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# California Senate probe rips prison watchdogs

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California Senate leaders have released the results of a seven-month investigation into allegations of prisoner abuse at High Desert State Prison. Their probe, launched in response to a Bee investigation in April, found that officials from the Department of Corrections and Rehabilitation and from the Office of the Inspector General failed to investigate and address claims of staff misconduct from multiple sources, including corrections department researchers.

The agencies' response to allegations of brutality by guards at the experimental "behavior modification unit" from 2005 through 2007 was "inadequate, ad hoc, and displayed the absence of a uniform and reliable system of response, referral and follow-through," wrote Senate President Pro Tem Darrell Steinberg, D-Sacramento, and Senate Public Safety Committee Chairman Mark Leno, D-San Francisco.

Behavior modification units housed inmates who broke rules, and were meant to teach anger management and other life skills. Most such units, including the one at High Desert, have been closed due to budget cuts.

Terry Thornton, a corrections spokeswoman, said the department was reviewing the report, and declined to comment further.

The Bee investigation found evidence that High Desert guards tried to provoke attacks between inmates, spread human excrement on cell doors and mistreated inmates who peacefully resisted staff misconduct.

The Senate report, released as a letter dated Dec. 1 to corrections Secretary Matthew Cate and Inspector General David Shaw, indicates that in 2007, corrections officials promised to look into such allegations but did not conduct any substantive investigation.

For example, the corrections Office of Internal Affairs received a complaint from Sacramento resident Brandy Frye in June 2007, accompanied by supporting letters from High Desert inmates. Frye alleged that guards pepper-sprayed and shackled inmates who failed to finish their meals within two minutes. She described inmate meals tainted with bird droppings, strip searches in the snow and other actions she regarded as dehumanizing.

High Desert officials promised to investigate and correct any staff misconduct discovered. Corrections executives later told legislators that guards had behaved properly. But the Senate inquiry found no such investigation had taken place.

"Legislators don't like being misinformed in such a fashion," Leno said in an interview. "These are the issues of greatest concern, and they didn't even seem to have it on their radar."

He said the Senate would use oversight and budgetary powers to ensure "meaningful change." Leno is expected to become chairman of the Senate Budget Committee.

Also in 2007, corrections department researchers heard allegations of abuse and racism at the behavior unit.

For example, "Several inmates described an incident when staff left one inmate on the floor with rectal bleeding and refused to take him to get medical attention," according to the state researchers' report. When guards arrived, according to inmate claims, they dismissed the prisoner with a racial epithet and said, " 'let him die.' And they left him there." The researchers reported the claims up the chain of command.

Steinberg and Leno said the researchers' efforts to report the allegations were "frustrated by some department supervisors, and apparently not pursued by other department management staff."

Behavior unit inmates at High Desert and elsewhere also said officers ignored written complaints. In August, a related Bee investigation reported evidence of suppression of prisoner rights to pursue claims of mistreatment throughout the state prisons. It reported allegations that guards had filed false reports, destroyed formal complaints and tried to intimidate peers or inmates who pushed back.

The Senate leaders recommended changes to ensure that "inmate complaints are addressed in an unbiased and validated manner that is swift, fair and reliable." They also criticized the Office of the Inspector General, which provides oversight for the prisons. That agency relied on misguided assumptions that the corrections department effectively handles misconduct, Leno and Steinberg wrote.

They requested detailed information about the agency's procedures by Jan. 3. A spokesman for the inspector general said the agency would cooperate fully.

In recent months The Bee has received numerous inmate letters about ongoing problems at High Desert, particularly at the prison's "Z-unit," which houses inmates who break rules or are designated as gang members. Inmates claim that some abuses previously alleged by behavior unit inmates, including food contamination and the destruction of formal complaints, remain common.

Last month, 19 Z-unit inmates sent a petition to corrections headquarters. It requested an end to strip searches in snow-covered prison yards.

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