department -- are very close --
16 it's a very small circle, but I do know there's dialogue
17 going on.

18 Q. As far as you know, has there been any -- has
19 CDCR contacted any outside agencies yet?

20 MS. DE LA TORRE-FENNELL: Objection. Outside
21 the scope of Armstrong litigation.

22 BY MR. FREEDMAN:

23 Q. You can go ahead and answer.

24 A. I'm not aware of them contacting an agency.

25 Q. But there have been discussions within CDCR

1 about whether to contact an outside agency or which
2 outside agency to contact? Is that correct?

3 A. Yes. And the scope.

4 Q. And when you say "the scope," do you mean the
5 scope of what they would ask the outside agency to look
6 into?

7 A. Correct.

8 Q. All right. I'm going to move on to the third
9 recommendation in AW Bishop's report. It's back on page
10 12. AW Bishop wrote, quote: The review team urges the
11 department to provide the resources necessary for a
12 comprehensive STG review to be conducted on Facility C
13 RJD. This review should include in-depth searches and
14 interviews by trained, experienced institution gang
15 investigation staff, with appropriate follow up for any
16 inmate having significant ties to STG activity.

17 Do you see that?

18 A. I do.

19 Q. Has CDCR done anything to implement this
20 recommendation?

21 A. So on Facility C, we have not sent additional
22 resources specifically to RJD to look at STG behavior.
23 There are STG behaviors that occur on the facility,
24 however, when it's identified due to a crime incident
25 report, then the local committee will typically put them

1 up to transfer if there's another place to transfer them
2 to. But they will always hold them accountable based on
3 their STG behavior.

4 Q. Has RJD done anything outside of its ordinary
5 procedures in terms of identifying STGs on Facility C?

6 A. No. Their regular job would capture those that
7 are in the STG group.

8 Q. There hasn't been any strike force to try to
9 identify STGs on Facility C, for example?

10 A. So at their annual reviews or whenever there's
11 behavior in which aligns with an STG, staff automatically
12 in their daily interaction would document it, their STG
13 behavior, and then if they would affix in SOMS what STG
14 the person was aligning with. I guess I'm not following.

15 Q. As you have said, though, there has been no
16 commitment of additional resources to Facility C at RJD
17 to address STGs; is that correct?

18 A. Correct.

19 Q. Is that true of the other facilities at RJD as
20 well, that there have been no additional commitment of
21 resources to deal with STGs?

22 A. I'm not aware of any additional resources being
23 sent to RJD just to deal with STG behavior.

24 Q. Let's move on to recommendation 4.
25 Recommendation 4 on page 12, AW Bishop recommended,

1 quote: Increased supervisory and managerial presence on
2 Facility C during all hours, but particularly during
3 nonbusiness hours; requirement of frequent unannounced
4 and unscheduled managerial and AOD tours during
5 nonbusiness hours; requirement for custody supervisors to
6 be present at all times and locations of mass inmate
7 movement.

8 Do you see that?

9 A. I do.

10 Q. Has CDCR done anything to implement this
11 recommendation?

12 A. Yeah. We brought in the two field training
13 sergeants. We had one on second watch and one on third
14 watch. We kept one for an entire year. The other one
15 was in its position for two months and due to family
16 commitments wasn't able to continue in that role. But we
17 did keep a sergeant for an entire year working between
18 second and third watch providing training and extra
19 supervision on that yard.

20 Q. What were the duties of these field training
21 sergeants?

22 A. Oh, goodness. They monitored movement. They
23 assisted staff with how to run their housing unit, how to
24 do any of their regular daily duties from searching to
25 documentation, to interaction, to facilitating supplies,

1 still at RJD?

2 A. Both sergeants still work there.

3 Q. Are either of those sergeants still in these
4 field training sergeant positions where they're
5 supplementing supervisory staff on Facility C?

6 A. No. They're not. Returned to their post.

7 Q. When did the sergeant who served for a year stop
8 serving in that position?

9 A. Let's see if can I find it in my notes. On
10 January 5th of 2020 is when the one sergeant stopped. He
11 was there from January 7th, 2019, through the 5th of this
12 year.

13 Q. So currently, Facility C is operating with its
14 ordinary and typical number of sergeants; correct?

15 A. That's correct.

16 Q. Did RJD do anything to ensure that custody
17 supervisors were present at all times and locations of
18 mass inmate movement?

19 A. So the facility redid their what's called -- we
20 call it a 24-hour clock. It kind of listed the times of
21 when things should be going on, a daily activity
22 schedule, if you will. And then there's -- I know the
23 institution gave specific direction that during mass
24 movement yard recall, yard going out, feeding, that the
25 supervisors be on the facility, out on the yard when that

1 takes place.

2 Q. Has CDCR done anything to ensure that that's
3 actually taking place?

4 A. The captain should be monitoring that.

5 Q. Is there any documentation that it's taking
6 place?

7 A. There wouldn't -- it wouldn't be documented if
8 they're out on the yard when that's happening.

9 Q. If you look underneath paragraph bullet 4 there,
10 AW Bishop wrote, quote: Note, this may warrant further
11 review by PSU to determine whether supervisory staffing
12 supplementation is indicated, unquote. Do you see that?

13 A. Right. And PSU is referring to Program Support
14 Unit.

15 Q. Did the PSU conduct the review recommended by
16 AW Bishop?

17 A. There was a review conducted by PSU of staffing
18 as a whole for the facility.

19 Q. And what was the result of that review?

20 A. It didn't feel that it warranted additional
21 supervisory staff.

22 Q. And so the PSU concluded that staffing needs did
23 not require any additional staff at RJD?

24 A. Not additional, but a massaging of how they ran
25 their program.

1 Q. And what did they recommend in terms of
2 massaging how they ran the program?

3 A. Like, during releases, not having multiple
4 releases all at one time, staggering them so that you
5 don't have so much movement at one time, you have better
6 observation where there's supervision, smaller numbers,
7 as such.

8 Q. Did the PSU issue a written document setting
9 forth its recommendations for how RJD should change the
10 way it runs its program?

11 A. I do not recall, but it doesn't mean one wasn't
12 done.

13 Q. It's possible one was done?

14 A. It's possible.

15 Q. Would you have reviewed it?

16 A. Not necessarily. It wouldn't have come to me.
17 It would have went to the hiring authority.

18 Q. Is that something that you could figure out
19 whether it exists?

20 A. Could request one -- you know, see if it was
21 documented.

22 Q. Let's move on to recommendation number 5. In
23 recommendation 5, AW Bishop wrote, quote: Rank and file
24 custody staff should be restricted from access to areas
25 of low visibility by removal of keys and/or changing of

1 locks to ensure supervisors are accountable for staff
2 access to these areas. Custody staff access to the
3 office and the gym currently afforded to them should be
4 discontinued immediately.

5 I think you mentioned some things with respect
6 to this earlier, but has CDCR done anything to implement
7 this recommendation?

8 A. So the only keys that were restricted from staff

9

10

11

12

13 However, the gym is open during yard hours for
14 program and activity, and there's officers assigned to
15 the gym, so when there's officers assigned, doors are
16 open and inmates can go in and they should be able to
17 program in there.

18 The gym is used for -- we have holding cells in
19 there. So if there's an incident on the yard, that's
20 where the inmates are taken and placed in a holding cell.

21 Q. So staff needs access to the gym; correct?

22 A. Correct.

23 Q. But the key tha

24 correct?

25 A. It's a restricted key.

1 Q. Okay. Did CDCR do anything to limit custody
2 staff access to the office in the gym that was afforded
3 to them at the time of AW Bishop's review?

4 A. Can you repeat that?

5 Q. Well, if you look at AW Bishop's recommendation,
6 he says, quote, custody staff access to the office in the
7 gym currently afforded to them should be discontinued
8 immediately. Was that access discontinued?

9 A. Yes. That's the office that the AW moved into.

10 Q. Did CDCR or RJD take any steps to limit key
11 access on any of the other facilities at RJD?

12 A. I'm not aware. I was not a part of that
13 discussion.

14 Q. So if it happened, you're not aware of it?

15 A. Right.

16 Q. Let's move on to recommendation 6. AW Bishop
17 wrote, quote: Custody supervisors should be charged with
18 enforcing uniform policy to include disallowing
19 non-approved apparel to be worn with the uniform (eg,
20 [REDACTED], end quote.

21 Has CDCR done anything to implement this
22 recommendation?

23 A. So this is already in place. It's already an
24 expectation. Supervisors are expected, when staff come
25 into work, that if they're not wearing the appropriate

1 A. This was -- so one of the things that came out
2 from all of this is that we implemented weekly meetings
3 with staff in which the captains were to meet with their
4 staff, put together basic agendas, talk about things on
5 second and third watch and then the watch commander or
6 the central services captain would come in and cover
7 first watch.

8 Q. Who requested that these captains meetings take
9 place?

10 A. I did.

11 Q. For what period of time did the captains
12 meetings take place?

13 A. They should still be going on.

14 Q. When was the first captains meeting supposed to
15 be conducted?

16 A. That I would not know. I do not recall.

17 Q. At the beginning, when they were first
18 implemented, how frequently were they supposed to take
19 place?

20 A. Weekly in the beginning.

21 Q. How long did the weekly meetings go for?

22 A. A couple of months.

23 Q. Once those couple of months were over, did
24 they -- did the frequency of the meetings change?

25 A. It changed to bi-weekly.

1 Q. And by bi-weekly, you mean every two weeks?

2 A. Every two weeks.

3 Q. Is that the current expectation?

4 A. That currently should be taking place.

5 Q. Now, this document is entitled Proof of
6 Practice - Facility Captain Weekly Town Hall Meetings;
7 correct?

8 A. Um-hmm.

9 Q. And this was addressed to you by -- on
10 January 14th, 2019, by Patrick Covello who was the warden
11 at the time; correct?

12 A. Right.

13 Q. Are these proof of practice memos still produced
14 and sent to you?

15 A. No.

16 Q. For how long were the proof of practice memos
17 required to be produced and sent to you?

18 A. Probably that two months, two, three months.

19 Q. And after that point, RJD no longer had to
20 document that these captains meetings were taking place?

21 A. No. They just didn't have to forward them to
22 me.

23 Q. RJD would still have to complete documentation
24 to show that they were taking place, though. Correct?

25 A. Yes, that should still have been taking place.

1 Q. And where would those documents be kept?

2 A. They should be kept at the institution, wherever
3 they designated their place to keep them.

4 Q. They were sending them to you, however, for a
5 couple of months or so; is that right?

6 A. Yes.

7 Q. Oh. Sorry. Was attendance at the captains
8 meetings mandatory for staff?

9 A. It would be mandatory for those that have
10 ability to go. So a control booth officer, obviously,
11 can't come out of the control booth office. But
12 typically one of the four cops from each unit, your S&Es,
13 search and escorts, your security patrols, and your
14 culinary cop, if he's available. If a person is
15 available, they should be attending.

16 Q. Were any steps taken to make people who
17 typically staffed positions that were not available, such
18 as the control tower that you mentioned, were any steps
19 taken to make it so that they could attend these captains
20 meetings?

21 A. So what captains would do is like this week
22 you're -- this floor officer would go, the next one, the
23 other floor officer would go, and then maybe the third
24 meeting one of them would relieve the control booth
25 officer so they could attend. That way everyone is given

1 an opportunity.

2 Q. So the expectation was that all staff would
3 attend some of the captains meetings; is that correct?

4 A. Right.

5 Q. All right. Let's go to recommendation 7 in
6 AW Bishop's memo. In recommendation 7, AW Bishop wrote,
7 quote: Custody staff, including supervisors, should be
8 provided mandatory remedial training on effective
9 communication techniques for mentally disordered and
10 developmentally disabled offenders and equal employment
11 opportunity policy, end quote.

12 Has CDCR done anything to implement this
13 recommendation?

14 A. So all staff are mandated to -- and required to
15 attend annual EEO training. And that has been completed.

16 They're also -- I would have to get the new list
17 to see, but I believe some of the trainings they talked
18 about effective communication. I would have to go back
19 through some of the topics because those were some of the
20 things that we had discussed when we talked about
21 implementing these is adopting some of these, but that
22 would have -- they would have to be cross-referenced with
23 the agenda items and what they talked about with this.

24 Q. And when you're saying "these trainings," are
25 you referring to the captain -- the weekly captains

1 meetings?

2 A. Correct.

3 Q. Or the bi-weekly captains meetings that are
4 occurring now?

5 A. Yes.

6 Q. Besides the annual EEO training and these
7 captains meetings at which effective communication may
8 have been discussed, were there any other efforts taken
9 by RJD to provide training regarding effective
10 communication at RJD?

11 A. Are you talking like an in-service training
12 where we closed the facility?

13 Q. Any others.

14 A. No. The efforts were that the captains would go
15 and provide this level of training to their staff on the
16 facility.

17 Q. Did that training occur on all facilities or
18 only Facility C?

19 A. It would have been done on all the facilities.

20 Q. Were you providing any of the captains with
21 topics that you wanted to be covered at these captains
22 meetings?

23 A. Occasionally. You know, I would give them to
24 the hiring authority, and then I would say, "Hey, here's
25 a topic that you guys might want to consider discussing,"

1 based on allegation or different things that rise up to
2 our level, and then it would get filtered down.

3 Q. And would you communicate that to the hiring
4 authority in writing?

5 A. Or phone.

6 Q. Let's turn to recommendation 8. AW Bishop
7 wrote, quote: The review team recommends changing local
8 practice regarding collection of appeals to require this
9 process to be completed by the facility captain or
10 appeals coordinator only. Additionally, it is
11 recommended that the institution explore ways the inmate
12 population may submit appeals in a more secure manner,
13 without involving custody staff as a possible barrier to
14 the appeal process, end quote.

15 I think you mentioned something about this
16 earlier as well, but has CDCR done anything to implement
17 this recommendation?

18 A. So we did change the way that it was collected
19 on the facility and we changed the lock on the box so
20 that nobody has it other than the appeals office.

21 But the department's always looking for
22 alternative ways for appeals to be sent in a more secure
23 manner, and one is the new tablets. However, RJD is not
24 a part of that process right now, but that is one thing
25 that the department is looking at, so that they can via a

1 A. Because when we received the letters, the
2 majority of the scope was all Facility C because that's
3 where the majority of all the allegations of staff
4 misconduct was rising from.

5 Q. Did anyone propose conducting interviews with
6 incarcerated people on the other facilities at RJD?

7 A. No.

8 Q. At the time of the December interviews, did CDCR
9 have any reason to believe that the problems at RJD were
10 limited to Facility C?

11 A. At the time of this? It gave the appearance
12 that the majority of the issues were just on Facility C.

13 Q. Does CDCR currently believe that any problems
14 with staff misconduct at RJD are limited to Facility C?

15 A. I think that would be naive to say that. I
16 think staff misconduct can happen anywhere. It doesn't
17 mean we're not going to look into it. But I would not
18 say that all staff misconduct only happens on Facility C.

19 Q. Is CDCR aware of staff misconduct that has
20 occurred on other facilities at RJD?

21 A. We're aware when it's brought forward to us.

22 MR. FREEDMAN: Why don't we take, like, a
23 five-minute break.

24 MS. DE LA TORRE-FENNELL: Okay.

25 (Recess taken from 3:35 to 3:48 p.m.)

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN FRANCISCO)

3
4 I, MARK W. BANTA, a Certified Shorthand
5 Reporter, CSR No. 6034, do hereby certify:

6 That the foregoing proceedings were taken
7 before me at the time and place therein set forth, at
8 which time the witness was put under oath by me;

9 That said proceedings were recorded
10 stenographically by me and were thereafter transcribed;

11 That a review of the transcript by the deponent
12 was not requested;

13 I further certify that I am neither counsel
14 for, nor related to or employed by any attorney of the
15 parties to the action, nor in any way interested in the
16 outcome of this action.

17 In witness whereof, I have hereunto subscribed
18 my name.

19
20 Dated: February 6, 2020

21 
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24 MARK W. BANTA


25 CSR 6034, CRR

Exhibit 84

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,)
)
 Plaintiffs,)
)
 vs.) Case No. C94 2307 CW
)
GAVIN NEWSOM, et al.,)
)
 Defendants.)

DEPOSITION OF


SAN DIEGO, CALIFORNIA

FEBRUARY 13TH, 2020

Reported by: FRAN BARBER, CSR, RPR
Certified Shorthand Reporter
License No. 13811

1 UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF CALIFORNIA

3 JOHN ARMSTRONG, et)
4 al.,)

5 Plaintiffs,)

6 vs.)

Case No. C94 2307 CW

7 GAVIN NEWSOM, et al.,)

8 Defendants.)

9
10 The deposition of [REDACTED], taken on
11 behalf of the Plaintiffs at 500 West Broadway, Suite
12 1000, San Diego, California, beginning at 9:35 a.m. and
13 ending at 2:21 p.m. on Thursday, February 13th, 2020,
14 before FRANCES BARBER, Registered Professional Reporter
15 and Certified Shorthand Reporter No. 13811.
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1 APPEARANCES:

2 ON BEHALF OF THE PLAINTIFFS:

3 ROSEN BIEN GALVAN & GRUNFELD, LLP
4 MS. JESSICA WINTER
5 101 Mission Street
6 Sixth Floor
7 San Francisco, California 94105
8 Phone: (415) 433-6830
9 E-mail: Jwinter@rbgg.com

7 ON BEHALF OF THE DEFENDANTS:

8 STATE OF CALIFORNIA DEPARTMENT OF JUSTICE
9 OFFICE OF THE ATTORNEY GENERAL
10 CORRECTIONAL LAW SECTION
11 MS. JOANNA B. HOOD
12 MS. ANNAKARINA DE LA TORRE-FENNELL
13 1300 I Street
14 Sacramento, California 95814
15 Phone: (916) 210-7343
16 E-mail: Joanna.hood@doj.ca.gov
17 annakarina.fennell@doj.ca.gov
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1 SAN DIEGO, CALIFORNIA

2 FEBRUARY 13TH, 2020

3 WHEREUPON:

4 [REDACTED],
5 called as a witness herein, having been first duly
6 sworn, was examined and testified as follows:

7 EXAMINATION

8 BY MS. WINTER:

9 Q. So as I mentioned, my name is Jessica Winter.
10 I am plaintiffs' counsel. Typically, I work for the
11 case called Coleman vs. Newsom, but also at times I work
12 for Armstrong, which is a separate case and I'll explain
13 those a little bit later.

14 If you could, please state your full name for
15 the record.

16 A. [REDACTED]

17 Q. Thanks. So I'm going to be primarily taking
18 your deposition today. Have you ever had your
19 deposition taken before?

20 A. Yes.

21 Q. In what context?

22 A. I mean, I believe that's what it was. It was
23 with regard to the case that we just did with the same
24 case, but I had to go into court and --

25 Q. When you say "the same case," what -- can you

1 name some of the --

2 A. Yeah, [REDACTED] is the situation and so
3 the officer himself was trying to get his job back after
4 being dismissed and so I had to be deposed. I believe
5 that's what it was called. I mean, I had to sit with a
6 lawyer and talk about what I saw, didn't see. I also
7 went through hours and hours of interviewing prior to
8 that, so I'm not sure if that's called deposing, but --
9 or depositions, so I don't know.

10 Q. So when you sat down -- when you did that and
11 you said you went into court to have that happen?

12 A. Right, yeah.

13 Q. So it was --

14 A. That was in December.

15 Q. Okay.

16 A. Yeah.

17 Q. Do you remember what court -- what the court
18 was?

19 A. It was a court in the personnel building of --
20 in Rancho Cucamonga.

21 Q. So perhaps might it have been the State
22 Personnel Board? Do you know?

23 A. Yes, yeah.

24 Q. Okay. So that makes sense.

25 Okay. And about how long did you sit for that

1 deposition? Did you answer questions?

2 A. Well, so I'm not really sure which one was a
3 deposition. I mean, one was -- I was with investigators
4 having to recount everything for several hours on two
5 different occasions and the other one was I sat with
6 a -- and there were attorneys in there, and I sat with
7 an attorney prior to going on the stand. And let's see,
8 that would have been at the end of November in
9 preparation for December going on the stand.

10 Q. Okay. So was that with a -- when you prepared
11 to go on the stand, was that with a court reporter or --
12 like this where we have a court reporter who is
13 transcribing?

14 A. No.

15 Q. Okay.

16 A. Yeah, so maybe I haven't been, I don't know.
17 I've been through a lot of legal stuff over this
18 situation and I've just tried to roll with it all, so to
19 be certain, I don't know. I have been on the stand
20 several times both as an expert witness and then
21 recently as a fact witness.

22 Q. For this?

23 A. For this situation.

24 Q. Yeah, I'll call it the [REDACTED] incident.

25 A. Yeah, yeah. In New York I was doing a lot of

1 expert witness.

2 Q. Okay, I see. So I just wanted to sort of give
3 you some background on how the deposition will go.

4 A. Okay.

5 Q. This is just an opportunity really for us to
6 ask you questions before you ever would have to sit on a
7 stand. We don't know if that would ever happen, but...

8 So let's see. So I'm going to be asking you a
9 series of questions. This is the more formulaic part.
10 We'll talk a little bit more freely after this portion.

11 A. Okay.

12 Q. So your question -- my questions and your
13 answers are going to be recorded by a court reporter and
14 so you'll have to remember to speak loudly so that she
15 can hear you and not too quickly. I probably will start
16 speaking too quickly, but she will remind me if I am
17 doing that and she may ask for clarification about
18 particular words, those sorts of things, just so she can
19 get it right.

20 So you have just taken an oath that requires
21 you to tell the truth, the whole truth, and nothing but
22 the truth. Do you understand that oath?

23 A. Yes, I do.

24 Q. And so when you're answering questions, it's
25 best that you not guess about things or speculate, so if

1 you can make an estimate, that's helpful, or you can
2 say, to my knowledge, this is my perception or my
3 understanding or be clear about when you don't have
4 knowledge or when things were not totally clear to you.

5 A. Uh-huh.

6 Q. That is really helpful. Do you understand?

7 A. I do.

8 Q. If you don't understand a question that I ask,
9 if it's ambiguous or if you need me to break it down
10 further, please just stop me and ask me to do that.

11 And you can also whenever you need to take a
12 break. You can take lunch, you can get water. I've
13 heard that there is a great kitchen in this office. I
14 don't know if you're hungry now, you should stop and
15 take some snacks if you'd like, but anytime that you
16 need to pause, that's fine.

17 A. Okay.

18 Q. Have you taken any medications or drugs that
19 might make it difficult for you to understand and answer
20 questions today?

21 A. No.

22 Q. Okay. Is there anything else? Are you sort
23 of ill or anything else that might be impacting your
24 ability to answer questions?

25 A. No.

1 Q. Okay. And is there any other reason that you
2 wouldn't be able to answer questions fully and
3 truthfully?

4 A. No.

5 Q. Okay, thanks. So I'm going to hand you a
6 document. First I'm going to give it to the court
7 reporter.

8 I'd like this marked as Exhibit 1.

9 ([REDACTED] Exhibit 1 marked as requested.)

10 BY MS. WINTER:

11 Q. So can you read the title of that document?
12 It's down on the bottom right-hand corner. It's bolded.

13 A. Oh, Amended Notice of the Deposition of
14 [REDACTED].

15 Q. So have you seen this document before?

16 A. Yes.

17 Q. Okay. And where did you see it?

18 A. It was e-mailed to me to my work e-mail.

19 Q. When did you receive it?

20 A. Two weeks ago sometime.

21 Q. And did you -- it sounds like you were not
22 totally certain what this meant when you received it?

23 A. Well, yeah, because it doesn't say any
24 specifics about what it's about.

25 Q. I see. But it does say to arrive here on this

1 date and time so --

2 A. Which was incorrect, January 28th.

3 Q. Oh, that's right. We amended it twice. We
4 were supposed to amend it again. This is the wrong one.

5 A. It's okay.

6 Q. So do you have an idea of why we are here
7 today?

8 A. I do now after speaking with Gay last night.

9 Q. I see. So what's your understanding?

10 A. That I'm part of a never-ending saga. Sorry.
11 This thing has -- it happened in May of 2000- -- I want
12 to say it was March or May of like 2017, so it just --
13 it feels like it just keeps going.

14 Q. I see.

15 A. But, yeah, it's regarding the case in which
16 I -- I wrote a report of abuse I saw against an inmate.
17 I guess it's not called whistle-blowing is what I was
18 told, but it sure felt like it.

19 Q. I see. And we're going to get back a little
20 bit, we'll get more into the detail of that later, but
21 that's roughly why we're here just for informational
22 purposes.

23 The attorneys in two cases that I'll explain a
24 little bit more are really concerned about staff
25 misconduct at RJD in particular and so we are doing a

1 lot of information gathering. As you said, you've
2 beaten this dead horse many times --

3 A. Yeah.

4 Q. -- but we're going to do it one more time
5 today.

6 A. That's okay.

7 Q. So let's see. Did you review any materials
8 before you came here today?

9 A. I did.

10 Q. What did you review?

11 A. I just -- I looked back over some of the
12 retaliation reports that I wrote, which didn't go
13 anywhere, just so I could remind myself, you know, of
14 dates and things like that.

15 Q. So reports that you wrote within CDCR?

16 A. Yeah, I wrote the incident report and the
17 things that happened subsequently.

18 Q. I see.

19 A. Yeah.

20 Q. We'll definitely talk about that.

21 Did you do anything else to prepare for today?

22 A. No. I mean, I just found out last night, so
23 I --

24 Q. I see.

25 A. -- I don't know what I could have done between

1 then, but...

2 Q. And did you speak with anyone before this
3 deposition about the fact that it would occur?

4 A. I had to tell my boss so that he knew why I'd
5 be out of the office. I also cleared it with my chief
6 to make sure that this is something I could participate
7 in. And I think my coworkers might know that I'm being
8 deposed, but not for what, just because I was going to
9 be out of the office.

10 Q. I see.

11 A. But that's it.

12 Q. When you say cleared with your boss, do you
13 know that person's role in CDCR, what their title is?

14 A. Well, I needed -- I had to let my boss know
15 that this was happening after I cleared it with the
16 chief --

17 Q. Right.

18 A. -- so that's like my boss's boss's boss just
19 to make sure that was something that I could be involved
20 in because a lot of times I think they try to shield us
21 from being involved in legal stuff, so.

22 Q. I see.

23 A. Yeah.

24 Q. So your boss is -- is your boss -- when you
25 refer to your boss, is that like a senior psychologist

1 supervisor?

2 A. Yeah, uh-huh. The yard supervisor, uh-huh.

3 Q. The yard supervisor, okay, I understand.

4 And did you speak with -- it sounded like
5 maybe you had spoken with Ms. Hood or --

6 A. Oh, right, right. I think -- I can't remember
7 if I called -- they contacted me a couple times to find
8 out if I could speak with them. I -- there was a delay
9 because I first had to talk to my chief and then I was
10 told I could speak with them and I didn't realize you
11 guys were from two different offices, so anyway, yeah.

12 Q. So when you say "they," you're referring to
13 CDCR legal?

14 A. Yes, and then during that conversation is when
15 I found out who was representing who.

16 Q. I see. And do you remember the names of the
17 people you spoke with from CDCR legal?

18 A. Oh, it was Ms. Hood. Isn't she part of CDCR
19 legal?

20 Q. Yes.

21 MS. DE LA TORRE-FENNELL: We just want to clarify,
22 we're from the AG's office, not CDCR legal.

23 MS. WINTER: Oh, I see, thank you. I apologize.

24 BY MS. WINTER:

25 Q. So the California Attorney General Office.

1 A. Okay.

2 Q. There's a complicated legal situation --

3 A. Oh, I see.

4 Q. -- for CDCR.

5 A. I'm not a lawyer, I don't quite understand it
6 all.

7 Q. Yeah. And did they -- did Ms. Hood or Ms. --

8 MS. WINTER: I don't know if I'm going to be able
9 to pronounce your name effectively.

10 MS. DE LA TORRE-FENNELL: De La Torre-Fennell.

11 BY MS. WINTER:

12 Q. -- De La Torre-Fennell, did they tell you
13 anything about why you're here today?

14 A. No, I -- I did not know why, like, what the
15 case was about.

16 Q. I see.

17 A. It wasn't until I talked to Gay that I found
18 out what was happening and this was last night.

19 Q. Okay.

20 A. So...

21 Q. Well, I appreciate you being here on such sort
22 of short notice in terms of understanding what's going
23 on.

24 A. That's fine.

25 Q. And did they talk to you at all about sort of

1 your representation here, legal representation?

2 A. I was informed that I was allowed to hire my
3 own because -- because it would be a conflict of
4 interest for them to provide as legal for me.

5 Q. I see.

6 A. Yeah.

7 Q. I understand. But you chose not to --

8 A. (Nodding.)

9 Q. So you're nodding saying --

10 A. Yes, I'm sorry.

11 Q. That's okay.

12 A. Uh-huh.

13 Q. Thanks. And did you bring any documents with
14 you here today?

15 A. I did.

16 Q. So if it's possible, I would like to make
17 copies of those documents while we're here. I don't
18 know if there's anything that you were concerned about.

19 A. I mean, I'd prefer to be able to give you the
20 ones that I think are relevant to this.

21 Q. Okay. If you want to take a moment and sort
22 of sort through what you think is most relevant and what
23 is not --

24 A. I just don't know what's going to end up being
25 relevant because what are we gonna talk about, you know?

1 Q. Okay.

2 A. I don't know.

3 Q. Yeah. So we can either make all the copies
4 right now and just sort of, like, not have to worry
5 about that or we can do it as we go.

6 A. That's fine.

7 Q. My concern is that I would actually like to
8 review and maybe I would have additional questions about
9 certain documents that you might not raise affirmatively
10 while we talk, if that makes sense.

11 A. No, I mean, I don't feel comfortable with
12 that.

13 Q. Okay, that's fine.

14 A. I will give you what I feel like is relevant.

15 Q. Okay. I appreciate it, thanks.

16 A. Yeah.

17 Q. And did you do anything else to prepare for
18 the deposition today?

19 A. No.

20 Q. Okay, thanks. And I should let you know, I
21 just wanted the court reporter to acknowledge, I have a
22 document here and I'm going to let you see it. I'm not
23 going to have it marked as an exhibit, but I'll explain
24 a little bit what this document is.

25 So, again, there is a bolded title at the

1 bottom right-hand corner of this document. Do you see
2 what that says?

3 A. Modified protective order.

4 Q. Yeah. So I'm going to represent to you that
5 this is a court filing that the parties in the Armstrong
6 case initially agreed to in 2007 and then updated in
7 2012 that protects confidential information or sensitive
8 information that you might be talking about today --

9 A. Okay.

10 Q. -- from public disclosure. So, for example,
11 class members' personal information, their -- and
12 treatment information, that sort of thing is protected
13 by this protective order as is security information, so
14 anything that potentially could pose a threat of harm to
15 the institution. And there's a similar protective order
16 for the -- so this is for the Armstrong case. There is
17 a similar one for the Coleman case.

18 A. Is that to say it encompasses, like, private
19 information that may be in any documents I give you,
20 such as names that are -- which are people's names that
21 are in the institution?

22 Q. So it would protect class members' names, so
23 the actual would -- so the prisoners themselves. In
24 terms of person- -- so personnel information is often
25 protected separately, but like if you're talking about

1 other officers, depending on the type of personnel
2 information, it is separately protected.

3 A. I don't have a duty to protect them. I have a
4 duty to protect my patients.

5 Q. Yeah, right. So this will protect the
6 patients --

7 A. Okay.

8 Q. -- if that's your main concern?

9 A. Yeah.

10 Q. So putting that aside. And so I just want to
11 get a little bit of background from you.

12 Are you currently working for CDCR?

13 A. Yes.

14 Q. Where do you work?

15 A. I work at Facility A [sic] at RJD.

16 Q. So that's the Richard J. Donovan facility?

17 A. J. Donovan, uh-huh.

18 Q. And what's your current job title?

19 A. The formal title, it's a clinical
20 psychologist.

21 Q. And how long have you been in that position?

22 A. [REDACTED]

23 [REDACTED].

24 Q. [REDACTED]

25 A. [REDACTED]

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Q. [REDACTED]

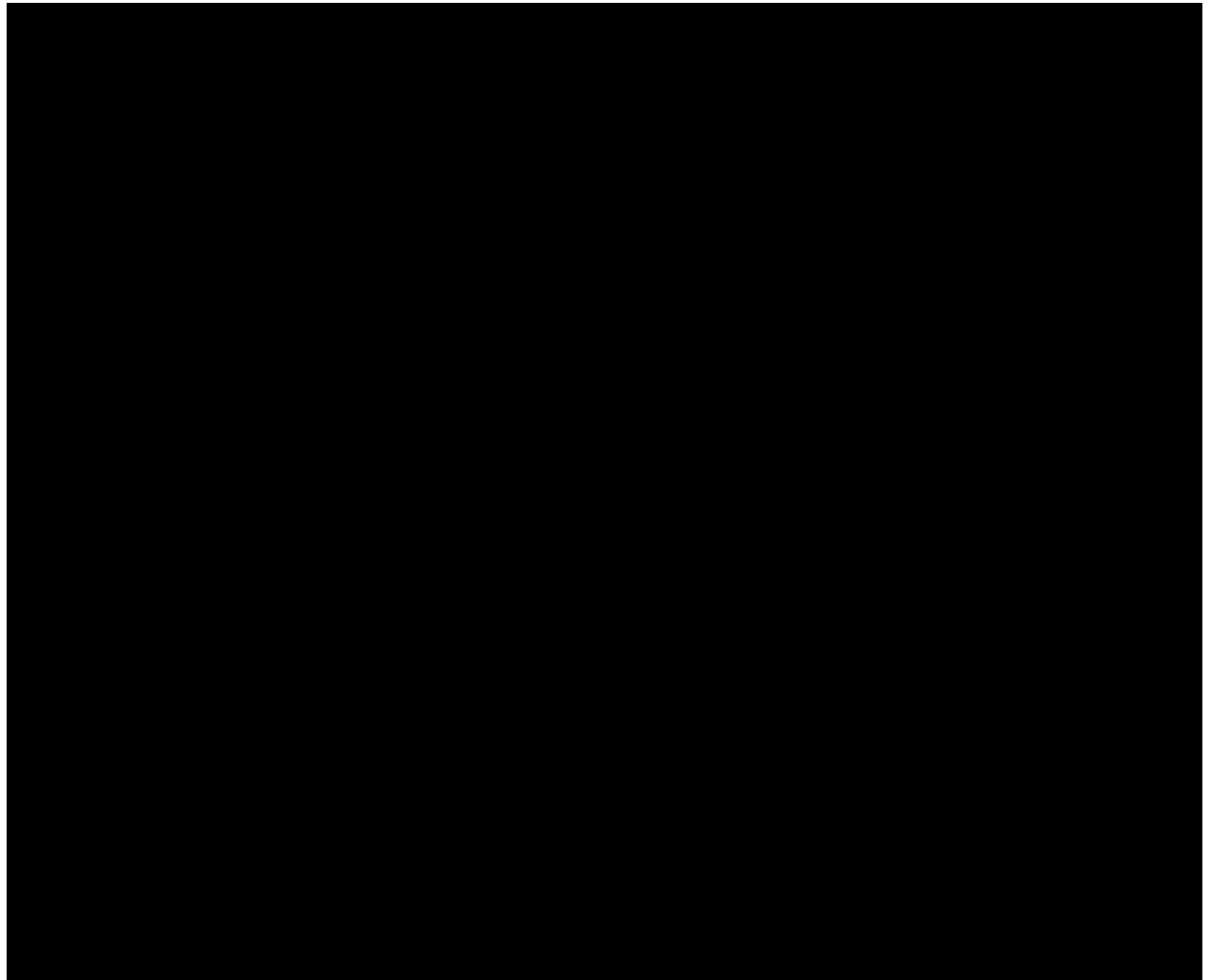
A. No, it has not.

Q. But you've been a clinical psychologist at RJD
[REDACTED]?

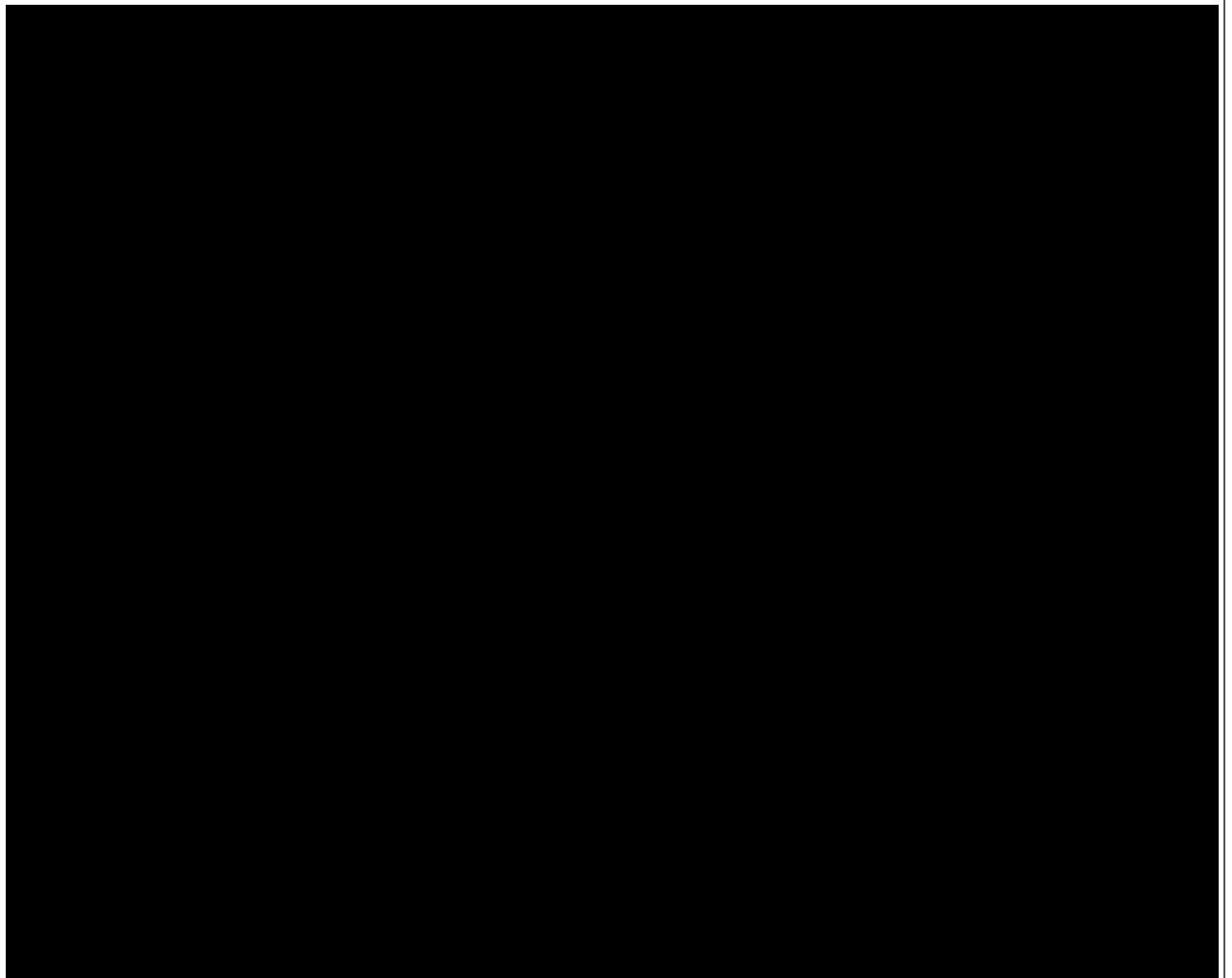
A. That's right.

[REDACTED]

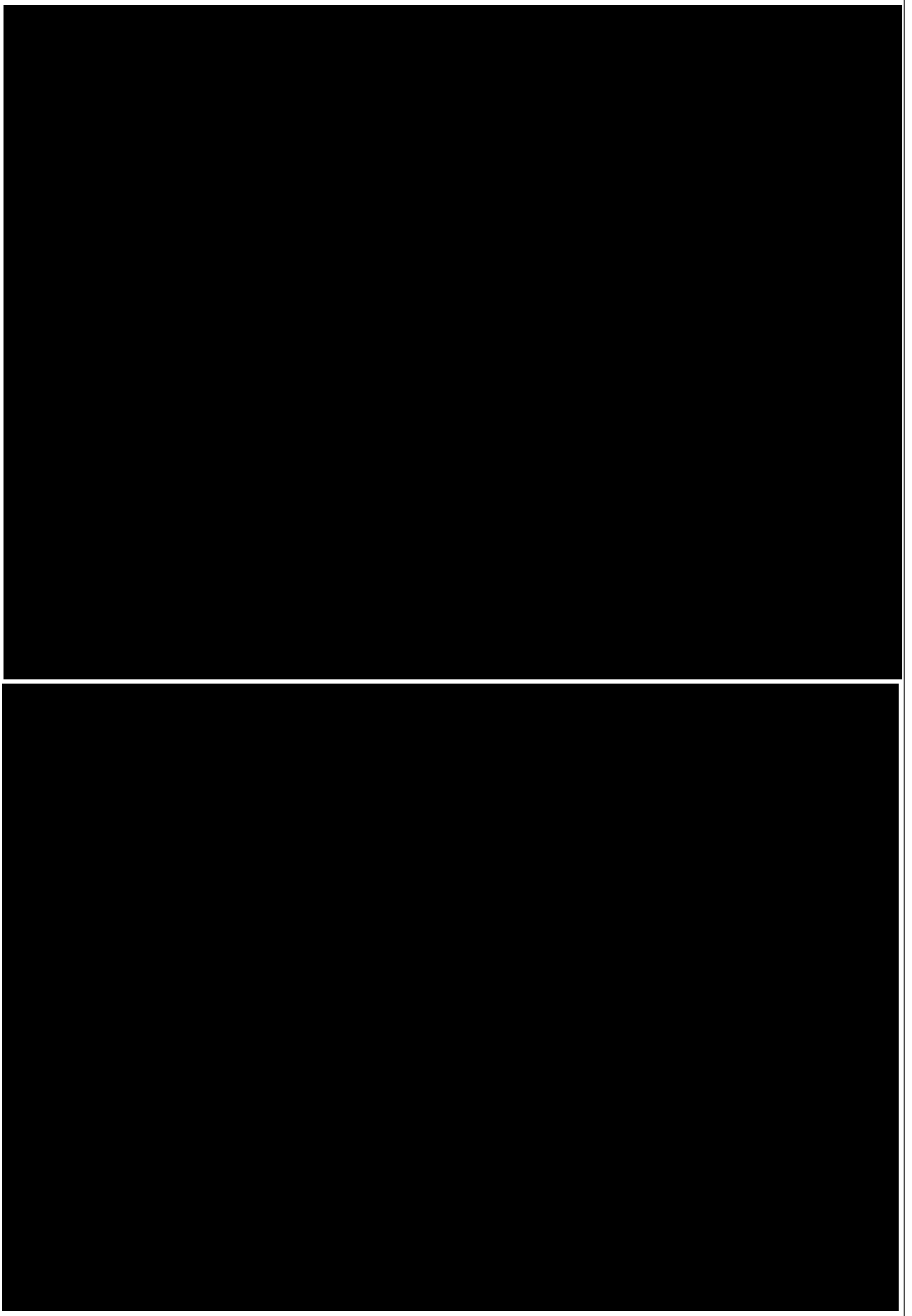
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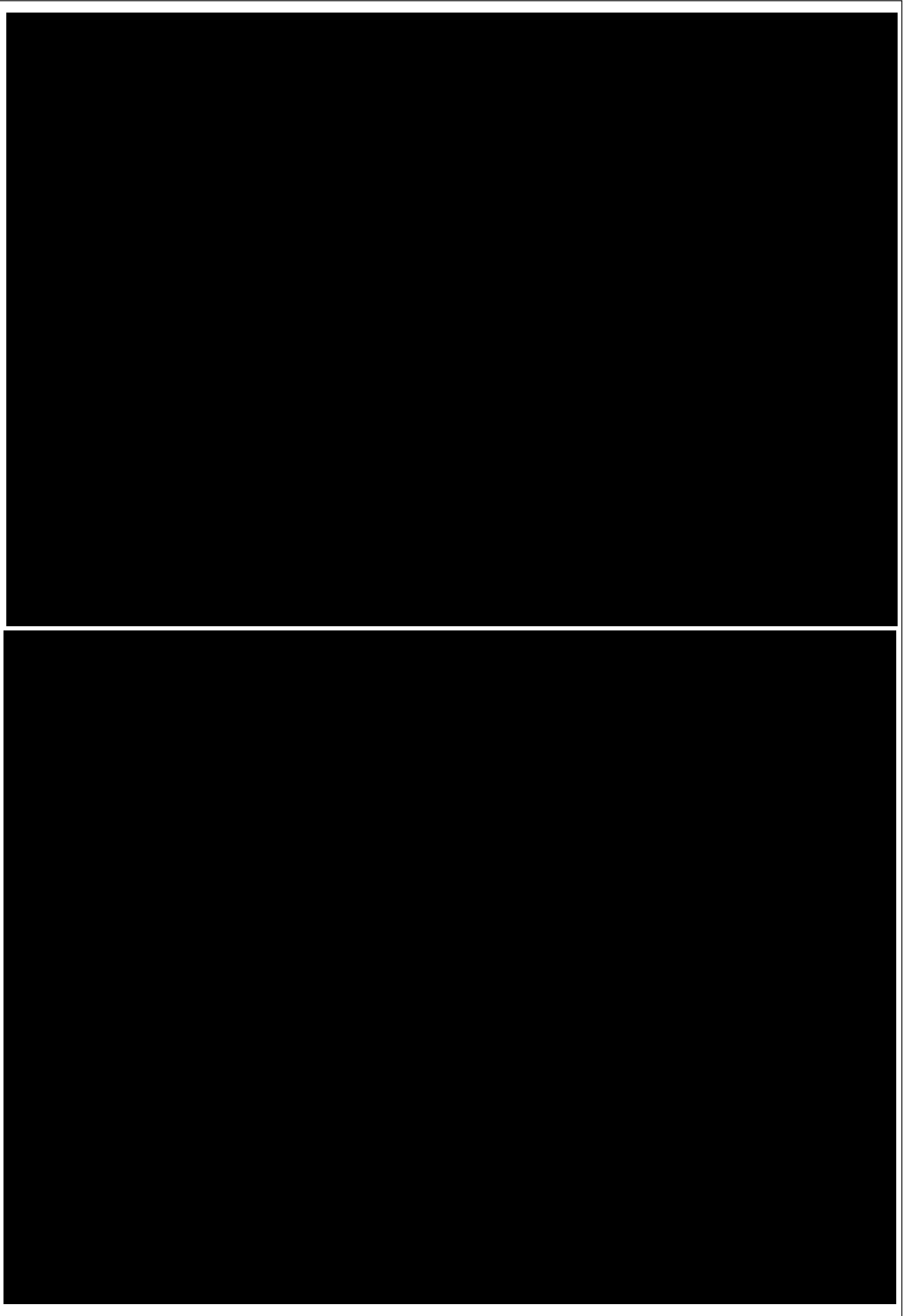
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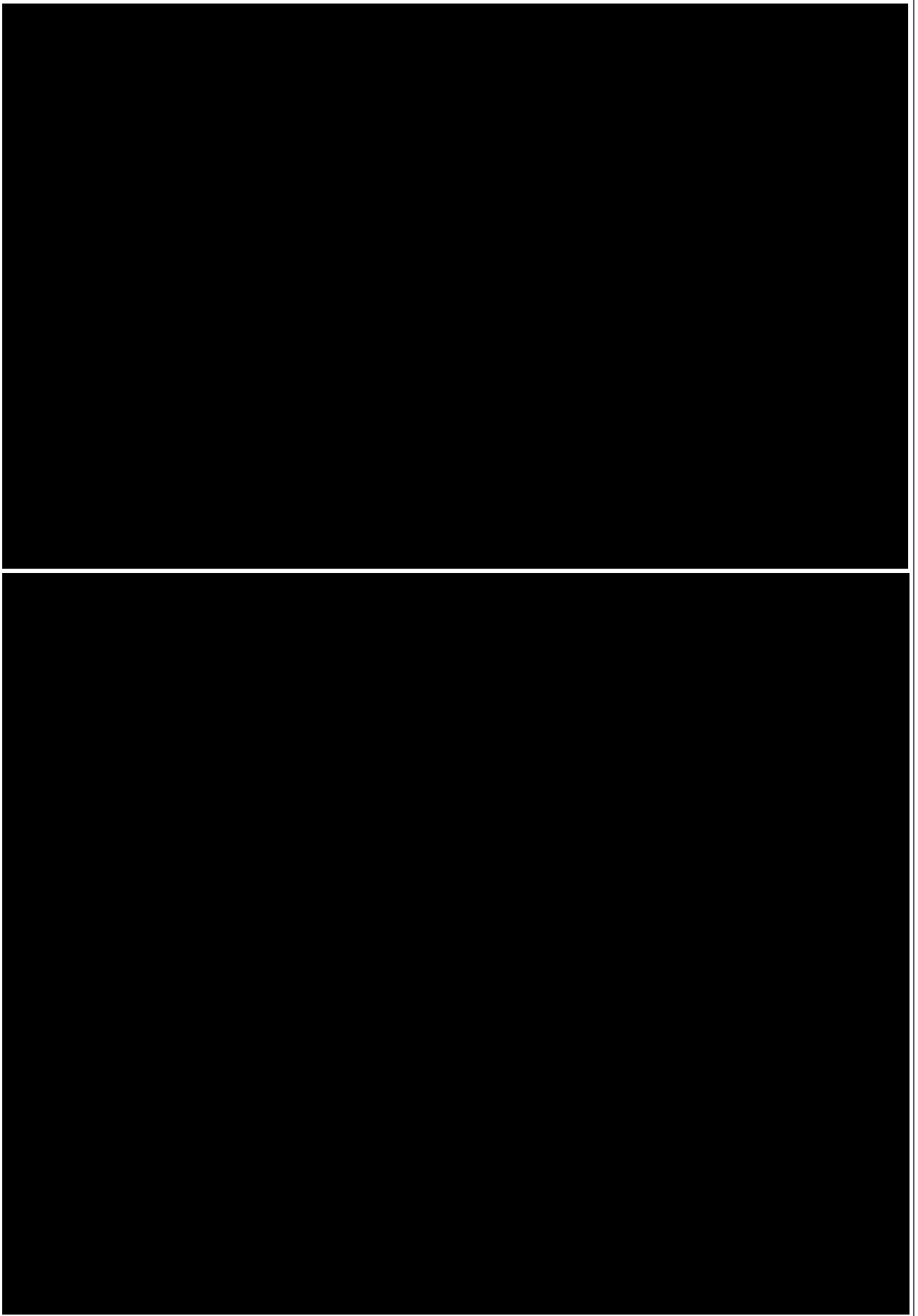
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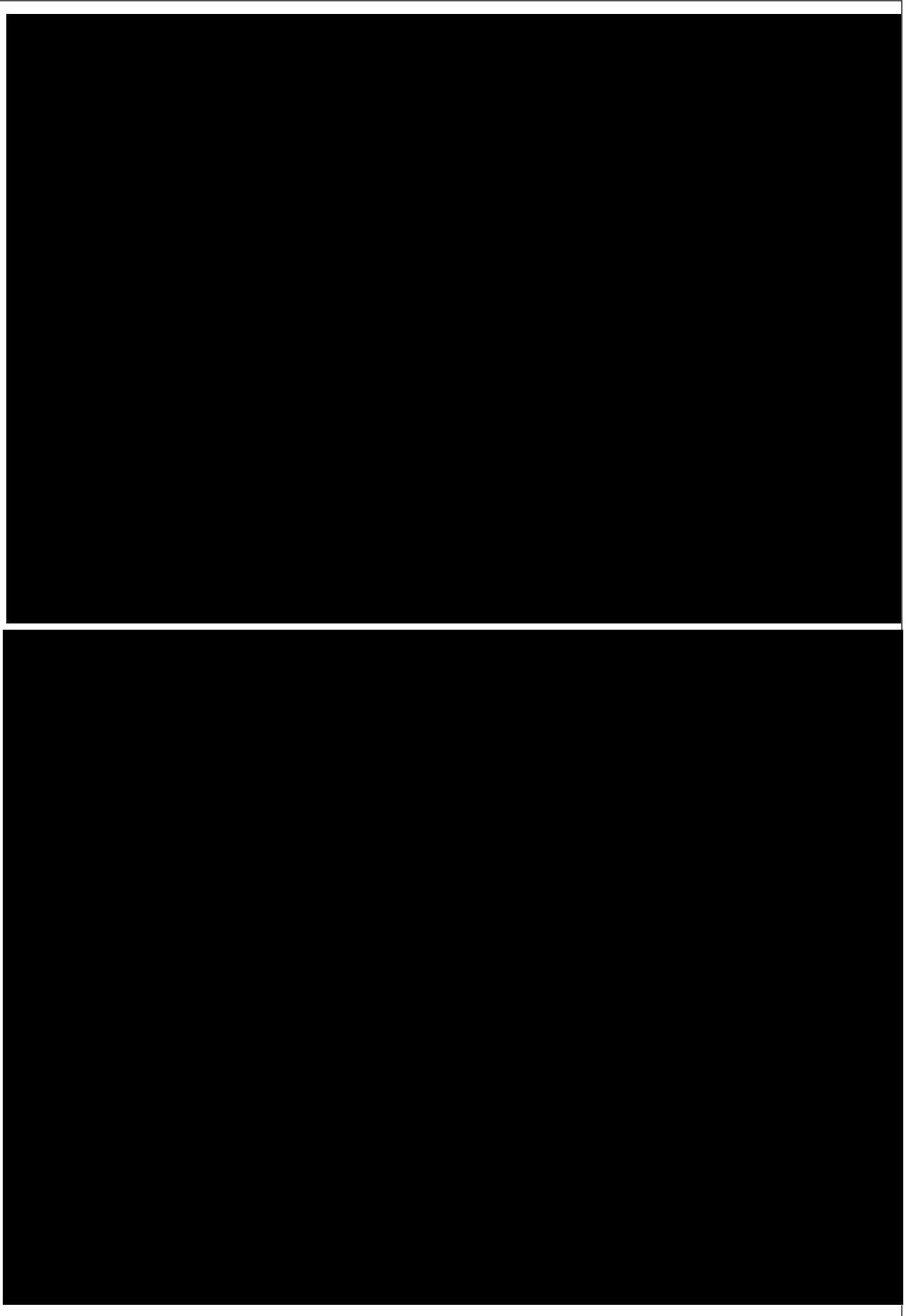
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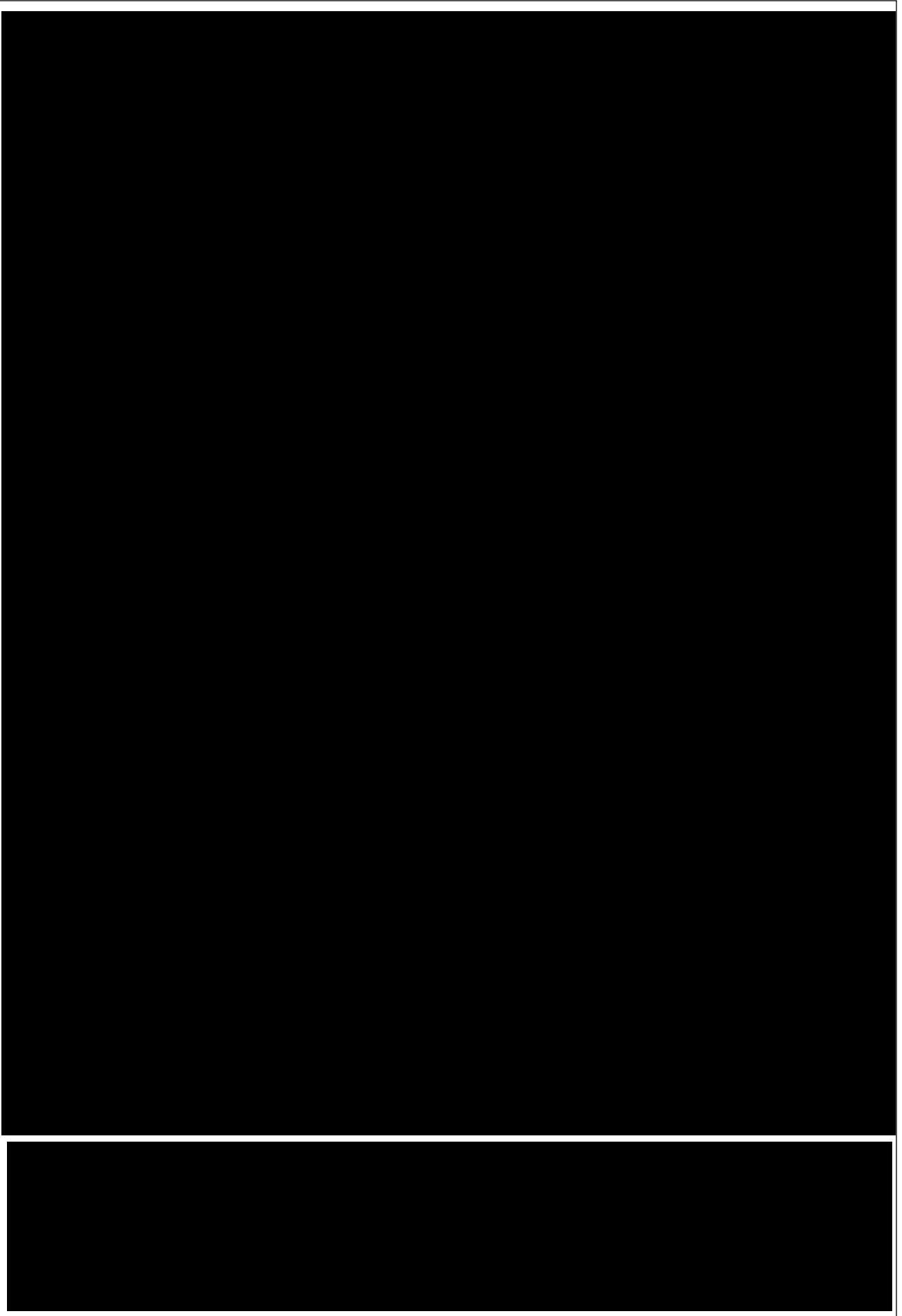
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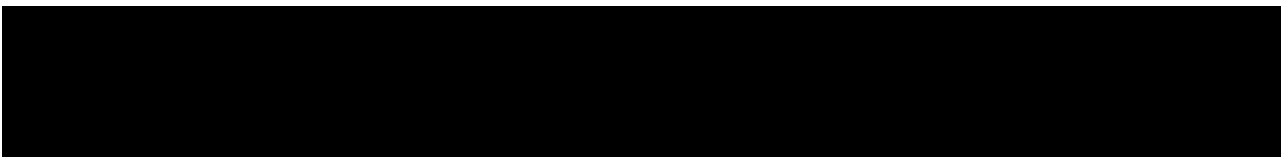
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Q. Do you have a sense of why people get moved a lot?

A. Institution need.

Q. So staffing coverage, that kind of thing?

A. Yeah.

Q. Okay. So in your work in CDCR, have you ever heard the name of a legal case called Coleman?

A. Yes.

Q. Do you have an understanding of what that -- of what Coleman means?

A. Well, the biggest way in which we understand it is we have to fill out these effective communication boxes, so every -- every individual who may be sort of identified as being a Coleman inmate we have to fill out an additional piece of documentation.

Q. I see.

A. But my understanding is -- let's see, yeah, I think it's -- is that right? Yeah, it's like the DD1, DD2, right?

Q. So DD1, DD2, that's a Clark -- that's for the Clark case, that's a different case.

A. Oh, Clark.

Q. And actually, the Effective Communication Tool

1 is really in Armstrong, but it's triggered in Coleman
2 because people with mental disabilities -- well, Coleman
3 class members have mental --

4 A. Do you see why we might be a little bit
5 confused about all of this?

6 Q. Yeah.

7 A. Okay.

8 Q. Do you have any other understanding of what
9 Coleman means?

10 A. Well, my understanding is that it was a class
11 action lawsuit against CDCR in general to help better
12 protect the population.

13 Q. So that's accurate. So just to give you a
14 little bit of background, Coleman is a case that was
15 filed in 1990 or 1991 against CDCR --

16 A. Uh-huh.

17 Q. -- to -- alleging that CDCR provided
18 unconstitutionally inadequate mental health care to
19 class members in its custody. And the Coleman
20 plaintiffs won that case in 1995 and since then, the
21 court has had oversight of CDCR to ensure that class
22 members -- to try to effectuate a remedy and make sure
23 that class members get adequate mental health treatment.

24 A. Uh-huh.

25 Q. And so I'm going to ask you the same question

1 for the Armstrong case, have you ever heard of a legal
2 case called Armstrong versus --

3 A. Yes, that one I'm a little more familiar with,
4 yeah.

5 Q. Can you explain what your understanding of
6 Armstrong is?

7 A. My understanding is that it has to do with
8 those with physical disabilities and protecting that
9 population, making sure that they have their
10 accommodations.

11 Q. Okay. And so when you say "physical
12 disabilities," can you give me some examples of physical
13 disabilities?

14 A. Mobility impairment, hearing impairment,
15 visual impairment.

16 Q. Okay, thanks. And when was the last time you
17 received training in Armstrong?

18 A. I -- I don't know. It's been a couple years.
19 I mean, I'm sure there's something that probably --
20 there's probably an online training that I've taken, so
21 probably annually, but in terms of like a sit-down in a
22 room and receive training, that hasn't happened for a
23 couple years at least.

24 Q. Okay. And so your understanding of Armstrong,
25 where does it come from? Does it come from training,

1 for example, or from sort of on-the-job experience?

2 A. Well, there -- we -- we have been trained.

3 Q. You have been trained?

4 A. Yeah.

5 Q. Okay.

6 A. When they train us, though, they typically
7 lump them all together which is why I think we get a
8 little confused --

9 Q. I see.

10 A. -- in terms of like, you know, this is what
11 you need to know. These are accommodations. This is
12 how you fill out the box. This is what you need to do
13 as part of your job duties to make sure that these
14 stipulations are met and to me it's just kind of like
15 no-brainer, like you'd obviously want to do those
16 things, but there's a court case behind it that makes it
17 so that we have to document it in such a way to make
18 sure that we're meeting all the -- you know, checking
19 off all the boxes.

20 Q. And so I think your understanding of Armstrong
21 is pretty accurate. It's a later filed case than
22 Coleman and one of the main differences between the
23 cases is that -- so Coleman was brought as a
24 constitutional case, an Eighth Amendment cruel and
25 unusual punishment case whereas the Armstrong case was

1 brought under the ADA, so the Americans with
2 Disabilities Act statute, so that's one legal
3 difference. I don't know if that makes much difference
4 in your day-to-day life but that's probably the only
5 real distinction that matters here that you didn't
6 identify.

7 Are you aware of your obligation to report
8 noncompliance with the Armstrong Remedial Plan --
9 actually, let me back up.

10 Do you know what the Armstrong remedial plan
11 is? Have you ever heard of that?

12 A. Yes.

13 Q. What is that, to your knowledge?

14 A. I mean, my understanding is that we're
15 supposed to provide the accommodations and if we learn
16 that accommodations aren't being provided by other staff
17 members, we need to let somebody know.

18 Q. So that's your obligation to report
19 noncompliance, what you just said?

20 A. Yeah, that's my understanding.

21 Q. And so when you say you have to report that
22 sort of noncompliance to someone, who do you report it
23 to?

24 A. We usually draft a memo and then it would be
25 sent to my -- my boss and the chief.

1 Q. So that is a senior psychology supervisor?

2 A. Yes.

3 Q. And also the chief of mental health?

4 A. Right.

5 Q. And so when you referred to chief earlier, you
6 were referring to chief of mental health when you said
7 who you had to clear being here through?

8 A. I said to both, the chief of mental health and
9 psychology --

10 Q. Right.

11 A. -- to clear being here. Typically, we'll send
12 to Dr. Bahro who is the chief of psychology.

13 Q. Okay.

14 A. She's under the chief of mental health.

15 Q. Okay. So to clarify, so there's the chief of
16 mental health and then -- and that's sort of an
17 institution-wide position?

18 A. Uh-huh.

19 Q. And then there's the chief of psychology,
20 which is under the chief of mental health?

21 A. Yes.

22 Q. And then you have a senior psychologist
23 supervisor who is your direct supervisor?

24 A. That's right.

25 Q. And so earlier -- this is just to sort of

1 clean things up -- when you said, I had to clear being
2 here through my chief --

3 A. Uh-huh.

4 Q. -- I didn't clarify it at that time and my
5 supervisors -- my boss, the chief that you were
6 referring to was the chief of mental health or was it
7 the chief of psychology?

8 A. I said to both chiefs, so.

9 Q. Both chiefs?

10 A. So chief of mental health and psychology.

11 Q. Got it, okay.

12 So I think we can get into a little bit more
13 meaty topics now. I'm going to give this document to
14 the court reporter and ask her to mark it as Exhibit 2
15 and she's going to give you her copy.

16 ([REDACTED] Exhibit 2 marked as requested.)

17 BY MS. WINTER:

18 Q. Have you seen this document before?

19 A. Yes, many times.

20 Q. Oh. Can you describe what that document is?

21 A. It's a report, an incident report, better
22 known as the 837C. It's a custody -- it's a custody
23 document. It's -- it's completed by all parties
24 involved in any incident at CDCR.

25 Q. Any incident. And when you say "incident,"

1 what type of incident are you referring to?

2 A. An incident in which, you know, an inmate has
3 done -- done something or I guess it's also like if
4 other -- other staff members do something that needs to
5 be formally filed, an incident. I don't know.

6 Q. Okay, thank you. And so can you tell me -- so
7 there's a box in the top right-hand corner, it says,
8 "Incident date." Can you tell me what the date is on
9 there?

10 A. Yeah, it was May -- wait, which one? Oh,
11 5/11/18, uh-huh.

12 Q. Okay. So that's -- is that your recollection
13 of the date of what we referred to earlier as the [REDACTED]
14 incident?

15 A. Yeah, I always make --

16 MS. DE LA TORRE-FENNELL: Objection to the extent
17 that the discussion of this -- as you referred to it as
18 the underlying incident with Inmate [REDACTED] it does not
19 pertain to an Armstrong class member. It's a Coleman
20 only class member. It's outside the scope of Armstrong.
21 This deposition is being brought under Armstrong.

22 BY MS. WINTER:

23 Q. So you can proceed. They're going -- I should
24 have admonished you about this earlier. Ms. Hood and
25 Ms. De La Torre-Fennell are going to object every so

1 often and you can continue to speak after they object
2 with the exception of anything that would be a privilege
3 objection, although, in this case they are not your
4 attorneys so you do not have attorney-client privilege
5 with them, so I don't anticipate privilege objections,
6 which means that even if you get an objection, I'm just
7 going to ask you to continue.

8 A. Okay.

9 Q. So notwithstanding that objection, we can
10 continue questioning.

11 MS. DE LA TORRE-FENNELL: All right. And just for
12 the sake of not constantly interrupting counsel, we'd
13 like to have a standing objection to the extent there's
14 a discussion of non-Armstrong class members. It's
15 outside the scope of this case.

16 MS. WINTER: Noted.

17 BY MS. WINTER:

18 Q. And so we are gonna -- looking back at this
19 document, so you identified the incident date that you
20 read on this document as May 11th, 2018?

21 A. That's right.

22 Q. And at the bottom, do you see a box -- on the
23 bottom left-hand corner, do you see a box that says
24 "signature of reporting staff"?

25 A. I do.

1 Q. And are you familiar with that signature?

2 A. I am.

3 Q. Whose signature is that?

4 A. That's mine.

5 Q. And so I'm going to put this aside just for a
6 second.

7 So it sounds like you remember this what I've
8 called the [REDACTED] incident pretty well. Is that
9 accurate?

10 A. Yes.

11 Q. Can you just describe sort of generally what
12 happened in that incident?

13 A. Sure. It was around 9:00 a.m. in the morning
14 and I started to hear yelling. I was sitting at my
15 desk. Our walls are rather thin because it's kind of a
16 makeshift set of offices in a gymnasium and so I hear
17 this yelling and I step outside my office to go see
18 what's going on and it's an inmate that I'm unfamiliar
19 with and he's highly upset. He's yelling. He looked
20 very agitated and he was surrounded by officers to the
21 extent that I could still see what was going on, but the
22 officers had kind of surrounded him and he was being
23 told to sit down in a certain manner and he was not
24 complying with orders to sit down and he was cursing and
25 yelling the "F" word and everything else, but he hadn't

1 threatened anybody. He was acting threateningly in the
2 sense of being loud. So at that time he was again
3 admonished to sit down and he did not and so they told
4 him they were gonna press the alarm and they
5 did -- or at least Officer [REDACTED], who was another
6 person involved -- pressed the alarm and then he sprayed
7 Inmate [REDACTED] in the face. And as Inmate [REDACTED] went
8 down to the ground, he -- he went down and then kind of
9 turned his head to the left to I think try to avoid the
10 spray and he was kicked in the head twice by Staff
11 [REDACTED] and it was, like, pretty forceful. Kind of like
12 a -- I've described it as kicking a soccer ball as hard
13 as you can. At which point I --

14 MS. DE LA TORRE-FENNELL: Counsel, could we request
15 a brief break before your next question? I just didn't
16 want to leave a question pending.

17 MS. WINTER: Sure, yeah.

18 BY MS. WINTER:

19 Q. So go ahead and finish up your incident and
20 then we'll go ahead and take a break.

21 A. At which point I left the room and I walked
22 all the way around the perimeter the back way to get to
23 my -- to get to my at the time boss's office to tell her
24 what I had observed and then I was instructed to draft a
25 memo, which then turned into an incident report.

1 Q. Okay.

2 A. And that pretty much concludes it.

3 MS. WINTER: Okay, thanks.

4 MS. DE LA TORRE-FENNELL: And I was going to say we
5 just wanted to request a brief break. I apologize that
6 answer wasn't completed. Before you have the next
7 question pending, we're just wondering if we could take
8 a brief break?

9 MS. WINTER: Yeah, absolutely.

10 (A short break was had.)

11 BY MS. WINTER:

12 Q. So I'm going to go back and ask you to break
13 down this incident just a little bit more just to flesh
14 out the details.

15 So you said you were sitting at your desk when
16 you heard yelling?

17 A. Uh-huh.

18 Q. Where is your -- and your desk is located in a
19 gym?

20 A. Yeah, it's a gym that's been transformed into
21 group offices and therapy offices.

22 Q. So would it be accurate to characterize that
23 area as the Mental Health Services Delivery Systems
24 Building?

25 A. Yeah, yeah.

1 Q. But it was formerly a gym?

2 A. Yeah, I think so. It looks like one.

3 Q. Okay. And so when you heard yelling, how far
4 was it from your desk to your door?

5 A. This has been an issue this entire time when
6 I'm talking about this. I'm not good with, like,
7 spatial estimations, so I would say 20 to 30 feet from
8 my door to where I stood and watched the incident,
9 maybe. Maybe it was 40 to 50 feet. I'm not really good
10 at that spacial estimation thing, so.

11 Q. Okay. So when you walk out of the door -- so
12 from your desk to your office door, roughly how many
13 feet would you say that is? Do you have a sense of
14 that?

15 A. 15, maybe.

16 Q. Okay. And then if you exit your door, which
17 direction do you go to where --

18 A. Right.

19 Q. Right to go to where you saw this incident.

20 And are -- to the right is there a hallway or
21 is it an open room, what is exactly -- what is directly
22 to the right?

23 A. It's a hallway and then it opens up into the
24 mental health waiting room.

25 Q. Okay. And so along that hallway, are there

1 other offices or does it --

2 A. Yes.

3 Q. Okay.

4 A. There is one other office between my -- my
5 office and where I stood to watch the incident.

6 Q. Okay. So you got up out of your chair -- stop
7 me if I'm describing this incorrectly -- you went to
8 your office door, you turned right, you passed at least
9 one office --

10 A. Uh-huh.

11 Q. -- and then -- and then you saw the incident
12 in sort of an open area?

13 A. That's right.

14 Q. The waiting room you called it?

15 A. Uh-huh.

16 Q. And so when people wait in that waiting room,
17 what are they typically waiting for?

18 A. They can be waiting for whatever appointment,
19 so group therapy, individual therapy, IDTT meeting,
20 which is a treatment team meeting.

21 Q. And does anything happen in that room other
22 than waiting? It's not used like a dayroom or for --

23 A. No, no, uh-uh.

24 Q. Okay. And so when you heard the yelling and
25 you left your office, how far into the room -- did you

1 proceed into the room or did you stay in the hallway?

2 A. No, I -- I was just past where the hallway
3 meets the dayroom, so I was probably a few feet past the
4 hall where the end of the hallway is.

5 Q. And into the waiting room?

6 A. Kind of more over by where the custody
7 officer's desks are. So there is the waiting room that
8 I'm looking at, but I was over by where the custody
9 officers sit and -- sorry, they're the access to care
10 officers. They were not there at the time because they
11 were all dealing with this incident.

12 Q. Okay. So when you -- so when you get past the
13 hallway, there is a waiting room and then it sounds --
14 is the waiting room on the right or the left?

15 A. It would be on the left.

16 Q. It would be on the left.

17 A. Yes.

18 Q. And then so is there an area where the
19 custodial officers escort -- the health care access
20 officers sit?

21 A. Yes.

22 Q. And that's to the right?

23 A. Yes, it was right by where I was standing.

24 Q. I see.

25 A. Yeah.

1 Q. Okay. And so did you -- I'm trying to
2 articulate this question, but I don't know that I can
3 articulate it better.

4 So when you were standing in that area, other
5 than being obstructed by the officers surrounding
6 Mr. [REDACTED], which you referenced earlier, there are some
7 maybe limited visibility just by people's bodies?

8 A. I was not obstructed. I could see everything.

9 Q. Oh, you could see it fully?

10 A. Uh-huh.

11 Q. Okay. So was there -- are there any other
12 objects or walls or anything between where you were
13 standing and where this waiting room area is?

14 A. There -- I mean, there's a chainlink fence
15 that runs halfway through the room, but it doesn't
16 obstruct, it's just to the right, so.

17 Q. Okay. So you had a clear view?

18 A. Clear view.

19 Q. But you're not -- it's hard for you to
20 estimate the exact distance from where you were standing
21 to --

22 A. Yeah, I'm terrible with that.

23 Q. Okay. And you said that you are -- well,
24 actually, let me back up for a second.

25 So you heard him yelling and you said you

1 heard him cursing. Did you hear any specific words that
2 he said?

3 A. Fuck was in there. I don't -- he was yelling
4 with such, you know, force that it was overpowering and,
5 really, I don't recall. Maybe if you would have asked
6 me that day some of the things he was saying I probably
7 could have told you, but a lot of it was just things
8 like telling them get out of his face and things like
9 that. I'm pretty sure, but I -- again, I don't recall
10 exactly what was said.

11 Q. But you said that you're certain that he
12 didn't make any threats to officers --

13 A. I'm certain he didn't make any threats.

14 Q. Okay. You said that he was being threatening
15 by yelling and being agitated?

16 A. I mean, that -- you know, when someone yells
17 at you that loudly, it can be perceived as threatening,
18 I would imagine.

19 Q. And you also said that he, Mr. [REDACTED], was
20 agitated. Can you describe what told you that he was
21 agitated?

22 A. The yelling.

23 Q. Any physical movements or motions?

24 A. No, no, there was no foreign movement. I made
25 sure to watch that because at that point, you know, when

1 you move -- start to move forward or, you know, if a
2 balled fist goes in the air, like, that -- that then
3 is -- becomes reasons for use of force.

4 Q. Right. Did he have his feet planted --

5 A. Yes.

6 Q. -- or -- so he didn't take any steps that you
7 saw?

8 A. I didn't see any steps being taken.

9 Q. Okay. And where were his arms and hands at
10 the time?

11 A. Down by his side.

12 Q. Okay. Do you -- were they open, closed?

13 A. I believe they were closed.

14 Q. And so you said he was surrounded by officers.

15 Do you remember how many officers were there?

16 A. I had remembered three, but apparently there
17 was -- I think there was four. I mean, it just goes to
18 show you, eyewitness testimony, right?

19 Q. Yeah.

20 A. But I think the part -- I remember the parts
21 that were salient to me in terms of, you know, like who
22 I was already familiar with. I think the fourth
23 officer, I don't -- there may have been a fifth officer,
24 but I wasn't very familiar with them and I was really --
25 I was -- my focus, as I just mentioned, was really on

1 him to see if he was going to take any steps forward or
2 be, you know, trying to rush somebody.

3 Q. Okay. And do you recall the names of the
4 officers that you were said that you were --

5 A. Familiar.

6 Q. You said that you were familiar with some of
7 them?

8 A. Yes, I do.

9 Q. And can you tell me the names of all the
10 officers? And then I'm going to ask you after that
11 which ones you were familiar with.

12 A. I should be familiar with all of them now as
13 many times as I've been through this, but I can tell you
14 the three that I have always recalled, which is [REDACTED],
15 [REDACTED] and I believe there was another one,
16 but, I don't -- I'm not familiar with who that is.

17 Q. So at the time when this incident happened,
18 you were familiar with those three officers?

19 A. That's right.

20 Q. Not just as a matter of having gone through
21 this --

22 A. Right.

23 Q. -- questioning many times?

24 A. Yeah, I worked with them every day.

25 Q. Okay. And so -- so you said the officers told

1 him to sit down. Do you remember any particular officer
2 that told him to sit down or did all of them?

3 A. No, it was -- it was mainly [REDACTED] doing the
4 speaking.

5 Q. Okay. And you said that they said that they
6 were going to have to press their alarm. Again, was
7 that any particular officer or --

8 A. [REDACTED].

9 Q. [REDACTED] again. Okay.

10 A. To my understanding, I just want to say this,
11 he followed complete protocol. I mean, now -- to my
12 knowledge. I don't know if maybe he sprayed too close
13 to him or what, but he did tell him he was gonna spray.
14 He did try to give him a directive. He did press the
15 alarm. There is nothing that I can see that was -- that
16 was incorrect or improper on CO [REDACTED] part.

17 Q. Okay. So Mr. -- or CO [REDACTED] told Mr. [REDACTED]
18 to sit down. He warned him that he was going to press
19 his alarm.

20 A. Uh-huh.

21 Q. Did he give a warning about the OC spray?

22 A. Yeah, he said, "I'm gonna have to spray you."

23 Q. And so after he gave those warnings, did he
24 actually dispense OC spray --

25 A. Yes.

1 Q. -- against [REDACTED]?

2 A. (Nodding.)

3 Q. How many times?

4 A. I mean, I -- one, I think.

5 Q. Okay.

6 A. I don't know.

7 Q. And do you recall what he did after he
8 dispensed that spray?

9 A. No.

10 Q. Okay. And so --

11 A. From what I saw, he didn't do anything
12 different. I mean, that was -- that was it.

13 Q. Right.

14 A. And then -- and then I saw the incident and
15 then I left -- I exited the situation, so.

16 Q. Okay. And did you see Mr. -- or C0 [REDACTED] do
17 anything in terms of like handcuffing Mr. [REDACTED] or --

18 A. All of that would have happened after I walked
19 away, yeah.

20 Q. I see. So when you walked away, Mr. [REDACTED]
21 was still on the floor?

22 A. Yes.

23 Q. And nobody had sort of intervened to handcuff
24 him?

25 A. They probably had just started to, but I

1 walked away.

2 Q. Okay. And so moving back to Officer [REDACTED]

3 A. Uh-huh.

4 Q. When you walked up, he was part of this group
5 of officers around --

6 A. That's right.

7 Q. -- Mr. [REDACTED]?

8 What was he doing? Do you remember what he
9 was doing in particular or anything that he said, I
10 guess?

11 A. He didn't say anything. He was standing
12 there.

13 Q. Okay. And when -- at what point did he take
14 an action or say something? What was the first action
15 that you recall him doing?

16 A. When he kicked the individual in the face.

17 Q. Okay. Do you remember him saying anything
18 before then?

19 A. I don't --

20 Q. Okay.

21 A. -- recall.

22 Q. So when Mr. [REDACTED] -- you said he was on the
23 ground and had turned his head away from the pepper
24 spray and then Officer [REDACTED] kicked him. How long was
25 he on the ground before Mr. -- Officer [REDACTED] kicked

1 him?

2 A. I mean, it was as he was going down.

3 Q. As he was going down.

4 A. So it was like -- he hadn't even been on the
5 ground. It was as he was crouching down from the spray.

6 Q. Okay. So he was not really in a fully
7 crouched position when the kicking started or he was
8 sort of --

9 A. Yeah, I mean, he had gone down to the
10 ground --

11 Q. Okay.

12 A. -- and then the kicking ensued.

13 Q. And you said Officer [REDACTED] kicked Mr. [REDACTED]
14 twice that you saw?

15 A. Yes.

16 Q. Did he make any other motions or -- of any
17 sort toward Mr. [REDACTED]?

18 A. No, what happened was that he kicked him twice
19 and this is the part that I found probably the most
20 disturbing of the situation is that he stepped backwards
21 and began to like fiddle with his belt and turn his body
22 completely away, like, as to kind of like completely
23 disengage from the matter.

24 Q. And so when you say "disengage," just remove
25 himself from -- like, as if nothing happened

1 essentially?

2 A. Right.

3 Q. Okay.

4 A. I mean, it just -- it just looked like he had
5 done this before.

6 Q. I see.

7 A. You know?

8 Q. Yeah.

9 A. And that's -- and that's conjecture,
10 obviously, I know that, but that -- I'm just saying that
11 was my perception. It just felt -- it felt like to me
12 that was the most disturbing part is how he disengaged
13 and how calmly he disengaged from the scenario.

14 Q. So other than really the kicking, he sort of
15 was there, kicked and then just sort of moved out,
16 there's nothing --

17 A. He took a huge step backwards, shifted his
18 body away from the incident and started fiddling with
19 his belt, like, but not doing anything just like looking
20 down on it. It's just such a weird situation. I don't
21 know.

22 Q. Okay. So then you said there was another
23 officer there, Officer [REDACTED]?

24 A. Yes.

25 Q. Can you tell me what he -- sort of going

1 through from the moment that you got there to the moment
2 that you left, what you heard or saw him do in this
3 incident?

4 A. I didn't -- I didn't see him do anything other
5 than just stand by.

6 Q. Okay. And so at some point there was OC spray
7 in the air and Mr. [REDACTED] had turned his head away to
8 avoid it. Did you see either --

9 A. Uh-huh, well, he got sprayed. Let me be
10 clear. You know, it's just like a reaction, you're just
11 trying to move away from it.

12 Q. Did you see Officer [REDACTED] respond in any way
13 after the OC spray had been sprayed?

14 A. No.

15 Q. So he didn't have a reaction to the OC spray
16 that you perceived?

17 A. Not that I saw.

18 Q. What about Officer [REDACTED]?

19 A. Maybe that's why he moved away. I have no
20 idea, but all I saw is just what I told you, how he
21 moved away and fiddled with his belt.

22 Q. And Officer [REDACTED], did you see him have any
23 reaction to the pepper spray?

24 A. Again, I didn't, but I was so focused on the
25 two that were salient to me, which was the one who did

1 the kicking and the one who was on the ground and that's
2 when I exited.

3 Q. Okay.

4 A. I'm sorry, I've just, like, dissected this
5 same three seconds and over and over and just kind of
6 like -- I know you have to ask the questions, so I'm
7 trying to stick with it.

8 Q. Yeah, no, I apologize for getting into every
9 detail over and over again, but we don't have this for
10 our records.

11 A. I think the thing that people don't recognize
12 is this is a traumatic thing to see.

13 Q. And relive every time you have to talk about
14 it?

15 A. (Nodding.)

16 Q. I understand, I'm sorry. If you want to take
17 a moment?

18 A. I'm ready, keep going.

19 Q. Okay. So with that introduction, I'm going to
20 ask you a rough question, probably the rougher one. So
21 you described the kicking as being as hard as kicking a
22 soccer ball?

23 A. Uh-huh, that's right.

24 Q. Both times?

25 A. Yeah.

1 Q. So it was extremely forceful, okay.

2 Let's see. Did you hear anything -- did
3 you -- again, this is a hard question; did you hear the
4 impact of --

5 A. Yes.

6 Q. -- Mr. [REDACTED] being kicked?

7 A. Uh-huh.

8 Q. I don't know if you can describe it.

9 A. It just sounds like somebody kicking something
10 really hard. I don't know how to put that into words.

11 I think the other thing that was hard to watch
12 was that his head kind of snapped to the side each time.

13 Q. Okay. Did you see, like, where on his head he
14 was kicked?

15 A. Yeah. So when he went down, he, like, turned
16 to the left because the spray was coming this way
17 (indicating) and so when he got kicked, he got kicked on
18 the right temple like right here (indicating). Yeah.

19 Q. Okay. And did it appear to you -- did you
20 notice if he had, like, his glasses on or off at that
21 time?

22 A. I don't recall glasses.

23 Q. Okay.

24 A. Yeah, no glasses. I mean, if he did, they
25 certainly weren't on his face the second time because

1 there's -- yeah, no, I don't recall glasses.

2 Q. Okay. And did you feel the impact of the
3 pepper spray at all?

4 A. No.

5 Q. Okay. Do you have any other sort of feelings
6 or impressions arising from that incident that you
7 haven't already told me about?

8 A. I have a lot of feelings and impressions about
9 this incident. I mean, do you have any specific
10 questions?

11 Q. I guess I'm looking for your immediate
12 perception, any other immediate perceptions that you had
13 about the incident that -- like you added sort of seeing
14 the way that his head snapped. Any other details or
15 perceptions that you had at that time?

16 A. I think at that point I just started to become
17 really overwhelmed with my own sort of physiological
18 responses. I got really hot. I was -- my heart started
19 to pound. I was really upset. I mean, I started to cry
20 in my off- -- in my supervisor's office. In part
21 because I knew that I had to report it, but I know that
22 I was gonna go through this. I knew I was gonna go
23 through a lot afterwards. I knew it was gonna be really
24 hard and that it wasn't gonna stop that day.

25 Q. I thank you again for being here. I

1 understand that it's extremely challenging. Well, I say
2 that I understand, but I can't completely understand how
3 challenging it is for you.

4 Okay. So from your perception -- do you want
5 a moment?

6 A. No, I'm fine.

7 Q. Okay. The officers who you mentioned; [REDACTED]
8 [REDACTED], could they all see what the others
9 were doing?

10 A. Yes.

11 Q. So each of them could see what each of the
12 other three -- each of the other two was doing?

13 A. Uh-huh, yes.

14 Q. Okay. And you described this incident as
15 taking approximately three seconds, is that --

16 A. No, from start to end it was more than three
17 seconds, but I'm saying, like, from the time it was
18 sprayed to the -- well, to the time that he probably
19 told him he was gonna spray to the time he sprayed and
20 then him going down and being kicked, it was probably
21 like a total of three seconds, you know, being that time
22 goes really kind of slowly in those kind of incidents.

23 Q. And from the time that you walked from your
24 office to the time you left after having witnessed this,
25 how long would you approximate that was?

1 A. Maybe like 15 seconds total. I -- I don't
2 know.

3 Q. Okay. Okay. So I'm going to refer you back
4 to your statement, what we marked as Exhibit 2.

5 A. Uh-huh.

6 Q. Do you have that in front of you?

7 A. Yeah.

8 Q. Okay. So I'm gonna read through each sentence
9 and if you could when I finish the sentence just tell me
10 if you think that's accurate and, if not, tell me why
11 it's not accurate.

12 So the first sentence in the narrative
13 section -- do you see where the narrative section is?

14 A. Yes.

15 Q. Okay. By the way, did you type this up
16 yourself?

17 A. I did.

18 Q. Okay. Directly onto this form?

19 A. At first it was a memo and then it got put on
20 this form.

21 Q. Okay. So you didn't actually --

22 A. I put it --

23 Q. -- input it in this form?

24 A. I did.

25 Q. You did?

1 A. I was instructed to.

2 Q. Okay. So in that narrative section, I'm going
3 to read the first sentence: "On May 11th, 2018 at
4 approximately 0920 I heard loud yelling in the waiting
5 room of the MHSDS Building on Facility A."

6 Is that accurate?

7 A. That's right.

8 Q. "I exited my office to observe an incident" --
9 "an incident in which IP [REDACTED] was standing in a
10 combative stance and yelling."

11 A. Yes.

12 Q. That's accurate?

13 "Several officers had surrounded IP [REDACTED] and
14 CO [REDACTED] attempted to redirect IP [REDACTED] to sit down."

15 Is that accurate?

16 A. That's accurate.

17 Q. Okay. "IP refused and continued to yell at
18 which time CO [REDACTED] warned that he was going to apply
19 Oleoresin Capsicum (OC) spray if IP [REDACTED] did not
20 follow directives."

21 A. Yes.

22 Q. "IP continued to yell and Oleoresin Capsicum
23 OC spray was applied."

24 A. Yes.

25 Q. "IP [REDACTED] did not retaliate with physical

1 violence and went down to the floor."

2 A. Yes.

3 Q. Okay. "As he was crouching down to the floor
4 CO [REDACTED] kicked IP [REDACTED] in the face two times with
5 extreme force."

6 A. That's right.

7 Q. "CO [REDACTED] then stepped back to disengage from
8 Inmate [REDACTED]."

9 A. Yes.

10 Q. "IP [REDACTED] refrained from physical violence
11 throughout the incident."

12 A. Yes.

13 Q. "My observation of this incident was
14 immediately reported to my direct supervisor,
15 Dr. Katyal, who instructed me to draft this report."

16 A. Yes.

17 Q. Is that accurate?

18 So I'm gonna -- does reading that bring to
19 mind anything else that you think you need to describe
20 relating to this incident to give us a full view?

21 A. No, just with -- I mean, I just know that at
22 the top where there's the witnesses, there were more
23 than that, but this is what I remembered when drafting
24 the report and it -- and I did have an officer come to
25 me and say, Hey, we need you to change a couple things

1 in here. They wanted me to change OC, to spell it out,
2 and then -- but I mean, they didn't have me change
3 anything that was, like, changing the narrative.

4 Q. Okay.

5 A. Other than to, like, clarify some stuff, but I
6 wasn't -- I wasn't asked to add the other officer or
7 officers, I think there was one, maybe two, but there is
8 someone missing from this report and I don't remember
9 who it is.

10 Q. Okay. And so when you say -- when you -- when
11 you're referring to the officers, you're pointing to a
12 box that says witnesses --

13 A. Yes.

14 Q. -- that's sort of at the top leftish part of
15 this document?

16 A. Yes.

17 Q. And in that box is [REDACTED] PsyD, is that
18 right? Do you see -- I think that describes you there.

19 A. Yes, that's me.

20 Q. And then below that it says, [REDACTED], S.

21 A. Yes.

22 Q. Do you see that?

23 A. Yes.

24 Q. And then [REDACTED], A?

25 A. Yes.

1 Q. And then S-Katyal, R?

2 A. Yes. She -- Katyal is my supervisor and she
3 had told me that she saw part of the incident and I
4 guess maybe she retracted that later, I'm not really
5 sure. You'll also notice that this is written on an
6 incident report with a description of crime that says
7 "Assault on a peace officer resulting in use of force,"
8 and I disagreed with that. There was no assault on a
9 peace officer. I think that is clear in my narrative.

10 Q. Okay. Because you don't think Mr. [REDACTED]
11 assaulted anybody during this incident?

12 A. No. I was actually very surprised later to
13 find out that that was how it was being depicted.

14 Q. So we're going to get back to that a little
15 bit later. I know you're familiar with RVRs, you
16 referenced them earlier. We'll talk about the RVR a
17 little bit later.

18 A. Okay.

19 Q. So to clarify some of the language in your
20 narrative. When you say IP, what is -- you wrote "IP
21 [REDACTED]" a few times. What does "IP" stand for?

22 A. Inmate patient.

23 Q. And when you said, "IP [REDACTED], what is
24 [REDACTED]?"

25 A. His CDCR number.

1 Q. Okay. And you mentioned earlier that you were
2 familiar with Mr. [REDACTED] before this incident?

3 A. I was not familiar.

4 Q. You were not familiar with Mr. [REDACTED]?

5 A. I did not know who he was.

6 Q. You had never seen him or interacted with him?

7 A. No, not that I knew of.

8 Q. Okay.

9 A. I mean, if -- let me retract that. We
10 interact with a lot of patients. A lot of the time we
11 are thrown in to cover groups and things like that, so
12 if there was a time before that I met him, I don't
13 recall it.

14 Q. Okay. So do you have an idea of the
15 motivation for the kicking in this by Officer [REDACTED]?

16 A. I do not.

17 Q. But you said that it looked like -- by the way
18 that he disengaged from the situation, it looked like he
19 had done something like this before?

20 A. I mean, it's complete conjecture and I'm aware
21 of that. I'm just saying it was just disturbing the way
22 in which that went down.

23 Q. Okay. So I'm going to set this aside for just
24 a moment. Oh, actually, I'm going to go back little
25 bit.

1 So when you left, you went to go talk to your
2 supervisor, Dr. Katyal, is that right?

3 A. That's right, uh-huh.

4 Q. And so you went into her office, is that
5 right?

6 A. Yes.

7 Q. And you were upset, you were physically
8 overcome to a certain extent?

9 A. Yeah.

10 Q. And you cried in her office to her?

11 A. She even asked me if I needed to go home and I
12 said, "No."

13 Q. And you said that she said something about
14 having seen part of the incident?

15 A. She told me she saw part of it, you know, but
16 she didn't -- you know, she couldn't see much was what
17 she said, but as you can see, based on what I have
18 gone -- had to go through, there were two people that
19 said that they saw part of things and they now are
20 retracting that and saying that they didn't see
21 anything.

22 Q. Okay. And Dr. Katyal was one of those people?

23 A. Yes.

24 Q. And who is the other person?

25 A. Her name was [REDACTED] I think was her last

1 name.

2 Q. What was her --

3 A. She's an RT.

4 Q. An RT?

5 A. Uh-huh.

6 Q. So RT stands for recreation therapist --

7 A. That's right.

8 Q. -- is that right?

9 You don't know her first name?

10 A. I don't.

11 Q. Okay. And did you see her in the room at all
12 when this happened?

13 A. No, no, no. She told me later, like, within
14 the next two weeks I think it was that she had seen part
15 of it and that she saw a foot come out of nowhere and
16 then I reported that to my supervisor because obviously,
17 you know, anybody else that's involved in an incident
18 needs to -- everyone needs to kind of like be in the
19 know, right, so if for some reason she needed to
20 admonish her to, like, write a report or something to
21 that effect.

22 Q. Okay. But as far as you know, this RT
23 [REDACTED] didn't write a report, she retracted her
24 statement or didn't --

25 A. It's confusing. I'm not really at liberty to

1 know much about what happened in terms of her stance and
2 that -- and that has been by design, I believe. My
3 understanding is we had had a few conversations and at
4 some point I followed up with her and because she -- we
5 were friendly, she would come in my office and chat and
6 I said, Hey, did you ever get talked to about that
7 incident or anything? And she said, No, that Katyal had
8 not approached her. That was my yard supervisor boss at
9 the time. And she said she had also consulted with
10 custody in the program office and they said, Well, you
11 know, what did you see? And she said, Well, I only saw,
12 you know, part of the incident. Well, did you see who
13 it was? No, I didn't, she said, and then therefore they
14 said, Don't worry about it.

15 Q. I see.

16 A. Which seems kind of counter to what the policy
17 is supposed to be, but I'm very big on following policy
18 and being, you know, ethical, so I was very confused
19 about the whole situation and how it was being handled.

20 Q. And so you said that -- you used the term "by
21 design" you haven't been at liberty to talk to RT
22 [REDACTED] about this incident --

23 A. She doesn't work there anymore.

24 Q. Okay.

25 A. And I don't know what the circumstances are

1 around that.

2 Q. I see. Was there anything else you were
3 referring to when you said that by design you haven't
4 spoken to her?

5 A. Well, the other thing, too, is the second time
6 I was interviewed by investigators they were asking me
7 very pointed questions that made it sound like I was
8 pressuring her to, like, report things, so then clearly
9 after that I was definitely not going to talk to her
10 anymore because it went from us being, like, friends to,
11 you know, I was being asked these very pointed questions
12 and that started to feel, like, well, I don't want her
13 to feel like I was trying to coerce her into doing
14 something, I was just trying to protect her from getting
15 into any kind of no tolerance bind where she would get
16 in trouble because she didn't report something. And so
17 obviously if even if I had -- even if I would have seen
18 her again, which I didn't, I would not have talked to
19 her about the incident.

20 Q. Okay. And who was making these pointed
21 questions that you were talking about, do you remember?

22 A. The invest- -- I guess OIG.

23 Q. OIG?

24 A. Yeah.

25 Q. Do you know the difference between OIG and

1 OIA?

2 A. Uh-uh.

3 Q. I don't totally either, but OIG is sort of --
4 it's a -- my best understanding is it's an oversight
5 body for CDCR, so they typically don't do the
6 investigations themselves, but they will monitor what
7 CDCR does for the investigation.

8 A. So they'd be like the attorneys in the room?
9 Because there were attorneys there with the OIG.

10 Q. So you were sitting in a room when they were
11 asking you these questions?

12 A. Yeah.

13 Q. And there were how many -- roughly how many
14 different attorneys?

15 A. Well, there's two different times.

16 Q. Okay.

17 A. One time there was two or three -- two
18 attorneys, I think, two or three, and then the
19 investigator who was asking me all the questions. And
20 the second time was the same investigator and I think
21 one attorney. I don't know.

22 Q. Okay.

23 A. These are all memory tests.

24 Q. Right. So the people -- were you at all
25 familiar with the people who you were -- who were asking

1 you these questions?

2 A. Familiar, you mean the OIG?

3 Q. The reason that I ask this is often the OIA or
4 the investigators can be people at the institutions so
5 you may have been familiar with them.

6 A. No, this was somebody from the outside, yeah.

7 Q. Okay. And do you know what happened with --
8 actually, I'm going to get back a little bit to the
9 investigation in a moment.

10 A. Okay.

11 Q. So to the extent that it's a memory test.

12 A. Yeah.

13 Q. Let's see. Sorry, but my computer is being
14 problematic.

15 Okay. So you said you went to your
16 supervisor, Dr. Katyal's office. Do you remember what
17 you said to her?

18 A. I -- I told her what I had just seen.

19 Q. So the whole sort of the recounting of the
20 incident?

21 A. Yes.

22 Q. And what did she say to you?

23 A. She said -- well, first she asked if I was
24 okay and I was, like, no, and I started crying. And
25 then she said that -- well, I think I -- I think maybe I

1 said, I'm going to have to write this up, aren't I? And
2 she said, Yeah, probably. And then -- and then I think
3 I went back to my office and wrote it up.

4 Q. And after you wrote it up, did you --

5 A. Oh, and then she asked me if I needed to go
6 home. I said, no. I mean, there was little chitchat
7 stuff, but...

8 Q. So you talked about the incident. There was a
9 suggestion maybe by you that you needed to write it up.
10 She agreed. You had some other conversations, not
11 substantive?

12 A. I think I might have said, like, This is gonna
13 blow up, isn't it? I don't know.

14 Q. And do you remember if she had a response to
15 that?

16 A. I -- to be honest, I know that something about
17 this is gonna become a big deal, isn't it, or something
18 happen, and she was -- she was like, yeah, probably and
19 it -- I mean, it was just a lot of chitchat stuff like
20 that, yeah.

21 Q. Okay. So then you went back to your office
22 and you drafted a memo --

23 A. I did, yeah.

24 Q. -- is that right, of the incident?

25 Did you do it immediately after?

1 A. Immediately, yeah, uh-huh.

2 Q. And then after you drafted the memo, what did
3 you do with it?

4 A. I submitted it to her.

5 Q. Directly?

6 A. To my -- Dr. Katyal, yes.

7 Q. Okay. And then you said at some point that
8 memo was converted into the -- into language on this --

9 A. Uh-huh, yes.

10 Q. -- Exhibit 2, I believe.

11 A. Yes, and I don't recall who told me I had to
12 do that. It might have been -- it might have been the
13 chief, Dr. Bahro.

14 Q. Do you remember --

15 A. Or it may have been through Dr. Katyal by way
16 of the chief. I don't remember. I don't recall those
17 details.

18 Q. Okay. And so did you -- so after you
19 submitted the memo to her, did she say anything at that
20 time when you submitted it to her?

21 A. No.

22 Q. Did she follow-up with you after?

23 A. No.

24 Q. But then do you recall when someone -- it
25 sounds like you don't recall exactly who, how long it

1 took for them to say that you had to put sort of the
2 substance into this Exhibit 2 document, the Crime
3 Incident Report?

4 A. It was later that day.

5 Q. Okay.

6 A. It was within the same day. And then I --
7 once I drafted that, I want to say that same day an
8 officer said that some things need to be changed in it.

9 Q. Okay. Do you remember that officer?

10 A. No.

11 Q. Okay, all right. And then did you have any
12 other -- any further interaction directly related to
13 just the Crime Incident Report in terms of creating that
14 report or reviewing that report or --

15 A. Well, within probably an hour of submitting
16 the incident report an officer had come by I think to
17 talk to me about the incident and to switch up some
18 things in it and -- meaning, like, I think I had the
19 word "memo" in there instead of "report." I had the
20 word OC not spelled out. It was stuff like that.

21 Q. Okay.

22 A. But one of the officers involved in the
23 incident, which was [REDACTED], said, Hey, there was an
24 officer looking for you about your report, which was a
25 little, like, so they knew I wrote it up, yeah, so.

1 Q. Okay. And did you interact at all with -- did
2 you interact with Officer [REDACTED] after this time
3 related to this incident?

4 A. No, I mean, I think I've said hello to him a
5 couple of times. No.

6 Q. What about did Officer [REDACTED] ever say
7 anything to you about this incident?

8 A. No.

9 Q. Did he ever say anything to you about the
10 report?

11 A. No.

12 Q. Okay. What about Officer [REDACTED]?

13 A. No, he said something to my co-worker.

14 Q. What did he say to your co-worker?

15 A. A friend of mine, and of course this is
16 hearsay, but if you want to pull her in, too, you
17 probably could, she -- she said that he goes, "Oh, did
18 you hear something about somebody getting kicked in the
19 face?" And she was, like, "No," because she had, but
20 she was trying to protect me. She was, like, No, and he
21 knows we're really good friends, so.

22 Q. And did anything -- did anything happen to her
23 or to you related to that statement that you can trace
24 back to that statement or that question?

25 A. You know, it's really hard to parse out.

1 There was so much happening on that yard in terms of the
2 way mental health was being treated. She eventually did
3 not have her limited term renewed because she was having
4 poor attendance. She was being retaliated against by
5 officers for various reasons. They were kind of
6 harassing her to be fair and so she was calling out
7 quite a bit and then eventually they did not renew her
8 limited term.

9 Q. Okay. And so when you say "harass," what do
10 you mean? Verbally harassed? What types of things
11 would they say or do?

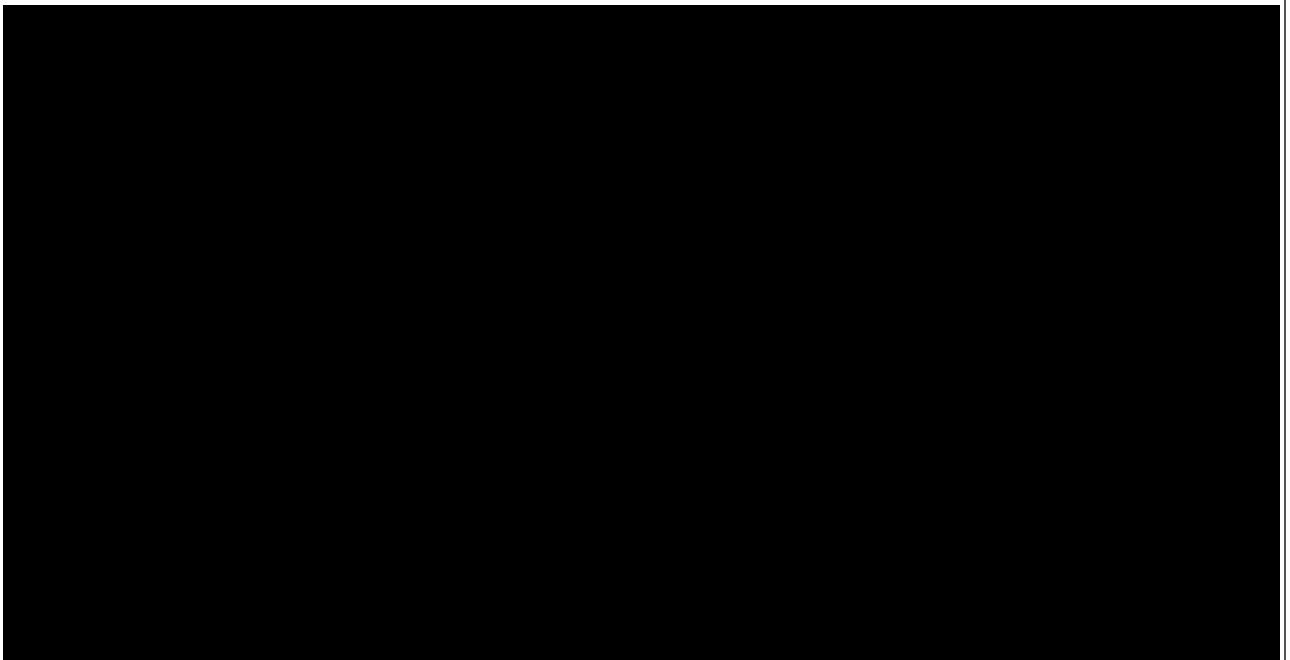
12 MS. DE LA TORRE-FENNELL: I'm sorry, objection,
13 outside the scope of the allegations at issue in
14 Armstrong -- misconduct as to Armstrong class members.

15 BY MS. WINTER:

16 Q. You can continue.

17 A. They -- so at one point she mentioned to our
18 supervisor that she was having difficulty getting access
19 to care, so certain inmates that she was asking to have
20 brought over, they weren't being brought over and I was
21 also having similar experiences as I believe some other
22 staff were as well and -- and they -- Katyal picked up
23 the phone to call them, which was only, like, however
24 many feet away, and said, What is this I'm hearing
25 [REDACTED]

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Q. So when you say "they," you mean custody officers?

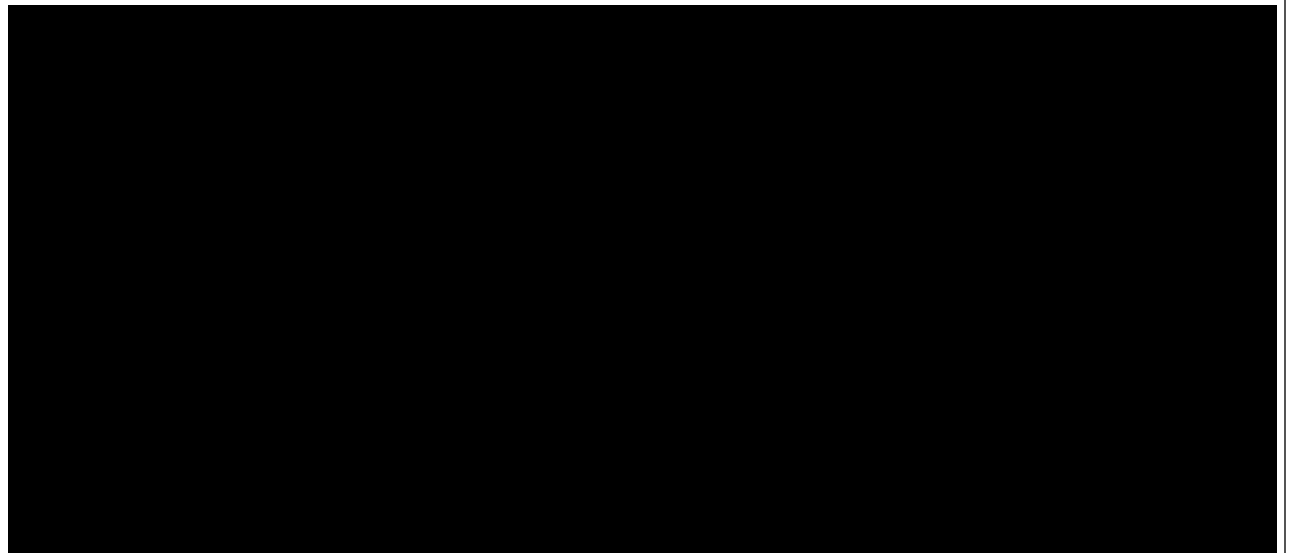
A. Yeah, and it was one in particular that was giving her a pretty difficult time.

Q. And was he the same person who called her a snitch?

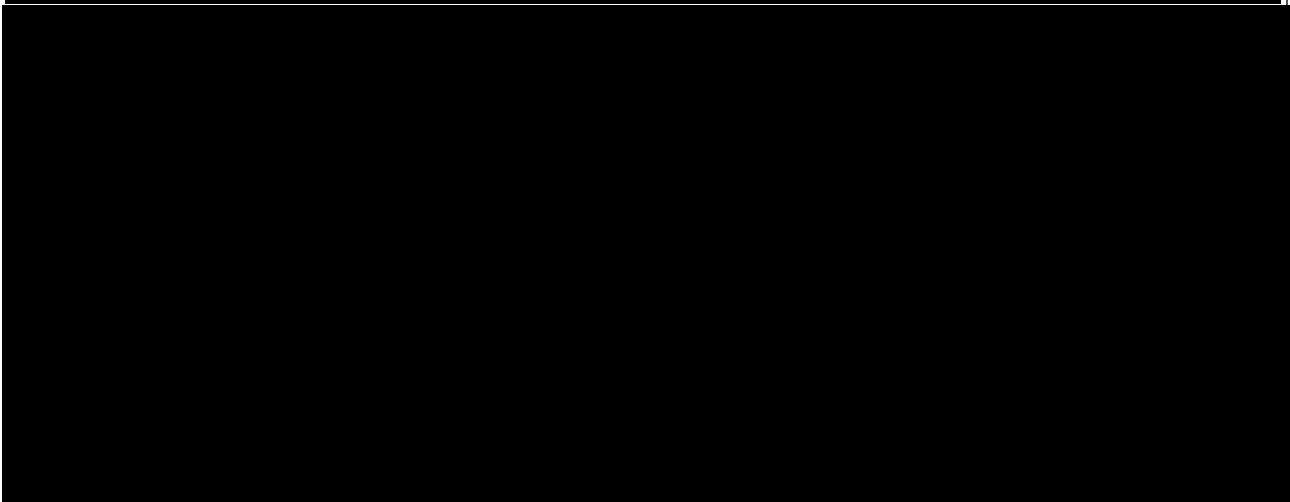
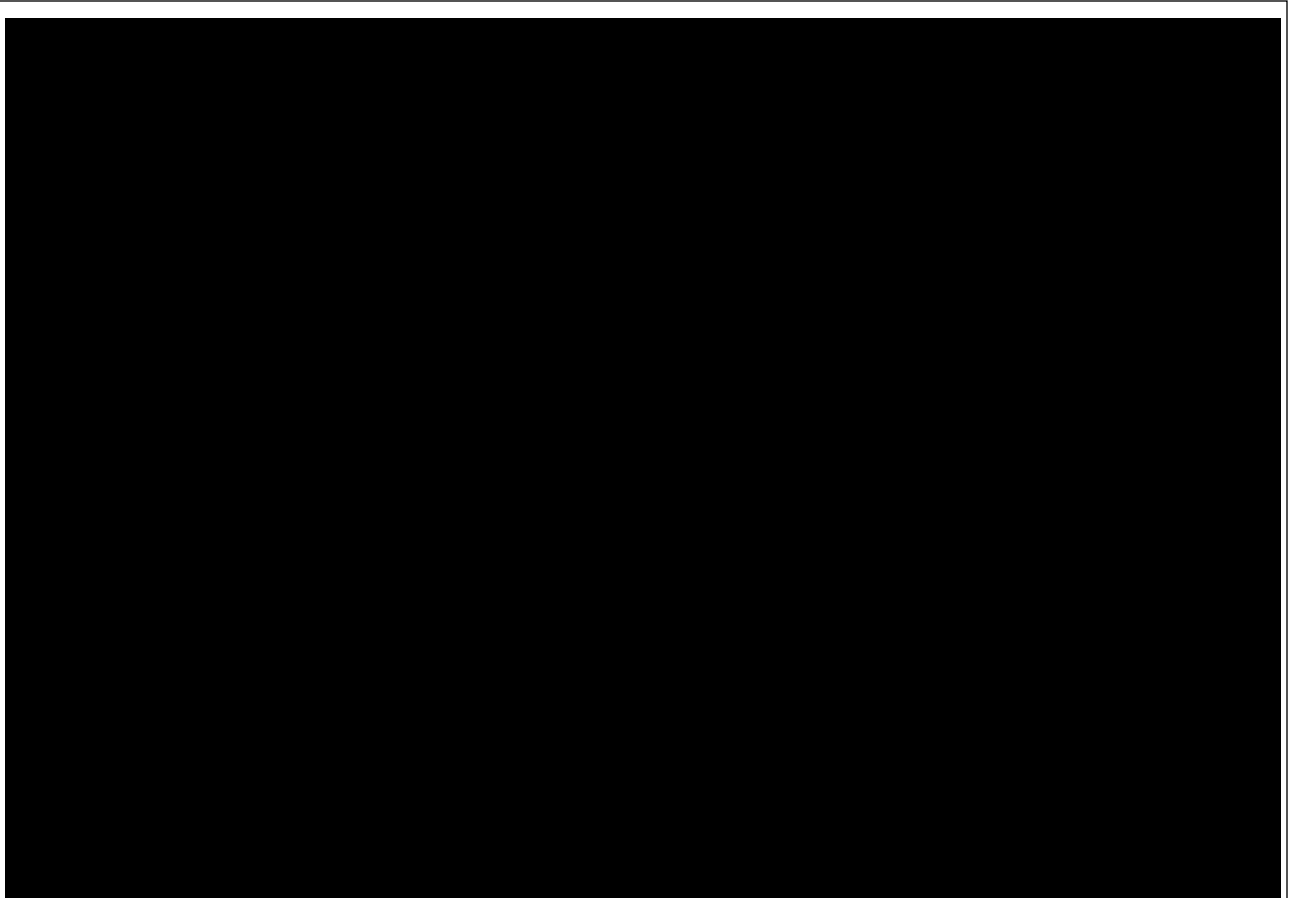
A. Yes.

Q. Okay. Do you remember that officer's name?

A. [REDACTED].



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MS. DE LA TORRES-FENNELL: Objection, it's outside
the scope of what is being currently litigated in
Armstrong and concerns allegations against inmates not
for other staff members.

BY MS. WINTER:

Q. [REDACTED].

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[REDACTED]

[REDACTED]

they were harassing her to the point in time where she

1 stopped coming to work.

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23 MS. DE LA TORRE-FENNELL: Objection -- sorry.

24 Objection, this is still going outside the scope of

25 Armstrong and the issues presently at issue.

1 MS. WINTER: I mean, it goes to retaliation and it
2 goes to a culture of fear and ability to report.

3 MS. DE LA TORRE-FENNELL: However, just putting on
4 the record, the allegations have been made regarding
5 retaliation and culture of fear as you put it against
6 Armstrong class members and this is talking about other
7 staff, not the inmate population.

8 MS. WINTER: Okay. Your objection is noted.

9 So can you repeat the question for me,
10 Ms. Reporter?

11 (Record read as requested.)

12 THE WITNESS: That's correct.

13 BY MS. WINTER:

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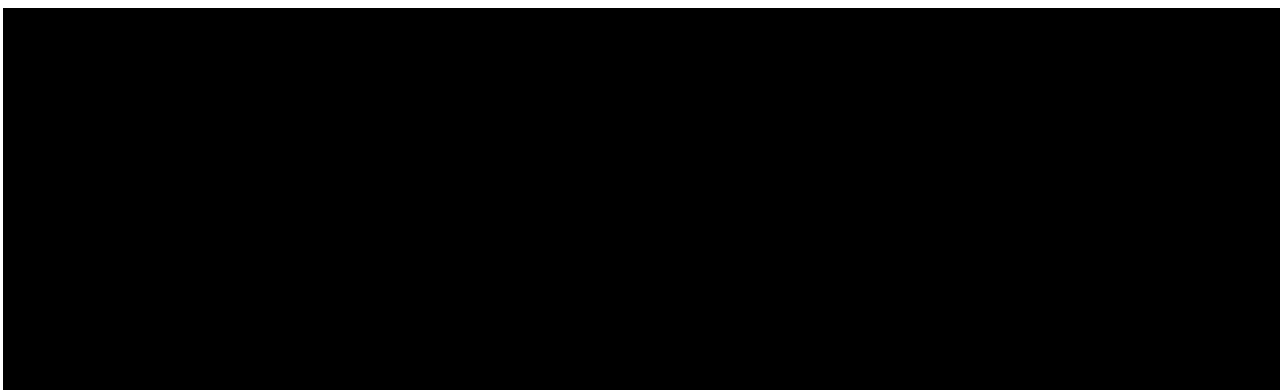
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A. Yeah. You know, it just -- it makes it very difficult to do your job when those kinds of barriers are in the way.

Q. Okay. And so when you say harassing, are there any other specific types of things that they would do to harass her that you can think of?

A. Her specifically, I mean, I'm sure there are other -- I'm sure I know of other things, I'm just not thinking of them right now. There was a lot going on in that yard at the time.

Q. Okay. We'll get back more to sort of retaliation and this issue I think towards the end a little bit. I want to make sure to touch all the corners of the primary incident.

A. I mean, I would personally rather focus on retaliation that happened to me versus a colleague because it is somewhat -- some of it is hearsay, so.

Q. Right. Yeah, I mean, so hearsay is an objection that there are lots of exceptions to --

A. Okay.

1 Q. -- so you don't have to worry so much about
2 that, but we will definitely get back to you and the
3 retaliation you experienced.

4 MS. WINTER: Ms. Court Reporter, do you need a
5 break at all? Are you doing okay?

6 THE COURT REPORTER: I'm okay.

7 MS. WINTER: And you're doing okay? Just want to
8 make sure you guys --

9 MS. HOOD: We're good.

10 MS. WINTER: Everyone is good. I've been talking
11 for a while.

12 BY MS. WINTER:

13 Q. Okay. Let's see. So I'm going to hand a
14 document to the court reporter. She's going to give it
15 to you. I'm going to ask that it be marked as Exhibit 3
16 at this point.

17 ([REDACTED] Exhibit 3 marked as requested.)

18 BY MS. WINTER:

19 Q. Have you ever seen this document?

20 A. No.

21 Q. Okay. Can you read the title of the document,
22 so what is bolded in the top left-hand corner.

23 A. Crime Incident Report Part C Staff Report CDCR
24 837-C.

25 Q. Okay. And so do you see the name, the last

1 name in the first box on the top left-hand corner?

2 A. Yes.

3 Q. Okay. So if you go down to the narrative
4 section there's a paragraph there. I'm going to read it
5 to you and then I'm going to ask you a few questions.

6 So the narrative section for this Page 1 is --
7 reads, "On Friday, May 11th, 2018 at approximately 0920
8 hours while performing my duties as HCA-A Clinic #1
9 Officer, I was conducting Enhanced Outpatient Program
10 (EOP) committee in the Mental Health Services Delivery
11 Systems Building, group room 3, when I observed Inmate
12 [REDACTED] walking outside the room
13 unescorted. I exited the committee room and instructed
14 Inmate [REDACTED] to return to the waiting area. Inmate
15 [REDACTED] became verbally argumentative and demanded his
16 identification card be returned to him now. The
17 Facility A recreation yard at this time was down due to
18 an alarm in Building 4 and all inmates within the MHS
19 building are required to stay inside until said alarm is
20 cleared. I verbally instructed Inmate [REDACTED] several
21 times to sit in the waiting area until I was able to
22 retrieve his ID card. Inmate [REDACTED] stated he wasn't my
23 dog and that he wasn't going to sit, that I was going to
24 have to make him sit. Inmate [REDACTED] aggressively
25 stepped toward my personal zone (approximately 12

1 inches)" -- I'm turning to the second page now of the
2 narrative -- "and stated "Make me leave. I will fuck
3 you up. I don't care how many COs are around." At this
4 time fearing for my safety I activate my personal alarm
5 and told Inmate [REDACTED] to get down, simultaneously
6 stepping backward away from Inmate [REDACTED]. Inmate
7 [REDACTED] advanced toward me and because my focus was
8 entirely on Inmate [REDACTED], I did not see Correctional
9 Officer [REDACTED] approach until he utilized his Oleoresin
10 Capsicum Pepper Spray (OC) from approximately six feet
11 away. The OC spray hit Inmate [REDACTED] in the facial area
12 and due to the close proximity I was overcome with
13 overspray and again stepped backward. When I regained
14 my focus Inmate [REDACTED] was on the ground restrained. I
15 removed myself from the area to decontaminate. I
16 reported to the Triage Treatment Area (TTA) to be
17 examined and medically checked by staff."

18 Have you head that narrative before?

19 A. No.

20 Q. So just starting -- if you could review just
21 the Page 1, that paragraph on Page 1 that you can see.
22 Are there any statements in there that you think are
23 inconsistent with what you saw -- observed that day?

24 A. Yes.

25 MS. DE LA TORRE-FENNELL: Objection -- sorry.

1 Objection, the document is hearsay and it lacks
2 foundation.

3 MS. WINTER: Okay, thanks.

4 BY MS. WINTER:

5 Q. What -- what is inconsistent with what you
6 perceived that day?

7 A. I would -- I did not know it was about the ID
8 card, but I would agree with everything up until the
9 point where he said that he aggressively stepped toward
10 his personal zone.

11 Q. Okay.

12 A. That did not happen.

13 Q. Okay. And you didn't see him approach within
14 12 inches?

15 A. No.

16 Q. And just to be clear, there is some language
17 in here that Officer [REDACTED] may have reported about what
18 Mr. [REDACTED] said, but you didn't really recall the
19 specifics about language -- or you don't recall the
20 specifics about language?

21 A. Yeah, I don't, I don't recall it being about
22 an ID, but then again, I came midway through the
23 yelling, so it's possible it happened before I showed
24 up.

25 Q. Okay. So but what is inconsistent in this

1 statement with your perception --

2 A. Is the aggressive step forward.

3 Q. The aggressive step forward, okay.

4 And on this -- on the second page. The
5 remainder of the narrative, is there anything in here
6 that is inconsistent with your perception?

7 A. Unless he said, "I will fuck you up" prior to
8 me showing up, I did not see that.

9 Q. Okay.

10 A. I didn't hear that. Let's see. He did not
11 advance -- Inmate [REDACTED] from my perception did not
12 advance towards C0 [REDACTED]. And it was [REDACTED] who made
13 the spray.

14 Q. Okay.

15 A. I am certain of that.

16 Q. Okay.

17 A. And so it seems to me that this was altered.

18 Q. Okay. To reflect that [REDACTED] used the spray
19 as opposed to --

20 A. No, to reflect that he didn't see what [REDACTED]
21 was doing because he was affected by the OC spray that
22 was applied by [REDACTED], which is not what happened.

23 Q. Okay. So in your -- so [REDACTED] -- Officer
24 [REDACTED] is the one who dispensed the OC spray?

25 A. Yes.

1 Q. That's what you saw and not Officer [REDACTED]?

2 A. Yes, which is reflected in my report.

3 Q. Okay. And so you did not see Officer [REDACTED]
4 overcome by OC spray because he was the one who
5 dispensed the spray?

6 A. That's right.

7 Q. And you said you walked -- you had -- while
8 they were starting to restrain or handcuff Mr. [REDACTED],
9 you had already sort of started walking away?

10 A. Yes.

11 Q. So is there anything else in here that is
12 inconsistent with your recollection of this incident?

13 A. I mean, I never -- Officer [REDACTED] did not ever
14 need to regain his focus or need to kind of re- -- he
15 was -- he was upright the entire time. Yeah, this is
16 garbage.

17 Q. Okay.

18 A. Sorry.

19 Q. That's okay. So I'm going to ask you to turn
20 to Page 3 of this document, so the next page. If you
21 could look in the top left-hand corner in the first box
22 there, the last name in that box, do you see that?

23 A. Yes.

24 Q. What's the name there?

25 A. [REDACTED].

1 Q. Okay. And to be clear, this is still the same
2 document titled Crime Incident Report Part C Staff
3 Report?

4 A. That's right.

5 Q. Okay. So I'm going to read this narrative
6 section for Officer [REDACTED] and then I'm going to ask
7 you to do the same thing that we just did.

8 A. Okay.

9 Q. So down toward the bottom there is a narrative
10 section, it reads, "On Friday, May 11th, 2018 at
11 approximately 0920 hours while conducting my duties as
12 Facility A PSU Escort Officer #3, I observed Inmate
13 [REDACTED] yelling obscenities directed towards
14 my partner, Officer [REDACTED], in the waiting area in the
15 Facility A PSU Building. I immediately responded to the
16 location. I gave Inmate [REDACTED] a direct order to leave
17 the area. Inmate [REDACTED] ignored my command and
18 continued to yell obscenities stating, "Fuck you mother
19 fuckers." Inmate [REDACTED] then clenched both of his
20 fists, took an aggressive stance and turned towards
21 Officer [REDACTED]. I gave Inmate [REDACTED] a direct order to
22 back away from the officer but he did not comply.
23 Officer [REDACTED] activated his personal alarm. We
24 continued to give Inmate [REDACTED] verbal commands to get
25 down on the floor, but Inmate [REDACTED] did not comply. He

1 continued to yell obscenities and threatened the staff
2 in the area. Inmate [REDACTED] stated, "You mother fuckers
3 try to put me down." Officer S. [REDACTED] then unholstered
4 his MK-9 Oleoresin Capsicum (OC) from approximately 4 to
5 5 feet away and sprayed Inmate [REDACTED] in the facial area
6 with a short burst of OC spray approximately 1 to 2
7 second bursts. I was inadvertently exposed to the
8 effects of the OC spray and had to temporarily move away
9 from the incident area. Inmate [REDACTED] then dropped to
10 his knees and stated, "Okay, I'm done." He took a prone
11 position on the floor. When I was able to reenter the
12 area and I placed handcuffs" -- "placed him in handcuffs
13 without further incident. I relinquished custody of
14 Inmate [REDACTED] to Officer [REDACTED] I was medically
15 evaluated and returned to my normal duties. This
16 concludes my involvement in this incident."

17 A. That was the other officer, [REDACTED], yeah.

18 Q. Okay.

19 A. That's triggering my memory now, but I didn't
20 know it at that time, I just saw it in documents later.

21 Q. Okay.

22 A. Also not what happened.

23 Q. Okay. So --

24 A. And it's interesting because there's this
25 inconsistency, right, like, do you see it?

1 Q. Between the two reports?

2 A. Yeah. So he's saying that he was threatened,
3 but where is the quote of being threatened? You mother
4 fuckers try to put me down. He's not saying anything
5 like he's gonna do to them. He was -- he was cursing,
6 of course. It's also different than what [REDACTED] was
7 saying he said. And not only that, but both of them,
8 both [REDACTED], were so affected by OC spray
9 they had to disengage and therefore they didn't see
10 something miraculously? It's garbage. I'm sorry, I
11 can't -- it's just -- it's -- and they're not consistent
12 either.

13 Q. Okay.

14 A. And -- and I don't see anywhere in here where
15 he can say that he -- they were actually threatened.

16 Q. Okay. Let me see if there's anything else
17 that -- so here you said your recollection was that
18 Inmate -- that Mr. [REDACTED] did not have his -- or that he
19 did not or did not have his fists clenched? I can't
20 remember what you said.

21 A. I -- I think he had his fists clenched down
22 maybe at his sides.

23 Q. Okay. And you said that he did not take an
24 aggressive stance. He was -- he had his feet planted --

25 A. Right.

1 Q. -- and was yelling, but --

2 A. Upright. He didn't go -- he didn't move
3 forward at any point. I made sure to watch for that
4 because I was like at that point, you know, they can do
5 something to affect custody that would involve force,
6 but that didn't happen.

7 Q. Okay. Did you hear Officer [REDACTED] give a
8 direct order for Mr. [REDACTED] to back away?

9 A. I did not, but that doesn't -- that's not to
10 say it didn't happen because [REDACTED] was yelling so loud
11 I may not have heard it.

12 Q. Okay. All right. Let me see. And so here
13 also Officer [REDACTED] says that Officer [REDACTED] is the one
14 who dispensed the OC spray?

15 A. Yes, that's not what happened.

16 MS. DE LA TORRE-FENNELL: Objection -- sorry.
17 Objection, lacks foundation, hearsay to the entire line
18 of questioning based on these documents in Exhibit 3.

19 MS. WINTER: Okay.

20 BY MS. WINTER:

21 Q. You can go ahead and answer.

22 A. Yeah, that's not what happened.

23 Q. Okay.

24 A. [REDACTED] is the one who applied the OC spray.

25 Q. Okay. Did you see Officer [REDACTED] move away

1 from the area before you left?

2 A. No, but, again, my -- my focus was on the
3 inmate and the person kicking the inmate, so he could
4 have, but I don't think -- I just think it's interesting
5 that both of them are so affected by the spray they all
6 of a sudden, like, couldn't speak to anything else that
7 was happening during that point in time.

8 Q. So you don't think that that -- that was not
9 your perception?

10 A. That was not my perception.

11 Q. All right. So there's one more.

12 A. I mean, because the other thing, too, is
13 remember I told you he stepped backwards, he stepped
14 backwards and did something with his belt, so if he had
15 just applied the spray, that doesn't make sense.

16 Q. In what way?

17 A. Because if he was applying spray, then why
18 would he have stepped backwards and put his back to the
19 inmate?

20 Q. I see what you're saying.

21 A. It was almost like his side body was to the
22 inmate (demonstrating). So if he was spraying him, how
23 would he have been able to do that?

24 Q. Because if he was spraying --

25 A. Like, behind his back, like this way? Like

1 blinded? I don't think so.

2 Q. Okay, I understand.

3 So if you could turn to Page 4 of this same
4 document. In the top left-hand corner there's a name, a
5 last name. Do you see that last name?

6 A. Yes.

7 Q. What is the last name?

8 A. [REDACTED].

9 Q. Okay. So I'm going to read again story-time
10 style his -- the narrative from Officer [REDACTED] on this
11 form and then I will ask you to tell me what was
12 inconsistent with your perception.

13 So the narrative, "On Friday, May 11, 2018 at
14 approximately 0920 hours while performing my duties as
15 HCA-A Escort #1 I responded to a code one alarm inside
16 the "A" Mental Health Services Delivery Systems
17 Building. I was providing coverage for Officer
18 A. [REDACTED] who was dealing with an agitated and irate
19 inmate [REDACTED] was refusing to
20 comply with [REDACTED]'s orders and was challenging him to a
21 physical altercation. [REDACTED] at one point stated
22 something to the effect of "Fucking you up regardless of
23 how many officers are around." [REDACTED] maintained a calm
24 demeanor as [REDACTED] disrespected and used profanities
25 when addressing [REDACTED] also maintained

1 clenching fists down at his sides as he continued to
2 challenge [REDACTED]. With my right hand, I have removed my
3 state issued MK-9 Oleoresin Capsicum Pepper Spray (OC)
4 from the holster keeping it at my side and placed myself
5 approximately 7 feet from [REDACTED] right side and about
6 5 feet from [REDACTED] left shoulder as [REDACTED] continued
7 to advance towards [REDACTED] with clenched fists. I
8 attempted to provide support, instructing [REDACTED] to
9 relax and comply, but at no time did [REDACTED] acknowledge
10 me, maintaining all his focus on [REDACTED] was
11 maintaining a safe distance as he was attempting to
12 deescalate the situation, but was unsuccessful as [REDACTED]
13 continued to slowly advance and ignore lawful orders.
14 With no other choice, [REDACTED] activated his state issued
15 personal alarm and ordered [REDACTED] to get down. [REDACTED]
16 ignored all verbal orders and increased the rate at
17 which he was advancing towards [REDACTED] "

18 I'm going to the second - the next page, Page
19 5 of this document. "Fearing for Officer [REDACTED]
20 safety, I stepped towards [REDACTED] immediately raising my
21 right hand holding my MK-9 aiming for [REDACTED] facial
22 area. From approximately 5 feet due to [REDACTED]
23 advances, I utilized a one second burst of OC partially
24 striking [REDACTED] right facial area. [REDACTED] stopped
25 advancing. I lowered my spray to my navel area,

1 reassessed the situation while ordering [REDACTED] to get
2 down two times. At this point [REDACTED] removed his
3 glasses, clenched his fists and continued to disobey my
4 verbal orders to get down. Fearing that [REDACTED] would
5 assault me or another person, with an upsweeping motion,
6 I utilized another burst of OC for approximately 2
7 seconds at approximately 4 feet striking [REDACTED] in the
8 lower torso area up to his facial area. [REDACTED] now
9 complied with my previous orders to get down but as he
10 was making his way to the ground in order to avoid any
11 contact due to the close proximity, I attempted to move
12 causing me to lose my balance and slip on OC overspray
13 subsequently striking [REDACTED] in or around the upper
14 torso area with my left leg as I fell to the ground. I
15 braced myself with my hands and recovered quickly to my
16 feet to." There's an extra word there. "Responding
17 staff quickly gained custody of [REDACTED] and placed him in
18 restraints. I have no injuries to report. A 7219 was
19 completed at RJD TTA. This concludes my report."

20 So starting on the first section of that
21 narrative on Page 4, do you have any responses in terms
22 of things that were inconsistent with your perception of
23 this incident?

24 MS. DE LA TORRE-FENNELL: Objection, it calls for
25 hearsay and lacks foundation as to this report.

1 THE WITNESS: Well --

2 BY MS. WINTER:

3 Q. You can go ahead.

4 A. Well, it's not hearsay because I saw it.

5 So, again, he was not the one that applied the
6 OC spray. It's becoming more clear to me now that
7 they -- because they all congregated in an office
8 together afterwards presumably to write this report
9 consistently with one another and I would imagine that
10 putting the OC spray into [REDACTED] hands would have made
11 it possible for him to slip on it --

12 Q. Right.

13 A. -- because he was at a -- because [REDACTED] was
14 at a completely different angle.

15 Q. Okay.

16 A. That's the only way I can understand the
17 discrepancy.

18 Q. Or would it be possible that having [REDACTED]
19 dispense the pepper spray allowed both [REDACTED] and
20 [REDACTED] to be temporarily incapacitated so they didn't
21 see what happened next?

22 A. That as well, right. That's what -- that's
23 what I'm picking up from the way it's written. Of
24 course, conjecture, it's the only thing that makes sense
25 because he did not slip.

1 Q. Okay.

2 A. He was -- he was clearly on dry ground and he
3 clearly took not just one contact with [REDACTED] face,
4 but two.

5 Q. Okay.

6 A. And at no point in time did he end up on the
7 ground.

8 Q. Okay. And have you ever seen --

9 A. I mean, at no point in time did [REDACTED] end up,
10 like, losing balance or control or end up on the ground
11 is what I'm saying. Not [REDACTED]. [REDACTED] was already on
12 the ground.

13 Q. Okay. Have you seen OC spray dispensed
14 before?

15 A. Yes.

16 Q. Have you ever noted that it leaves a wet
17 residue on a floor?

18 A. I mean, I haven't been that close to it, so I
19 don't know, but...

20 Q. Okay.

21 A. What I'm saying is that the residue would have
22 been from the spray falling down --

23 Q. Uh-huh.

24 A. -- [REDACTED] was completely on another side so
25 from like me to the stenographer.

1 Q. So roughly 5 feet?

2 A. Yeah, so the spray residue would have been
3 over there (indicating) versus over here (indicating).

4 Q. So it would have been in a different
5 direction?

6 A. Yeah.

7 Q. Okay. And to be clear, did you see one spray
8 of OC spray or two sprays of OC spray?

9 A. I thought it was one.

10 Q. Okay.

11 A. That I cannot be certain of, but I thought it
12 was one because if there was like a short stop and then
13 continued, I mean, at that point I was watching Inmate
14 [REDACTED] go down on the ground and get kicked, so I
15 don't -- I didn't pay attention to that part.

16 Q. And you have already said that you don't think
17 that Inmate [REDACTED] was advancing --

18 A. No.

19 Q. -- physically toward --

20 A. No. And, in fact, I put that in my report.
21 At no point in time -- what did I write? "At no point
22 in time did he engage in physical violence" -- yeah, I
23 didn't -- and he didn't retaliate with physical
24 violence. Yeah, so he -- I didn't see any forward
25 movement.

1 Q. Okay.

2 A. Yeah.

3 Q. All right.

4 A. If he's guilty of anything, it's clenched
5 fists at the side -- at his side and yelling.

6 Q. Okay.

7 A. But not -- not yelling to threaten them.
8 There was -- I would say what [REDACTED] -- I think it was
9 what [REDACTED] wrote, "Fuck you mother fuckers. You
10 mother fuckers try to put me down," maybe stuff like
11 that, but it was never, I'm going to hurt anybody.

12 Q. Okay, all right. And you said earlier you
13 didn't recall that Mr. [REDACTED] had glasses?

14 A. I don't recall that, no.

15 Q. Okay. And you did not see [REDACTED] make contact
16 with Inmate [REDACTED] torso, is that right?

17 A. No.

18 Q. You saw him make contact with [REDACTED]
19 right temple?

20 A. Yes.

21 Q. All right. So we can put that to the side for
22 a moment at least.

23 Okay. And so we've talked about Officers
24 [REDACTED]. You mentioned that there was
25 another officer involved that you were not -- you didn't

1 recall the name of, but then you said that is Officer
2 [REDACTED], is that accurate?

3 A. Yeah, when you said his name that triggered my
4 memory that he had been in some other documentation and
5 they actually showed me a picture of him at one point.
6 I don't -- I think at one point they might have been
7 trying to trick me. They like showed me a bunch of
8 different officers, like, who was there. I was, like, I
9 don't know, I know these three were there, but I don't
10 know for sure who else.

11 Q. Okay. And do you remember -- but do you
12 remember Mr. [REDACTED] being there at all or you just
13 remember his name?

14 A. I remember there being another body. I just
15 don't remember who it was.

16 Q. Okay.

17 A. In part because I was probably seeing, like
18 his back -- you know, like, not his back, but side
19 profile and if I wasn't familiar with who he was,
20 obviously I wouldn't be like, oh, that was [REDACTED]

21 Q. Okay.

22 A. You know, it's not somebody I worked with on a
23 regular.

24 Q. Okay. Unlike the other officers?

25 A. Yeah, because they were access to care

1 officers.

2 Q. Okay. And did you see after -- so Officer

3 [REDACTED] pressed his alarm --

4 A. Uh-huh.

5 Q. -- but did you see any other responding

6 officers at any point?

7 A. No, I think if they -- if they had come in at

8 that point it would have been -- I would have already

9 been in the office with my supervisors.

10 Q. All right. Do you want to take a break?

11 A. No, I'm okay.

12 (A short break was had.)

13 BY MS. WINTER:

14 Q. So we're going to go to another document.

15 A. Okay.

16 Q. This one I'll have marked as Exhibit 4.

17 ([REDACTED] Exhibit 4 marked as requested.)

18 BY MS. WINTER:

19 Q. Okay. So if you look at the -- first of all,

20 are you familiar with this type of document --

21 A. Yes.

22 Q. -- from CDCR? What is it?

23 A. It's an RVR.

24 Q. And what does RVR stand for?

25 A. Rules Violation Report.

1 Q. Okay. And what is the title of this document?

2 A. Like 115 or --

3 Q. No, just the one that you read on the document

4 itself. The bolded --

5 A. Rules Violation Report?

6 Q. Okay.

7 A. Okay.

8 Q. So do you see in the top left box there's

9 words that say "CDC number." Do you see that?

10 A. Yes.

11 Q. And what is the number in that box?

12 A. [REDACTED]

13 Q. Okay. And then the next box to the right, do

14 you see where it says inmate's name?

15 A. Yes.

16 Q. What is the inmate's name?

17 A. [REDACTED]

18 Q. Okay. And then so the box underneath the CDC

19 number box that says, "Violation date," do you see that?

20 A. Yes.

21 Q. And what is the date in that box?

22 A. 5/11/18.

23 Q. Okay. And so the box to the right of that

24 that says "Violation time."

25 A. 9:20 a.m.

1 Q. Okay, thank you. So I'm going to ask you to
2 turn to Page -- Page 5 of this document.

3 A. Uh-huh.

4 Q. Which the top of that page reads RVR
5 Supplemental.

6 A. Yes.

7 Q. And I'm going to represent to you that this
8 document is the RVR that Mr. [REDACTED] received in
9 connection with this incident.

10 A. Yes.

11 Q. Are you familiar with this portion of an RVR
12 form, the RVR Supplemental? Have you seen that before?

13 A. Yes, I have.

14 Q. Okay. And what's the purpose of this portion
15 of the form?

16 A. That's a good question. I think it's -- maybe
17 it's written on the day of the hearing.

18 Q. So we're going to go through a few lines of
19 this, so apologies, it's going to be a little tedious.
20 One second.

21 MS. DE LA TORRE-FENNELL: Counsel, just for the
22 record. We are objecting to the line of questioning
23 based on this document for hearsay and lack of
24 foundation for all the questioning based on this
25 particular document.

1 MS. WINTER: Okay. I'm using the document not for
2 the document itself, but just to compare what's in the
3 document to her perception.

4 MS. DE LA TORRE-FENNELL: Our objection still
5 stands.

6 MS. WINTER: Okay.

7 BY MS. WINTER:

8 Q. Okay. So let's see. So I'm going to
9 represent to you that in this part of the document there
10 are questions that Mr. [REDACTED] was allowed to ask of
11 various witnesses to the incident -- to this incident.
12 And in particular, I'm going to point you to about
13 midway down the page there is a sentence that reads,
14 "Staff witness statement, Officer M. [REDACTED] was asked
15 the following question by Inmate [REDACTED]"

16 Do you see that sentence?

17 A. Yes.

18 Q. Okay. So if you go down to Q3, which I think
19 represents Question 3 under that heading. Do you see
20 that sentence?

21 A. Uh-huh.

22 Q. I'm going to represent that Mr. [REDACTED] asked,
23 "Did I," meaning Mr. [REDACTED] "go down once I was
24 sprayed."

25 Go down meaning go to the ground is how I

1 interpret that.

2 A. Yes.

3 Q. And then under A3 I read, "I was incapacitated
4 by the effects of OC spray. When I regained my vision
5 and whereabouts I observed [REDACTED] drop to his knees and
6 reluctantly assume a prone position after staff gave him
7 several verbal orders to do so."

8 Do you see that statement?

9 A. I do.

10 Q. What is your reaction to that statement?

11 A. Same as the other -- same reaction, it's just
12 I -- it's interesting and I find it curious and
13 questionable as to why he didn't see anything, you know,
14 between the point where the spray was applied and the
15 point where he was on the ground.

16 Q. So when you say he didn't see anything, you
17 mean Officer [REDACTED]?

18 A. Yeah.

19 Q. And when he was on the ground, you mean
20 Mr. [REDACTED]

21 A. Right.

22 Q. Okay. So if you go to the next sort of set of
23 questions starting with the sentence, "Staff witness
24 statement. Officer [REDACTED] was asked the following
25 question by Inmate [REDACTED]:" If you go down to the Q3 it

1 reads, "How many bursts of OC spray did you use?"

2 Do you see that?

3 A. Yes.

4 Q. And then do you see A3?

5 A. Yes.

6 Q. What number is there?

7 A. Two.

8 Q. Okay. And is that consistent with your
9 perception of the incident?

10 A. No.

11 Q. Okay. So I'm done with this. We don't need
12 to look at this document anymore. You can put it to the
13 side.

14 MS. DE LA TORRE-FENNELL: Excuse me, Counsel, did
15 you mark this as an exhibit?

16 MS. WINTER: Yes, Exhibit 4.

17 MS. DE LA TORRE-FENNELL: Thank you.

18 MS. WINTER: Sure.

19 THE WITNESS: I just want to bring to the point
20 that under Officer [REDACTED] Q6 on the second page, or A6,
21 rather, he says, "I can only account for what I
22 witnessed" referencing the number of times OC was
23 sprayed. It's curious here that he says "what he
24 witnessed" versus what he did.

25 BY MS. WINTER:

1 Q. Oh, that's a good point. I see what you're
2 saying. So you're saying basically not that he
3 sprayed -- he was a witness to the spray as opposed to
4 he actually did the spray?

5 A. Correct.

6 Q. Okay, I understand. I don't know if you want
7 to take a minute to look -- we could -- frankly, there's
8 more in here that we could discuss, but we have only so
9 much time.

10 A. Sure.

11 (Witness viewing document.)

12 MS. DE LA TORRE-FENNELL: Just for clarity, if
13 [REDACTED] continues to review commenting on her
14 thoughts on whether -- the accuracy of the Exhibit 4, we
15 still lodge the objection that it is hearsay and lacks
16 foundation.

17 MS. WINTER: I understand. Thank you.

18 THE WITNESS: Just to be clear, I haven't seen any
19 of these documents before even though they're available
20 to me because I've been trying to follow within the
21 purview of what's ethical and not review these things.

22 BY MS. WINTER:

23 Q. Okay.

24 A. Because it's not my patient.

25 Q. Okay, I understand.

1 A. So this is the first time I'm getting a chance
2 to see it.

3 Q. Okay. It's not unethical for you to read them
4 now, I presume, since it's --

5 A. No, but --

6 Q. Okay.

7 A. -- it would potentially call into question
8 ethics if I was going and looking at someone's chart
9 that wasn't my patient.

10 Q. I understand.

11 A. Okay. I'm ready.

12 Q. So we're going to put that aside. We have one
13 more document.

14 A. Am I allowed to know if he was found guilty of
15 this?

16 Q. Of the RVR?

17 A. (Nodding.)

18 Q. I don't think anything stops you from knowing.

19 MS. WINTER: Is it a matter of public record? I
20 don't actually know.

21 MS. DE LA TORRE-FENNELL: I don't know if it would
22 be a matter of public record.

23 MS. HOOD: It would be documented in his central
24 file.

25 MS. DE LA TORRE-FENNELL: Yeah, it would be in his

1 central file.

2 THE WITNESS: Right, but, like I said, I don't want
3 to be looking at people's charts that are not my
4 patients.

5 MS. DE LA TORRE-FENNELL: Okay. We were just
6 responding to counsel's question of whether it would be
7 public record. It's in his central file.

8 THE WITNESS: Yeah, okay.

9 BY MS. WINTER:

10 Q. Let's go back to this document just for a
11 moment.

12 Okay. So if you pick up Exhibit 4 again,
13 let's see. Let's go to -- so we were on Page 1, 2, 3,
14 4, 5, 6 -- well, I lost count again. 1, 2, 3, 4, 5, 6.
15 So if you go to Page 10.

16 A. Uh-huh.

17 Q. There is a box toward the bottom in roughly
18 the bottom third of this document that says "findings."

19 A. Uh-huh.

20 Q. And in that box the first line says, "Subject
21 was found" and do you -- can you read what the result of
22 subject was found?

23 A. Guilty of included charge.

24 Q. Okay. And then if you look at the next line
25 down it says, "Lesser included charge." Do you see

1 that?

2 A. Yeah.

3 Q. Can you read what that line says?

4 A. "Assault on peace officer by means not likely
5 to cause GBI."

6 Q. So based on this document, what does it appear
7 to you happened as a result of this RVR?

8 MS. DE LA TORRE-FENNELL: Objection, it's hearsay
9 and lacks foundation.

10 BY MS. WINTER:

11 Q. Go ahead.

12 A. Well, it's not -- I'm reading it, so that he
13 was charged with assault on a peace officer.

14 Q. Okay. And you are -- you said that you are
15 familiar with RVRs, you've worked with them in your job?

16 A. Yes.

17 [REDACTED]

18 [REDACTED]

19 A. [REDACTED]

20 Q. Did you work with documents like these during
21 the course of your work?

22 A. Yes.

23 Q. Okay. We can put this document aside.

24 Okay. So the next document -- and I think it
25 will be the last one, although I'm not positive. So

1 this is going to be Exhibit 5.

2 ([REDACTED] Exhibit 5 marked as requested.)

3 BY MS. WINTER:

4 Q. Okay. So can you read the title of this
5 document in the top left corner?

6 A. Crime Incident Report Part A1 Supplement CDCR
7 837 A1.

8 Q. Okay. Have you seen documents like this
9 during the course of your work in CDCR?

10 A. Yes.

11 Q. And do you have an understanding of what it's
12 used for?

13 A. Yes.

14 Q. Okay. What is that understanding?

15 A. It's like a summary.

16 Q. Summary of?

17 A. Summary of an incident. It's kind of pulling
18 together all the parties' information.

19 Q. Okay. So let's see. At the -- under the
20 boxes at the top of this page, do you see the phrase in
21 all caps before a lot of the writing -- the rest of the
22 writing starts?

23 A. Synopsis of event.

24 Q. So is that consistent with your understanding
25 that this is a summary?

1 A. Yes.

2 Q. Okay. Let's see. So at the bottom of the
3 page, there is another set of boxes. Do you see that?

4 A. Yes.

5 Q. And in the top left-hand box there's a title,
6 "Name of reporting staff."

7 Do you see that?

8 A. Yes.

9 Q. And what is the name of the reporting staff in
10 that box?

11 A. [REDACTED]

12 Q. [REDACTED] okay. And then to the right of that
13 box, do you see the box that says "Title"?

14 A. Yes, correctional lieutenant.

15 Q. Correctional lieutenant, okay.

16 So are you familiar with Lieutenant [REDACTED]?

17 A. Yes.

18 Q. And in what way? Can you describe?

19 A. Well, [REDACTED] -- I mean, more -- more
20 recently has been the person who I have had to get my
21 keys and alarm from every single -- most mornings that I
22 work going into the facility. So as you can imagine,
23 incidents such as this, like, there's a ripple effect
24 because you have to continue to work with them in
25 different capacities and there's bid changes every

1 couple years, they end up on different yards. So he is
2 the person who I have received my keys and alarm from
3 for the last year.

4 Q. Have you felt any -- you mentioned ripple
5 effects, any ripple effects related to this incident
6 from Lieutenant [REDACTED]?

7 A. Lieutenant [REDACTED] has been lovely. He has
8 been fine, yeah.

9 Q. Okay. So if you could for just a moment
10 review the first paragraph of this -- or actually, I'm
11 going to read it just to make sure it's all on the
12 record.

13 So in the first paragraph under "Synopsis of
14 Event" I'm going to read what it says. It's going to be
15 fairly familiar. "On Friday, May 11th, 2018 at 0920
16 hours while Officer [REDACTED] was conducting Enhanced
17 Outpatient Program (EOP) committee in the Mental Health
18 Services Delivery System, MHSDS Building, he observed
19 Inmate [REDACTED] walking outside the room
20 unescorted. Officer [REDACTED] confronted [REDACTED] and
21 ordered him to return to the waiting area. Inmate
22 [REDACTED] became verbally argumentative and demanded his
23 identification card be returned to him. Officer [REDACTED]
24 informed [REDACTED] there was an active alarm on the yard
25 and he would need to sit in the waiting area. [REDACTED]

1 took a fighting stance and yelled, "I'm not your dog.
2 I'm not going to sit down. You're going to have to make
3 me." Inmate [REDACTED] with his hands balled in a fist
4 stepped towards Officer [REDACTED] getting extremely close
5 to his proximity. Officer [REDACTED] fearing for his safety
6 activated" -- "he activated his personal alarm device
7 (PAD) ordered [REDACTED] to get down and stepped back away
8 from him. Inmate [REDACTED] continued to advance towards
9 Officer [REDACTED]. Officer [REDACTED] fearing for Officer
10 [REDACTED] safety, he unholstered his MK-9 Oleoresin
11 Capsicum Pepper Spray (OC) and aiming at Inmate [REDACTED]
12 face, he dispersed a one second burst of OC spray from
13 approximately 5 feet away. Inmate [REDACTED] ceased his
14 advancement towards staff and removed his glasses.
15 While holding his glasses, he maintained a fighting
16 stance with his hands in a fist and would not comply
17 with orders to get down. Officer [REDACTED] fearing that
18 [REDACTED] would assault him or Officer [REDACTED] used an
19 upsweep motion and dispersed a two second burst of OC
20 spray approximately 4 feet away striking Inmate [REDACTED]
21 in the lower torso area up to his facial area with
22 positive results. Inmate [REDACTED] assumed a prone
23 position on the ground. As Inmate [REDACTED]" -- "As Inmate
24 [REDACTED] was going down to the ground, Officer [REDACTED]
25 moved back due to the close proximity of Inmate [REDACTED].

1 As he was stepping back, he slipped on the OC overspray.
2 Subsequently, Officer [REDACTED] stated he struck Inmate
3 [REDACTED] in or around the upper torso area with his left
4 leg as he fell to the ground."

5 So, again, is this consistent with your
6 perception of what happened during this incident with

7 [REDACTED]

8 A. No.

9 MS. DE LA TORRE-FENNELL: Objection, Counsel, this
10 is -- lacks foundation and is hearsay.

11 BY MS. WINTER:

12 Q. Okay. Is it consistent with Officer [REDACTED]
13 statement?

14 A. No.

15 Q. Would you say it's more consistent with your
16 statement or with Officer [REDACTED] statement?

17 MS. DE LA TORRE-FENNELL: Objection to the extent
18 hearsay and lacks foundation to the extent you're asking
19 her to compare her statements to Officer [REDACTED]
20 statements.

21 THE WITNESS: I don't know if I really totally
22 understand the question.

23 BY MS. WINTER:

24 Q. Okay. So let me be a little bit more
25 specific.

1 So this paragraph states that Officer [REDACTED]
2 sprayed OC spray and then moved back and then when he
3 moved back, he slipped on the OC spray and struck Inmate
4 [REDACTED] in the torso area. Is that consistent with what
5 you --

6 A. No.

7 Q. -- perceived?

8 A. That doesn't even make sense. If you moved
9 backwards, how did you slip and hit the patient?

10 Q. Okay. Is that -- is that approximately --

11 A. Is anybody else reading this but me? Okay.

12 Q. Is that approximately roughly the same story
13 that Officer [REDACTED] included in his narrative?

14 A. I -- yes.

15 MS. DE LA TORRE-FENNELL: Objection to the
16 extent -- hearsay and lacks foundation.

17 BY MS. WINTER:

18 Q. Okay. So if you go down to -- there's a
19 paragraph that starts "Psychologist [REDACTED]"

20 A. Yes.

21 Q. Do you see that paragraph?

22 A. Uh-huh.

23 Q. This paragraph reads, "Psychologist [REDACTED]
24 witnessed the incident and immediately notified her
25 supervisor, Senior Psychologist R. Katyal that she

1 observed Officer [REDACTED] use excessive force by kicking
2 Inmate [REDACTED] in the face two times as he was going down
3 to the floor while he was being sprayed. Psychologist
4 [REDACTED] also stated Officer [REDACTED] stepped back to
5 disengage from Inmate [REDACTED]."

6 Is that paragraph consistent with what you
7 observed?

8 MS. DE LA TORRE-FENNELL: Objection, calls for
9 hearsay and lacks foundation.

10 THE WITNESS: Yes.

11 BY MS. WINTER:

12 Q. Okay. Does it appear that officer -- or
13 sorry -- Lieutenant [REDACTED] documented your
14 observations in this summary?

15 A. I mean, vaguely.

16 Q. Looking at that paragraph --

17 A. Use of excessive force, yeah. Yeah.

18 Q. So it's not as comprehensive as your full
19 narrative was?

20 A. Right.

21 Q. But he has at least acknowledged --

22 A. Yeah.

23 Q. -- portions of your narrative here?

24 A. Yes, uh-huh.

25 Q. All right. So if we can turn to Page 2.

1 A. Uh-huh.

2 Q. Let's see. So there's a paragraph that's --
3 there's a bold heading that says, "Use of force" and if
4 you look under that heading, this document states
5 "Officer [REDACTED] utilized OC spray to gain compliance of
6 a lawful order, subdue an attacker and affect custody.
7 Officer [REDACTED] slipped in the overspray of OC and
8 inadvertently kicked Inmate [REDACTED] in or around the
9 upper torso area with his left leg as he fell to the
10 ground."

11 Is that consistent with what you perceived?

12 A. No.

13 Q. Does it appear that Lieutenant [REDACTED] has
14 adopted Officer [REDACTED] version of what happened?

15 MS. DE LA TORRE-FENNELL: Objection, hearsay and
16 lacks foundation and calls for speculation.

17 THE WITNESS: I mean, that is the way I read it.

18 BY MS. WINTER:

19 Q. So specifically this document by Lieutenant
20 [REDACTED] states that Officer [REDACTED] slipped in the
21 overspray of OC and inadvertently kicked Inmate [REDACTED]
22 in or around the upper torso area with his left leg as
23 he fell to the ground.

24 A. Yes, what I'm trying to understand is why this
25 is saying that during a medical eval that he had

1 soreness to his left shoulder and left wrist.

2 Q. Yeah, I can't answer that question for you.

3 A. Okay. Because I -- that part doesn't seem to
4 fit.

5

6 Q. So, yeah, so there's a lot more in these
7 documents that, like I said, we could talk about, but
8 I'm trying to be a little aware of time.

9 Let's see, okay. Have you ever had an
10 experience before where a supervising custodial officer
11 adopted another custody officer's version of events as
12 opposed to yours?

13 A. Not -- not that I can recall.

14 Q. Okay.

15 A. I have only written one other incident
16 report --

17 Q. Okay.

18 A. -- so.

19 Q. And did you think that -- did you feel that
20 that incident report fairly captured your version of
21 events?

22 A. It did. There was an in- -- there was an
23 officer who attempted to say there was a battery on a
24 peace officer, but the person doing the -- you know,
25 there's an officer that then does the supplemental, the

1 synopsis and that officer kind of pushed back on that
2 officer and said, Where is the proof of that and then
3 that officer retracted.

4 Q. Okay.

5 A. So this is not an uncommon -- from what I can
6 tell, if I've been involved in two incidents and both of
7 them have had like a kind of similar sort of assault on
8 a peace officer when it didn't actually happen.

9 Q. All right. So while in that case -- in that
10 incident report, the person who drafted the supplement
11 didn't adopt the officer's statement, it is not
12 uncommon, at least in your experience, that there will
13 be allegations that an individual used force against an
14 officer when in your view the officer was the one using
15 force?

16 A. Uh-huh. I take that back, I've written like
17 three.

18 MS. DE LA TORRE-FENNELL: Objection as to misstates
19 what the testimony was and it lacks foundation.

20 THE WITNESS: I didn't catch it.

21 BY MS. WINTER:

22 Q. Okay. I think we can just leave it with that.

23 Okay. So having gotten through the documents,
24 we'll put that one aside for now. We'll do a few more
25 questions it looks like if they're bringing lunch it

1 will be very soon, so I'll just keep going until we can
2 take a natural break.

3 Okay. So you have already stated that you are
4 aware of at least one investigation that followed from
5 this incident with Mr. [REDACTED] is that right?

6 A. Yes.

7 Q. And -- but you were not certain if it was run
8 by the OIG or the OIA, is that accurate?

9 A. I'm pretty sure it's OIG.

10 Q. Okay. It's OIG?

11 A. That was my understanding.

12 Q. And were you contacted by OIA in relation to
13 this incident?

14 A. I don't -- I just heard OIG.

15 Q. Okay.

16 A. I could be wrong.

17 Q. And was -- did anyone -- other than you having
18 done the work to submit your narrative in the incident
19 report, did anyone else ask you to provide information
20 related to that report, like people -- institution level
21 staff? Not related to the report, but related to the
22 incident?

23 A. I don't know -- I don't understand the
24 question.

25 Q. Okay. So, for example, are you familiar with

1 ISU officers?

2 A. Oh, yeah.

3 Q. What is your understanding of an ISU officer?

4 A. It's an Investigative Services Unit.

5 Q. Okay.

6 A. And they work in this -- like, supposedly it's
7 supposed to be like an independent group of officers.

8 Q. Okay. And when you say "supposedly," what do
9 you mean?

10 A. I think there -- there's a lot of friends
11 within CDCR and so things sometimes do or don't get kept
12 confidential.

13 Q. Okay. Have you ever had an experience
14 where -- that you can identify where things were not
15 kept confidential between an ISU officer investigation
16 and --

17 A. I have heard things. It's all hearsay,
18 though.

19 Q. Okay. Are you aware of any investigation that
20 was swayed because of friendly relationships between ISU
21 officers and custodial officers?

22 A. I -- I just -- I just know that a former ISU
23 officer right now has a pending lawsuit against the
24 Department.

25 Q. Okay. Do you know the basis of that lawsuit?

1 A. Yeah, he was -- he was reporting
2 discriminatory acts within the ISU and barriers to being
3 promoted based on his race.

4 Q. Do you happen to know his name?

5 A. Officer [REDACTED].

6 Q. [REDACTED]

7 A. That's right.

8 Q. Okay. So did anyone from ISU contact you
9 related to this incident with Mr. [REDACTED]?

10 A. Not that I'm aware of. Not that I can recall.

11 Q. Okay.

12 A. I don't think so. This is three years, I'm so
13 sorry, if there was a phone call, maybe I missed it. I
14 don't recall. Nothing stands out.

15 Q. Okay.

16 A. Sorry.

17 Q. Did anyone ever follow-up with you with the
18 results of any of the investigation?

19 A. No.

20 Q. Okay. So you didn't hear back from OIG,
21 although that was pretty recent it sounds like?

22 A. No, it wasn't that recent. I mean, the last
23 time I met with OIG would have been -- I mean, it was a
24 long time ago. It was like a year ago. I had a second
25 interview with OIG.

1 Q. Okay.

2 A. And they actually told me at the conclusion of
3 that meeting that they -- that they most likely would
4 not be in contact with me again.

5 Q. Okay.

6 A. Like even after the hearing that recently took
7 place, I didn't ever hear any results of that either.
8 I'm kind of just, like, left not knowing anything, so
9 that's why some of this information that I'm getting
10 today is interesting because I'm, like, finally hearing
11 some details of things because I've just been shielded
12 mostly from knowing any other stance and I just keep
13 going with my stance. This is what I saw, so.

14 Q. And so when you referred to the hearing, you
15 were referring to the State Personnel Board hearing, is
16 that right?

17 A. That hearing and of course I would hear rumors
18 like [REDACTED] got terminated, but of course nothing
19 substantial -- or substantiating.

20 Q. Okay. So let's go back to the OIG. So you
21 met with them twice. You said the first time there were
22 two to three lawyers --

23 A. Yeah.

24 Q. -- and an investigator and the second time
25 there was one lawyer and the same investigator?

1 A. I think so.

2 Q. Roughly?

3 A. I think that's who he was.

4 Q. Okay.

5 A. I should be writing all these things down.

6 Q. Okay. Well, now at least they'll be on paper
7 in some form.

8 A. Yeah.

9 Q. And so when -- can you tell me the dates of
10 those two meetings, if you remember them?

11 A. I -- had I been told before last night at 5:00
12 o'clock p.m., I would have been able to have all these
13 documents, but they were in a completely different
14 facility, AKA yard, that I was on at the time and I
15 didn't want to go all the way back to that facility to
16 get them. I believe one was in, like, October maybe of
17 2018 and then the other one maybe February -- or sorry,
18 October 2017 and then February 2018.

19 Q. If we go --

20 A. Sorry, sorry, sorry.

21 Q. Do you want to --

22 A. October 2018 and February 2019, yes.

23 Q. Just to go back, you stated earlier and we
24 looked at documents that reflected that this incident
25 occurred on May 11th, 2018?

1 A. Right. So it would have been October 2018 and
2 then February 2019, I believe.

3 Q. Okay. And approximately how long were those
4 interviews?

5 A. The first one was like four hours and the
6 second one was two.

7 Q. Okay. And can you sort of summarize what
8 happened during those two interviews?

9 A. Yeah. I was -- I was asked very detailed,
10 pointed questions in which I tried my best to remember
11 memories from several months prior. I -- the -- the
12 results, the direct quotes, from those interviews were
13 then -- I was, like, cross-examined pretty hard at the
14 hearing on those and so I'm -- now I'm just like, I've
15 got to be really careful what I say and make sure it's
16 exact because there was times where I was like, well,
17 you know, I was being questioned, Was it 6 feet or 4
18 feet? I'm, like, I -- you know, I don't know.

19 Q. Right.

20 A. I'm just making best guess, so, yeah.

21 Q. Okay. So they interviewed in a very detailed
22 manner about this incident --

23 A. Right.

24 Q. -- about things like the distance that you
25 were when you were observing things?

1 A. Right.

2 Q. And then subsequently, though, your statements
3 from that investigation were used in the State Personnel
4 Board hearing --

5 A. Uh-huh.

6 Q. -- for Officer [REDACTED]?

7 A. That's right.

8 Q. Okay. And did you have a sense of -- so the
9 second interview -- the purpose of the second interview
10 as compared to the first?

11 A. Well, the second interview, like I said, it
12 kind of took a more pointed stance, like, you know, I
13 could tell that there was some -- the line of
14 questioning was going in the way of -- it felt as if
15 there was some trying to create a basis or foundation
16 for me not getting along with Officer [REDACTED] previously
17 or me not liking custody officers or me not -- or me
18 trying to pressure RT [REDACTED] none of which I believed
19 to be the case.

20 Q. Okay. So it's fair to say the -- and correct
21 me if this is not fair to say -- so the first interview
22 was sort of more gathering all the information and the
23 second interview was honing in on specific --

24 A. Right.

25 Q. -- issues, or maybe pulling apart your

1 testimony a little bit, or your interview?

2 A. No, no.

3 MS. DE LA TORRE-FENNELL: Objection --

4 THE WITNESS: No, it didn't feel like I was being
5 pulled apart. It felt like the direction of questioning
6 was trying to get a sense of like, you know, if -- if
7 there were, like, previous problems with my
8 relationships with custody or if I was trying to --
9 like, cornering [REDACTED] and pressuring her, which
10 wasn't the case.

11 BY MS. WINTER:

12 Q. Okay, all right. Can you think of any other
13 interviews or investigations that you have been involved
14 in related to this?

15 A. No, none.

16 Q. Okay. So let's talk about the State Personnel
17 Board hearing a little bit. Can you tell me when that
18 happened?

19 MS. DE LA TORRE-FENNELL: Objection to the extent
20 that it's outside the scope of Armstrong.

21 But go ahead.

22 THE WITNESS: When did it happen? December of
23 2019. I don't remember the exact date.

24 BY MS. WINTER:

25 Q. Okay. And you said you were a witness?

1 A. Yes.

2 Q. How long were you examined for?

3 A. At least three hours.

4 Q. Okay. And did you -- were you a witness for
5 either party? Do you understand what that means?

6 A. No.

7 MS. DE LA TORRE-FENNELL: Counsel, can we take a
8 brief break off the record to discuss with you?

9 MS. WINTER: Yeah, yeah, sure.

10 (Discussion off the record.)

11 MS. WINTER: Back on the record.

12 MS. DE LA TORRE-FENNELL: And we just came back off
13 the record. A brief discussion that CDCR is a different
14 entity than the State Personnel Board and to the extent
15 the questioning goes to the State Personnel Board
16 functions is outside the scope of Armstrong as the
17 Personnel Board is not a party in this action.

18 BY MS. WINTER:

19 Q. Okay. So just to get back a little bit, do
20 you know what happened -- what ultimately happened with
21 Officer [REDACTED] related to the State Personnel Board
22 hearing?

23 A. I have heard informally that he's not getting
24 his job back.

25 Q. Okay. And what is your understanding about

1 the discipline that resulted from the incident with
2 Mr. [REDACTED] within CDCR?

3 A. I mean, from what I see here, he was found
4 guilty of assault on an officer, if that's what you're
5 asking.

6 Q. Sorry, that was not clear.

7 What was the result of discipline against
8 Officer [REDACTED] as far as you understand related to this
9 incident?

10 A. All I know is I had to continue working with
11 him for like another year in the same yard and then I
12 think at some point he was put under investigation for
13 what they -- again, this is hearsay, okay? I've only
14 heard this off record -- that the result of him being
15 inconsistent and so they believed him to not be truthful
16 and I know -- I'm under the impression the other
17 officers still work there, but that he was let go.

18 Q. Okay. So your understanding is that he was
19 fired as a result --

20 A. Yeah --

21 Q. -- eventually?

22 A. -- that was the point of the Personnel Board
23 hearing was him trying to discredit me so he could get
24 his job back.

25 Q. Okay, I understand. And do you -- did -- so

1 for Officer [REDACTED], was there any time period you said
2 that he was -- you still had to work with him for a
3 year, did he go on administrative leave or --

4 A. After I was moved off the yard.

5 Q. Then he was placed on administrative leave?

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 A. I don't know.

10 Q. Okay.

11 A. Oh, you mean the date I moved?

12 Q. Yeah, yeah.

13 A. Yeah, uh-huh.

14 Q. Okay.

15 A. Yeah, so it was sometime after that.

16 Q. And then for Officer [REDACTED], did you -- are
17 you aware of any discipline that arose from this
18 incident for Officer [REDACTED]?

19 A. No.

20 Q. Okay. And as to Officer [REDACTED], the same
21 question, any discipline that you are aware of?

22 A. No.

23 Q. Okay. To the extent you're aware, do Officers
24 [REDACTED] still work at RJD?

25 A. I believe so. I just saw [REDACTED] not too long

1 ago. I -- I was under the impression [REDACTED] was trying
2 to retire soon, so I don't know if he is retired by now.

3 Q. Okay. And do you have any idea of whether
4 they work on the same yard?

5 A. I have no idea where they work.

6 Q. Okay. Let's see.

7 A. But when I say I saw [REDACTED], I just saw him.
8 I didn't -- we didn't interact.

9 Q. Okay. Did you ever -- I can't remember if I
10 asked this specifically before. Did you have
11 interactions with Officer [REDACTED] following
12 this incident?

13 A. Of course, every day.

14 Q. Did you have any negative interactions?

15 A. Yes, I did.

16 Q. That you can trace back to this incident?

17 A. Yeah, I would say.

18 Q. Okay. So with Officer [REDACTED], could you
19 describe any incidents that you recall?

20 A. Sure. You know, let me put it to you this
21 way, they were micro-aggressions, many of them.

22 Q. Okay.

23 A. There were also very overt ones as well.

24 Q. Okay.

25 A. But things like walking in, saying good

1 morning from the day forth from the incident I wouldn't
2 get a response. Sometimes I would request something,
3 you know, I would say, Hey, can somebody get me this
4 inmate? Nobody would respond.

5 Q. Okay. So when you say you request, do you
6 call -- just call down to their desk or --

7 A. No, like, I mean, I would walk up and say, Hey
8 can I get inmate so-and-so from Building 2 and I would
9 just not get a response.

10 Q. Okay.

11 A. Yeah.

12 Q. How many times approximately would you say
13 that that happened?

14 A. Oh, that -- every morning -- so I made a point
15 every morning to come in and say, "Good morning" and not
16 get anything back because I was just -- almost to that
17 point it kind of became, like, you know, just something
18 I did just to see if I could get a response, but, no,
19 nothing.

20 Q. Okay. And in terms of asking for an escort
21 for a patient, do you have a recollection of how many
22 times you just didn't get a response?

23 MS. DE LA TORRE-FENNELL: Objection -- sorry. This
24 is going outside the scope of the Armstrong claim, but.

25 THE WITNESS: Well, I couldn't get access to care,

1 so I would say at least once, but there were a lot of
2 micro-aggressions in terms of like -- you know, so they
3 have to go over and ask the patients do they want to
4 come to group --

5 BY MS. WINTER:

6 Q. Uh-huh.

7 A. -- right, and my understanding from the
8 patients at least is that a lot of times they weren't
9 asked and they weren't let out of their cell and so I
10 would have low numbers and then later find out during
11 our one-on-ones that they weren't allowed out of their
12 cells and things like that.

13 So I don't know how much of that is just like
14 the way that CDCR sometimes poorly runs or if it was
15 directly related to me and my caseload.

16 Q. Okay.

17 A. It's really hard to know because there was so
18 much going on at that time. I think I already told you
19 about some of the other retaliations that was happening
20 for different reasons on the yard. We were also not
21 allowed to use the bathroom at some points.

22 There -- there -- if you want to get the
23 transcript from my hearing that happened, I would highly
24 recommend it because it's all -- it's all detailed on
25 the stand.

1 Q. Okay. Can you just go back to that incident
2 about not being able to use the restroom? Could you
3 sort of flesh that out a little bit more?

4 MS. DE LA TORRE-FENNELL: Objection, it's outside
5 the scope of Armstrong.

6 THE WITNESS: Yeah, it's unrelated to this.

7 BY MS. WINTER:

8 Q. It's not related to this incident?

9 A. Yeah. I believe that --

10 Q. Okay. But it's just an example of how --

11 A. I believe that it had happened prior to the
12 incident, yeah.

13 Q. Okay. Let's see. Did you ever have -- oh,
14 Officer [REDACTED], can you think of anything in particular
15 in -- any particular negative interactions with him that
16 you can tie back to this incident?

17 A. No, I just -- I think that in general the
18 relationships went from generally friendlier, jovial at
19 times to, like, just -- just none, right? So I just,
20 like, couldn't even get a hello, right? So there was
21 that on a micro-aggression level and then there was,
22 like, bigger incidents other than that, but...

23 Q. Okay. But the bigger incidents are not
24 related to this?

25 A. Yeah, they are.

1 Q. To [REDACTED]?

2 A. I believe so, yeah.

3 Q. Okay. And do those involve [REDACTED] or [REDACTED]
4 or are they other officers?

5 A. No, there was about five officers that worked
6 there regularly, five or six.

7 Q. Okay.

8 A. And so they involved other officers. It's
9 really hard to explain this without kind of
10 understanding the culture of CDCR by working in it. You
11 know, it's like -- so I had my office broken into at one
12 point, but it was presumably by at least one officers --
13 officer, but he was somebody who worked on Facility A
14 alongside these guys, but I didn't know him personally.

15 Q. Okay. And when you say presumably, why do you
16 think it was this officer?

17 A. Because maybe there was, like, several guys in
18 the office, I don't know.

19 Q. But why did you link it to this officer in
20 particular or do you know that it was this officer or
21 how do you know?

22 MS. DE LA TORRE-FENNELL: Objection, this is
23 outside the scope of Armstrong litigation.

24 THE WITNESS: Because he left himself logged into
25 my computer and a custody officer -- a custody document

1 on my printer, office printer.

2 BY MS. WINTER:

3 Q. Did he seem like he did it intentionally?

4 A. I don't know.

5 Q. And did -- was anything else disturbed in your
6 office?

7 A. Yes.

8 Q. What was disturbed?

9 A. They had gone into my personal drawer where I
10 keep, like, feminine products and put things out and
11 broke them and left them on the floor.

12 Q. Okay. Did they -- was there anything else
13 disturbed or broken or damaged in your office related to
14 that incident?

15 A. No, but my understanding it's a mental health
16 designated office and they are not to be inside of that
17 office because it is not designated to them and they had
18 designated computers that they could use.

19 Q. And your office -- do you keep your office
20 locked?

21 A. Yes, I did but -- I mean, do, but that office,
22 yes.

23 Q. Okay.

24 A. It's not my office anymore is what I'm trying
25 to say.

1 Q. Okay.

2 A. Yeah.

3 Q. But the officers had -- so you said that the
4 officers -- or an officer broke into your office?

5 A. Right.

6 Q. Did he have a key?

7 A. Well, this is a point of contention that was
8 brought up during the hearing which is like, well, did
9 he really break in the office if he's able to have a key
10 to your office and I think that at that point is when
11 the point was made that it's a mental health designated
12 office, so there's really no reason for them to be in my
13 office and particularly inside my drawers.

14 Q. I understand.

15 A. Even though it's not my office because it's a
16 state-issued office that we borrow, it's still an office
17 which I keep many of my things locked inside.

18 Q. And it's an office you've been using for some
19 time?

20 A. Yeah, two years, or a year-and-a-half at that
21 point maybe.

22 Q. Okay. So I don't know if you want to -- I was
23 going to ask you more, like, simple questions. I just
24 have a sense that blood sugar is dropping in the room.
25 We can take a break --

1 A. It's up to you.

2 MS. WINTER: Sorry, off the record.

3 (A lunch break was had.)

4 BY MS. WINTER:

5 Q. I'm just going to ask you, you said earlier
6 that you didn't know Mr. [REDACTED] before this incident?

7 A. Uh-huh.

8 Q. Did you have any interactions with him after
9 this happened?

10 A. Yes.

11 Q. Can you tell me what you heard and/or about
12 your interactions with him?

13 A. I had heard he might have been -- let's see,
14 what did I hear? Okay. So I sometimes cover --
15 directed to cover other staff who are not out -- or who
16 are not in, they're out, and one of the inmates that I
17 was asked to do a wellness check with was this inmate
18 Fullman and at the time I didn't -- I couldn't remember
19 his name, but since then he has moved to Facility E and
20 I think he was transferred since, but he and I had an
21 interaction on Facility A, for that reason that I was
22 made to cover his wellness check and in that wellness
23 check he started to tell me that -- that he was familiar
24 with the incident report because of due process reasons
25 and I understand -- I understood at that time -- because

1 I didn't know this prior, but that the inmates were
2 given a copy of the incident report and he informed me
3 without -- I mean, I didn't ask him any of these things,
4 but he informed me at that time that [REDACTED] was claiming
5 that he slipped and fell and I told him I couldn't -- I
6 couldn't engage in that conversation with him, but, you
7 know, I then tried to go more into like about the
8 therapy of it, like, you know, what does -- how does
9 that affect, like, having read that, things like that.
10 So that happened and then I had heard that maybe he was
11 filing a lawsuit.

12 And then at one point while we were in the
13 dayroom one day, I was there for, you know, business
14 related to my caseload, he approached me and said, I
15 just got done meeting with investigators. He goes, I
16 don't know if you know who I am, but I'm Inmate [REDACTED]
17 and I was like, Oh, hi. And he informed me at that time
18 that he just got done meeting with investigators. And I
19 asked him how that experience was and I said, Do you
20 need to speak with your clinician, you know, just if
21 that was stressful or whatever and I think he then said
22 something to the effect of, you know, I'm really sorry
23 if this has caused any problems for you or problems with
24 any of your fellow staff because he had been hearing
25 things, I think, from probably the custody officers

1 because they overhear a lot of things that are said, but
2 I didn't engage any further in that conversation with
3 him. I said, I can't confirm or deny anything, but I
4 just hope you're doing okay. And then that conversation
5 ceased. I later found out that custody officers had
6 documented that they saw me interacting with him and
7 that he -- and they made a point to write in there that
8 he was not on my caseload.

9 Q. How did they document it? In what form?

10 A. There's a green book in every station, whether
11 it be a housing unit -- the housing unit station or the
12 mental health system station, there's little green books
13 that kind of document anything that goes on in the
14 housing unit.

15 Q. All right. So the other sort of big topic I
16 think that you touched on a few times and you had
17 referenced some big incidents and we had talked about
18 one big incident before, it's for retaliation against
19 you, maybe against other clinical staff, prisoners, but
20 just -- so I'd like to get into that a little bit more.

21 A. Okay.

22 Q. So you said there were some big incidents and
23 you described one where an officer broke into your
24 office. You knew it was him because his name was on
25 your computer.

1 A. Uh-huh.

2 Q. Can you describe any other big incidents --
3 oh, actually, first, do you remember when this office
4 break-in happened?

5 A. Yes, 11/5/18.

6 Q. Okay.

7 A. And the officer was [REDACTED]

8 Q. Okay.

9 A. And I reported it to -- obviously I memoed it
10 to my supervisors and the chief, but also the associate
11 warden was on the yard at the time and I let him know
12 what had happened.

13 Q. Okay. And did anything happen as a result of
14 that?

15 A. I don't know.

16 Q. You don't know. Okay. And no one -- did
17 anyone follow-up with you about that report?

18 A. No, they didn't.

19 Q. Okay. So can you tell me another one of the
20 big incidents that you referred to?

21 A. On --

22 MS. DE LA TORRE-FENNELL: Objection, sorry, just to
23 put it on the record, outside the scope of Armstrong as
24 it pertains to the inmate class members.

25 THE WITNESS: On October 24th, 2018, so this would

1 have been just a week-and-a-half or so prior to being
2 broken into my office, I was scheduled to come in at
3 noon that day due to a doctor's appointment and when I
4 got in, I shortly found out -- shortly after getting in
5 I found out that my supervisor was in a meeting and she
6 wasn't there and someone was covering my group and so I
7 checked in with my group and I brought -- because I was
8 gonna be coming in at noon, my group was from like -- I
9 want to say it was from like 11:30 to 12:30 at the time
10 and so one was made to cover my group and so when I got
11 in I went in, you know, greeted everybody hello, asked
12 the person running my group if she wanted me to relieve
13 her and she said, No, I'm fine. So then I went and I
14 printed off all the copies of their new schedules
15 because there had just been a new -- like a change in
16 their schedules and brought them back and that takes
17 some time and brought them back before the end of the
18 group session at 12:30. The reason why I'm going into
19 all of this is because the officer made a false
20 allegation that I came in 30 minutes late and they
21 reported it to my supervisor on my RDO which is my day
22 off and then that got escalated to my chiefs and it
23 wasn't true. Like, clearly I had -- I had people I had
24 interacted with during that time and I had -- you know,
25 had plenty sufficient -- you know, sufficient time to

1 print off all their schedules which takes a while and
2 it's like 12 to 15 people in a group.

3 BY MS. WINTER:

4 Q. So do you know which officers reported that?

5 A. I do.

6 Q. What are their names?

7 A. Officer [REDACTED].

8 Q. Okay. Just him?

9 A. He was the one -- yeah, apparently, that was
10 sort of like the representative for the custody that
11 day.

12 Q. Is it typical for custody officers to report
13 on mental health comings and goings?

14 A. No.

15 Q. Okay. Have you ever heard of that ever
16 happening before?

17 A. I have not.

18 MS. DE LA TORRE-FENNELL: Objection, that's outside
19 the scope of Armstrong.

20 BY MS. WINTER:

21 Q. Okay. And did anything result from this
22 report?

23 A. I -- I e-mailed back when I finally got --
24 when I got back into the office because that was my day
25 off that that happened and I just -- I replied all

1 because obviously I was CC'd on it, but so were my
2 chiefs and I said, I will be adding this to my EEO
3 complaint.

4 Q. Wow, okay. Do you have an EEO complaint
5 outstanding?

6 A. I tried and it was rejected.

7 Q. Okay. But you were never disciplined as far
8 as you know?

9 A. No.

10 Q. That didn't go anywhere?

11 A. Didn't go anywhere.

12 Q. Okay.

13 A. I mean, is it in my personnel file, I have no
14 idea.

15 Q. But you would know if there was a sustained
16 finding of neglected duty or something?

17 A. I didn't review -- I didn't receive an LOI if
18 that's what you mean.

19 Q. Okay.

20 A. I don't know if that was considered an
21 informal reprimand or not. I don't know if they would
22 consider it that or not. Sometimes things that -- that
23 leadership does is a little bit nebulous and you don't
24 really know until you're kind of experiencing, like,
25 severe, you know --

1 Q. Right.

2 A. -- you know, consequences, which is like being
3 walked off or something like that.

4 Q. Okay. Other big incidents that you can tell
5 me about?

6 A. You know, those were -- I would say those were
7 the two majors and then there was micro-aggressions,
8 but, I mean, they're -- at this point if they weren't
9 pretty significant I probably have put them out of my
10 mind and I don't recall anymore.

11 Q. So some of the micro-aggressions I think that
12 you mentioned were people not saying hi to you, the
13 officers no longer saying hi to you --

14 A. Yeah, not working with me to get access to
15 care or things like that.

16

17

18

19 MS. DE LA TORRE-FENNELL: Objection, outside the
20 scope of Armstrong.

21 THE WITNESS: (Shaking head.)

22 BY MS. WINTER:

23 Q. No? Okay.

24 Did you ever -- did anyone make any direct
25 statement to you that you felt like it was a retaliatory

1 statement, other than what we've already covered?

2 A. No, in fact, because there was silence.

3 Q. Uh-huh.

4 A. You know, I wasn't getting much of any kind of
5 statement --

6 Q. Okay.

7 A. -- because they weren't speaking to me.

8 Q. Okay. So then also no name calling or
9 threats, I would assume, if it was all radio silence?

10 A. That's right.

11 Q. Was there ever -- it seems -- so my question
12 is, was there ever a period of time where there was more
13 intense or less intense retaliation where you could sort
14 of feel it ebb and flow and it sounds like there's this
15 period that you just mentioned with two incidents within
16 a couple of weeks of each other, but any other sense of
17 increasing retaliation or decreasing retaliation at
18 particular time periods?

19 A. I mean, I would say that since moving to
20 Facility ■ it's been a much different culture for me.

21 Q. Okay.

22

23

24 Q. Okay. So let's -- we should talk about your
25 move to Facility ■.

1 A. Uh-huh.

2 Q. [REDACTED]

3 A. Yes.

4 Q. Do you -- was there a formal reason for that
5 move?

6 MS. DE LA TORRE-FENNELL: Objection, outside the
7 scope of Armstrong. Sorry.

8 THE WITNESS: I asked and I was told by Chief Bahro
9 that in part they were not -- that she was not privy to
10 disclose some of that. I will say it was interesting
11 timing because it was right after I met with the EEO
12 coordinator.

13 BY MS. WINTER:

14 Q. So you don't have a real -- a concrete
15 understanding of why you were moved, other than perhaps
16 it might have been linked to this EEO complaint?

17 A. I wasn't -- I wasn't told that directly. I
18 was told that there were -- she -- she said in part due
19 to institutional need and in part there were things that
20 she's not privy to talk to me about.

21 Q. Okay. So not that she's not privy to the
22 information, but that she can't discuss it with you?

23 A. Yes.

24 Q. Okay. And you said that Facility -- I'm going
25 to keep confusing these ones, Facility E has been a lot

1 better than Facility A or things have changed for the
2 better?

3 A. I -- it's just a different culture on that
4 yard, there's cameras.

5 Q. Okay.

6 A. Yeah, and I -- I haven't -- haven't had any
7 really negative interactions with custody. We all get
8 along pretty -- pretty well. I mean, there's -- you
9 know, one or two that are very much, like, not in favor
10 of custody -- or mental health being there. You can
11 feel it, but everybody else is, like, very willing to
12 work together it feels like.

13 Q. Okay. And so you're contrasting that to the
14 culture in Facility A?

15 A. Right.

16 Q. And you made a connection to cameras. What do
17 you think the connection to cameras is?

18 A. Well, [REDACTED]

19 [REDACTED] I think the connection is that
20 most likely when there's cameras you're going to do your
21 job to fit policy so -- you know, because it's caught on
22 camera if you don't.

23 Q. Right. And what would you -- how would you
24 describe the culture on Facility A?

25 A. I don't know what it's like now.

1 Q. When you were there.

2 A. Culture of fear.

3 Q. Okay.

4 A. Not the first time I've said that on the
5 record either. I said that during the -- that would be
6 in my transcripts from the hearing as well.

7 Q. And fear of what?

8 A. I mean, obviously I had already been
9 retaliated against twice that were more overt incidents,
10 so.

11 Q. So fear by mental health staff of sort of
12 custodial influence or --

13 A. Just the -- yeah, just like -- I mean,
14 there -- like I said, there was other things that were
15 happening prior to, not letting us use the bathroom.
16 You know, there was just a -- there were a lot of
17 different things that we don't have time to go into
18 today that have created this culture and then on top of
19 that I'm, like, reporting an officer, right, who is then
20 going to be put under investigation and so it -- there
21 was definitely this undercurrent of fear and even other
22 coworkers who were privy to the fact that I drafted this
23 incident report. You know, they were like, I would not
24 have written that, you know.

25 Q. So --

1 A. And even people who said they saw part of it
2 retracted their statements.

3 Q. So why did you do it?

4 A. Because it's what's right. It's what's
5 morally right.

6 Q. Right. And when you filed the statement, you
7 sort of mentioned this, but you anticipated that there
8 might be blowback or --

9 A. Yeah, I didn't know it would be like this. I
10 didn't know it was gonna go on this long, but, yeah.

11 Q. So it's fair to say that your preference now
12 would be Facility A over -- no, E over --

13 A. E.

14 Q. -- A?

15 A. Yes, correct.

16 Q. Okay. Have you had -- experienced any
17 position changes in terms of being a clinical
18 psychologist, any additional roles or responsibilities
19 from the time of the incident to now?

20 A. No, not in -- I mean, yes, I have, but they're
21 ones that I have sought and have been granted.

22 Q. So, for example?

23 A. Well, I -- I'm now running a rotation for the
24 training facility -- or the training program and I was
25 always a supervisor, so that doesn't change.

1 Q. Supervisor of interns?

2 A. Yeah, interns, practicum students, yeah.

3 Q. Okay. And did you have any changes in the
4 shift that you worked -- or when you were on Facility A,
5 were there any changes in the shift that you worked?

6 A. While I was on Facility A I was made to change
7 my REO from a Tuesday to a -- from a Thursday, which I
8 liked, to a Tuesday, which is less desirable, but...

9 Q. Okay. And did you -- was that after this
10 incident?

11 A. I believe it was before. I think it was right
12 after I got to the yard because the supervisor at the
13 time wanted to make sure we were all available for the
14 high risk meeting on Thursday.

15 Q. Okay. Let's see. Any other sort of, like,
16 transfer or change in your job functions after this
17 incident?

18 A. Uh-uh.

19 Q. Did you apply for any promotions?

20 A. No, I had already applied for promotions and I
21 didn't get them, so I just kind of stopped applying for
22 promotions. I think -- I don't -- I don't know if it's,
23 like, kind of the New York, like, tell it how it is kind
24 of attitude, I don't think that they particularly like
25 that. In one of my interviews I talked about how I

1 would like to try to help change the culture so there
2 wasn't so much attrition and that wasn't really -- that
3 wasn't really met with positively.

4 Q. What do you mean?

5 A. Well, just that there was -- they didn't think
6 that there was any attrition to speak of as far as staff
7 goes.

8 Q. And who was that interview with?

9 A. It was one of my chiefs.

10 Q. Okay. So have you seen other people sort of
11 promoted up past you?

12 A. Yes.

13 Q. Who have less experience or?

14 A. Yeah.

15 Q. Have you ever had -- it sounds like again this
16 is a no since there has been mostly silence, but any
17 negative messages on social media or anything outside
18 any --

19 A. No, I -- I don't really -- I'm not -- I'm not
20 really a Facebook friends or social media friends with
21 any of the custody officers.

22 Q. Okay.

23 A. And only a very limited number of coworkers in
24 the mental health side.

25 Q. Okay, all right. How did you feel about

1 coming -- well, you didn't know what the -- this meeting
2 was about until --

3 A. I had a feeling it was this, but I didn't know
4 until yesterday.

5 Q. And then when you found out what the purpose
6 of this was, how did you feel about coming? I won't be
7 hurt.

8 A. No, I mean, I've just been kind of like when
9 is this ever gonna end, you know. I'm kind of, like,
10 just exhausted by it. What's the word? Yeah, just kind
11 of exhausted by it. I just want it to end kind of.

12 Q. Do you have any concern that there will be
13 additional retaliation for having participated in this
14 meeting --

15 A. Sure.

16 Q. -- this deposition?

17 MS. DE LA TORRE-FENNELL: Sorry. Objection,
18 outside the scope of Armstrong.

19 THE WITNESS: That's always a concern.

20 BY MS. WINTER:

21 Q. Did anyone -- anyone at your institution say
22 anything to you about coming here today?

23 A. No, I mean, I had to clear it and they said I
24 was -- I was like okay to cooperate so, no.

25 Q. But other than that, no? Okay.

1 A. I mean, I was in touch with, like, the
2 litigation coordinator, Girvino (phonetic spelling), who
3 I think he's floating in that position and we were just
4 trying -- for the last week trying to figure out what it
5 was about and he was having a hard time figuring it out,
6 too.

7 Q. Okay. Are you -- so you talked about [REDACTED]
8 [REDACTED] Are you aware of other staff members who have
9 experienced retaliation for reporting uses of excessive
10 force or other incidents of staff misconduct?

11 A. Gosh, retaliation, I don't think so.
12 Definitely heard, you know, a number of -- I've seen
13 some isms happening, you know, like genderism and things
14 like that. But, yeah, I don't know, not direct
15 retaliation per se.

16 Q. Okay. Do you think that staff misconduct is a
17 widespread problem at RJD?

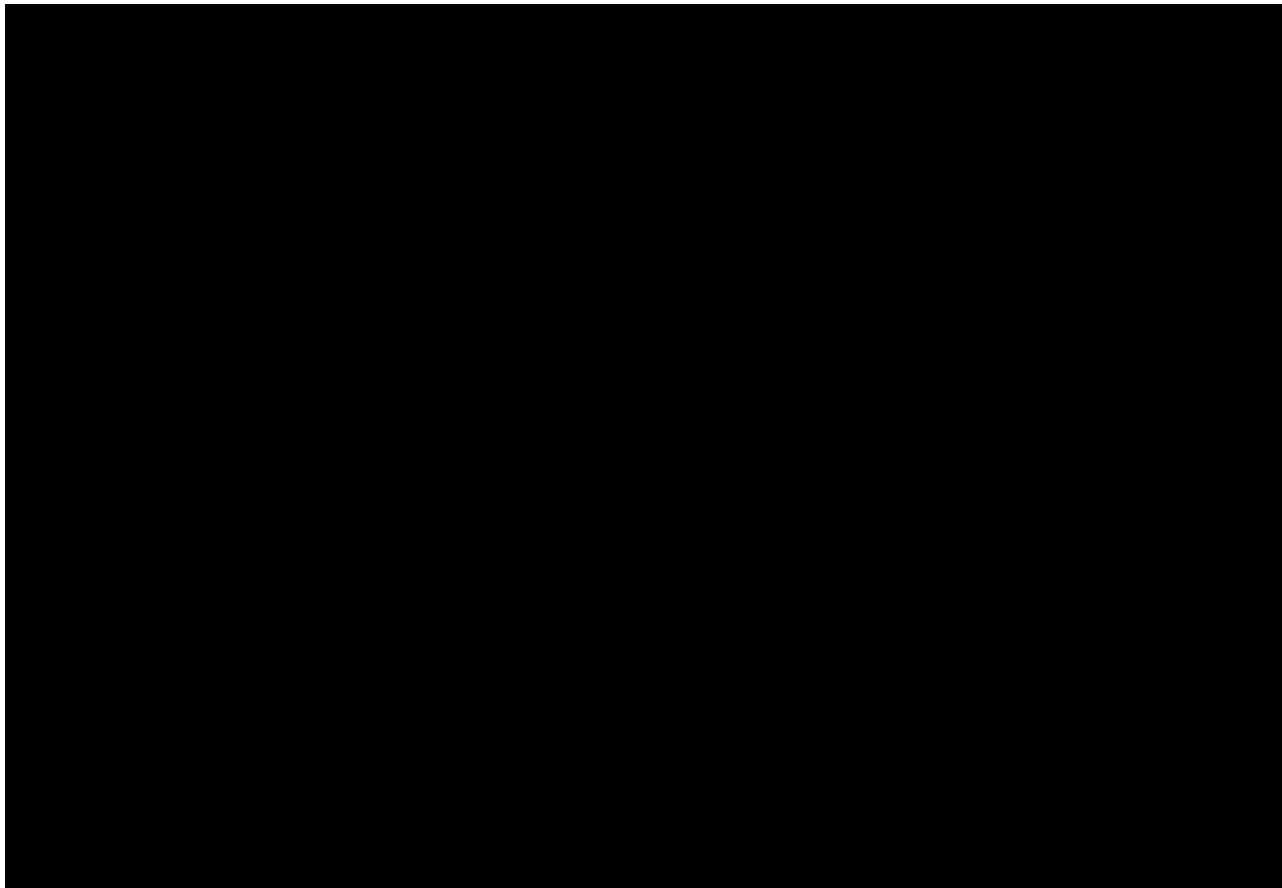
18 A. I do.

19 Q. Can you just elaborate a little bit more?

20 A. Well, I mean, I was telling you about two of
21 the three incident reports in which there was one they
22 were trying to fabricate that there was, you know, some
23 kind of assault. And then the other one -- well, both
24 of them, really, if you think about it. And let's see.

25 I mean, I can give you a recent example. I

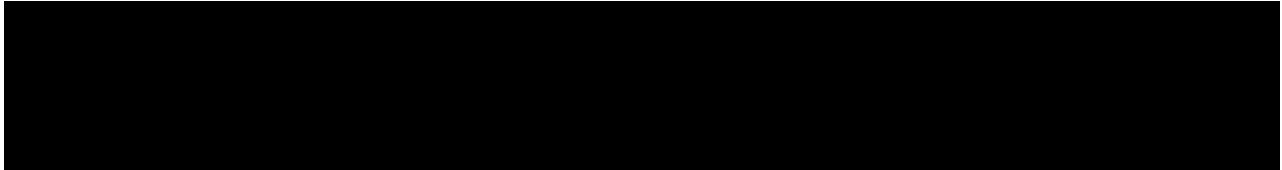
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that all the time that you're just -- you know, you just try to brush it off a lot.

Q. So not taking seriously sort of responsibilities or --

A. Yeah, or just like -- you know, just saying things that are inappropriate or so -- you know, there is unprofessionalism a lot and then as far as misconduct goes I get a lot of reports from inmates, which is hearsay, so I then memo what is being told to me. I was also -- the same day that I moved off of Facility A, I was told by an inmate who had also been fearful about a



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[REDACTED]

[REDACTED]

Q. So do you --

A. I mean, stuff like that. It's all the time.

Q. Sort of all the time, sort of a culture?

A. Yeah.

1 Q. Do you have a sense that other mental health
2 clinical staff write up as many memos as you do?

3 MS. DE LA TORRE-FENNELL: Objection, outside the
4 scope of Armstrong.

5 THE WITNESS: I don't know. I would assume it's
6 around the same.

7 BY MS. WINTER:

8 Q. Okay.

9 A. I mean, if they're following policy, then it
10 would be about the same.

11 Q. Okay. Can you tell me just a little bit more
12 about the policy for reporting incidents that happen?

13 A. Anything that's threatening the safety and
14 security of the institution is supposed to be something
15 that we report.

16 Q. And how is safety and security interpreted?
17 So, for example, that custodial officer maybe she didn't
18 think that using pejorative language was a safety issue
19 or security issue. I just sort of want to know what the
20 parameters are for what is reportable in your view?

21 A. Well, okay, so there's safety and security,
22 but then I think if there is anything that, like,
23 infringes on the patient's rights, which I guess that
24 would go beyond the scope of safety and security of an
25 institution, but -- and I think that's where maybe some

1 people take liberties of not reporting it, so but
2 anytime I feel like, you know, some kind of diversity
3 issue comes up, whether it be gender or racial related
4 to sexual minority status, things like that, I mean,
5 it's kind of clear to me that that's something that
6 probably needs to be escalated.

7 Q. Okay. So let's see. So when you report,
8 typically who do you report to if you see something
9 happen?

10 A. To my yard supervisors and the chief,
11 Dr. Bahro.

12 Q. Okay. And the yard supervisor, is that senior
13 psychologist supervisor?

14 A. Yes, which I now have a different one than I
15 had before.

16 Q. Right, okay. So has it ever -- we have
17 already mostly covered this, but have you ever had sort
18 of tangible concerns about writing memos? Has anyone --
19 has an officer, for example, said like don't write that
20 up in not so many words?

21 A. Memos have been referenced before not
22 particularly -- not specifically I think to me, so like
23 a supervisee, for example, I would have to, you know,
24 tell her she needs to follow-up on -- by writing
25 something up if, you know, they approach them afterwards

1 because that has happened where they've approach a
2 supervisee and said, I heard you wrote me up.

3 Q. Okay. So I see, so when you say "they," you
4 mean a custodial officer or whoever was written up, they
5 approach that intern that you were supervising --

6 A. Yeah, right.

7 Q. -- and said, I heard you wrote a memo about
8 me?

9 A. Yeah, and that's -- that's not uncommon for
10 that to happen. I've had heard of that multiple times.
11 Not just interns, but other staff members.

12 Q. And are you aware of anything that has
13 happened following that question?

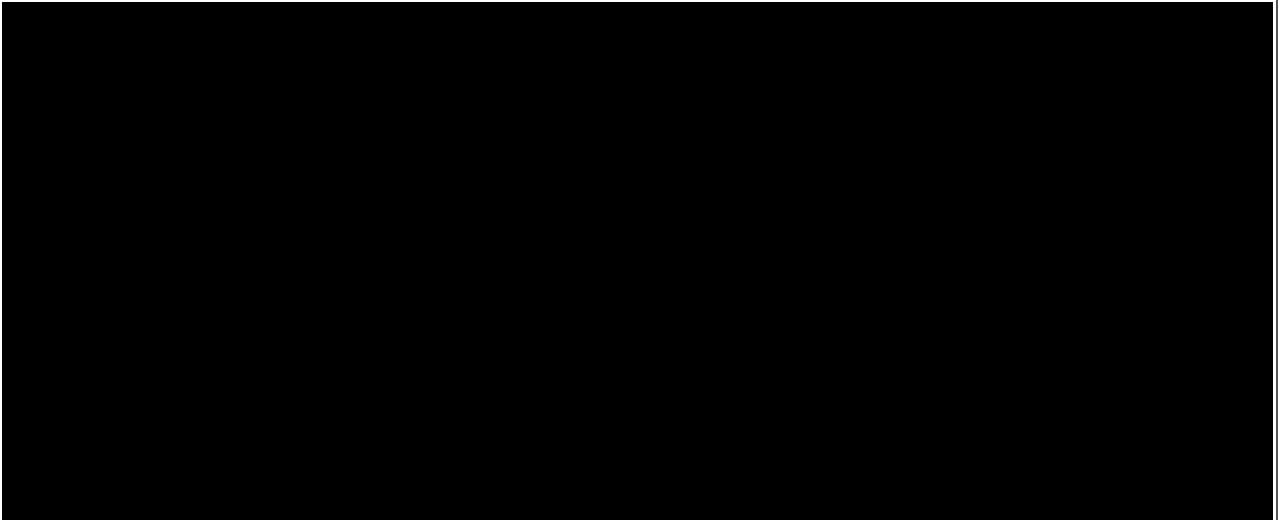
14 A. I mean, from my -- from Dr. Bahro's mouth, she
15 said that that could be grounds for a termination, but I
16 have never seen that actually happen.

17 Q. For the custodial officers who approach
18 someone who made a report that it would be grounds --

19 A. Right, because it would be retaliation or it
20 could be considered retaliation, but I have never
21 actually heard of anyone losing their job for doing it.

22 Q. So I'm going to ask you a couple questions
23 that are pretty related, so there's going to be some
24 overlap. You mentioned that there are a couple of
25 incident reports that you wrote. Do you want to talk

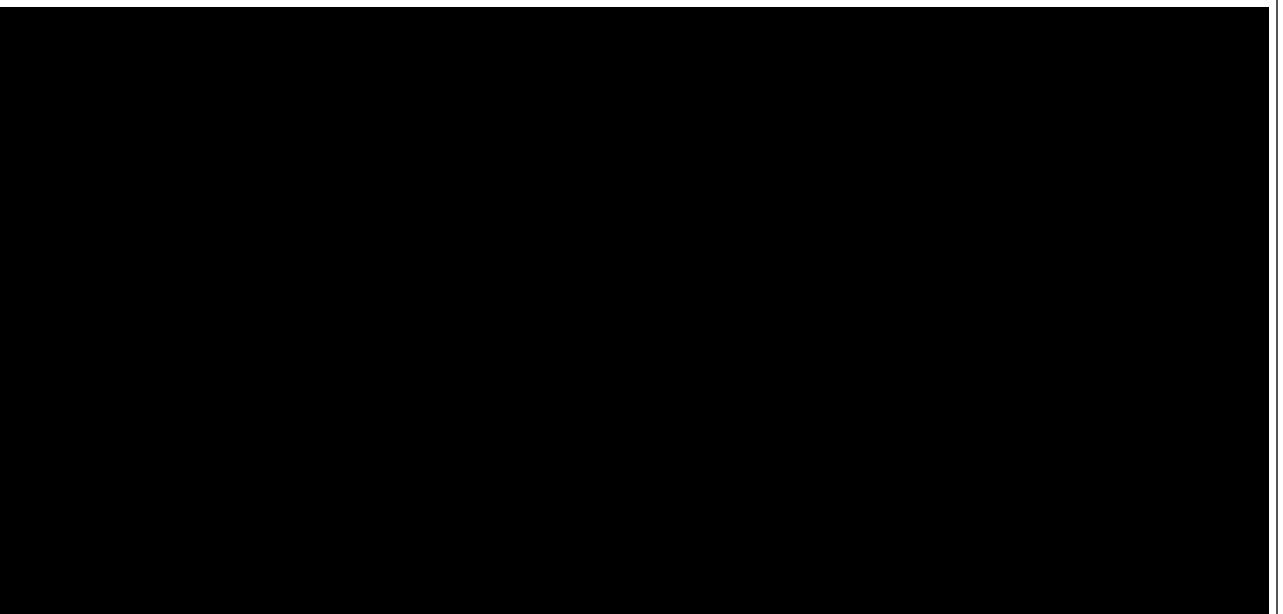
1 about those? Can you talk about -- are they related to
2 staff misconduct like uses of excessive force?



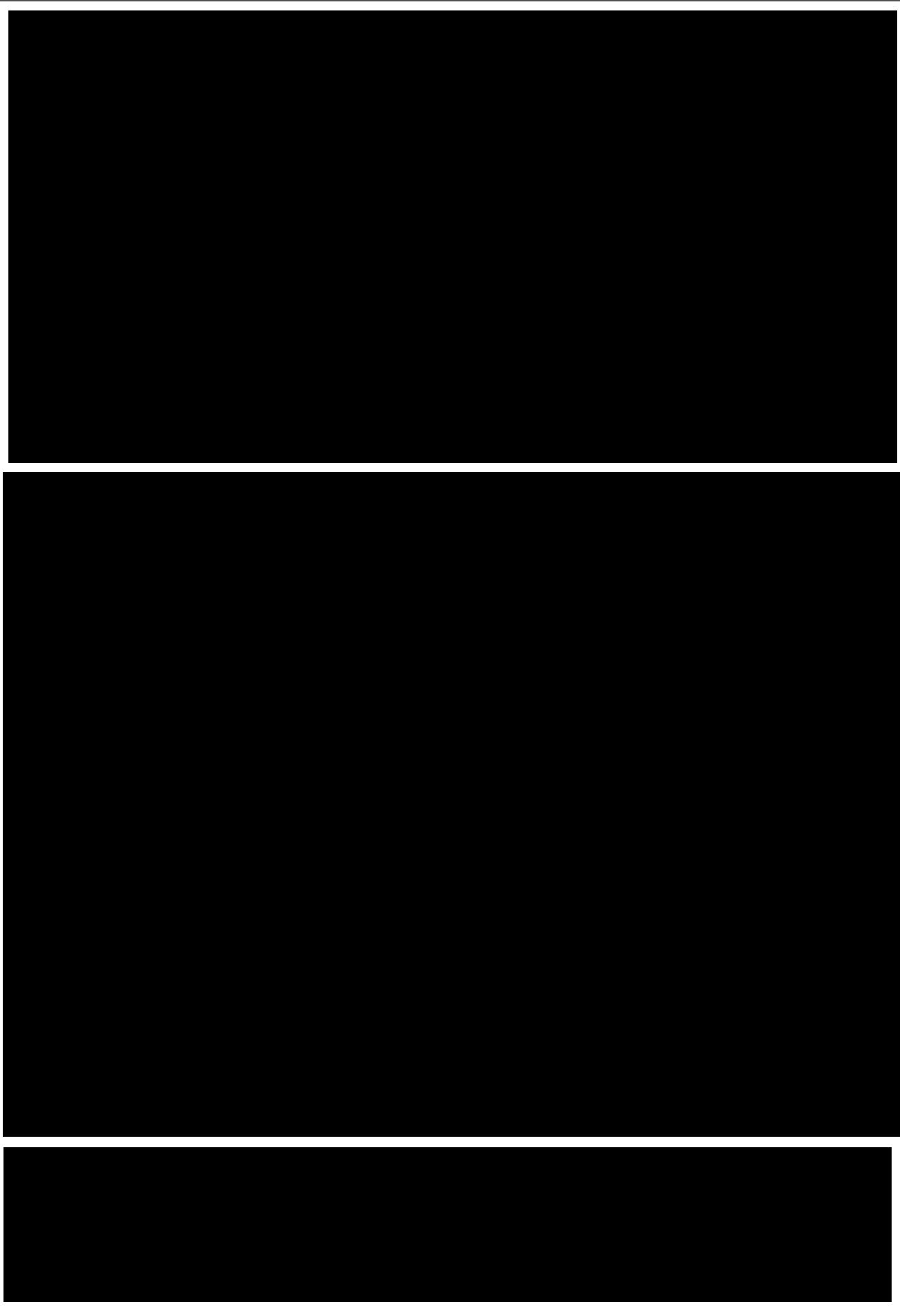
10 Q. Do you remember the name of the patient and
11 the officer?

12 A. I don't. He wasn't -- he wasn't mine, but,
13 again, it's unrelated to my case.

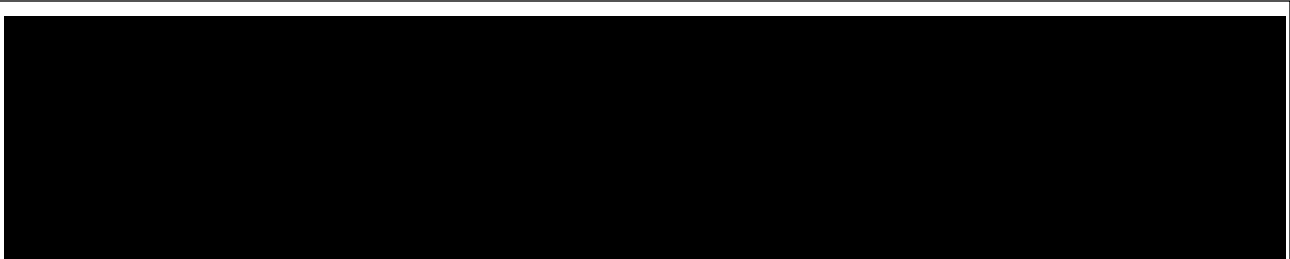
14 Q. That's okay. I mean, so it's -- it is helpful
15 to us because it does -- or it's interesting to us
16 because it lends credence to sort of the culture of
17 fear, going after vulnerable individuals.



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Q. But they all reported it to you?

A. Yeah.

Q. You weren't a witness.

Okay. So can you tell me, was one of those one of the incident reports that you had to fill out?

A. No.

Q. No, okay.

A. I didn't see it.

Q. Okay.

A. If you don't see it, it's not an incident report, it's a memo.

Q. Okay. So can you describe the two other situations that led to incident reports for you?

A. Sure. One of them was weekend coverage where I volunteered to work. I think it was a Saturday and that one involved an inmate who was claiming to be suicidal and he swallowed a razor in front of staff and he prior to that had spit on an officer and so that became an incident report.

Q. And so was he beat up as a result?

A. No, no, you just asked me about incident reports I had to write, so that was one.

1 Q. Okay.

2 A. And then -- and that was within the last year.

3 Q. And that was the substance of the incident
4 report, those two things that happened?

5 A. Yeah.

6 Q. Spitting and swallowing a razor?

7 A. Because it would have been considered battery
8 on an officer.

9 Q. Okay.

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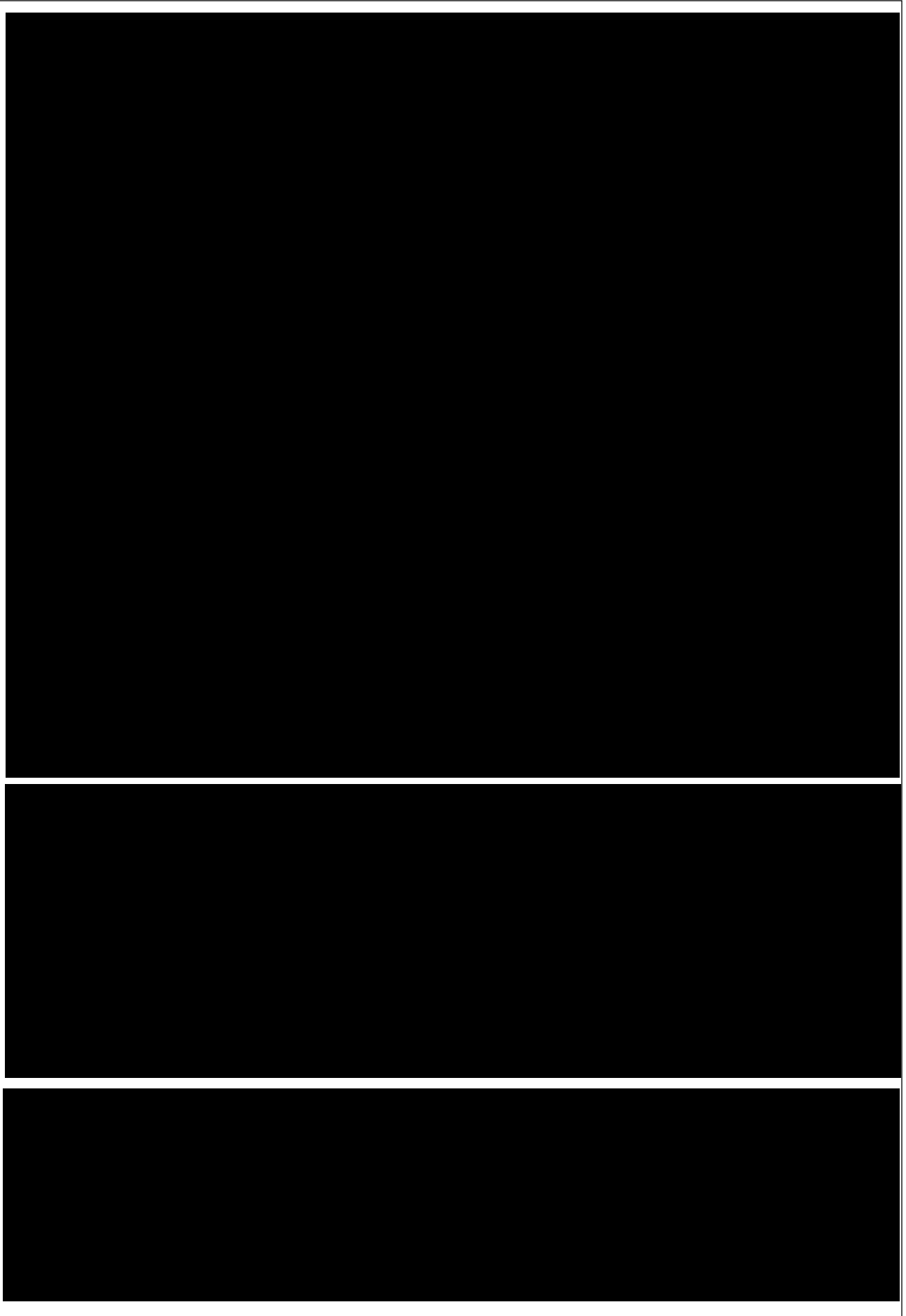
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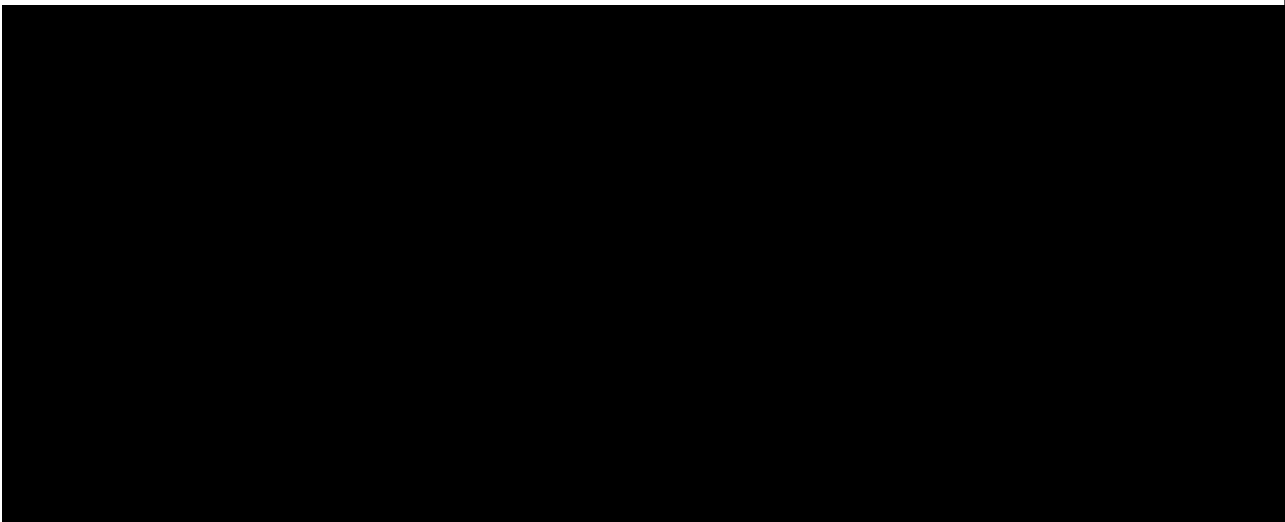
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Q. I see.

A. So...

Q. Have you -- so just within the time period from January 1st, 2017 through now, have there been other incidents where -- that we haven't discussed where you've seen staff members use excessive force against class members; Armstrong, Coleman?

MS. DE LA TORRE-FENNELL: Objection to the extent you're asking for Coleman class members. This is related to Armstrong.

THE WITNESS: I don't think so. I mean, in terms of things have been alleged to me, sure, but have I witnessed, no.

BY MS. WINTER:

Q. Okay. Well, let's talk about some of the other things that you've heard of. I have some names, but you can also if you have any that you can recall off the top of your head where you've heard situations where

1 class members were subject to excessive force.

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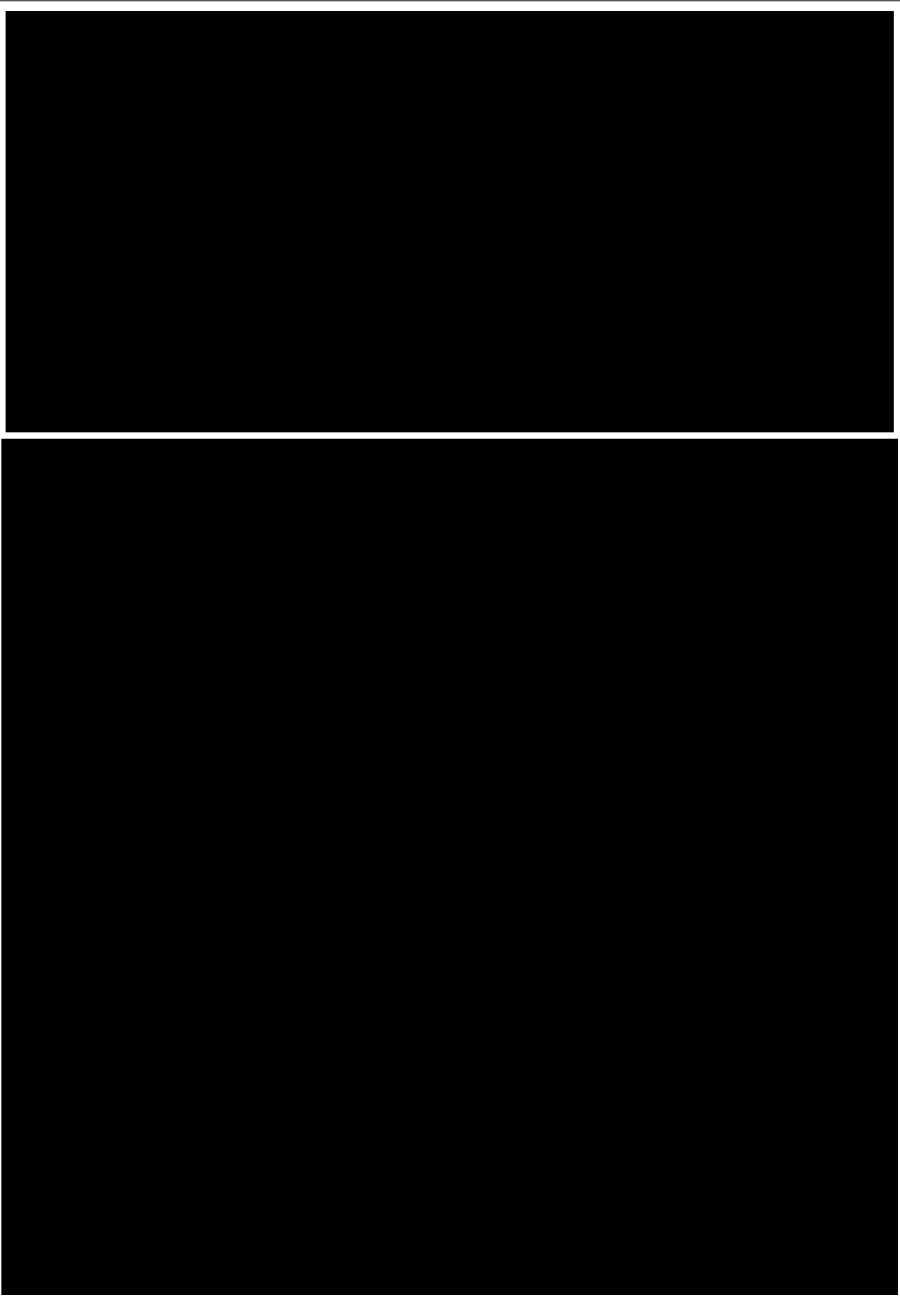
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[REDACTED]

Q. Any other situations stand out in your mind as sort of representing staff misconduct, things that contribute to a culture of fear among patients and staff?

[REDACTED]

[REDACTED]

Q. I see.

A. So you can see the conundrum, right?

Q. Yeah.

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[REDACTED]

[REDACTED]

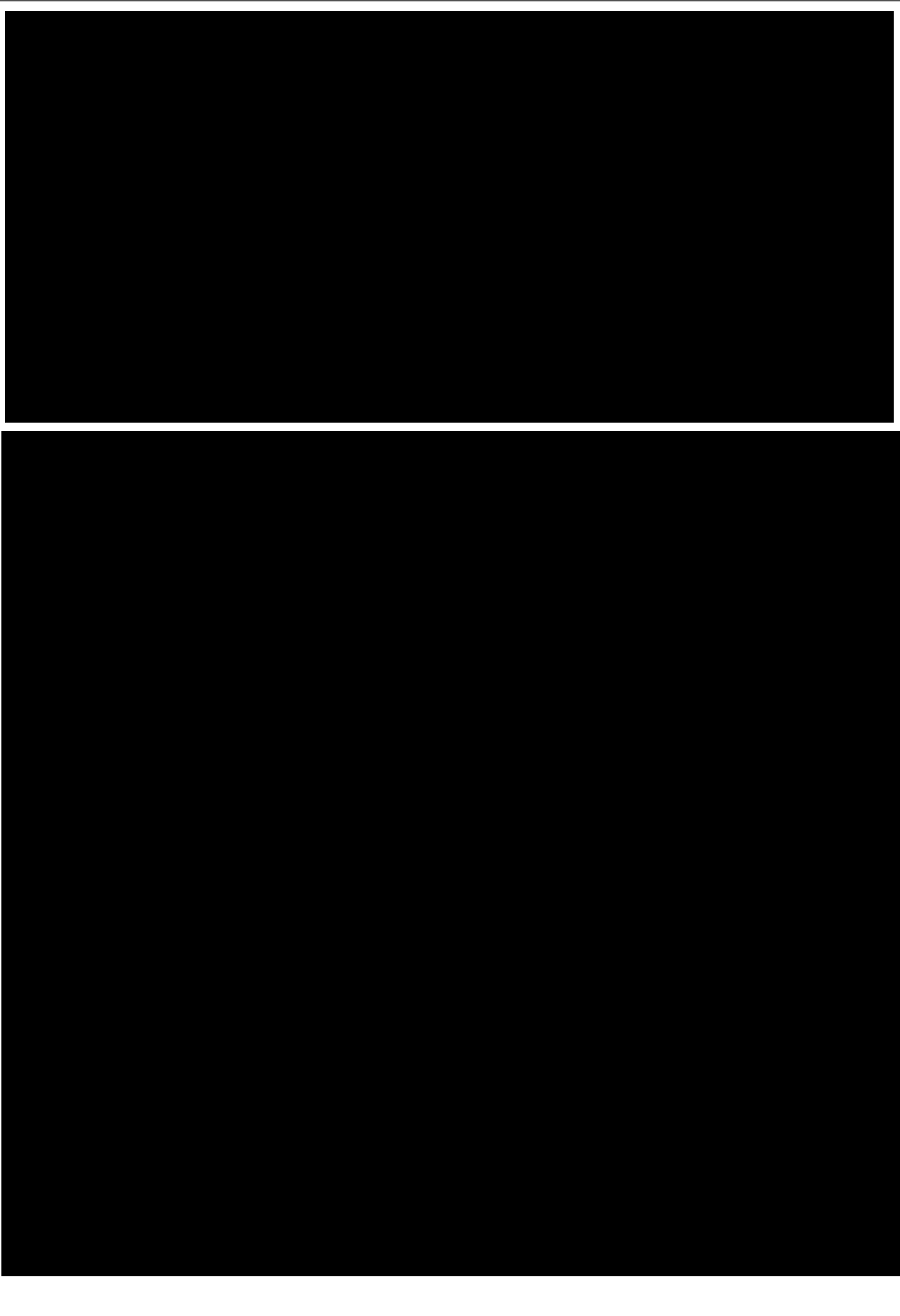
Q. Okay.

A. I don't know.

Q. Okay.

[REDACTED]

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1 A. That doesn't sound familiar.

2 Q. I'll let you look if you --

3 A. I wouldn't -- I don't think I have it here
4 with me today.

5 Q. Okay.

6 A. I wouldn't remember because he was never on my
7 caseload.

8 Q. Okay.

9 A. Sometimes, like I said, when we cover other
10 people, if they -- in the context of that clinical
11 contact they mention, you know, I'm really stressed
12 because a couple days ago this happened to me, then it's
13 not my job to determine if it happened or not, it's just
14 my job to memo it.

15 Q. Right, makes sense, document it.

16 A. Right.

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20 A. There have been so many memos that even if I
21 wrote these memos I probably wouldn't be able to
22 remember.

23 Q. [REDACTED]

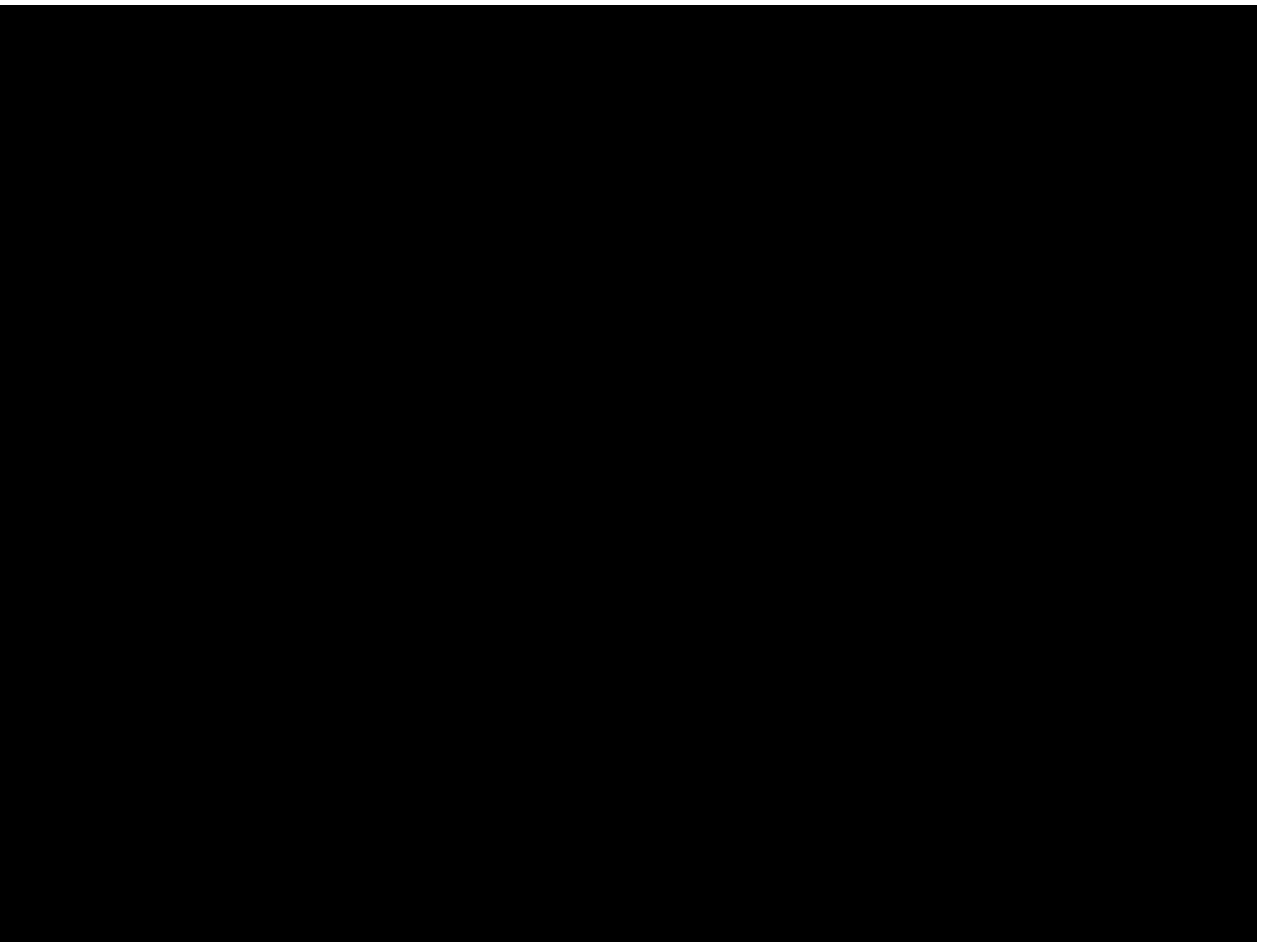
24 [REDACTED]

25 Do you have any perception that sort of

1 vulnerable patients, so Coleman class members, Armstrong
2 class members on Facility A were targeted for staff
3 misconduct?

4 MS. DE LA TORRE: Objection to the extent that you
5 are asking about Coleman class members.

6 THE WITNESS: I don't know if they were targeted
7 per se. The only thing I can tell you is that there was



21 BY MS. WINTER:

22 Q. Vulnerable populations is sort of how we view
23 it.

24 A. Well, I think they're all vulnerable. I mean,
25 they're all considered vulnerable population. Yes,

1 they've also done heinous things and they are in prison
2 so they're vulnerable.

3 Q. Okay. Let's see. Do you -- can you think of
4 any other incidents that you have heard about from other
5 staff members that you think are pertinent in terms of
6 staff misconduct and misuse of force?

7 A. Of course, but -- but they don't stand out in
8 terms of -- you know, I couldn't tell you details. It
9 kind of goes in one ear and out the other, but it's not
10 uncommon, like, if you got all the mental health staff
11 in a room, you would be talking for a while.

12 Q. Okay.

13 A. Yeah.

14 Q. Because most people would have a story or two
15 or more?

16 A. Yeah.

17 Q. Do you have -- in your experience, has this
18 type of staff misconduct interfered with people's
19 ability to attain treatment or accommodations?

20 MS. DE LA TORRE-FENNELL: Objection to the extent
21 you're asking about treatment for Coleman class members.

22 THE WITNESS: Treatment or access to their
23 accommodations?

24 BY MS. WINTER:

25 Q. So, for example, you said there was a period

1 of time where you were asking for access to care
2 officers?

3 A. Oh, yeah, access to care is often an issue,
4 yeah.

5 Q. And do you think it has any connection to sort
6 of the culture or staff misconduct? Like, if you can't
7 get a patient -- you spoke about a particular situation
8 that felt retaliatory perhaps --

9 A. Yeah.

10 Q. -- where you couldn't get a patient out --

11 A. Right.

12 Q. -- because access to care officers were just
13 ignoring you, something along those lines.

14 A. Well, I'll tell you that my job has -- you
15 know, after I started working there my job quickly
16 became about how I was not just gonna treat the
17 patients, but I was going to teach them skills on how to
18 be strategic so that they didn't find themselves within
19 constant conflict with the officers. So it switched
20 from really providing like depth-oriented care to, okay,
21 let's -- let's consider what are long-term consequences
22 of getting into a battle of wills, right? So it became
23 more about that. And so I would say that, yes, on
24 several occasions I've had inmates telling me that, you
25 know, they've gotten into it verbally with an officer

1 and now they're not being let out for their groups and
2 things like that. So that's not uncommon to hear that.

3 Q. Okay.

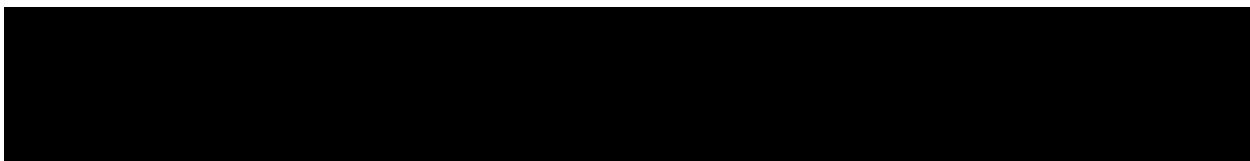
4 A. Not so much in Facility ■, again, because,
5 one, because it's cameras, right, and, two, because it's
6 a Level 2 yard and so there's a lot less, you know,
7 issues, I would say. And then, three, because it's dorm
8 setting and they have, like, the freedom to kind of come
9 and go from their cells as they please. They're not,
10 you know, dependent on a tower officer to open up their
11 door for them, so that would be the difference there.

12 Q. Okay. That makes sense.

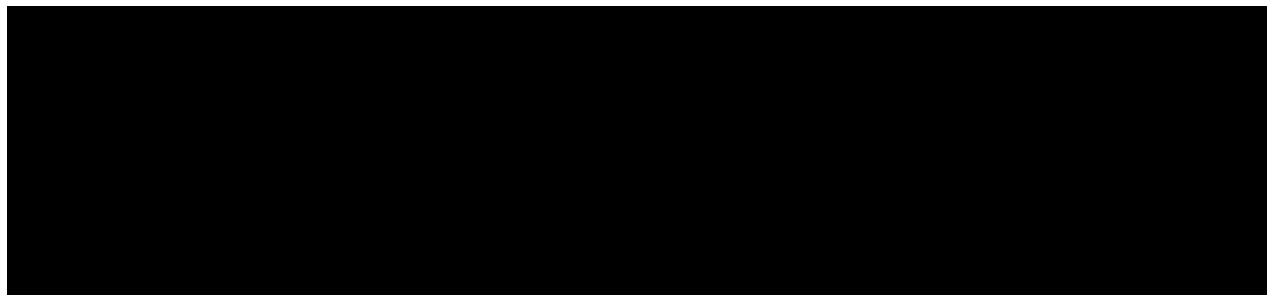
13 A. Yeah.

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Q. Right, okay. So now some of these officers you have already mentioned, but I also have a list of officers that I wanted to know if you have any -- have ever witnessed staff misconduct related to these officers.



A. That does sound familiar as well. I wouldn't remember. I actually -- so when we move office to office, our archives don't come with, like our -- yeah, our hard drives don't come with us, I don't believe. We can put it on a private -- yeah, I think you can put it in your private folder, but I hadn't -- I hadn't saved those off the hard drive -- I hadn't saved them in the shared drive when I moved because this was when I was first working there, like the first year and then later on I was like, oh, I really should have saved those, but, yeah, so it didn't follow me.

Q. Okay. So some of these you may --

A. I may have very well written memos and don't have access to them anymore, yeah.

1 Q. Okay. So I'm going to keep going.

2 A. Okay.

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[REDACTED]

A. [REDACTED] is the one that broke into my office. I was like why is he so familiar. [REDACTED]

Q. Oh, I think that's right.

A. And it was confirmed that he was working that weekend by the associate warden on the same facility.

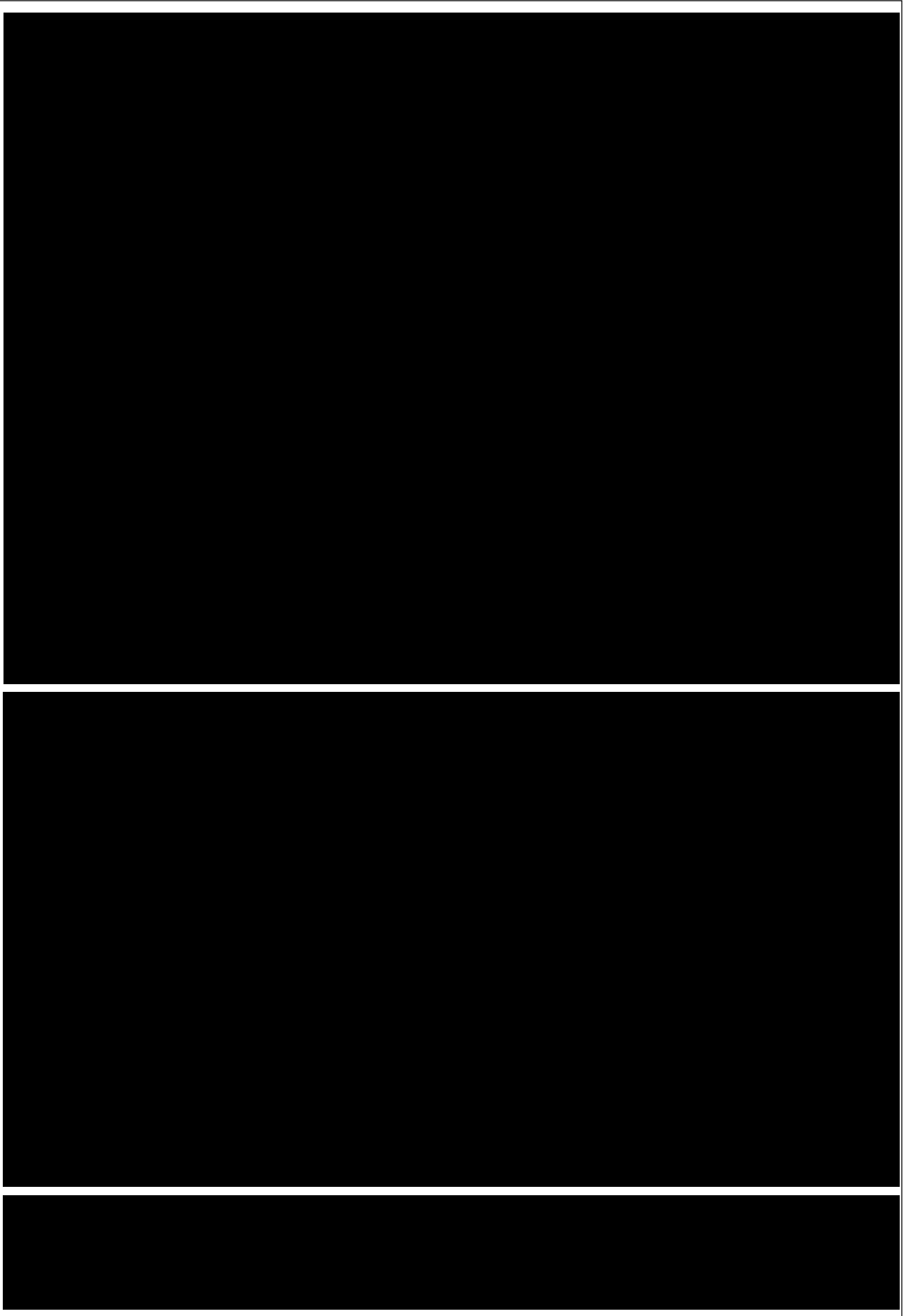
Q. That's still Facility A?

A. Yeah.

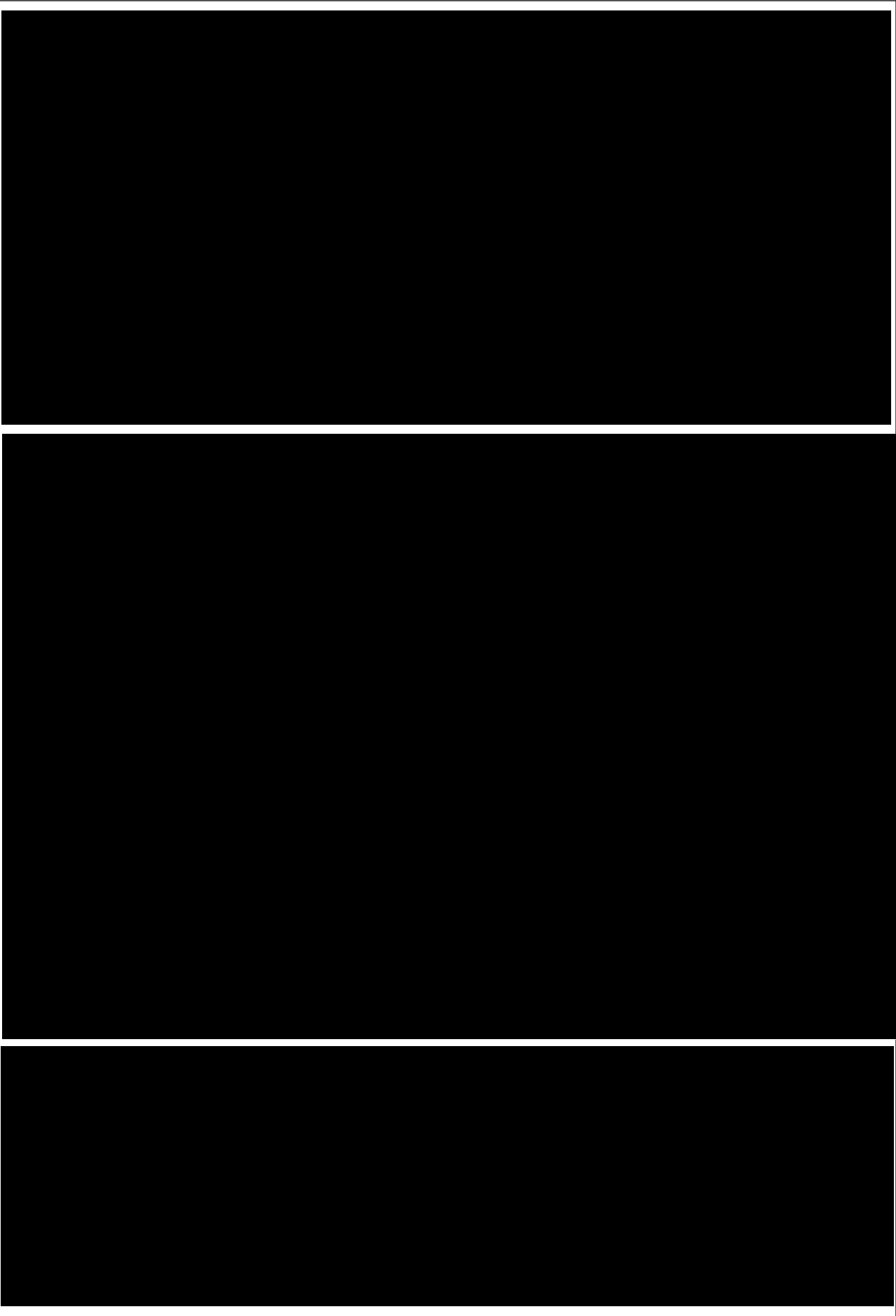
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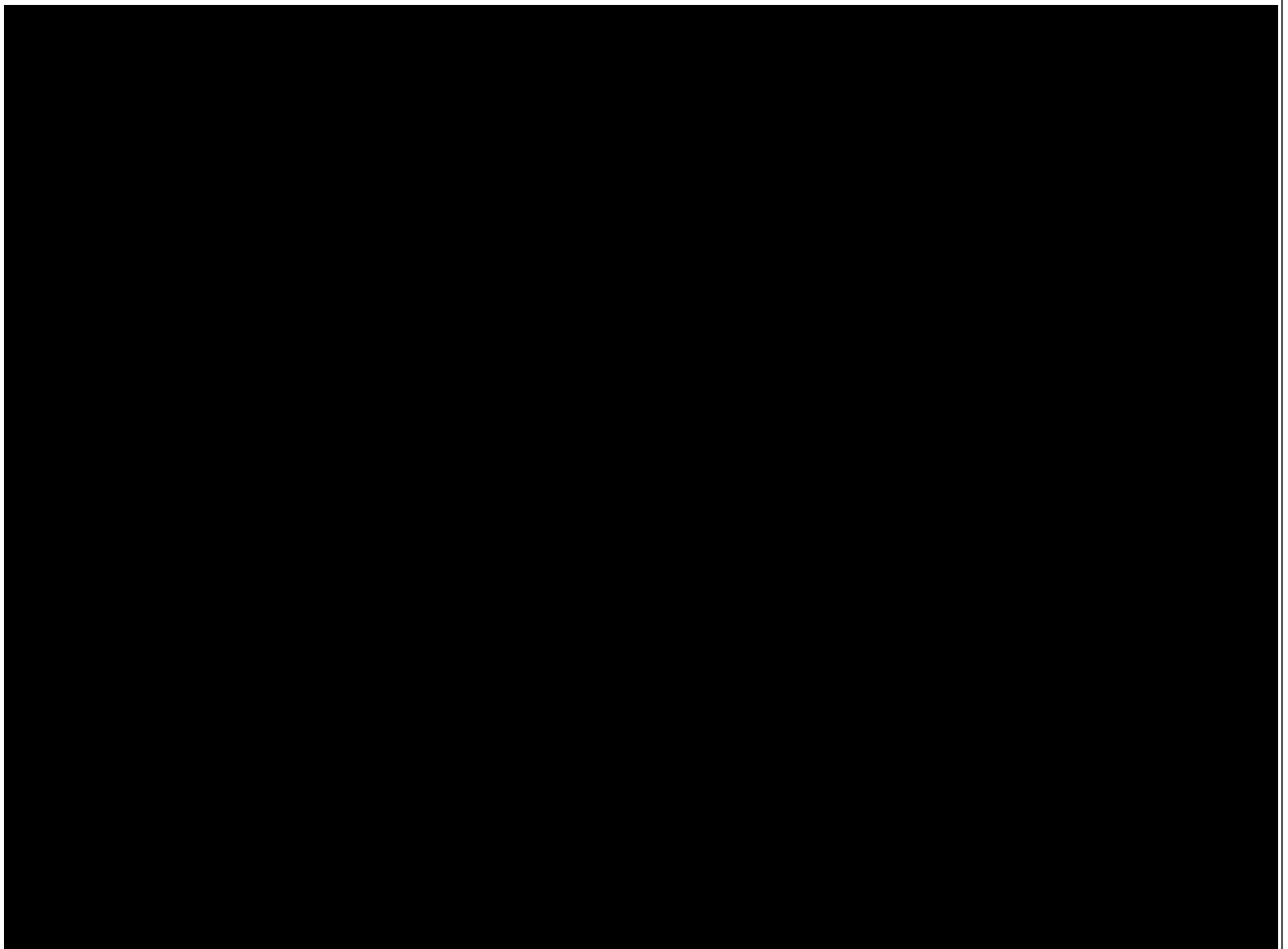
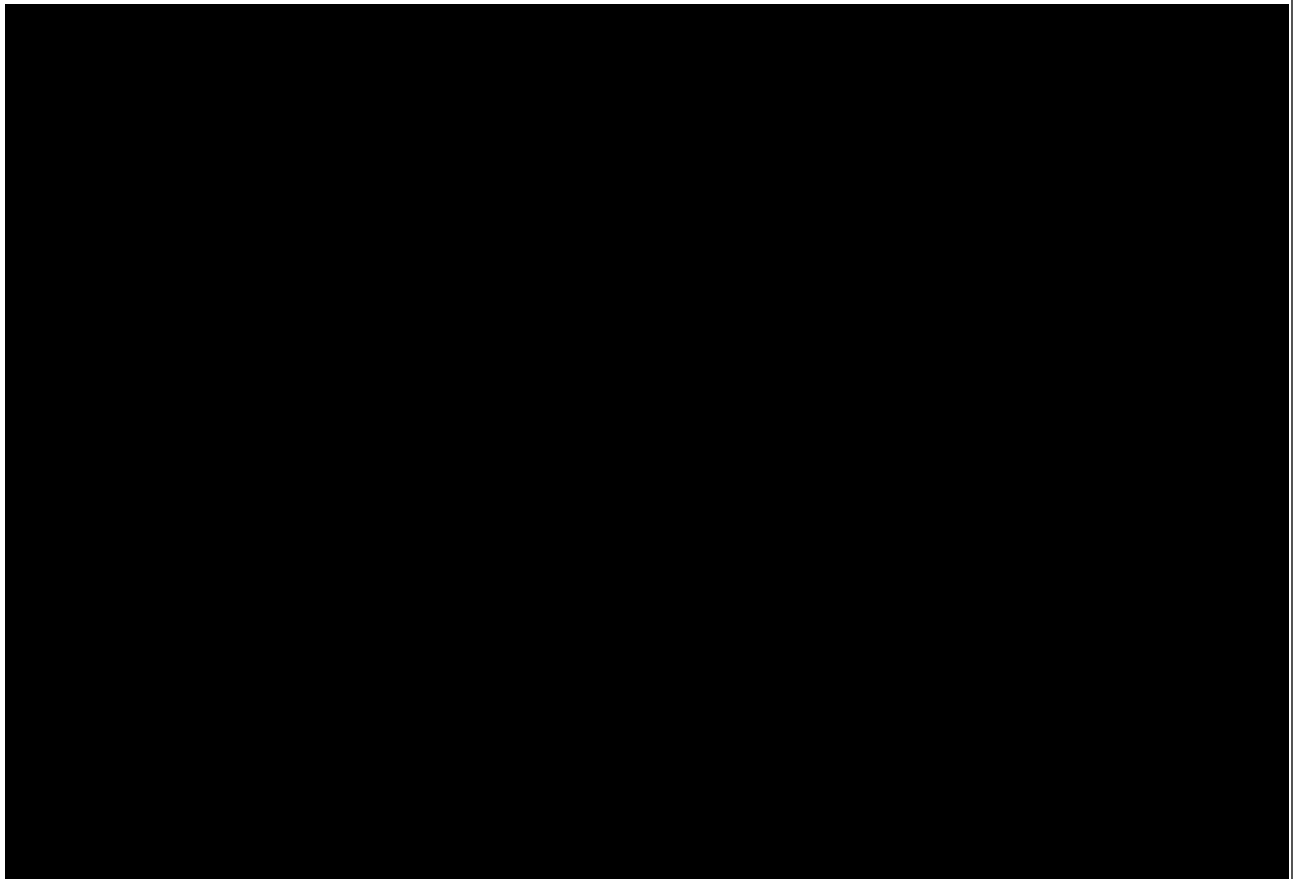
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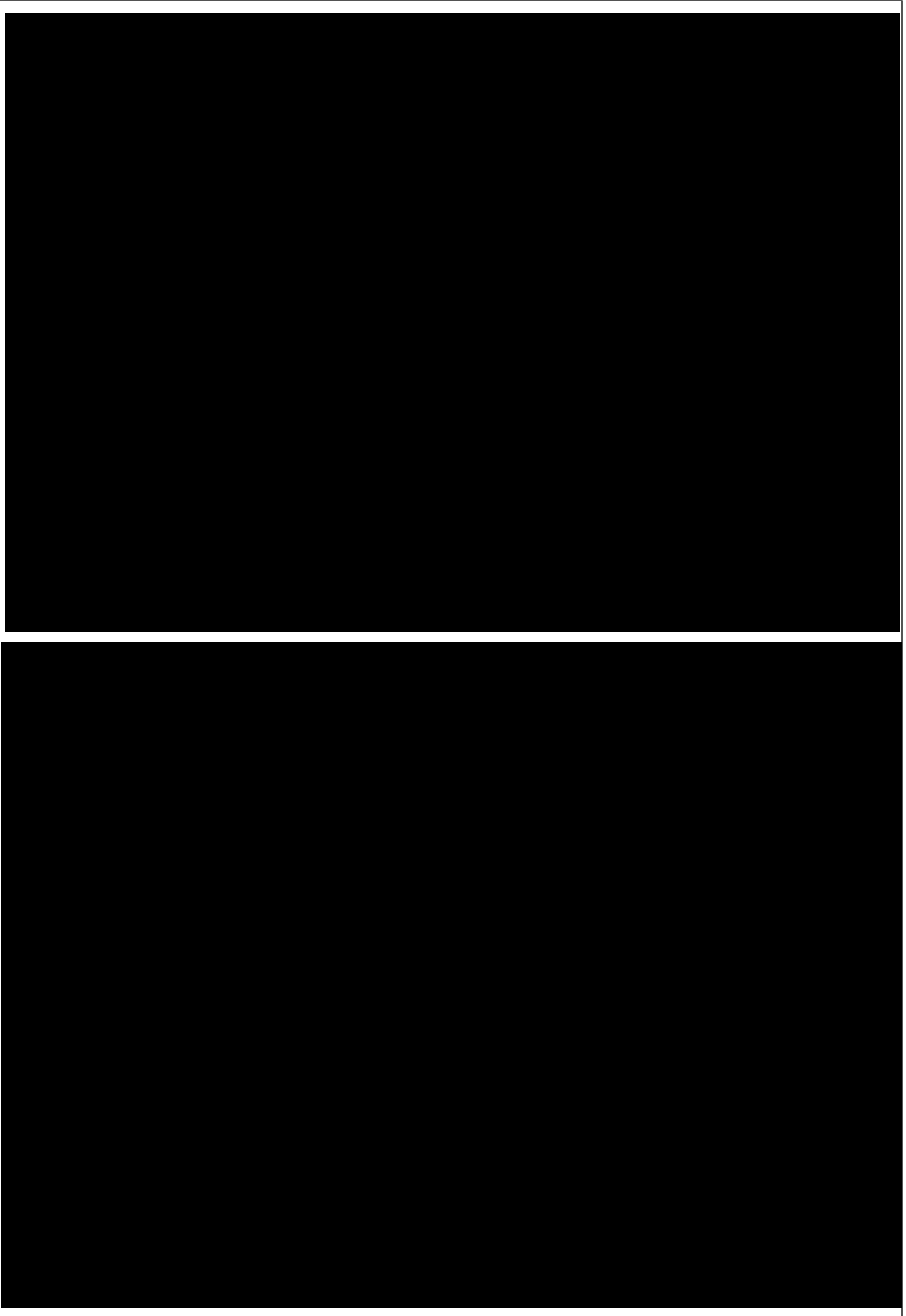
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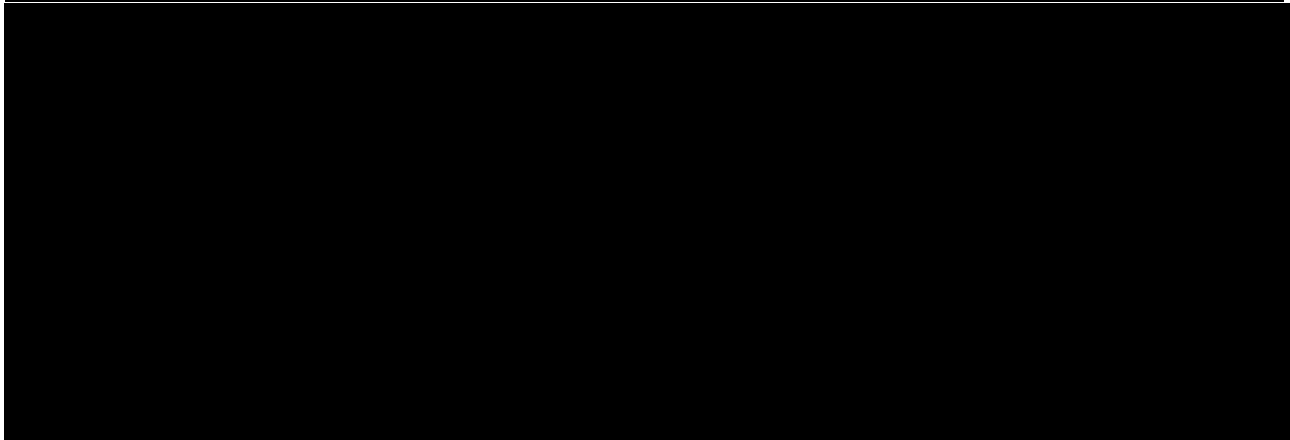
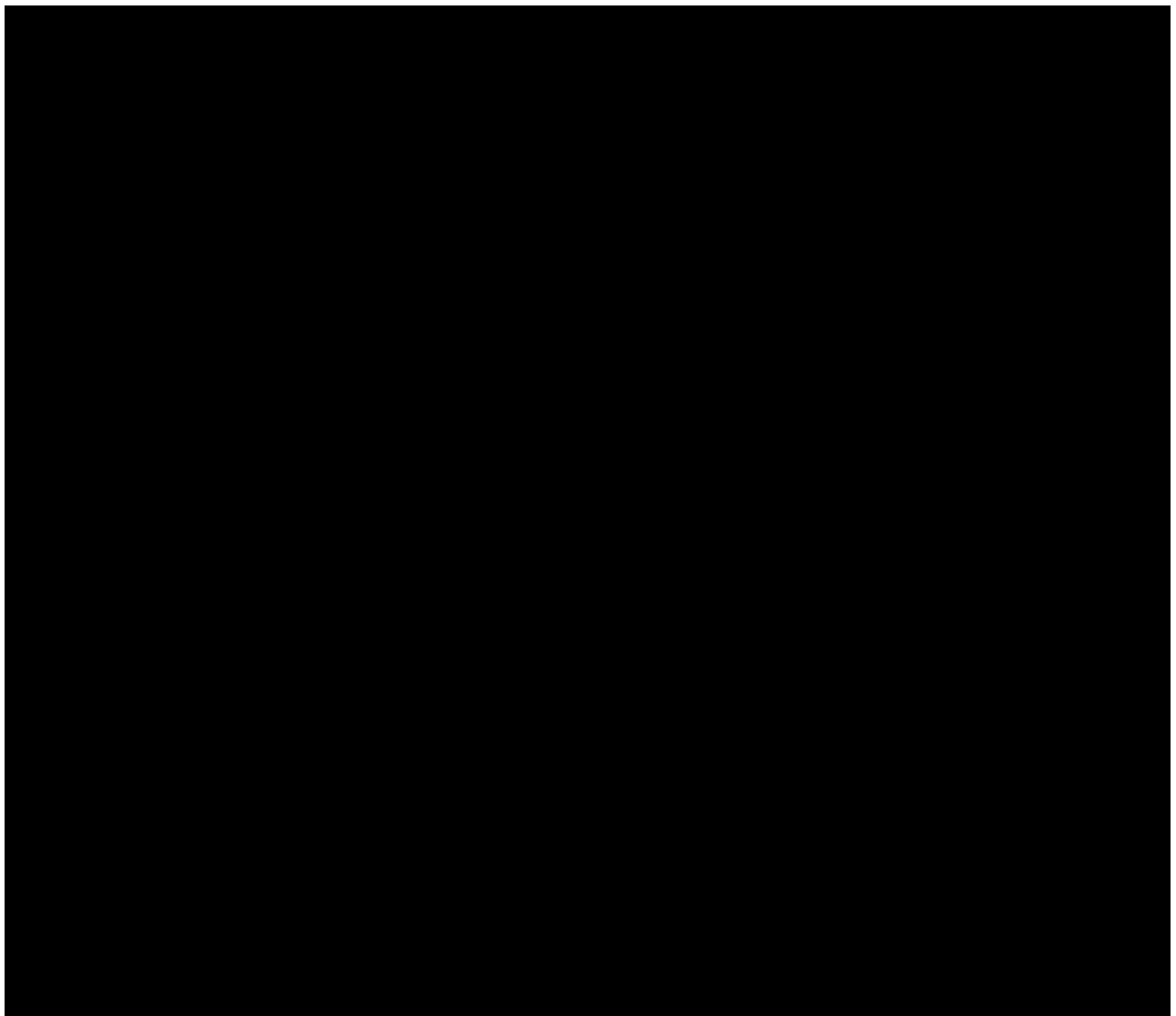
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Q. Okay. So I think I'm going to wrap it up
here.

A. Okay.

Q. There are more questions, but I think that's

1 good enough. I think we've covered a lot.

2 MS. WINTER: Do you want to take this seat or stay
3 there? What would you like?

4 MS. HOOD: We do not have any questions for
5 Dr. [REDACTED].

6 MS. WINTER: Oh, okay.

7 THE WITNESS: Yeah, I'm just wondering who does
8 this go to? Who will be seeing any of this? I'm a
9 little nervous about it.

10 MS. WINTER: Yeah, so we will have a copy of it.
11 They will have a copy of it. With any motion that we
12 file, we could file parts of this transcript or parts of
13 things that you said.

14 THE WITNESS: Uh-huh.

15 MS. WINTER: If you are concerned about safety and
16 security, then we can redact names, but of patients. I
17 don't know -- your name is already in a lot of the
18 documents for at least the [REDACTED] incident.

19 THE WITNESS: Uh-huh.

20 MS. WINTER: So I don't know that there would be a
21 way to like redact your name out of that because I think
22 it's already sort of permeated and it's already in
23 public record in the State Personnel Board and that sort
24 of thing.

25 THE WITNESS: Right.

1 MS. WINTER: I don't -- I mean, I'm -- so the less
2 specific incidents that you've talked about, those
3 probably wouldn't make it in any sort of identifiable
4 way into the court materials.

5 THE WITNESS: Okay.

6 MS. WINTER: But the other specific incidents it's
7 possible that they could. We might not necessarily name
8 the -- I think we would have to name the -- provide some
9 information about where we got that information.

10 THE WITNESS: Okay. But who does that go to?
11 Like, the court or --

12 MS. WINTER: It would get filed with the court. We
13 would file -- we know that we are -- any motion would be
14 accompanied by a motion to file under seal, so we know
15 that we would be sealing portions of documents and other
16 documents are covered by these protective orders, so we
17 have to redact names and those sorts of things, but to
18 the extent there's like an identifiable security concern
19 related to you --

20 THE WITNESS: Yeah.

21 MS. WINTER: -- if you can articulate that, then
22 that's something I think we could probably --

23 THE WITNESS: Well, I just want to know, like, does
24 this go to administrators? Do they see this?

25 MS. WINTER: I don't know what goes to who at the

1 institution.

2 THE WITNESS: I just want to know, like, how secure
3 is this? Because I'm telling you guys some pretty
4 serious stuff.

5 MS. WINTER: Yeah, so the transcript itself I
6 wouldn't expect would get to the institution, but I
7 don't know.

8 MS. DE LA TORRE-FENNELL: I don't -- I don't know
9 for certainty to the extent, so I don't want to, like,
10 misrepresent anything, so I'm -- generally, no, but I --
11 as I sit here right now, I'm not comfortable making an
12 unqualified assertion that it's not going --

13 THE WITNESS: But do you guys understand, like,
14 just how unsettling this is to not know, like, who is
15 going to be seeing this document and who is gonna know
16 what I just said to you guys because this could be --
17 I've obviously already been retaliated against, so how
18 much more do I have to put up with, you know?

19 MS. WINTER: Right, so what I can say to you is we
20 will contact at least the CDCR OLA counsel and maybe you
21 guys will discuss with them about what to do about
22 limiting the people at the institution who have access
23 to this information, if any of them do have access to
24 specific information because I certainly understand the
25 concern. I think everybody understands the concern that

1 you have and it's very serious.

2 MS. HOOD: And we do appreciate your concern and I
3 think we could probably have a more extensive discussion
4 about it off the record.

5 MS. WINTER: Okay, all right.

6 (Discussion off the record.)

7 MS. HOOD: We'd like to request a copy of the
8 transcript on whatever time frame they're getting it.

9 THE COURT REPORTER: They ordered it for Monday.

10 MS. HOOD: Yeah, perfect. Thank you.

11 (Whereupon; the deposition concluded at 2:20 p.m.)
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DECLARATION UNDER PENALTY OF PERJURY

I, [REDACTED], do hereby declare under penalty of perjury that I have read the foregoing transcript; that I have made any corrections as appear noted, in ink, initialed by me, or attached hereto; that my testimony as contained herein, as corrected, is true and correct.

Executed this _____ day of _____,
2020, at _____, _____,
(city) (state)

[REDACTED]

1 DEPONENT'S CHANGES OR CORRECTIONS

2 DEPOSITION OF: [REDACTED]

3 CASE: JOHN ARMSTRONG, et al. VS. GAVIN NEWSOM, et al.

4 DATE OF DEPOSITION: FEBRUARY 13TH, 2020

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REPORTER'S CERTIFICATE

I, FRAN BARBER, CSR No. 13811, Certified Shorthand Reporter, certify that the foregoing proceedings were taken before me at the time and place therein set forth, at which time the witness was put under oath by me; that the testimony of the witness, the questions propounded, and all objections and statements made at the time of the examination were recorded stenographically by me and were thereafter transcribed; that a review of the transcript by the deponent was requested; that the foregoing is a true and correct transcript of my shorthand notes so taken.

I further certify that I am not a relative or employee of any attorney of the parties, nor financially interested in the action.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Dated this 17th day of February, 2020

Frances Barber

FRAN BARBER, CSR NO. 13811

Exhibit 85



PRISON LAW OFFICE

General Delivery, San Quentin, CA 94964
Telephone (510) 280-2621 • Fax (510) 280-2704
www.prisonlaw.com

Director:
Donald Specter

Managing Attorney:
Sara Norman

Staff Attorneys:
Rana Anabtawi
Steven Fama
Alison Hardy
Sophie Hart
Corene Kendrick
Rita Lomio
Margot Mendelson
Thomas Nosewicz
Shira Tevah
Camille Woods

VIA EMAIL ONLY

March 27, 2019

Ms. Russa Boyd
CDCR Office of Legal Affairs

RE: Allegations of Staff Misconduct at California State Prison, Sacramento

Dear Ms. Boyd:

We visited California State Prison, Sacramento (CSP-SAC) on February 19-21, 2019, to evaluate the prison's compliance with *Armstrong v. Newsom* and the Americans with Disabilities Act. We interviewed approximately 65 people incarcerated at the prison and reviewed documents from the monitoring period of May 29, 2018, to January 7, 2019.

As we mentioned during the exit meeting, we received widespread reports of staff misconduct. We have reported similar allegations for years at CSP-SAC under *Armstrong* and *Coleman*. See, e.g., July 2018 CSP-SAC Staff Misconduct Report at 1-7 ("This report once again documents allegations of staff misconduct, including staff's inappropriate use of force, failure to protect vulnerable people, harassment and intimidation, and inappropriate responses to medical and mental health concerns."); December 2017 CSP-SAC Tour Report at 8-14 (reporting excessive use of force, verbal abuse, improper removal or destruction of Durable Medical Equipment, failure to honor disability chronos, failure to protect vulnerable people, and interference with the tour interview process); May 2017 CSP-SAC Tour Report at 9-13 ("monitors also received serious reports of staff misconduct indicating continued staff training and accountability measures are necessary"); Letter from Margot Mendelson & Donald Specter, Plaintiffs' Counsel, to Patrick McKinney, CDCR Office of Legal Affairs, Allegations of Serious Staff Misconduct and Excessive Force in the CSP-SAC PSU (Sept. 28, 2016) ("We are profoundly concerned about these allegations of serious abuse, many of which involve prisoners who are both *Armstrong* and *Coleman* class members."); July 2016 CSP-SAC Supplemental Report Regarding Allegations of Staff Misconduct in A-2 at 1-5 ("[W]e received multiple, highly consistent reports of excessive force and verbal abuse by custody staff in the PSU on Facility A. . . . Every one of the nine prisoners we talked to about these matters reported that they had witnessed third watch officers in A-2 use excessive force and/or taunt mentally ill prisoners.").

We are deeply troubled by the continued and consistent reports of staff misconduct at this institution, particularly in the PSU. Many class members with serious disabilities reported that they did not, and would not, request disability accommodations they needed because they were afraid that custody or medical staff would ignore their requests, laugh at them, take away the few disability accommodations they already had, or assault them. One full-time wheelchair user told us: "They're irritated by me for asking for what I have coming, so I stay quiet." Mr. [REDACTED] DLT,

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Ms. Russa Boyd
RE: Allegations of Staff Misconduct at CSP-SAC
March 27, 2019
Page 2

TABE 0.0, B1, who cannot read or write, reported that he does not ask custody staff for help with effective communication because he is concerned that staff will get angry with him.

A number of class members would not authorize us to report serious staff misconduct because they did not have faith in the staff complaint process and/or believed they would be retaliated against. One class member told us: “This institution likes to cover its tracks. They don’t do an investigation.” Another stated that “assault is the go-to custody response” to a mental health patient in crisis, and that he would not file a staff complaint because “I’m just trying to go home alive.” We note that the Office of the Inspector General recently found “that the dependability of the staff complaint inquiries [at Salinas Valley State Prison] was significantly marred by inadequate investigative skills that reviewers demonstrated—notably, by their deficiencies in interviewing, collecting evidence, and writing reports. This resulted in final reports that were often incomplete or inaccurate, or both incomplete and inaccurate.” Office of Inspector General, Special Review of Salinas Valley State Prison’s Processing of Inmate Allegations of Staff Misconduct 3 (Jan. 2019). The Office of the Inspector General “found at least one significant deficiency in 173 of the 188 staff complaint inquiries (92 percent).” *Id.*; *see also id.* at 89 (“Although this special review focused only on Salinas Valley, the process we reviewed is in place at prisons statewide. Therefore, the conditions we found may also exist to some degree at other institutions.”).

An inadequate and ineffective staff complaint process poses a significant barrier to *Armstrong* compliance. Defendants must “develop effective internal oversight and accountability procedures to ensure that Defendants learn[] what [i]s taking place in their facilities, in order to find violations, rectify them and prevent them from recurring in the future, without involvement by Plaintiffs’ counsel or the Court.” Order, Doc. 2180 at 10; *see also id.* at 11 (“Simply put, investigations, including the documentation of the results, are necessary to ensure that grievances are addressed and to identify staff error or misconduct and institutional deficiencies that violate class members’ rights.”); 28 C.F.R. § 35.107(b) (requiring “prompt and equitable resolution of” disability-related complaints).

We note that we still have not received a substantive response from Defendants to our July 2018 Staff Misconduct Report, which we sent to Defendants on July 26, 2018. During our tour of CSP-SAC in February 2019, we interviewed people whose allegations were included in the July 2018 report. At least one reported that staff had not interviewed them about their allegation, and that they did not believe their allegation had been investigated. Another raised concerns with how the inquiry was conducted. In particular, Mr. [REDACTED] reported that following the report, a sergeant (name unknown) called him to the program office area. The setting was not confidential; there were approximately five or six officers present. The sergeant reportedly read Mr. [REDACTED] the allegation raised in the report regarding delays in being let out to dayroom. *See* Office of Inspector General, Special Review of Salinas Valley State Prison’s Processing of Inmate Allegations of Staff Misconduct 61-64 (Jan. 2019) (noting that “staff frequently compromised the confidentiality of the staff complaint inquiry process,” including by failing to conduct the interview “in a private setting”).

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In advance of the regular monitoring tour report, we send this letter detailing allegations of staff misconduct that our clients reported during interviews and that were reported through Form 1824s. We ask that these allegations be investigated promptly, thoroughly, confidentially, and objectively. In the case of allegations of staff misconduct reported through Form 1824s, we request the results of the inquiries and/or investigations. We note that this letter does not contain a complete list of the allegations we received during our interviews. In many cases, people would not let us report staff misconduct (even anonymously) because they feared retaliation or did not believe any appropriate action would be taken. In addition, we have routed several complaints that primarily raise *Coleman* concerns to Plaintiffs' counsel in that case.

I. Grievance and Disability Accommodation Request Process

We received multiple reports that even when people do submit Form 7362s, 602s, and 1824s, their requests sometimes go unanswered. This impedes the staff complaint and disability accommodation process at the first level. This issue also has been raised under *Plata*; in one example, a patient had a Form 22 signed by an officer confirming that he had in fact submitted the Form 7362, but there is no record of the Form 7362 in his medical record. *See Plata*—Individual Patient Medical Concern—Request for Review, ██████████ ██████████ ██████████ SAC (Feb. 6, 2019).

In addition, Mr. ██████████ ██████████ special shoes, cane, back brace, A3, Log No. ██████████ - ██████████ requested replacement orthopedic shoes through a Form 1824. He reported that he had submitted several medical slips with no response: "I keep putting in medical slip [sic] and they are not answering." The Reasonable Accommodation Panel (RAP) response, issued on August 13, 2018, states that a request was submitted on his behalf for an orthotics consultation. On August 23, Mr. ██████████ appealed the RAP decision. He reported that on August 14, while waiting to be released for yard his cell door was opened only half way. When he stuck his arm out of the door to wave to Officer ██████████ to alert him that he was unable to leave the cell, the cell door reportedly closed on his arm, causing significant injury to his elbow and thumb and resulting in loss of feeling in his thumb. He reported that he submitted numerous 7362 requests to see a doctor, but had not received a response: "I have put in numerous 7362 to be seen by a doctor with no resolve [sic]."¹

¹ The Institutional Level Response (HC ██████████) issued on October 23, 2018, states that he saw a nurse for the injury on August 14 and September 12, and that he refused an encounter with the PCP on September 13. The response also states that he saw a PCP on September 25, and was issued a thumb brace on October 4, 2018. According to the electronic medical record, Mr. ██████████ submitted a 7362 dated August 14, 2018, which was stamped received on August 16, 2018, reporting the injury. Contrary to what the appeal response states, it appears that Mr. ██████████ saw nursing staff on August 16 (and not August 14), when the nurse noted that no follow-up was necessary. On September 11, 2018, Mr. ██████████ submitted another 7362 reporting continued symptoms as a result of the injury. When he saw the nurse the follow day, the nurse referred him to the provider.

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We also received reports that appeals hearings are conducted inappropriately. For example, Mr. [REDACTED] [REDACTED] reported that in late 2018, an officer (name unknown) woke Mr. [REDACTED] around 1:00 am and asked if he wanted to go to his 602 hearing at that time. Mr. [REDACTED] declined and told the officer something like, "No, I don't wanna go on that ride." Mr. [REDACTED] explained to us that he declined because "when they pull you out that late at night, it's to beat your ass." Mr. [REDACTED] reportedly filed a Form 602 to report this incident. Later, at approximately 10:00 or 11:00 pm, a lieutenant (name unknown) and an officer (name unknown) came to his cell. Other incarcerated people reportedly could overhear the conversation. The lieutenant reportedly tried to "reassure" Mr. [REDACTED] that "they don't beat people up at night at this institution." Mr. [REDACTED] reported that he was frightened nonetheless: "I was scared to death. That was a lie." He reported that he never received a response to this 602.

II. Excessive Use of Force

People incarcerated at the prison continued to report that staff used excessive use of force against them and other people. For example, Mr. [REDACTED] [REDACTED] DLT, reported that in or around December 2018, he had just left C6 to go to afternoon yard when he saw custody staff (names unknown) grab another person who had just exited. The officers grabbed the person around the neck and roughly put him on the ground; the person was gasping for air. The officers reportedly gave no warning to the person, nor did they ask him to get to the ground before tackling him.

In addition, Mr. [REDACTED] [REDACTED] prosthetic eye, EOP, wears sunglasses due to his vision disability. He reported that on December 6, 2018, he was in the group room in the treatment center. At the time, he was living in A7. He reported that Officer [REDACTED] instructed him to take off his sunglasses. Mr. [REDACTED] reported that he complied with the order and turned to walk to his chair. He reported that Officer [REDACTED] then grabbed him from behind on his right side, where Mr. [REDACTED] has no peripheral vision. Mr. [REDACTED] reported that he complied with Officer [REDACTED] order to put his hands against the wall. Mr. [REDACTED] reported that he then turned toward Officer [REDACTED] Officer [REDACTED] reportedly punched Mr. [REDACTED] prosthetic eye and held Mr. [REDACTED] in a choke hold. Mr. [REDACTED] reported that he had difficulty breathing and passed out. When he awoke, he was on the floor, with no shirt, and his arms were cuffed behind his back. Custody staff then escorted him to a holding cage. He reported that a 7219 was completed by an RN but he did not see a provider despite his requests and reports that his eye was bleeding behind his prosthetic. Mr. [REDACTED] received an RVR ([REDACTED] for battery on a peace officer, which appeared to be pending adjudication at the time of writing.

We reviewed the electronic medical record. On December 7, 2018, Mr. [REDACTED] submitted a 7362 saying, "I was beat by a C/O on 12/6/18. I was punched in the face and fack [sic] eye over and over in & out of cuffs. Have 2 black eyes both of my eyes are swollen [sic] my fack [sic] eye is leaking a yellow red stuf [sic] I am in allot [sic] of pain & dizzy. I have been asking to see a doctor & for a 7219 of my injuries & a unessary [sic] use of forst [sic] video, all has been denied." On December 8, 2018, Mr. [REDACTED] saw a nurse who noted, "pi stated that 7219 was done yesterday and issue is resolved. PI also stated the showed him video yesterday and issue resolved." The nurse noted that Mr. [REDACTED] had a black eye and that he reported not feeling dizzy. The 7219 does not appear in his medical record. On December 12, 2018, Mr. [REDACTED] saw a provider who noted that Mr. [REDACTED] right eye was black and that the orbital injury was "most likely contusion." That same day, mental health staff conducting an RVR

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assessment noted, "In regards to the Battery (██████████) he stated, 'that was a misunderstanding. I needed to wear sunglasses so I could see. I tried to tell them.'"

Officer ██████████ incident report is printed below. His account differs from that of Mr. ██████████. But even the officer's version raises serious concerns. The officer could have resolved any concerns regarding sunglasses and disability accommodations without using force in the EOP Treatment Center. The officer could have walked away, attempted to engage Mr. ██████████ in conversation, or alerted a supervisor. In addition, Officer ██████████ wrote: "I then asked ██████████ if he could show me some documentation that states he needs to wear his sunglasses." It is not clear what documentation the officer expected Mr. ██████████ to have on him at that time. According to the electronic medical record, Mr. ██████████ long has been diagnosed with photophobia and specialists have recommended protective eyewear since at least June 2017. The problem list in Mr. ██████████ medical record includes "eyes sensitive to light." According to the electronic medical record, Mr. ██████████ saw an ophthalmologist on March 22, 2017. The specialist noted that Mr. ██████████ is "very sensitive to light" and assessed him with photosensitivity. Mr. ██████████ saw an ophthalmologist again on June 20, 2017, at which time the specialist diagnosed Mr. ██████████ with photophobia and recommended protective eyewear. When Mr. ██████████ arrived at CSP-SAC in September 2018, his provider noted that he had photophobia and referred him to an ophthalmologist. Mr. ██████████ saw the ophthalmologist on February 4, 2019. The ophthalmologist noted that Mr. ██████████ had a prosthesis in the right eye and 20/100 vision in the left eye. The ophthalmologist again wrote: "Mr. ██████████ has photophobia in the left eye of uncertain etiology. . . . He should be allowed to use tinting in the glasses for the left eye."

On Thursday December 6, 2018 at approximately 0820 while performing my duties as HCA A7 ESCORT EOP 3, I was sitting at the EOP Treatment Center desk watching FA7 block inmates being processed into the Treatment Center. I noticed Inmate ██████████ (██████████) walk around the corner and put his sunglasses back on. I gave ██████████ a direct order to remove his sunglasses while in the EOP Treatment Center. ██████████ said something around the corner that I couldn't really understand. I walked over to group room #3 and asked ██████████ what he previously said. ██████████ said, "I need to wear these glasses because I don't have my prescription glasses" I explained to ██████████ that while in the EOP Treatment Center he would have to remove his sunglasses according to the A Facility EOP Memorandum. ██████████ continued to say that he needed to wear his sunglasses. I then asked ██████████ if he could show me some documentation that states he needs to wear his sunglasses. ██████████ at this time seemed very agitated and said, "FUCK YOU!" I walked up to ██████████ and asked him to leave the Treatment Center. ██████████ refused by shaking his head side to side. I gave ██████████ direct order to turn around and submit to handcuffs. ██████████ refused to take a step toward me. I reached out with my left hand and grabbed ██████████ left wrist and gave ██████████ a direct order to turn around and submit to handcuffs. ██████████ stated, "Don't touch me!" I gave ██████████ direct order to submit to handcuffs. ██████████ refused, by tensing his body and pulling away to his right. While still maintaining control of ██████████ left wrist I placed my right hand on ██████████ upper back and used his momentum to push ██████████ to the wall. ██████████ was still actively resisting by thrashing his body weight side to side. To affect custody and overcome ██████████ resistance, I wrapped my right arm over ██████████ upper shoulder and facial area in an attempt to place ██████████ on the ground. ██████████ continued to resist by tensing his body attempting to push me off of him with both his hand. While maintaining control of ██████████ upper body, ██████████ turned to his left, and faced toward me and used both hands and placed them on my chest and pushed me off of him approximately a foot away. ██████████ took a bladed fighting stance, and swung a left closed fist in my direction, striking me on my right facial jaw area. Fearing another possible attack, I jabbed a closed right fist, followed by two left closed fist at ██████████ facial area. ██████████ seemed stunned so I wrapped my right arm around ██████████ shoulder and facial area in order to subdue any further attack. I gave ██████████ a direct order to get on the ground. ██████████ was bent at the waist while he refused and continued to resist by attempting

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to push me off of him and actively punching my left side as I continued to maintaining control of his shoulder and facial area. Officer [REDACTED] ran into Room #3 and I saw him place his hands on [REDACTED] right arm. I placed both my hands on [REDACTED] left arm and we forced [REDACTED] to the ground. While on the ground [REDACTED] continue to resist by attempting to turn his body. I placed both hands on [REDACTED] right side applying direct downward pressure while Officer [REDACTED] maintained control of his left side. Officer [REDACTED] entered room [REDACTED] and placed [REDACTED] in handcuffs. I heard the institutional alarm sound. I was properly relieved of my duties and was seen at the A Facility Treatment triage area Building 50 for possible injuries. A CDCR 7219 medical report was done on me. That concludes my involvement in this incident.

Mr. [REDACTED] filed a 602 regarding the incident, which was accepted at the Second Level of Review (SAC-A-[REDACTED]). His c-file contains a Second Level Response dated December 19, 2018. It states: "Per Institutional Executive Review Committee (IERC) of 01/03/2019, staff's actions prior, during and following the use of force were in compliance with policy, procedure and training. Staff did not violate CDCR policy with respect to one or more of the issues raised."² It makes the following findings: "Your appeal is PARTIALLY GRANTED in that an Appeal Inquiry into your allegation has been conducted." This case should be immediately referred to the Office of Internal Affairs for investigation.

III. Harassment and Verbal Abuse

People also continued to report that staff harassed, belittled, and otherwise used inappropriate language toward them. For example:

1. Mr. [REDACTED] [REDACTED] DLT, CCCMS, STRH, Log No. [REDACTED]-[REDACTED] reported that Officer [REDACTED] threw his food on the ground and told Mr. [REDACTED] to "eat it off the ground." He alleged that Officer [REDACTED] then stated that Mr. [REDACTED] "need[s] to be placed in PSU." The RAP response, issued on June 15, 2018, states that the issue was "split with the 602 process, log # SAC-S-[REDACTED]-[REDACTED]"
2. Mr. [REDACTED] [REDACTED] DPM, CCCMS, STRH, Log No. [REDACTED]-[REDACTED] reported that he asked Officer [REDACTED] the tower officer, "When I was in ADA shower, you kept turning off the water and messing w/me. Why?" He reported that Officer [REDACTED] responded, "If you don't need the ADA shower, don't make staff do extra work and take you all the way over there," and "Just b/c your [sic] disabled says it don't mean you need it." Mr. [REDACTED] reported that when he told Officer [REDACTED] that he was "out of bounds," Officer [REDACTED] responded, "You see this cloth badge here, it allows me to do anything I want." The RAP response, issued on June 6, 2018, states that the allegation was "referred to the staff complaint process with a log number of SAC-S-[REDACTED]-[REDACTED]" Mr. [REDACTED] submitted another Form 1824, Log No. SAC-H-[REDACTED]-[REDACTED] reporting retaliation by

² It is not clear why the Second Level Response is dated December 19, 2018, when it references an IERC meeting on January 3, 2019. The response was signed by Sergeant W. [REDACTED] on January 16, 2019, and by Acting Warden [REDACTED] [REDACTED] on January 25, 2019. The response states that it was mailed or delivered to Mr. [REDACTED] on January 28, 2019. Mr. [REDACTED] however, reported during the *Armstrong* tour that he never received the response.

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Officer [REDACTED] for reporting disability discrimination. Mr. [REDACTED] also submitted declarations from witnesses to Officer [REDACTED] comments.

Unfortunately, during our tour in February 2019, three other class members who were housed in the STRH reported problems with staff not giving them access to the ADA shower. Mr. [REDACTED] DLT, reported that he would like to use the ADA shower. He reported that it is hard for him to stand on his left leg for lengthy periods of time, and that the shower chair is inadequate because he weighs 288 lbs and would like to use the shower wand. He reported that when he ask officers if he can use the ADA shower, they say, "someone's in there" and do not allow him to wait. Mr. [REDACTED] DLT, reported that officers would not let him use the ADA shower and instead told him that he needed a shower chrono. He reported that he fell in late October 2018 when trying to take a shower in the non-ADA shower. He reported that he spoke with a captain about this issue in December, and the problem appears to have been resolved. Mr. [REDACTED] DNM, reported that he asked officers if there is a shower with rails, but was told, "This is the shower you can use." Officers offered him a shower chair, but he finds it uncomfortable. He reported that he has fallen in the shower.

3. Mr. [REDACTED] DPW, A1, reported that on February 17, 2019, an officer (name unknown) told him to "stop acting like a little bitch."
4. Mr. [REDACTED] wrist and foot braces, eye glasses, special shoes, EOP, Log No. [REDACTED] reported that Officer [REDACTED] was pushing his wheelchair to mental health group on May 8, 2018, when Sergeant [REDACTED] said, "Take this dumbass back to his cell" and "I'm gone [sic] make sure you get your crying ass chair taken." The RAP response, issued on June 1, 2018, states that the allegation was "sent to the Hiring Authority for Staff Complaint determination. The log number is: SAC-T-[REDACTED] -[REDACTED]"
5. Ms. [REDACTED] EOP, A1, reported that Officer [REDACTED] calls her a "fag."

IV. Failure to Issue Priority Ducats

People reported that they did not receive priority ducats and somewhere were listed as having refused an appointment when, in fact, they had not known about it. This issue also came up during our document review. In particular, Mr. [REDACTED] DNH, DD2, TABE 2.1, Log No. [REDACTED] reported submitted a 602-HC stating that he had been waiting for hearing aids; that on August 24, 2018, an RN asked him to sign a refusal form; and that he "never seen anyone about my hearing aids and I never refused to see anyone at all." The RAP response stated, among other things, that "[s]taff also report they are not aware of you refusing any appointments." According to the electronic medical record, however, on August 24, 2018, at 11:11 am, an RN wrote: "Inmate patient refused audiology appointment today." (The record also indicates that Mr. [REDACTED] attended mental health group that day from 11:00 am to 1:00 pm.) This issue also arises in other contexts. For example, Mr. [REDACTED] prosthetic eye, A5, reported that he has received false RVRs. He reported that he was told that he refused to attend a disciplinary hearing on November 11, 2018. He reported, however, that he was never told

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about the hearing. He reported that he submitted a 602 about this issue, but never received a response. There is a refusal form dated November 11, 2018, in Mr. [REDACTED] c-file, signed only by staff, alleging that Mr. [REDACTED] refused to attend his disciplinary hearing and also that he refused to sign the refusal form.

We note that the Receiver has been evaluating this issue under *Plata*:

During a site visit at SAC in November 2018, the PLO reported discovering a significant percentage of patients they interviewed, who had been documented as refusing medical appointments, reported that they had never received a priority ducat for their appointment and that the ducating and refusal process seemed to have broken down. This report was disturbing for many reasons, not the least of which is that SAC was the subject of Special Review regarding ducating and refusal practices at SAC. . . .

After learning of the PLO's most recent finding in January 2019, the Receiver immediately directed his executive staff to determine the nature and extent of the problem. The early reports from the executive staff confirmed that the ducating process was not consistently followed. A team was sent from headquarters to SAC to provide additional guidance and training regarding proper handling of priority ducats and refusals.

It is the joint expectation of the CDCR Secretary and Receiver that SAC's leadership will ensure the ducating and refusal documentation processes at SAC conform fully with State and local policies by the beginning of February 2019.

While examining the issue of non-compliance with ducating and refusal policies, it has become clear that a significant contributing factor to SAC's ducating and refusal problem is the very large number of mental health appointments scheduled per month and dysfunctional scheduling practices that have apparently been adopted as a consequence.

Achieving a Constitutional Level of Medical Care in California's Prisons: Fortieth Tri-Annual Report of the Federal Receiver for September 1-December 31, 2018 at 13-15 (Feb. 1, 2019).

It does not appear that the issue has been fully addressed. Although class members were reportedly given priority ducats for interviews with PLO representatives during this monitoring tour, class members in the STRH reported that they did not receive a ducat for their interview on Tuesday, February 19, 2019. In addition, the next day, at least one person who was not on the interview list, but who shared the same last name as someone who was, was presented for an interview. (Neither person apparently had received a ducat.) As we explained during the exit meeting, we remain concerned that our clients will be disciplined for refusing appointments when staff did not distribute or effectively communicate the ducats to them. We expect that the institution will thoroughly investigate communication of ducats before issuing any form of discipline to our clients, and that staff also will be held accountable.

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V. Miscellaneous

1. Mr. [REDACTED] DPW, A1, reported that on February 18, 2019, at approximately 5:00 pm, a transgender woman living in cell [REDACTED] “went man down.” Mr. [REDACTED] reported that staff took 15 minutes to respond, and when they did arrive one officer dismissed the incident and said, “He’s laying there with his finger up his ass.”
2. A person who wished to remain anonymous out of fear of retaliation reported that he witnessed custody officers in B7 and B8 (PSU) interfering with incarcerated people’s mail. The person reported that he witnessed officers tearing up mail and throwing mail away.

+ + + + +

Thank you for your prompt attention to the above allegations. We look forward to working with you to address longstanding reports of staff misconduct at CSP-SAC. We note that we were encouraged to see cameras being installed in some areas during our visit. We strongly believe that video “surveillance is invaluable in capturing misconduct, documenting inmate activity, and exonerating employees who have been wrongly accused of misconduct.” Office of the Inspector General, Special Review: High Desert State Prison 36 (Dec. 2015); *see* Kathleen M. Dennehy & Kelly A. Nantel, Improving Prison Safety: Breaking the Code of Silence, 22 Wash. U. J. L. & Pol’y 175, 183 (2006) (“Technology can be helpful in trying to break the code of silence as well. When staff and inmates know cameras are monitoring and recording their actions they tend to behave differently. Capturing behavior on tape makes it easier to hold guilty people accountable and to exonerate others when false allegations are made.”); *Mann v. Failey*, 578 F. App’x 267, 272 n.2 (4th Cir. 2014) (observing that, in the prison environment, “an inmate has little control of his situation and movement, and few means of establishing facts, other than recounting evidence himself.” (quotation marks and brackets omitted)); Letter from Steven Fama, Prison Law Office, to CDCR Regulation and Policy Management Branch, Comments Regarding NCR 19-01 (Mar. 7, 2019).

Sincerely yours,



Amber Norris
Investigator



Rita Lomio
Staff Attorney

cc: Co-Counsel
Ed Swanson, Court Expert
Tamiya Davis, Patricia Lee, Patrick Jones, Nicholas Meyer,
OLAArmstrongCAT@cdcr.ca.gov, OLA
Lois Welch, Tricia Ramos, Mike Hallman, OACC,
Danielle O’Bannon, Bryan Kao, Sharon Garske, Janet Chen, Erick Rhoan, OAG

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Kelly Mitchell, Adam Fouch, Teauna Miranda, Laurie Hoogland, DAI
John Dovey, Vince Cullen, Don Meier, Judy Burleson, Kelli Abernathy, Laurene Payne,
Ceasar Aguila, Rita Lowe, Samantha Lawrence-Chastain, Olga Dobrynina,
m_CCHCSAcntLog@cdcr.ca.gov, CCHCS

Exhibit 86

SUBSTANCE ABUSE TREATMENT FACILITY AND STATE PRISON, CORCORAN
***Armstrong* Monitoring Tour Report (DPV)**
April and June 2019

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Attachment A: Sight Connection, Sighted Guide Technique,
<http://www.sightconnection.org/wp-content/uploads/sighted-guide.pdf>

Blind or Visually Impaired at 29-110 (1997) (discussing self-management, including sections entitled, “Blind Diabetics Can Draw Insulin Without Difficulty” and “Talking Blood Glucose Monitoring Systems”); Am. Found. For the Blind, Blood Glucose Meters, <https://www.afb.org/about-afb/what-we-do/afb-consulting/published-results/blood-glucose-meters> (last visited Aug. 12, 2019) (“Although blood glucose meters have allowed people with diabetes to manage the disease independently, visual readouts that are hard to see have made many of the devices incredibly difficult for people with vision loss to use. Not just a matter of convenience, these devices can mean the difference between life and death.”); Morgan V. Blubaugh & Mark M. Usan, Accessibility Attributes of Blood Glucose Meter and Home Blood Pressure Monitor Displays for Visually Impaired Persons, 6 J. of Diabetes Science & Tech. 246, 247 (March 2012) (“The ability to use home diabetes-related self-management technology properly is recognized as of critical importance for persons with both type 1 and type 2 diabetes. The American Diabetes Association recommends self-monitoring of blood glucose for all persons with type 1 and type 2 diabetes being treated with insulin to be carried out three or more times daily.”).

REQUEST: Defendants should identify accessible glucose test meters for blind and low-vision class members and update the local operating procedure accordingly. (We note that Mr. [REDACTED] is no longer incarcerated in a California prison.)

VI. STAFF MISCONDUCT

Finally, we received several reports that some staff made inappropriate comments to and about people with disabilities, suggesting a lack of understanding and empathy. This makes it less likely that people with disabilities will ask staff for the accommodations they need. *See* Letter from Penny Godbold, Rosen Bien Galvan & Grunfeld LLP, to Russa Boyd & Joanne Chen, Office of Legal Affairs, Staff Misconduct Accountability at 2 (Aug. 28, 2017) (“Defendants cannot meet their responsibility for providing required disability accommodations if class members are too afraid to ask”). For example:

1. Mr. [REDACTED] [REDACTED] DPV, A2, reported that staff talk negatively about people with disabilities, saying that they complain a lot, get too much, or improperly think they have “got stuff coming.” He also reported that he has heard staff refer to people with disabilities as “frequent whiners.” He and others are afraid to report issues to ADA auditors out of fear of retaliation.
2. Mr. [REDACTED] [REDACTED] DPV, B2, reported that he has been mocked by staff for being low vision, particularly at noon and evening pill call. Staff (particularly Sgt. [REDACTED]) reportedly have threatened to take his DME, including his white cane. Staff reportedly also have prevented him from getting assistance from ADA workers like Mr. [REDACTED] [REDACTED] DPM, B2, with reading, writing, and legal work.
3. Mr. [REDACTED] [REDACTED] DNM, DPV, B3, reported that officers in work change purposefully shout different directions at him to confuse him when he asks to be guided through the metal detector. Mr. [REDACTED] has also heard officers say, “Oh no, not this guy again,” when he arrives to work change. He also reported that officers

do not offer to guide him through the metal detector because they do not want to touch him.

4. Mr. [REDACTED] [REDACTED] DPV, B3, reported that a custody officer accused him of being able to see. During a search on his housing unit, the custody officer reportedly said, "I know you can still see because I've seen you in the yard working out." Mr. [REDACTED] reported that, as a result of this incident, he stopped going to the yard to work out because he is afraid other custody officers would not believe he is unable to see.
5. Mr. [REDACTED] [REDACTED] DPM, DPV, D2, reported that because he wears an eye patch, he is mocked and name called by custody staff in his building. For example, he has recently been called "Nick Fury," "Popeye," a "Raider's fan," and "Thor" by housing officers. Mr. [REDACTED] feels these comments are "childish" and felt it was indicative of a broader lack of understanding of how staff should treat people with disabilities.
6. Mr. [REDACTED] [REDACTED] DPV, F2, reported that he has been rapidly losing his vision since mid-2018. When he arrived at SATF in 2017, he reportedly could see out of his left eye, but he now has no vision in the center of the field, and can see only out of his peripheral vision. He reported that he is unable to read independently, even in very large print. Because of the decline, he reported that he has had a difficult time proving that his vision is "going downhill," and that he has been challenged by staff who think he is lying about his vision impairment. Mr. [REDACTED] reported that Officer [REDACTED] implied at committee that he does not have a vision impairment. In particular, Mr. [REDACTED] tripped over a bench, and Officer [REDACTED] said in front of the committee, "Stop making it up."

RECOMMENDATION: Defendants should re-evaluate their staff training related to people who are blind or have low vision and ensure that staff interact with people with disabilities in a respectful and appropriate manner.

Exhibit 87

California State Prison – Sacramento
***Armstrong* Monitoring Tour Report**
August 2019

Representatives from the Prison Law Office visited California State Prison, Sacramento (CSP-SAC) on August 6-8, 2019, to monitor the prison's compliance with the *Armstrong* Remedial Plan (ARP), *Armstrong* court orders, and Americans with Disabilities Act (ADA).¹ We thank former Associate Warden Meier and his staff for their assistance facilitating the tour.

At the time of the tour, CSP-SAC housed approximately 2,126 people. *See* CDCR, Monthly Report of Population as of Midnight July 31, 2019 at 1 (Aug. 1, 2019). According to the August 2019 DPP Roster, 105 of those people had DPP codes. Of those, 39 had impacting-placement codes. The 14 class members designated DPW, DPO, or DPM were housed in the PSU, OHU, and STRH. The 25 class members designated DLT were housed throughout the institution: A2, A5, A6, A7, A8, B1, B5, B6, B7, C2, C4, C5, C6, STRH.

The information in this report is based upon interviews with class members and staff, as well as documents received for the monitoring period of January 1 through June 25, 2019. This report does not contain an exhaustive list of every person who raised a disability-related concern. Many class members did not authorize us to use their names, including those reporting staff misconduct and fearing retaliation. This report also does not include physical plant issues; at Defendants' request, those will be outlined in a separate letter.

I.	Headquarters Staff Responsibilities.....	2
A.	Placement of DPW, DPO, and DPM Class Members to Administrative Segregation at CSP-SAC	2
B.	Failure to Transfer DME Between Prisons	4
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IV.	Health Care Staff Responsibilities	19

¹ Amber Norris and Tania Amarillas, Investigators; and Andrea Fenster, Legal Intern.

Form 1824, Reasonable Accommodation Request, to alert staff concerning a disability-related housing issue.”). We note that according to the medical record, on August 5, 2019, the PCP assessed Mr. [REDACTED] as having bowel incontinence and ordered incontinence supplies.

II. CUSTODY STAFF RESPONSIBILITIES

A. Staff Misconduct

We continue to receive reports of staff misconduct. We have reported similar allegations for years at CSP-SAC under *Armstrong* and *Coleman*. See, e.g., Letter Rita Lomio & Amber Norris, Prison Law Office, to Russa Boyd, CDCR Office of Legal Affairs, Allegations of Staff Misconduct at California State Prison, Sacramento (Mar. 27, 2019); July 2018 CSP-SAC Staff Misconduct Report at 1-7; December 2017 CSP-SAC Tour Report at 8-14; May 2017 CSP-SAC Tour Report at 9-13; Letter from Margot Mendelson & Donald Specter, Prison Law Office, to Patrick McKinney, CDCR Office of Legal Affairs, Allegations of Serious Staff Misconduct and Excessive Force in the CSP-SAC PSU (Sept. 28, 2016); July 2016 CSP-SAC Supplemental Report Regarding Allegations of Staff Misconduct in A-2 at 1-5. We note that the court experts in *Plata* have “noted that [CSP-SAC] houses the highest number of mentally ill patients” and has a “violent and unstable culture.” See Doc. 3163, Joint Case Status Conference Statement, *Plata v. Newsom*, No. 01-1351 JST at 6 (N.D. Cal. Oct. 29, 2019). They further noted that “the level of staff assaults and use of force are the highest among the state’s prisons.” See *id.*

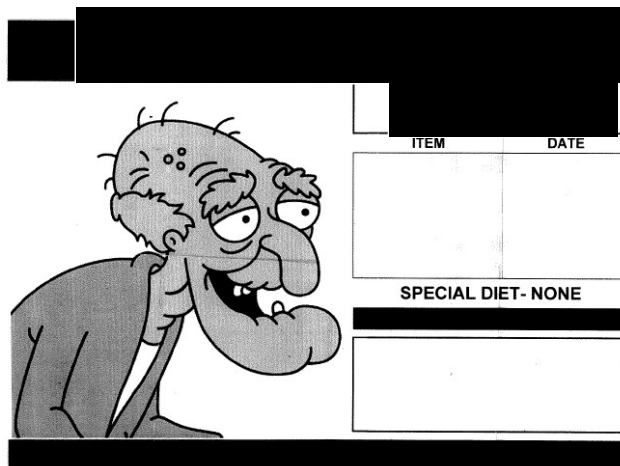
People with disabilities again reported that they did not, and would not, request disability accommodations because they are afraid that custody or medical staff would ignore their requests, laugh at them, take away the few disability accommodations they already had, or assault them. One class member, for example, reported that he will not fill out a Form 1824 out of fear of retaliation. He stated that there are always repercussions, and officers always ask about what he filed. We again received reports that officers use abusive or demeaning language, including referring to incarcerated people as “bitch ass motherfucker” and using homophobic slurs. And we again received reports that officers were not concerned about class member safety. For example:

1. [REDACTED] [REDACTED] [REDACTED] DPO, A1, reported that in August 2019, around 4 pm, he fell inside his cell, hit his head, was bleeding, and was lying on the floor. He reported that while he was lying on the floor, an officer, whose name he does not know, did a welfare check and beeped the door but did not respond to Mr. [REDACTED] lying on the floor. He reported that he eventually sat up and was able to leave the cell at around 5 pm for his regular vitals check. He reported that he told the nurse about the fall. According to the medical record, on August 4, 2019, a nurse noted that Mr. [REDACTED] had an abrasion on his forehead with dried blood and that she completed a 7219.
2. [REDACTED] [REDACTED] [REDACTED] DPM, A1, reported that in July 2019, his neighbor (Mr. [REDACTED]) went man down due to a complication of his diabetes. Mr. [REDACTED] tried to alert building officers verbally to the situation but officers would not respond. Finally, Mr. [REDACTED] reportedly cut himself to get help for Mr. [REDACTED].

Officers finally responded 45 minutes after Mr. [REDACTED] had gone man down. According to the medical record, on July 29, 2019, Mr. [REDACTED] visited the TTA where he saw a nurse who noted: "He sustained a laceration to his left forearm. The patient reports that he was trying to get the attention of custody for another patient who has diabetes and insulin-dependent. We [sic] felt that cutting himself would get their attention."

Other people would not authorize us to report serious staff misconduct because they did not have faith in the staff complaint process and/or believed they would be retaliated against. A common theme through our interviews was class members' fear of reporting problems. One class member said, "If I turn up missing, are you going to solve the case?" Another class member feared that staff would physically retaliate against them: "If anything happens to me, you know why. It's for talking to you." Below are a few allegations that people authorized us to share with Defendants:

1. [REDACTED] [REDACTED] [REDACTED] DPM, A1, reported that in early August 2019, an officer (name unknown) kicked his walker without any provocation while Mr. [REDACTED] was seated on it. The officer then reportedly took out his baton after Mr. [REDACTED] had asked why he had kicked his walker. Mr. [REDACTED] reported that Lt. [REDACTED] intervened and ordered the officer to stand down.
2. [REDACTED] [REDACTED] [REDACTED] EOP, a 61-year old man, reported that officers kept placing a poster on his door of "Herbert the Pervert," an elderly Family Guy character who uses a walker and is attracted to young boys. Mr. [REDACTED] who at the time was prescribed a cane, reported that because of the poster, some incarcerated people believed he has molested children and his safety on the yard was jeopardized. He reported that, as a result, he had gotten or almost gotten into fights on the yard. We reported this allegation previously by email. See Email from Don Specter, Plaintiffs' Counsel, to Kathleen Allison and Jennifer Neill, CDCR, Poster of Mr. [REDACTED] [REDACTED] CSP-SAC, with Image of "Herbert the Pervert" (June 3, 2019).



Herbert (*Family Guy*)

From Wikipedia, the free encyclopedia

John Herbert, nicknamed "**Herbert the Pervert**", is a fictional character in the animated television series *Family Guy*. He is voiced by Mike Henry, who also created the character. Herbert is a World War II veteran who is an elderly neighbor of the Griffin family. He first appeared in the season 3 episode "To Love and Die in Dixie". He is attracted to young boys, and harbors unrequited love for Chris Griffin, though most other citizens of Quahog are oblivious to his sexuality. Henry defines Herbert as a homosexual pedophile, although speaking in clinical terms this is not the case.^[1]

Herbert has received mixed reviews from critics, who have expressed varying opinions on the pedophilia-related humor involving the character. Herbert has appeared in various *Family Guy* merchandise and has made several crossover appearances in *The Cleveland Show*, a *Family Guy* spin-off.



3. [REDACTED] DPM, DNV, reported that on June 5, 2019, at approximately 7:30 or 8:00 am, he was inside C8 at CSP-SAC.³ He reported that he had just undergone an unclothed body search in order to go out to the yard. He reported that he was wearing only his boxers and was carrying his clothes, shoes, and cane. He reported that he stopped at a table and sat on a stool to put on his clothes and shoes. While he was sitting, another incarcerated person reportedly punched Officer [REDACTED], who was searching people with a wand. Approximately four officers reportedly tackled the other incarcerated person and approximately twelve other officers arrived. Mr. [REDACTED] reportedly stood up in order to move out of the way of all the custody staff. When he did so, Officer [REDACTED] reportedly grabbed him and slammed him to the ground. Officer [REDACTED] reportedly pressed his knee into Mr. [REDACTED] back and handcuffed him behind his back. Officers [REDACTED] and [REDACTED] then reportedly attempted to get Mr. [REDACTED] stand by pulling on his arms, but Mr. [REDACTED] was unable to stand. Mr. [REDACTED] reportedly was unable to walk and the officers reportedly dragged him by his arms across the yard and to the breezeway where they put him in a small holding cage with no seat. Custody staff who were present reportedly made inappropriate comments to Mr. [REDACTED] such as, "You're screwed now, [REDACTED]." Mr. [REDACTED]

³ We interviewed Mr. [REDACTED] during an *Armstrong* monitoring tour at the California Medical Facility on November 20, 2019.

reported that he was left in the cage for six hours. Staff reportedly did not offer him water or the restroom. He asked custody staff for water, but staff replied, “You don’t need that right now.” He reported that staff did not check his blood sugar until 2 pm, when it should be checked at 12 pm.

Mr. [REDACTED] reported that as a result of the incident that his shoulder popped out of the socket and his knee had an abrasion. Mr. [REDACTED] reported that when staff asked if he was injured he lied and said no because he believed that if he reported no injuries then staff would not issue him a false RVR. He reported that he was taken to A5, then to Z Unit, and several days later was moved to CMF, where he was found guilty of assaulting staff. He reports that the RVR falsely states that the incident took place on June 6, 2019, and that it occurred on Facility A. He reported that he appealed the decision and that his appeal was referred to Sacramento.

We ask that the above allegations be investigated confidentially and objectively. We note that the Office of the Inspector General assessed SVSP’s process for handling staff complaints, reviewing 188 staff complaints submitted between March 1, 2018, and May 31, 2018. The Inspector General testified before Assembly Budget Subcommittee #5 on Public Safety on March 4, 2019. The Inspector General reported that the review “revealed a complete failure of the high-level due process goals and that the process appears entirely driven by the purpose to exonerate staff.” Assembly Budget Subcommittee No. 5 on Public Safety at 1:48:35 (Mar. 4, 2019), available at http://calchannel.granicus.com/MediaPlayer.php?view_id=7&clip_id=5951. Among other things, the Inspector General identified significant problems with confidentiality:

The reviewers also displayed signs of bias in favor of their fellow staff when conducting their staff complaint inquiries; they . . . often compromised the confidentiality of the process. . . . [I]n the cases we reviewed, the compromised confidentiality could have exposed inmates to retaliation for complaining about staff.

Office of the Inspector General, Special Review of Salinas Valley State Prison’s Processing of Inmate Allegations of Staff Misconduct at 2 (Jan. 2019). We note that this problem does not appear to be limited to SVSP. For example, [REDACTED] [REDACTED] DPO, A1, reported that custody staff used excessive force to throw him onto a gurney after he fell while in his cell. He reported that after he filed a staff complaint, the lieutenant and sergeant at CSP-SAC interviewed him in the presence of an officer regularly assigned to work in A2. That is unacceptable.

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Exhibit 88

DECLARATION OF [REDACTED]

I, [REDACTED] declare:

1. I have personal knowledge of the matters set forth herein, and if called as a witness, I could and would competently so testify.

2. My California Department of Corrections and Rehabilitation ("CDCR") number is [REDACTED]. I am currently housed at Richard J. Donovan Correctional Facility ("RJD") on Facility C in Building 15, cell [REDACTED]. I am 43 years old.

3. I have been at RJD since March 20, 2019.

4. During my time at RJD, I have been housed in C-15 the entire time.

5. I am a *Coleman* class member. I am at the EOP level of care. I have anxiety, major depression, and PTSD. As a result of depression that I have experienced at RJD, I have attempted suicide. I am dealing with my life here now but I have a hard time distinguishing between staff that are friendly ^{and} those that are not so, I am really struggling at RJD.

6. I have had multiple bad experiences with staff members at RJD. On August 3, 2019, in the morning, Mr. [REDACTED], an elderly prisoner who is in a wheelchair, went "man down," meaning that he had a medical emergency, and was yelling for help in his cell. I heard Officer [REDACTED] who was working as a floor officer that day, say to the control tower officer "This dude in [REDACTED] is crying like a bitch...he wants to start crying for help at 6 am." Officer [REDACTED] statements upset me because Mr. [REDACTED] was not crying for no reason; he said he needed help. I yelled out of my cell, "Damn, the dude is in pain, he needs help, it is a medical emergency."

7. Officer [REDACTED] then turned to my cell and said, "Come on out of your cell so I can beat your ass." This threat by an officer to beat me up triggered my PTSD because I was beaten by police in Riverside County while I was in handcuffs and unable to protect myself. When I am triggered I get angry so, I yelled back, "I am down. I will fight you back." I was at the boiling point. He replied, "Fuck you, you are EOP, you are not

1 going to do nothing.” But, this made me even angrier because I am EOP but I am able and
2 I will fight back. Officer [REDACTED] and I continued to exchange words. Eventually he went
3 over to where my I.D. card is located on the wall to get my name. Next he said, “O.K.
4 [REDACTED]. Meet me outside. I’ll be outside.” He said this very loudly in the dayroom so, as
5 soon as we were released from our cells, I had many incarcerated friends waiting for me so
6 that I did not have to walk alone breakfast. I was very worried. Officer [REDACTED] was not
7 outside when I walked to the dining hall. But though he was not there, his threat that he
8 would beat me up spooked me. My anxiety and anger skyrocketed. For a few weeks, I
9 was afraid to leave me cell.

10 8. In another example, on November 21, 2019, in the morning, Officer [REDACTED]
11 refused to allow me access to the EOP treatment center for my appointment. I asked him
12 why he was allowing another incarcerated person to go into the building, but not me. He
13 responded, “Do not worry about what he is doing, worry about what you are doing.” I
14 asked if he was going to let me go to my appointment and he said, “No. You refused.”
15 But, I had not refused. Not wanting an incident, I walked away toward my building to go
16 back to my cell. Officer [REDACTED] followed me all the way to my cell, yelling threats and
17 insults at me. I believe he was attempting to provoke me to fight. I did not take the bait
18 and returned to my cell.

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1 9. I am doing my best to improve my mental health, including by attending my
2 mental health groups. But when staff harass me or when I see them harassing other people,
3 it sets me back. The misconduct at RJD makes it harder for me to get better because there
4 are times when I will not go out of my cell because I am too afraid of what I see the
5 officers do here.

6 I declare under penalty of perjury under the laws of the United States of America
7 that the foregoing is true and correct, and that this declaration is executed at
8 SAN DIEGO, California this 8th day of January 2020.

9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]
27 [REDACTED]
28 [REDACTED]

Exhibit 89

Filed Under Seal

DONALD SPECTER – 083925
RITA K. LOMIO – 254501
MARGOT MENDELSON – 268583
PRISON LAW OFFICE
1917 Fifth Street
Berkeley, California 94710-1916
Telephone: (510) 280-2621
Facsimile: (510) 280-2704

MICHAEL W. BIEN – 096891
GAY C. GRUNFELD – 121944
PENNY GODBOLD – 226925
MICHAEL FREEDMAN – 262850
ROSEN BIEN
GALVAN & GRUNFELD LLP
101 Mission Street, Sixth Floor
San Francisco, California 94105-1738
Telephone: (415) 433-6830
Facsimile: (415) 433-7104

LINDA D. KILB – 136101
DISABILITY RIGHTS EDUCATION &
DEFENSE FUND, INC.
3075 Adeline Street, Suite 201
Berkeley, California 94703
Telephone: (510) 644-2555
Facsimile: (510) 841-8645

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,

Plaintiffs,

v.

GAVIN NEWSOM, et al.,

Defendants.

Case No. C94 2307 CW

**EXHIBIT 89 TO THE DECLARATION
OF MICHAEL FREEDMAN IN
SUPPORT OF MOTION TO STOP
DEFENDANTS FROM ASSAULTING,
ABUSING AND RETALIATING
AGAINST PEOPLE WITH
DISABILITIES AT R.J. DONOVAN
CORRECTIONAL FACILITY
[UNDER SEAL]**

Judge: Hon. Claudia Wilken
Date: May 19, 2020
Time: 2:00 p.m.
Crtrm.: TBD, Oakland

Manual Filing Notification

Regarding: Exhibit 89 to the Declaration of Michael Freedman

This filing is in paper or physical form only, and is being maintained in the case file in the Clerk's office. If you are a participant in this case, this filing will be served in hard-copy shortly. For information on retrieving this filing directly from the court, please see the court's main web site at <http://www.cand.uscourts.gov> under Frequently Asked Questions (FAQ).

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DATED: February 27, 2020

Respectfully submitted,

ROSEN BIEN GALVAN & GRUNFELD LLP

By: /s/Michael Freedman

Michael Freedman

Attorneys for Plaintiffs

Exhibit 90

Filed Under Seal

DONALD SPECTER – 083925
RITA K. LOMIO – 254501
MARGOT MENDELSON – 268583
PRISON LAW OFFICE
1917 Fifth Street
Berkeley, California 94710-1916
Telephone: (510) 280-2621
Facsimile: (510) 280-2704

MICHAEL W. BIEN – 096891
GAY C. GRUNFELD – 121944
PENNY GODBOLD – 226925
MICHAEL FREEDMAN – 262850
ROSEN BIEN
GALVAN & GRUNFELD LLP
101 Mission Street, Sixth Floor
San Francisco, California 94105-1738
Telephone: (415) 433-6830
Facsimile: (415) 433-7104

LINDA D. KILB – 136101
DISABILITY RIGHTS EDUCATION &
DEFENSE FUND, INC.
3075 Adeline Street, Suite 201
Berkeley, California 94703
Telephone: (510) 644-2555
Facsimile: (510) 841-8645

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,

Plaintiffs,

v.

GAVIN NEWSOM, et al.,

Defendants.

Case No. C94 2307 CW

**EXHIBIT 90 TO THE DECLARATION
OF MICHAEL FREEDMAN IN
SUPPORT OF MOTION TO STOP
DEFENDANTS FROM ASSAULTING,
ABUSING AND RETALIATING
AGAINST PEOPLE WITH
DISABILITIES AT R.J. DONOVAN
CORRECTIONAL FACILITY
[UNDER SEAL]**

Judge: Hon. Claudia Wilken
Date: May 19, 2020
Time: 2:00 p.m.
Crtrm.: TBD, Oakland

Manual Filing Notification

Regarding: Exhibit 90 to the Declaration of Michael Freedman

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4. ☐ Item Under Seal in Criminal Case
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6. ☒ Other (please describe): Exhibit 90 is also being submitted to the Court under seal.

DATED: February 27, 2020

Respectfully submitted,

ROSEN BIEN GALVAN & GRUNFELD LLP

By: /s/Michael Freedman

Michael Freedman

Attorneys for Plaintiffs