



IMPLEMENTATION of the CALIFORNIA MODEL

A four-part manual by the incarcerated to transform CDCR's culture

FINAL REPORT



TABLE OF CONTENTS

ACRONYMS	3
<i>PREFACE</i>	4
<i>A word from the leadership of The People In Blue</i>	4
<i>ABOUT THE PEOPLE IN BLUE</i>	7
Who are The People In Blue?	7
How did the People In Blue Get started?	7
Who can join The People In Blue?	7
How did The People In Blue develop their ideas for the California Model?	7
<i>ACKNOWLEDGMENTS</i>	9
<i>CONTRIBUTORS</i>	9
<i>AMBASSADORS</i>	9
<i>SUBCOMMITTEE MEMBERS</i>	10
<i>EXECUTIVE SUMMARY</i>	11
<i>From Revolution to Reconciliation</i>	11
<i>INTRODUCTION</i>	17
Introduction to the Linear Rehabilitation Model (LRM)	18
<i>PHASE ONE</i>	18
<i>PHASE TWO</i>	18
<i>PHASE THREE</i>	19
<i>PHASE FOUR</i>	20
<i>LRM PHASE ONE: ORIENTATION/ONBOARDING TO REHABILITATION</i>	22
1.1 Abstract	22
1.2 Post-Conviction Contact in County Facilities: Seizing the Moment	22
1.3 Reimagining Reception: A Peer-based Orientation Model	23
1.4 Modernizing Departmental Assessment Tools	23
1.5 Transfers: Institutional Welcoming Committees	24
1.6 New Officer Orientation (Pre & Post Assignment)	24
1.7 Recommendations	25
<i>LRM PHASE TWO: REHABILITATION PROGRAMS</i>	26
2.1 Abstract	26

2.2 Identifying and Addressing Gaps	27
2.3 Incarcerated-Person-Created Rehabilitation Programs	27
2.5 Resource Officers and Counselors	27
2.6 Recommendations	28
<i>LRM PHASE 3: HEALTH AND SAFETY</i>	29
3.1 Abstract	29
3.2 Accessing Weight Bearing Exercise Equipment	31
3.2.1 Accessing nutrition and health experts.....	31
3.3 Accessing Healthy Foods and Food Sources	31
3.3.1 Food Items	31
3.3.2 Package Vendors/Canteen.....	32
3.3.3 Food Sources.....	32
3.3.4 Approved Personal Property Schedule & Non Expendable Personal Property	33
3.4 Institutional Infrastructure Needs	33
3.5 Environmental Conditions	33
3.6 Recommendations	34
<i>LRM PHASE 4: TRANSITIONS – FINANCIAL LITERACY</i>	36
4.1 Abstract	36
4.2 Method - Identifying and Addressing Gaps	36
4.3 Recommendations	38
CONCLUSION	40
<i>REFERENCES</i>	43

ACRONYMS

APPS	Approved Personal Property Schedule
BGF	Black Gorilla Family
BLC	Base Line Condition
CDCR	California Department of Corrections and Rehabilitation
RC	Reception Center
DMV	Department of Motor Vehicles
GW	Green Wall
IRS	Internal Revenue Service
LRM	Linear Rehabilitation Model
MVB	Maintenance and Vocational Building
PLN	Prison Legal News
RAC	Rehabilitation Achievement Credit
SHU	Security Housing Unit
SQRC	San Quentin Rehabilitation Center
SSI	Social Security Institution
TPIB	The People In Blue
VIO	Violence Detriment
YOP	Youth Offender Program

PREFACE

A word from the leadership of The People In Blue By Arthur Jackson, President

I will be as harsh as truth, and as uncompromising as justice. On this subject, I do not wish to think, to speak, to write with moderation. No, No! Tell a man whose house is on fire to give a moderate alarm, tell him to moderately rescue his wife from the hands of the ravisher, tell the mother to gradually extricate her baby from the fate into which it has fallen but urge me to use moderation in a cause like the present!! I am in earnest – I will not equivocate – I will not excuse, I will not retreat a single word or inch and I will be heard...

—William Lloyd Garrison 1805–1879¹

In 1980, California had just twelve prisons and incarcerated 24,000 people. We ended up with thirty-six prisons in the new millennium. But now with closures happening there are thirty-three prisons with just over 92,000 people held in cages, down from a high of 174,000 people in 2006, a total increase of 554 percent and an increase in the population of incarcerated women by 850 percent. California has the distinction of operating the third-largest prison system in the world, trailing only China and the United States as a whole.

—Trevor Paglen, Recording California's Carceral Landscape²

During the process of compiling this report, a friend asked, "*Why is this report needed?*" Pondering her question, I considered the day Gov. Gavin Newsom held his press conference at San Quentin State Prison wherein he acknowledged there is a "toxic culture" within CDCR.³ Hearing

¹ Urias, M. L. (2013). "Thoughts on life & the absolute power of thoughts: The key to the joy of living." Midnight Express Books, xi.

² Paglen, T. (2006). "Recording California's carceral landscapes." *Leonardo Music Journal*, Vol.16, p. 56-57. Project MUSE. Retrieved from: <https://muse.jhu.edu/article/207767>

³ Haines, J. (2023). Newsom: Major changes ahead for San Quentin. *San Quentin News*, p. 1, 4.

Gov. Newsom’s words, I became upset. I recalled my stay at 17 of California’s 34 prisons. The term toxic culture does not begin to capture the depth of the violence and dysfunction that I experienced. I have been incarcerated for 30 years in some of California’s most infamous prisons (e.g., Pelican Bay, Corcoran, Soledad, Centinela, Pleasant Valley, and Salinas Valley). I was held in each of these prisons at the very moment in history when some of the worst human atrocities were being committed daily. It was a time when society accepted, and even promoted, dehumanization as the price to be extracted for breaking the law. I watched as the incarcerated were humiliated, debased, threatened, raped, murdered, set-up, prevented from healing in any form, and denied their humanity until at last they too succumbed and adopted the animalistic mentality that was manufactured by some of their captors. This manufactured mentality was then presented to the world as “normal.”

I watched as those officers who disagreed with the ill treatment of the incarcerated were ostracized, harassed, targeted, bullied, and more — just for not joining in those acts of inhumanity. If an officer reported to supervisors the inhumane treatment of the incarcerated, that officer would disappear with only rumors of what happened left in their place. I watched as the perpetrating officers escaped accountability for their atrocities, time and time again. I read the history of our carceral system in California and about those who sounded the alarm long before me, warning everyone of the trauma that was being perpetrated within prison walls. These warnings were trumpeted long before I came to exist within the prison society and had fallen on deaf ears. To have the governor finally declare what incarcerated activist have been saying all along, encouraged and yet greatly upset me given the senseless trauma and death inflicted upon both officers and people in blue. Yes, I was upset and concerned!

I recall those violent times and yelling from the rooftops — telling anyone and everyone who would listen — about the foul, racist, sadistic, and vile environment that I lived. I remember seeking help in any form it could be provided. The court system has said much the same about the prison environment.^{4,5} As a reward for my efforts, I have been thrown in administrative segregation, transferred to prison after prison, and been declared “intimidating towards staff,” the latter of which resulted in a parole denial that has led to at least an additional five years of incarceration for me. Upon hearing our governor’s matter of fact statement that there is a “toxic culture” within the

⁴ *Coleman/Plata v. Schwarzenegger*, 445 F.Supp.3d 557 (563 U.S. ___ 2011)
U.S. 9th Cir. Federal Court/U.S. Supreme Court.

⁵ In re Hall. (2021). SC212933. Marin County Superior Court.

California Department of Corrections and Rehabilitation (CDCR), I became upset because I know that this toxic culture is deadly — it has been authenticated with dead bodies on all sides.

For decades incarcerated people have sat on the sideline listening and watching as the state of California crafted false narratives around criminality and public safety in communities most impacted by structural inequality. The only solution proffered was the creation of cage after cage, resulting in community after community filled with trauma. Alcoholics Anonymous defines insanity as “doing the same thing over and over expecting different results.” One then is left to conclude that the repeated efforts to secure public safety by building cages and creating trauma filled communities is insanity.

While I am saddened that it took so long for a California governor to acknowledge CDCR’s toxic culture, I am extremely grateful to Governor Newsom for his courage and leadership in this moment in history. His acknowledgment of the toxic environment and his commitment to change this culture has created a hope like I have never seen before within the prison system. This hope spurred me to action as I recognized this was an opportunity for real change. I sought out and connected with others who felt the same.

In conclusion, the answer to my friend’s question is that *this report is needed because of the untold number of people suffering and dying over the decades as a direct result of the inhumane state of California’s carceral institutions*. This report is needed because no one listened to the voices in history who demanded change. It is needed because defenseless incarcerated people have been harmed beyond all recognition and those who work with them have been traumatized by that same harm. This report is needed because we the incarcerated people have unique knowledge and ability to fix what the system has broken!

ABOUT THE PEOPLE IN BLUE

Who are The People In Blue?

The People In Blue, also known as TPIB, is a diverse group of incarcerated people in the California prison system who first formed at San Quentin State Prison with the goal to guide reforms under the California Model and help change the culture from the inside out. Our founding group has ~200 hundred years of lived-experience in the carceral environment and consider themselves to be direct stakeholders in the redesign of San Quentin into an innovative rehabilitation center, as well as the statewide system as a whole under the California Model.

How did the People In Blue Get started?

TPIB started with a call to action put out by two of the group's founders, Arthur Jackson and Steve Brooks, who have 60± years of incarcerated experience combined. The two presented TPIB to the legislature and social justice organizations as a key stakeholder group. The legislature and the organizations agreed that we incarcerated people should have a voice in the design and implementation of the proposed changes.

Who can join The People In Blue?

Our name refers to all incarcerated people living inside California's prison system. Any incarcerated person who believes the prison system needs reform and who agrees with the efforts of The People In Blue are already, in effect, part of our group. We interview incarcerated people, do surveys, and collect data so we can be a voice for all incarcerated people. Anyone sincere in their desire to support our efforts can join and potentially serve on our cultural transition team or become leaders, facilitators, and ambassadors in the community.

How did The People In Blue develop their ideas for the California Model?

As a collective, we have hundreds of years of combined, lived-carceral experience. To develop our ideas, we drew on our collective experiences, both good and bad, and began to dissect those experience. For the good experiences, we sought to develop a path to replicating them. For the bad experiences, we investigated the conditions that made them bad, identified the harm that the conditions caused, and then began to develop ideas of systemic approaches to stop them from happening again, in the near term and in the future. As individuals, Jackson and Brooks and the rest of our group understood that a pure data-driven report would not do justice to the conditions and

culture in which we currently live, and have lived, over the decades. We knew that these conditions and this culture must be memorialized and transformed using our lived-experience if we are to have any chance of succeeding in changing the status quo for the last $60\pm$ years. This report is the result of our life's experience.

ACKNOWLEDGMENTS

We would like to extend our sincere gratitude to the many individuals who contributed to this report, either directly or indirectly. In particular, we want to thank the people who are incarcerated for sharing their lived-experience, questions, and suggestions on how the California Model should look and be implemented. We also want to thank those correctional officers who so bravely shared their insight, fears, and hopes on the California Model — we appreciate and admire your willingness to engage with us. Thank you to the many people — the incarcerated, the formerly incarcerated, the correctional staff, and experts in a wide variety of fields — who helped deepen our understanding of the intersections that rehabilitation has throughout the system. This includes the Light Keepers, Voices Heal, Guiding Rage Into Power (GRIP) programs, as well as the social justice insight given to us by the Coalition For Justice.

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EXECUTIVE SUMMARY

From Revolution to Reconciliation By Steve Brooks, Vice President

So in that spirit of reconciliation, recognition, we're here to do more and be better. Not just asking you to do more, the incarcerated, to do more and be better, but asking all of us to do more and be better.

—Governor Gavin Newsom at his press conference announcing the California Model and the San Quentin Rehabilitation Center⁶

Gov. Newsom's press conference was historic. He spoke about an issue that has never before been a point of concern when discussing prison reform — prison guards are suffering from the same traumatizing effects of prison life as the incarcerated. Gov. Newsom mentioned that 10% of officers employed by the CDCR either contemplate suicide or commit suicide. The current system is leading officers to suffer bouts of PTSD, depression, and alcoholism and it is destroying relationships. Mending the relationship between incarcerated people and officers will be the catalyst that drives the new idea of a California Model based on health and wellness.

Right now the prison system is structured like a war zone. Officers equip themselves as if they are headed off to war when entering prison facilities. They train to kill incarcerated people at shooting ranges and to gain control of incarcerated bodies using brutal force. Many officers believe it is their duty to punish and dehumanize the incarcerated. They walk along the catwalks with mini-14's draped over their shoulders. Kevlar vests protect them from being stabbed. Menacing cans of pepper spray hang from their belts along with batons. This military garb donned by officers reinforce within their psyche that prisons are war zones and that the incarcerated are enemy combatants to be subdued by whatever force necessary. This is true in many ways, including the bloody history dating back 50-years between Black incarcerated people and officers. San Quentin's administration has not forgotten this history. For the most part, relationships remain strained between officers, the Black incarcerated population, and their community.

⁶ Brooks, S. (March, 2023). Governor Newsom's Press Conference on the San Quentin Rehabilitation Center.

There has been no other ethnic group in the history of the California prisons system who have had as bad a relationship with correctional officers as African Americans. That relationship has always been tainted and further strained by the history of racism in America. It has been strained by hundreds of years of African slavery, Black Codes, Jim Crow laws, segregation, and lynching.

In the 1970's, racism within the prison system hit a crescendo at San Quentin State Prison, touching off some of the most polarizing events that has ever occurred in the American prison system. These events set the stage for ongoing violent engagements between the incarcerated people housed in California prisons and the officers staffing those prisons. The Black Panther Party for Self Defense, a group described as having radical revolutionary views, was calling for a revolution in American Society. The call for revolution spilled into the prisons. Many correctional officers and prisoners lost their lives during this period. A group of incarcerated men known as "The Soledad Brothers," which included George Jackson, Fleeta Drumgo, and John Clutchette, were charged with murdering several prison guards. At the same time, Jonathan Jackson, George's brother, brazenly ran into a Marin County courtroom and attempted to help prisoner James McClain escape charges for stabbing a correctional officer. Jackson and McClain took several hostages in the attempted escape, including the judge. All died in a shootout with law enforcement. After his brother was killed, George Jackson was killed by gun fire at the Adjustment Center at San Quentin along with several guards.⁷ This set off a chain of prison uprisings across the United States, including the infamous Attica Riot in New York where 33 prisoners and 10 guards died in a hail of bullets.

The violence of the 1970's was the catalyst for an increasingly toxic, violent, and confrontational culture between officers and incarcerated people. During this decade, several prison gangs came into being, including the Black Gorilla Family (BGF), the Aryan Brotherhood, the Mexican Mafia, and the Nuestra Familia. These gangs divided the landscape of the California prison system and created a black-market economy fueled by smuggling drugs into the prisons. The prison gangs and underground economy created an ever-growing criminogenic culture that would thwart any efforts at reform. Everyone was a danger, from the prison guards to the incarcerated people to justice-impacted communities.

⁷ Sawyer, K. (2022). "One year to life – criminal, revolutionary, murderer, icon? On the anniversary of George Jackson's death, the answer depends on who you ask." *San Quentin News*. <https://www.sanquentinnews.com>

“Realizing that a prison sentence itself, losing one’s freedom, is the punishment for the population we, serve, we must do better to create an environment that is healthier for our staff, while the population do all they can to rehabilitate themselves.”

***April 4, 2023 CDCR
MEMO
J. Macomber, Secretary
J. Clarke Kelso,
Receiver***

During the late 1970’s early 1980’s, Ronald Reagan’s “War on Drugs” removed more and more Black and Brown people from their communities and placed them on prison yards throughout America.⁸ In the mid-1980’s, Joseph Biden’s and Bill Clinton’s “War on Crime” led to the enacting of a new wave of massive crime bills.⁹ In California, the Three Strikes Law placed an unprecedented number of black and brown bodies in cages, under the auspice of public safety. The influx of black and brown bodies led to a massive, prison-building project under then Governor Pete Wilson. As more bodies were being labeled as dangers to society, super predators, or violent criminals, large 5,000-bed prisons facilities sprang up throughout California. People in cages were stored everywhere—from bunk beds on tier catwalks to gymnasiums—bodies were on top of bodies. The violence that

ensued from the overcrowded conditions turned some prisons into roman-style “gladiator arena[s].”

In the 1990’s prison guards created their own gangs. One such officer gang was known as “The Green Wall,” which led to a culture of silence when it came to wrongdoing on the part of their co-workers.¹⁰ At Corcoran State Prison for example, guards were secretly staging fights between rival gang members for entertainment purposes in Segregated Housing Units. They allegedly invited women and ate snacks while watching prisoners brutalize each other. This occurred over an 8-year period until a whistleblower stepped forward. The prisoners that the guards hated the most were

⁸ Chinni, D. (July 2, 2023). “Costs in the War on Drugs continue to soar.” *NBC News*.

⁹ Galston, W. A., and Ray, R. (August 28, 2020). “Did the 1994 Crime Bill cause mass incarceration?” Brookings Edu. “Under the Federal crime bill a person could receive a five-year minimum sentence for five grams of crack cocaine, but it took 500 grams of powder cocaine to trigger the same sentence. Because crack is cheaper alternative to powder cocaine, it was prominent in poor Black communities.”

¹⁰ Hennessey, V. (November 22, 2009). “Whistleblower recounts origins of ‘Green Wall’ at Salinas Valley State Prison, September 11, 2018, *Monterey Herald*. “Guards who survived a vicious Thanksgiving attack from prisoners in 1998 on Thanksgiving Day named themselves after the color of their uniform and began using gang-like tag, “7/23,” for the seventh and 23rd letters of the alphabet, G and W. They attacked inmates and planted evidence on them. They avoided discipline and prosecution by enforcing their code of silence.”

shot. Seven men were killed and 50 wounded.^{11,12} During this time period, a brawl between correctional officers and members of the East Coast Crips led to several officers being stabbed at the maximum-security Calipatria State Prison in May of 1995.¹³ At that point, violence between guards and the incarcerated dramatically increased. These are just a few of the documented cases wherein violence occurred during the time of The Green Wall. The hatred that was building between correctional officers and the incarcerated reached a breaking point in 2005 when the founder of the Crips, Stanley “Tookie” Williams, was executed by lethal injection.¹⁴ He had transformed and rehabilitated himself to the point he was nominated for a Nobel Peace Prize, and many people believe that Tookie may have been spared had it not been for this violent culture.

By 2006 there were 173,000 prisoners crowded into 34 California prisons that was grossly overcrowded. The prison system was at 167% to 200% of its design capacity of 85,000. Racial riots became the norm. People were stabbed, killed, and frequently had to be medevac’d to hospitals for life-saving treatment. The California prison system was collapsing in upon itself and lawsuits over racism and medical and mental health care were at center stage.

In 2009 a three-judge panel ordered the state to reduce its overflowing prison population. The court ruled that the state’s outdated prison healthcare system amounted to “cruel and unusual punishment,” in violation of the Eighth Amendment of the U.S. Constitution. A Federal Receiver was given control over healthcare and eventually the prison population was capped at 137.5% of its

¹¹ McCarthy, K. (May 10, 2021). “Challenging gladiator fights in CDCR.” *UCLA Law Review*.

¹² Community Alliance. (1996). “California Prison gladiator fights again!” March 1, 2023. “It is well documented that in the 1990’s the mixing of rival groups resulted in violence; UCLA Law review has shown that in the 1990’s correctional officers conducted gladiator fights among multiple gangs at Corcoran State Prison and that correctional officers were betting on fight outcomes.” Over an 8-year period, seven men were shot dead and 43 wounded when combatants failed to stop fighting when ordered to do so.

¹³ Pens, D. (September 15, 1995). “CA prisoners assault prison office.” *Prison Legal News*, p. 13.

¹⁴ NPR. (December 13, 2005). “The Execution of Stanley ‘Tookie’ Williams.” (www.npr.org)

...the evidence is clear that the state's continued failure to address the severe crowding in California's prisons would perpetuate a criminogenic prison system that itself threatens public safety."

—Coleman-Plata v. Schwarzenegger,
Three-Judge Court

designed capacity on average.¹⁵ During this time, more officers and incarcerated people were found to be suffering from mental illness and either contemplating or committing suicide than ever before.

Following the courts declaration that CDCR's mental health and medical apparatus was in violation of the Eighth Amendment of the U.S. Constitution, California's lawmakers began to pass a series of laws designed to decrease the prison population. Lawmakers began with realignment under AB 109 in 2011, which re-housed low-level, non-violent offenders in the state's county jails.¹⁶ Then Proposition 36 released incarcerated people with nonviolent, non-serious crimes but who had received

life sentences under the state's Three Strikes Law.

In 2013, people incarcerated at Pelican Bay's Secure Housing Unit (SHU) directly challenged their indefinite isolation and the toxic culture within the prison system by engaging in prolonged hunger strikes. These peaceful protests set the stage for transformation in the California prison system. An estimated 29,000 prisoners refused to eat, protesting prison conditions in an effort for better food and better library facilities.¹⁷ This helped fuel an unprecedented human-rights campaign to abolish indeterminate SHU programs and long-term solitary confinement. Soon thereafter, Proposition 47 and 57 came into effect to help release more low-level, nonviolent offenders and allow pathways to earn time-off credits through rehabilitative programming.

What happened next was unexpected but predictable — the overcrowded California prison system was hit by the deadly Covid-19 pandemic. For the first time many in the public realized the ugliness of mass incarceration. They also got a look at racial violence up close and personal with the videotaped murder of George Floyd. This was a unique and unequalled time in American history, especially in American corrections history. Over 2,600 infections of Covid-19 occurred at San Quentin during the first wave of the pandemic; 28 incarcerated people and one correctional officer died and many more were hospitalized or suffered permanent damage. A Marin County

¹⁵ Id. at *Coleman/Plata v. Schwarzenegger*.

¹⁶ Petrella, Christopher. (June 12, 2014). "Consequences of California's realignment Initiative." Prison Legal News, p.1.

¹⁷ Carroll, R. (July 9, 2013). "California inmates launch biggest hunger strike in state history." *The Guardian*.

Superior Court judge ruled that California prison officials showed “deliberate indifference” and inflicted “cruel and unusual punishment” on people in San Quentin.¹⁸ In recognition of the contributions that overcrowding was making to the severity of the pandemic in California prisons, expedited releases under Penal Code Section 1170 “sentence recall” laws were enacted for some incarcerated people.

Today in California, African Americans make up 20% of people in jail and 28% of California’s prison population, but only 6% of the overall population in the state.¹⁹ African Americans are second only to Hispanics in the state’s prisons, who make up 44%. A slavery Reparations Task Force in California found that the criminal justice system a major contributor to racial inequality and recommended to Governor Newsom that the criminal justice system be transformed.²⁰ Another innovation was the Racial Justice Act, a new law that provides a pathway to overturn convictions obtained based on racism.²¹ Many of these new measures are thanks to Gov. Newsom leadership.

California’s prison population is only about 40% of what it was in 2006 with approximately 95,600 people incarcerated as of 2023 (i.e., 91,300 men, 3,900 women, 400 non-binary people).²² Gov. Newsom is closing five of California’s 36 prisons by 2025. Many hope he will close 10 by 2027. In order to successfully accomplish these prison closures, a radical shift in correctional thinking must happen. This is a moment where more stakeholders than ever before need to be involved in the conversation in order to achieve true reconciliation. These voices must include the incarcerated population and their families.

As the envisioned San Quentin Rehabilitation Center sits as yet undefined and on the horizon, the giant elephant in the room is: What is going to happen to violent/serious offenders and

¹⁸ In re Ivan Von Staich. (November 16, 2021). Marin County Superior Court, case no. SC212566.

¹⁹ Carson, E. A., Minton, T., and Zeng, Z. “Incarceration Trends in California.” VERA Institute. Retrieved from: <https://www.vera.org>
United States Census Bureau. (July 1, 2022). Retrieved from: <https://www.census.gov>

²⁰ The California Reparations Report. California Task Force to Study African Americans. Retrieved from: <https://oag.ca.gov/al>

²¹ AB 2542 (2019-2020). “The California Racial Justice Act.” Retrieved from: <https://leginfo.ca.gov>

²² Legislative Analyst’s Office. (February 16, 2023). The 2023-24 Budget: “The California Department of Corrections and Rehabilitation.” Retrieved from: <https://lao.ca.gov>

“One study has found that while Black and White incarcerated people were equally likely to break rules, correctional authorities were more likely to report infractions by Black people.”

—The California Reparations Report, 2023

the lifers who have been imprisoned 25, 30, 40 years or more? What will happen to those already traumatized by our broken criminal justice system? Will they be allowed to inform the needed changes with their hard-earned life experience? Or will they again be cast to the side and told by those who have never been on the incarcerated side of the fence to, “Just sit back, we know what’s good for you.”

It is one of the great ironies of the history of prison reform in California that the group with the biggest stake in reform, the group with lowest recidivism rate, and the group with most amount of time incarcerated is the group most consistently marginalized from informing and participating in the benefits of reforms—lifers and long-term offenders with serious or violent offenses. Such offenders have been largely carved out of every reform effort since realignment: Propositions 36, 47, and 57; Covid-19 releases; and Penal Code section 1170 recall of sentencing reforms among others. These reforms have left out many such offenders in favor of younger, lower-level offenders yet who also have higher rates of recidivism and less lived-experience.²³

TPIB’s objective is to present a plan to shift the culture in CDCR based on our lived-experience, which will inform Gov. Newsom and his advisory council and design team of the blind spots in California’s reforms efforts, both now and historically. People with the most lived-experience in the carceral system are best able to inform the advisory council and its committees of what’s *truly* needed to create a shift in culture consistent with Scandinavia-style standards in order to make the SQRC into the “homecoming” program envisioned by Gov. Newsom. The People In Blue, being the most system-impacted group, represent perhaps the most important stakeholders in this discussion. It is our lived-experience that will create a system of health and wellness to reconcile the toxic relationship between officers and the incarcerated population, and to help those who have already been harmed by the system heal from that trauma.

Consistent with our goals and the stated goals of Gov. Newsom, this report seeks to:

- 1. Identify and explain key takeaways from historical events and lived-experiences, through which to understand the breadth and depth of the toxic culture that exists in prisons and between officers and the incarcerated.**

²³ Jones, A. (April 2020). “Reforms without results: Why states should stop excluding violent offenses from criminal justice reforms.” Prison Policy Initiative. Retrieved from: <https://www.prisonpolicy.org>

2. **Put forth a successful and scalable rehabilitation model that can be implemented at San Quentin and then throughout California's prison system, specifically with minimal adjustments needed to accommodate the security requirements of the differing institutions.**
3. **Put forth policy and regulation solutions that promote a healthy and sustainable shift in culture for CDCR officers and employees as well as incarcerated people.**
4. **Actively advocate that victims and survivors of crime, incarcerated families, and community leaders are actively part of and inform the culture shift.**
5. **Reduce violence and recidivism in our community.**

INTRODUCTION

The People In Blue committee members have ~200 years of incarcerated experience combined. Our lived-experience includes every security level, from maximum- to minimum-security prisons within the state of California. While housed in these different security-level prisons, we have individually engaged in, established, and/or facilitated programs and efforts to promote a healthy environment free of violence. Some of us have even embarked on all-out efforts to expose the toxicity that is the current prison system and to reveal the dire need for healing. We have worked tirelessly throughout our incarceration to challenge those conditions within the department that do not support rehabilitation and healing.

Gov. Gavin Newsom's announcement of a direction change for CDCR paves the way for real change on a fundamental level for California's prison system. America's form of retributive justice and incarceration has been criticized the world over. There has been no stronger criticism than from America's own experts in the field, who have identified the prison system as trauma inducing. TPIB recognizes the great potential in the idea of the California Model. The model, if implemented and maintained, has the potential to change how incarcerated people interact with officers and vice versa, as well as how society treats communities of color and system-impacted

communities. TPIB has long dreamed of this moment, which up until now was just that — a dream!
It is TPIB's sole focus and intent to make this dream a reality.

Introduction to the Linear Rehabilitation Model (LRM)²⁴

The Linear Rehabilitation Model (LRM) is an individual, case-specific, four-phase plan to be implemented primarily within the first year following the imposition of a prison sentence.

PHASE ONE

Ideally, the first phase of the LRM starts with a meeting between a correctional counselor, a corrections officer, a formerly incarcerated person, and the recently-sentenced person. The purpose of this meeting is to take advantage of the newly-incarcerated person's mental state immediately following the imposition of a prison sentence. It is TPIB committee members' lived-experience that the period following the imposition of a prison sentence and actually being transferred to prison, is the most opportune time for the newly sentenced person to commit to a path of change. It is during this time the incarcerated person is likely most mentally amendable to rehabilitation. Immediately following the imposition of a prison sentence most, if not all people, are looking for better opportunities and choices. They are in a state of regret having made a decision(s) that landed them in prison. Most, if not all, repeat offenders are tired of making decisions that lead them away from their desired life results. It is this time and mental state that must be seized and redirected toward hope and rehabilitation. During the meeting, a review of the incarcerated person's life history will occur. They will be presented with choices to provide better life outcomes, and they will be directly asked to make a decision to change. If they agree to the opportunity to change, they will be issued a book of rules, regulations, expectations, and consequences for any failure on their part and/or the part of any state employee and/or other incarcerated person.

PHASE TWO

The Second Phase of the LRM will establish a Base Line Condition (BLC) of the incarcerated person. A BLC is the physical, mental, emotional, social, and economic state in which the newly incarcerated person enters the prison system. This phase will occur at CDCR's reception centers (RC) or at the SQRC. The incarcerated person will be orientated by peers, medical staff, correctional officers, and counselors. The initial orientation will occur with a representative of all of

²⁴ Wanting to get input from as many people in blue as possible surveys were sent out by the San Quentin News outlet. Attached at **Appendix A** are some of the responses. The incoming data suggest a majority of the incarcerated population recognize the same problems throughout the system, this includes women facilities.

the identified departments and the cohort entering the system during an identified time period. The next orientation will occur individually with a representative of each identified department.

Three processes will occur during orientation:

- 1) The incarcerated person will be required to attend two, initial rehabilitation groups:
 - i. A group that details the diseases and dangers common among communities in prison that live in close proximity and how the newly-incarcerated person can maintain their health and dignity within this environment. (The Orientation Program, Appendix B).
 - ii. A group established and operated by victim/survivors of crime so that the newly-incarcerated person can begin to get an idea of the impact of crime on the community.
- 2) Evaluations to determine what physical, mental, emotional, and economic condition the newly incarcerated person is in and what help is needed.
- 3) The incarcerated person will then meet with a planning counselor (someone who will be their counselor throughout their term of incarceration to the extent possible) and plan their movement in, through, and out of the prison system and back into the community. The counselor will help the incarcerated person obtain all information and resources needed to ensure that when released, the incarcerated person will be in the best possible position to be successful. The goals of this program will be ranked according to importance to success.

PHASE THREE

The third phase of the LRM is execution of the plan established in the second phase. In this phase the counselor identified in Phase Two will research the location of the resources and information compiled that planning phase. The counselor will then connect the incarcerated person to those resources. The counselor with the incarcerated person's input, will begin to assemble a support network to help the incarcerated person achieve the benchmarks and goals established in Phases One and Two.

In Phase Three, the incarcerated person will be assigned an account in the Financial Literacy Program located on the tablet. In this program, the newly-incarcerated person will be required to attend a virtual class on the elements of financial literacy. After successful completion of the class, the incarcerated person will open a mock bank account. They will then receive a virtual stipend and

start the virtual process of paying bills (i.e., rent, lights, gas, and water), buying groceries, and budgeting for entertainment events. (An outline of this program is at Appendix C).

PHASE FOUR

The Fourth Phase of the LRM is transitioning out of the system with ongoing community support in connection with community supervisory services (i.e., parole or probation). This phase is fluid in light of credit-earning regulations and other early-release programs. In this phase, particular attention will be given to connecting the incarcerated person to community resources (i.e., employment, housing, ongoing rehabilitation programs, etc.).

In this phase the incarcerated person will be allowed 8-hour furlough days. The furlough days will be utilized for engaging community leaders for support and to meet with representative from the IRS, DMV, and SSI. The purpose of the 8-hour furloughs is to reorient the incarcerated person back into the community, as well as contact community leaders, clear any identification issues, obtain a California identification, and obtain a Social Security card.

During the last 90-120 days of incarceration, a person will be allowed to enter into contracts for housing and employment. The incarcerated person's counselor will assist the person paroling to only enter into contracts which they can afford from their income. The incarcerated person shall be also allowed to enter into a contract as to a start date for employment. For housing, the incarcerated person will be allowed to deduct from their trust savings and pay the required move-in amounts for housing. CDCR or another state agency will pick up half the tab for housing (i.e., first, last, and security deposit).

The Four Foundational Pillars of the California Model:

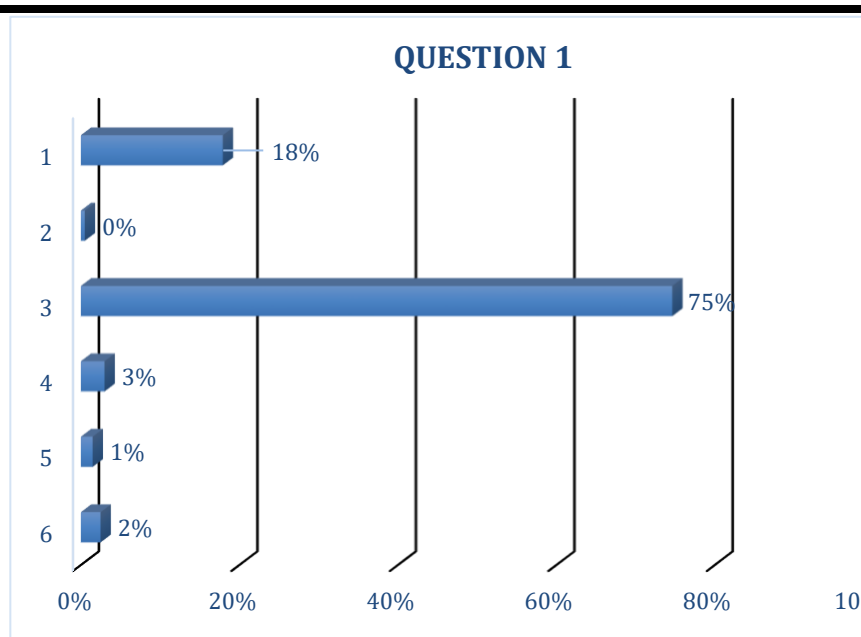
- 1) **Dynamic Security**: An approach that promotes positive relationships between staff and incarcerated people through purposeful activities and professional, positive, and respectful communication.
- 2) **Normalization**: Aims to bring life in prison as close as possible to life outside of be for people to transition and adjust to life in the community upon release.
- 3) **Peer Support**: Seeks to train incarcerated individuals to use their lived experiences to provide recovery and rehabilitative support to their peers.
- 4) **Trauma Informed Organization**: Whereby CDCR and CCHCS make a commitment to change the practices, policies, and culture of the entire department, educating staff at all levels to recognize the impacts of trauma and ensure the physical and emotional safety of all staff and incarcerated individuals.

—Jeffrey Macomber, Secretary CDCR
J. Clark Kelso, Receiver CCHCS

A survey of 11 questions has been presented to the incarcerated population regarding their input on the California Model, Table 1 is Question 1 of the survey. (Questions are attached hereto at Appendix D).

Question 1: Do you think incarcerated residents voices' should be heard by the California Model Design Team

Row Labels	Count of Survey	Percentage
AGREE-----	36	18%
DISAGREE-----	1	0%
STRONGLY AGREE-----	150	75%
STRONGLY DISAGREE-----	6	3%



UNINTERESTED		
-	3	1%
(blank)-----	5	2%
Grand Total	201	

LRM PHASE ONE: ORIENTATION/ONBOARDING TO REHABILITATION

1.1 Abstract

Currently there is no information given to an incarcerated person entering the prison system regarding what to expect, what rehabilitation programs are available, nor how to access those programs. Most if not all people are unprepared for prison and are unaware of what to do or what opportunities are available to them. The state does not reliably provide this information.

The state's failures during the early stages of an incarcerated persons' sentence misses a golden opportunity for true rehabilitation. An orientation program should be viewed as an early intervention tool, which if done correctly, will be effective in providing the incarcerated person with knowledge and tools to successfully transition into and out of CDCR custody. Moreover, this tool will reduce recidivism.

The orientation program cannot be fully successful in and of itself. The tool must be have the complete support of correctional staff. Currently, incoming correctional staff undergo two orientation trainings. The first training occurs in the academy prior to being assigned to a post. The second and most impactful training occurs by other officers working at the initial post to which the officer is assigned. It is this second, peer-to-peer mentoring training that typically infects new staff members with the toxic and often dangerous and misguided assumption about the duties and obligations of the correctional officer under the old correctional model.

Often the new officer is shown the ropes of their new post position by a troubled, jaded correctional officer who has usually been the subject of numerous complaints about their behavior. This officer then educates the new officer in the unprofessional ways he or she operates. As a result, the new officer then adopts the same unprofessional behavior. It is this second peer-to-peer training between officers that passes along toxic attitudes and behaviors.

1.2 Post-Conviction Contact in County Facilities: Seizing the Moment

- Create a state orientation committee to operating in county facilities.

- Committee members will be a trauma-informed counselor, correctional counselor, correctional officer, formerly-incarcerated person, and victims' right advocate.
 - Committee makes contact with newly-sentenced person for preliminary observation of condition and to determine willingness to engage in rehabilitative programming.
 - Observation and interviews takes place at regular intervals until transfer to state reception center.
 - Committee will advise receiving RC of observations, any signs of observable trauma, and make initial recommendations for intake actions.

1.3 Reimaging Reception: A Peer-based Orientation Model

- Create RC orientation committee.
- RC orientation committee members: trauma counselor, medical doctor, mental health doctor, rehabilitation counselor, victim's right advocate, correctional officer, incarcerated person.
- Develop rehabilitation plan with incarcerated person:
 - Path to parole.
 - Educational goals (e.g., achieve GED/high school diploma).
 - Rehabilitation needs.
 - Set up Tablet Financial classes and immediately begin Financial Literacy class. For those who lack the education level to participate in literacy class, develop alternative (i.e., audio sessions, video tutoring sessions, etc.).
 - Begin developing support network; people to assist incarcerated person through the system to parole, including family.
 - Identify possible parole region and contact resources regardless of length of sentence.
- While in the RC the incarcerated person will be required to attend:
 - Orientation class (see: Appendix B).
 - Victim Impact/Restorative Justice classes.

1.4 Modernizing Departmental Assessment Tools

- Restructure CDCR's offender point system, taking into consideration the county facility interview.

- Restructure violence detriments (VIO) codes (i.e. “hard-19” points, etc.).
- Restructure new employee, hire-evaluation tools and criteria (e.g., mental fitness).

1.5 Transfers: Institutional Welcoming Committees

- Every institution will maintain its own orientation committee.
- Each institution will maintain a committee comprised of a trauma counselor, medical doctor, mental health doctor, rehabilitation counselor, victim’s right advocate, correctional officer, incarcerated person.
 - Each institutions’ orientation committee will communicate with other institution’s committees through the rehabilitations communications department regarding incarcerated participants.
 - The incarcerated participant will be notified of all communications via the Tablet.
- Upon the arrival of an incarcerated person at a new institution, the incarcerated person will be given an orientation as to the rehabilitation programs available at that institution and the processes outlined in the institution’s orientation manual.
- The institution will continue to build-out the incarcerated persons support network.
 - A designated person on the orientation committee will maintain contact with an incarcerated person’s network at regular intervals to keep track of the support being offered and to ensure the support is consistent with the incarcerated person’s parole goals.

1.6 Staff Relations (Pre & Post Assignment)

- The department will re-define the terms and criteria of “Over-Familiarity” with input from the incarcerated, justice-impacted families, correctional staff, and expert’s in the field of sociology. (See Rehabilitation Psychologist’s examination of “Familiarity” regulation at Appendix E).
- The California Code of Regulations, Title 15, Section 3400 “Familiarity” pertaining to correctional officers and other prison employees, states: “Employee must not engage in undue familiarity with inmates, paroles, or the family and friends of inmates or parolees.” It would appear that this regulation is the source of an adapted or improvised policy of prohibition of “over-familiarity.” The intent appears to be to establish a behavioral policy analog of the regulation covering officers and extending it to all “free persons” entering the

prison and interacting with the incarcerated population.²⁵ The term over-familiarity appears to create this enduring, toxic engagement between the non-incarcerated and incarcerated, thereby permanently “othering” the incarcerated person. For the true culture shift we all seek, there must be a redefining of how people on institutional grounds may interact, including between officers and incarcerated people.

1.7 Recommendations

- CDCR should promulgate new rules and regulations of “over-familiarity” consistent with the ideals of therapeutic communities (Appendix E).
- Every institution will maintain its own post-assignment orientation committee for officers.
 - The only officers on this committee are those who have been approved by both the incarcerated population and officers.
- There will be a separate committee comprised of both incarcerated people and officers for the onboarding of new officers.
 - When onboarding new officers, particular attention will be paid to culture and defining the elements of a toxic culture and a healthy one.
- Trauma-informed training for *all* CDCR employees.
 - The history of CDCR’s struggles and the incarcerated population’s struggles will be included in this orientation
- CDCR should promulgate new rules and regulations consistent with the intent of this orientation section.
- Legislation be pursued to enshrine this orientation program into California’s Penal Code and Welfare and Institutions’ Code governing CDCR.
- The Department of Operations Manual (DOM) should be amended to reflect the new definition of appropriate and inappropriate “familiarity,” and the orientation program and the specific details set out in this report.
- Establish an independent, offsite, accountability-oversight committee made up of members from the community.

²⁵ Margolis, E. T. (July 25, 2023). “Memo: ‘Over-Familiarity’ – The Wrong Concern, The Wrong Term.”

- Oversight rules and regulations adopted to protect the changes from being from being dismantled.

LRM PHASE TWO: REHABILITATION PROGRAMS

2.1 Abstract

TPIB recognizes that the state of California, specifically CDCR, wants and needs to continue evolving its rehabilitation programs to help the incarcerated population learn to recognize the consequences of their past harmful actions. This should include trainings on how those criminal actions affected the survivors of their crimes, as well as how to address their own trauma (as relevant) that allowed them to make decisions or take actions to harm other human beings.

Currently CDCR has no method of providing an organized system of rehabilitation to the incarcerated population that is personalized and case specific. Presently there is no identifiable process of rehabilitation once a person enters the prison system; the state's only concern is static "security." Every effort is made to apply as many security deterrents as possible, while leaving rehabilitation to the individual to search out, discover, or provide for themselves. This method leaves the incarcerated individual in the position of being forced to find and achieve rehabilitation on their own.

However, over the past 10 years, incarcerated people have created numerous, highly-effective rehabilitation programs at different institutions. These programs have helped both the incarcerated, and at times staff, recognize and heal from their traumas. This healing has in turn lowered recidivism rates for certain segments of the incarcerated population, especially indeterminate-sentenced people (i.e., lifers). For this segment of the population, self-made self-help rehabilitation groups have worked wonders, which has then also benefited those with determinate sentences.

TPIB's purpose is to offer our unique perspective of the benefits of rehabilitation and positive programming from our lived-experience. We propose with the LRM a sequence and series of groups for incarcerated people to navigate so they can experience rehabilitation and healing.

We have experienced first-hand how the lack of rehabilitation programs affects the incarcerated population, including but not limited to continued criminal thinking, criminal actions, denial, and/or a lack of understanding into problematic behaviors. Recognizing how the past has shaped our thinking and actions, we seek to expand incarcerated-created rehabilitation programs and funding for those programs for post-parole care.

2.2 Identifying and Addressing Gaps

Currently CDCR's system for assigning incarcerated people to rehabilitative programs does not address their specific holistic needs. We have lived-experience with the problems that exist within the old correctional system. The following are challenges that must be addressed to improve the availability and effectiveness of rehabilitation:

- Overpopulation (stress on staff and the incarcerated population)
- Disorganized rehabilitation planning
- No effective implementation of a rehabilitation plan for newly arrived incarcerated people
- Underutilization of resources for rehabilitation programs
- Lack of support for Youth Offender Programs (space/resources under-utilized)
- Long vetting process to clear volunteers and organizations to enter the prison
- Not utilizing available space for rehabilitative and reintegration planning.

2.3 Incarcerated-Person-Created Rehabilitation Programs

Incarcerated people who have looked at and addressed their own trauma are the ones in the best position to develop processes to guide effective rehabilitation. A majority of the rehabilitation programs existing in CDCR were created by incarcerated people. These programs have been hugely effective. To ensure that the most effective programs are designed and promoted CDCR should:

- Allot incarcerated people the space, time, resources, and permission to create curriculum, programs, and workshops needed to shift the culture within the department.
- Allow incarcerated people the opportunity to direct and guide the implementation of the rehabilitative structure of their own program.
- Provide the incarcerated population market-rate compensation for the creation of effective rehabilitation programs.

2.5 Resource Officers and Counselors

Orientation committee members will be assisting the incarcerated person to complete programs identified in their rehabilitation and parole plans.

2.6 Recommendations

- Reduce SQ population by parole attrition, which will ease stress on correctional, medical, and mental-health staff, as well as the incarcerated population.

- Establish flexible criteria for transferring non-programming incarcerated people to different, more suitable accommodations and institutions.
- Offer financial and/or recognition incentives for officers participating in rehabilitative programming and for using therapeutic-community resolutions. Examples of incentives can include monetary compensation and/or assigned job title and position
- For incarcerated people, compensation for creating rehabilitative programming can include Rehabilitative Achievement Credits (RACs), including removing the annual credit cap, as well as more privileges (e.g., outside vendor use for instruments, attendance of concerts, movie nights).
- Offer financial and credit-earning incentives for incarcerated people to create and facilitate rehabilitation programs based on their lived-experience.
- Offer incentives for custody staff (including pay and or recognition) to sponsor rehabilitation groups alongside incarcerated people.
- Use currently available spaces and times for rehabilitative groups (i.e., Maintenance Vocational Building (MVB) from 3 p.m. to 8 p.m. and on weekends, Education Annex on weekends from 6 a.m. to 1 p.m., and empty rooms in the Medical Building and Chapel areas during available time-slots).
- Replicate YOP processes currently serving the incarcerated youth at Valley State Prison and create a support network specifically for this segment of the population as outlined in Phase One of the LRM.
- Allocate specific, assigned space and times for weekly YOP mentor and mentee meetings and groups (YOP counselor/yard officer and lead mentors must have time to discuss challenges and successes with the program).
- Shorten and streamline the vetting process for volunteers to obtain “Brown Cards” to sponsor rehabilitation groups.
- Provide earned-housing unit privileges to every housing unit to allow even distribution of programmers to act as examples and mentors for new arrivals and incarcerated youth.

LRM PHASE 3: HEALTH AND SAFETY

3.1 Abstract

The Health and Safety component encompasses all issues that affect the mental and physical bodies of incarcerated people and correctional employees, both in the short- and long-term:

- Exercise
- Food/Nutrition
- Culture
- Physical structures
- Environmental conditions.

Phase Three takes an in-depth examination of all elements involved in the health and safety of prisons, in this case specifically the SQRC. To begin a genuine model of rehabilitation, an understanding of the historical factors leading to the current environment is necessary.

Between the 1960's and the early 1990's, incarcerated people in the state of California enjoyed access to weightlifting equipment. By the mid-1990's, tough-on-crime attitudes led to the deterioration of common-sense policies in and around the care of incarcerated people. During the mid-1990's, a public hysteria was building around politicians and criminologist referring to young Black and Brown men as "superhuman criminals." In his book, "Encyclopedia of Criminological Theory," John J. Dilulio Jr., a criminologist and political scientist, coined the idea that "super predators" were running loose in American society in his moral poverty theory.²⁶ Dilulio

"It is the intent of the legislature that both the Department of Corrections and the Department of the Youth Authority eliminate or restrict access to weights and weight lifting equipment where is determined that the particular type of equipment involved or the particular prison population or inmate involved poses a safety concern both in the correctional facility and to the public upon release"

—Senate Bill 22x

"Scientific studies have shown that weightlifting strengthens the heart muscle and cardiovascular system, thus lowering the chance of heart attack and stroke... As life prisoners age without the opportunity for weight bearing exercise, they will lose density in their long bones" and "muscle mass...resulting in hip fractures and suffer heart attack or stroke...increasing cost of incarceration from an \$30,000 to over \$100,000 for each affected prisoner."

*—Prison Legal News
April 1998
Willie Wisely*

warned that by the year 2000, an additional 30,000 young murderers, rapist, and muggers would be roaming America's streets, sowing mayhem.²⁷

Hillary Clinton, who at the time was the First Lady of the United States, helped spread Dilulio's message about a supposed coming onslaught of young, minority, super predators.^{28,29} Societal panic led to the Pryce-Stupak Amendment of the 1994 Crime Bill.³⁰ The amendment proposed prohibiting weight training within prisons.

"We have unwittingly been mass producing a super breed of criminals," said Congresswoman Pryce. "If you want to stop building a better thug, support the Pryce-Stupak Amendment."

California Senator Steve Peace then introduced emergency legislation to remove weightlifting programs from California's prisons. In January 1998, California Department of Corrections' Chief Deputy Director Gregory Harding put out an administrative bulletin to get rid of all weightlifting equipment from the prisons.³¹

Critics of the ban warned that taking such measures would lead to a sickened population of prisoners. In April 15, 1998, Willie Wisely reported in the Prison Legal News that, "The ban on weightlifting will cost California taxpayers millions of additional dollars to take care of prisoners." As of 2022, yearly healthcare costs for the incarcerated population averaged \$19,796 per incarcerated person.³²

In addition to the removal of weight-bearing exercise, and perhaps even more detrimental to the health of the incarcerated population, has been the severe reduction and in some cases the

²⁷ Becker, E. (February 9, 2001). "As Ex-Theorist on Young 'Super predators,' Bush Aide has Regrets." *New York Times*. Retrieved from: <https://nytimes.com>

²⁸ Cox, C. (2020). "Fact Check: Hillary Clinton, not Joe Biden, used the phrase 'super predators.'" *USA Today* Retrieved from: <https://usatoday.com>

²⁹ Clinton, Hillary. (1996). "Super Predators." (C-Span) <https://youtu.be/j0uCrA7ePno?feature>

³⁰ Congressional Record, Volume 140 Issue 44 (April 20, 1994) "Support the Pryce-Stupak Amendment to the crime bill." Retrieved from: <https://www.gpo.gov>

³¹ Wisely, W. (April 1998). "Weights Banned in California." *Prison Legal News*. Retrieved from: <https://www.prisonlegalnews.org>

³² Legislative Analyst's Office. (2018). "Recent Report Compares California Inmate Health Care Costs to Rest of Nation." Retrieved from: <https://lao.ca.gov>

complete prohibition of nutritious meals, including fresh produce such as citrus fruits. Especially starting in the era of the “super predator” rhetoric and prison warehousing, the quality of the incarcerated populations’ food servings has gradually decreased in nutrition, flavor, and portion size until it is now woefully inadequate for good physical and mental health, despite what the CDCR nutritionists say who sign off on the menus. While taken in isolation, some may try to argue that such deprivation does not affect an incarcerated persons’ health. However, when taken collectively, the deprivation of weight bearing exercises, fresh produce, and adequate nutritional sustenance have resulted in the deterioration of the incarcerated population’s health.

Adding CDCR’s toxic and stress-inducing culture to the deprivation of exercise and nutrition, the situation has become untenable. As a result not only is the system overloaded with physically disabled people, it is also overloaded with mentally ill people as a direct result of its chosen policies. When the restriction of outside exercise and movement for days, months, and years on end, such as due to lockdowns and modified programs, is thrown on top of everything else, the present toxic conditions are the result.

3.2 Accessing Weight Bearing Exercise Equipment

- Employ fitness trainers to advise staff and the incarcerated population.
- Establish and maintain weightlifting areas (containing loose weights and machine weights).
- Establish safe weightlifting curriculum and classes.
- Allow staff to train with incarcerated population (all weight training time covered by employee contract).

3.2.1 Accessing nutrition and health experts

- Employ nutritionist in a common area (preferably the gym) and permit the incarcerated population to access that person during exercise times. Also, allow the nutritionist to access (with permission) the incarcerated person’s medical file to advise them on a personalized nutrition and exercise regimen.

3.3 Accessing Healthy Foods and Food Sources

Providing healthy food and access to healthy food sources will be achieved in a three phase plan over the course of three years, as proposed herein. Each phase and step will impact all areas

where food is served or delivered within the institution (i.e., dining hall, canteen, receiving and release, and medical.)

3.3.1 Food Items

Currently CDCR allows package companies to make most their more healthy food options (e.g., dried fruit, trail mix, raisins, dehydrated vegetables, real sugar, etc.) available for the women's facilities only while denying men's facilities the same items. The excuse has been that such restrictions reduce the amount of manufactured alcohol produced by incarcerated residents who are so inclined. This excuse not only penalizes the entire male population for the potential actions of a few, it contributes to the toxic culture within CDCR because it sends the message to the incarcerated population that their health comes second to the conduct of a few individuals.

Furthermore studies have shown that Aspartame (an imitation sweetener), when consumed in quantity over time, can lead to cancer. For example, an incarcerated individual who has been imprisoned for 10 years who drinks a 16 oz. cup of coffee each day with four sweeteners would consume a total of 14,600 individual sweeteners or 127 boxes. These totals would double every 10 years, which puts the person at risk of cancer. This estimate only takes into account the consumption of sweeteners with coffee. Our estimates do not factor in other uses of sweetener with other items such as cereal, tea, and flavored drink mixes.

Phase one of the health and safety program extends and welcome into SQRC outside community partners who would create a vocational program, a food co-op pilot program, and a wellness-delivery model known as a "food pharmacy." These programs would take place on the unused land at San Quentin and would provide the facility with important food and wellness related services, along with creating a normalized workplace experience (see Appendix F for more information on the concept).

3.3.2 Package Vendors/Canteen

Introducing a new set of vendors that handle fresh food (e.g., Whole Foods) would help establish a new norm of incarceration connecting in a fundamental way with the life line of community resources and community organizations.

Incarcerated individuals lack fresh and nutritious foods. Allowing vendors that deliver those foods would create not only healthier eating environments, but also a healthier prison environment altogether. When we look at just the increase of vegetarians within the prison population, the means provided to maintain that diet are not adequate. Many vegetarians and vegans have to get their food

stuffs through packages. The current restrictions prohibit a vast amount of viable, healthy options. Permitting fresh-food vendors, such as Whole Foods and other appropriate grocery stores, can be a game changer in terms dietary options and health for incarcerated individuals, as well as for normalization and financial literacy. The department would still provide the mandated vegetarian meal and standard meals, but grocery vendors would be available for additional options so that incarcerated individuals can receive proper nutrients and a well-balanced diet to help them function throughout the day.

3.3.3 Food Sources

CDCR should expand its partnership with the outside community to implementing the food co-op, culinary program, permaculture program, and the food pharmacy. These food sources would also teach farming techniques, promote a healing-food culture, and further subsidize healing foods for residents that are suffering from diabetes and other chronic health conditions (an example of such a food program is in Appendix F).

3.3.4 Approved Personal Property Schedule & Non Expendable Personal Property

A fresh food program for the incarcerated population would need places to allow the food to remain fresh over a reasonable period of time. This could include micro-fridges that would ensure the sustainability of fresh produce. Attached are the schematics of what such a micro-fridge would look like and would fit in the small space within the existing cells at San Quentin.

We are proposing adding George Foreman Grills, which would also increase the moral of the incarcerated population. Such non-expendable personal property items would help create a going-home mindset within the incarcerated population and dispel the “prison mindset.”

3.4 Institutional Infrastructure Needs

The design of the current dining hall does not fit the California Model envisioned by the stakeholders. We find that the dining hall is not the inclusive model and image that the California Model is seeking to achieve. Interviews and research indicates that the existing “chow halls” should be renamed “dining room” or “dining hall.”

Currently the culinary workers are paid little to nothing and have received no real job training pertaining to the field of culinary. Typically, institutions’ culinary positions are seen as job fillers, meaning if an incarcerated person needs a job they will be thrown in the kitchen if nothing else.

The infrastructure plan proposed herein is bold and includes a large amount of policy, procedure, and contractual reworks. We strongly believe that implementing this plan will not only benefit the residential community but also the department as a whole. The benefits from the proposed dining room will propagate into our communities and community work spaces. Because the new dining hall will produce highly-trained, certified-culinary personnel ready for employment upon release this plan will promote inclusion and healthy living among incarcerated residents and staff.

3.5 Environmental Conditions

As we investigated the design of the institutional “chow hall” and how it fits with the California Model, we found that it is not the inclusive model or image for a healthy community. The layout should be for an open-style buffet where there are stations serving breakfast, lunch, self-made meals (e.g., waffles with a waffle maker), salad bar, and drink dispensers. Each of these stations will be staffed by incarcerated workers/trainees that are participants in the culinary program.

Currently culinary workers are paid little to nothing and receive negligible transferable job training in the field of culinary kitchen work. We are proposing a change to that old narrative by implementing a culinary program that focuses on training incarcerated workers in state of the art food safety, food prep, cooking, and baking techniques and skills with an eye towards employment in the community. The idea is to train certified and qualified chefs and cooks in the kitchen so that upon their release from prison they will be a desired and sought after employee in the restaurant and culinary industry.

3.6 Recommendations

We are fully aware that the Health and Safety plan is bold and includes a large amount of policy, procedure, and contractual reworks. We strongly believe that implementing this plan will not only benefit the incarcerated community but also the department and its employees. The benefits of this plan will even transfer into our communities and the workplace due to the fact that there will be highly trained/certified individuals ready for employment in the food industry entering into society instead of starting with nothing. Besides healthy living, this program will promote inclusion for residents and staff by them dining together on nutritious and appealing meals in a more pleasant setting.

Thus, we make the following recommendations:

- Lift all restrictions on packages.
- Increase the quantity of food that is passed out during the morning and evening meals.
- Add alternatives for lactose-intolerant and gluten-intolerant residents.
- Permit the Right 2 Heal (R2H) Advisory Group and other non-profit organizations to facilitate or create, promote, and execute healthy-food programs (i.e., food co-ops, gardens, etc.).
- Improve specialty-diet meals.
- Actively seek out new fresh-food vendors to handle fresh-food delivery (i.e., Whole Foods), as well as from minority owned businesses in the surrounding community.
- Place blenders in the incarcerated residential buildings and other common areas around the institution.
- Outfit each living space with a micro-fridge and a George Foreman-style grill. Change the name of the chow halls to “dining halls” or “dining rooms.”
- Completely redesign the dining area to resemble more of a college campus and community friendly setting, complete with replacement of the serving plates and utensils.
- The layout should be an open-style feeding with a main course station, such as an omelet (breakfast)/stir fry bar (lunch/dinner), self-made meal station (such as a waffle bar equipped with a waffle maker), pastry/salad bar, and a drink dispenser with juice and water. Each of these stations would be equipped with workers/trainees who participate in the culinary program.
- Encourage officers, free-staff, volunteers, and incarcerated people to consume meals together.

LRM PHASE 4: TRANSITIONS – FINANCIAL LITERACY

4.1 Abstract

Financial literacy has been found through multiple studies to be a cornerstone to lowering recidivism rates. BY providing the knowledge, skills, strategies, and techniques for how to manage personal finances, an individual will not feel the weighted pressure of needing to find ways to generate income in unlawful, unethical ways. In can allow them to grow, prosper, and be successful in their employment and family roles.

The purpose of this section is to provide an in-depth look at ways CDCR can introduce a Financial Literacy curriculum to the incarcerated population in relation to the California Model. As it stands, CDCR has no known educational classes and zero rehabilitative groups the cover Financial Literacy. It is therefore failing to meet the standards of the proposed California Model in this crucially important area.

Our Financial Literacy Committee has conducted research and interviews of the incarcerated population at San Quentin along with educators and advocates to put together a conceptual curriculum that is both text-based and interactive with real-time information. The overall goal of the program would be to achieve a comprehensive, engaging approach that benefits all learning levels. The program would enable the incarcerated individual to have a higher rate of success upon re-entering the community.

In order to enable higher success upon re-entry we envision a community setting and/or furlough days at each institution that will provide an interactive opportunity to educate the population on how to earn and manage money properly and legally along with a process for learning how to pay bills and prepare for parole.

4.2 Method - Identifying and Addressing Gaps

The program would be centered on two devices that would provide the full interactive experience and learning for growth:

“Only 57% of Americans [are] financially literate ... and data suggest that financial literacy rates among those who are incarcerated are much lower. This puts these individuals at a severe disadvantage once they’re released.”

—SARC Foundation for health, equity, and justice. March 12, 2019

1. CDCR identification cards would be used not only as an ID but also as a “credit card” for residents.
2. The Tablets would have the Financial Literacy Curriculum uploaded on to them to guarantee access to the full population, as well as a link to the individual’s Trust Account.

With the updated, dual-purpose ID cards, each incarcerated person would have the ability to shop at canteen or a grocery-type setting and swipe or scan their ID like a credit card so money would be withdrawn from their account. It would also be used for accessing the dining hall and any other areas where they would purchase items.

In addition to utilizing the ID cards as credit cards, the Tablets would have the Financial Literacy curriculum uploaded on to them to guarantee access to the full population. The curriculum would be linked to their Trust Account so the individual could track their account live, but also their “credit account” so that they could pay their bills and handle any other miscellaneous expenses or savings that need to be tended to.

The Financial Literacy program would consist of a variety of subject areas. These areas were chosen largely based on a study conducted by Lori Koenig and published in the *Journal of Correctional Education*, with curriculum ideas from EVERFI.³³ Each curriculum topic, with the exception of budgeting, showed an interest and understanding increase of more than 5% in the study. When it came to the overall concept of Financial Literacy, the study showed an average increase of 66% to 74%.

The following are the proposed subject areas for the Financial Literacy program:

Banking Basics: Covers the basic understanding of how financial institutions operate along with steps on how to open and manage checking and savings accounts. This unit will also cover investing basics and best-practices and strategies.

Income and Employment: This unit will cover the financial literacy associated with employment and how it directly impacts the individual person and their employment. An understanding of how taxes and deductions come out of net income along with benefits that can be received from the employer to supplement income, such as health and life insurance.

³³ Koenig, L. A. (March 2007). “Financial Literacy Curriculum: The Effect on Offender Money Management Skills” *Journal of Correctional Education*, p. 43-56. Retrieved from: <https://journals.scholarsportal.info>

FINANCIAL LITERACY

“In a 2013 study, justice-involved citizens reported a number of barriers preventing them from getting a bank account, including minimum account balances, high overdraft fees, and a general mistrust of banks.

Then there is the issue of actually signing up a bank account. Most financial institutions require some or all of the following:

1. Permanent address
2. Government ID
3. Social security number
4. Tax identification number

Financial literacy programs provide citizens with the information and resources they need to ensure they're set up with a proper bank account.

Formerly incarcerated individuals often live paycheck to paycheck. Most people struggle to find stable employment following their release from prison. In fact, research suggests that only 55% will earn any money in the first year, with median earnings being \$10,090.

This makes learning skills like saving and budgeting critical for a successful return to the community. If these individuals don't spend wisely and make the most of their money they may begin to fall into debt.

If their financial situation becomes too dire they're much likely to resort to illegal activities in order to survive.”

—SARC Foundation for health,

Budgeting: Will review strategies and tactics for developing and managing a personal budget in line with needs versus wants. Reviews various components of the budget along with how useful a budget can be personally, as well as developing a system that tracks income, spending, and savings.

Consumer Skills: This module covers how to be an informed consumer by evaluating one's own spending behaviors. Students will learn how to effectively navigate the purchase decision process for everyday purchases or larger purchases such as a car and a house along with knowledge of how to get the most value out of their purchases and the best payment methods. The will include concepts and best-practices related to renting, leasing, and owning a place to live or conduct business.

Managing Credit and Debit cards: This module covers how credit and debit factors into spending strategies. The concepts and core principles of credit and debit is explored. The common pitfalls and consequences that come with the misuse of credit and debit along with effective debt management.

Financing Higher Education: This module covers how to pay for college and the financial stressors that can come along with the process. This module also highlights the benefits of higher education along with various financing options and how to apply for financial aid and FAFSA.

Insurance: This module covers the benefits of insurance and best purchasing practices for insurance. This module will explore the various types of insurance and how they work and operate.

4.3 Recommendations

- Immediately incorporate a Financial Literacy program on the Tablet.
- Allow incarcerated people to open and maintain a savings account and collect market rate interest on that account.
- Allow 8-hour furlough days leading up to release.
- Engage community leaders for re-entry support.
- Meet with representative from the IRS, DMV, and SSI.
- Reorient the incarcerated person back into the community.
- During the last 90-120 of sentence, allow incarcerated person to enter into contracts for housing and employment.
- Allow incarcerated people to enter into a contract as to a start date for employment.
- Allow incarcerated people to deduct from their savings to pay required move-in amounts for housing prior to reentry.
- CDCR or other state agency will pick up half the tab for housing (i.e. first, last, and security deposit).
- The incarcerated person's counselor shall ensure the expenses of contracts do not exceed the income from employment.

CONCLUSION

1. IDENTIFY AND EXPLAIN KEY TAKE-AWAYS FROM HISTORICAL EVENTS AND LIVED EXPERIENCES, BY WHICH TO UNDERSTAND THE BREADTH AND DEPTH OF THE TOXIC CULTURE THAT EXIST BETWEEN OFFICERS AND THE INCARCERATED

The toxic culture in CDCR has a long and tumultuous history. The incarcerated population has blamed CDCR officers and administrators for the violence, while the officers and administrators have blamed the incarcerated population. Both have used such blame of the other to justify their continued participation in the ongoing, toxic culture. TPIB recognizes there is enough blame to go around on all sides and as such disregards the blame rhetoric and looks to discover solutions by examining history. Both the incarcerated population and administrators have valid points of blame. However, none of those points moves us to a solution we will all benefit from—an environment that is conducive to healing and rehabilitation for the incarcerated population and is healthier and promotes longevity among staff.

Within the context of the San Quentin Rehabilitation Center and the California Model, history should be looked at solely for the purpose of understanding the process of events that created the toxicity that exist today. A historical examination is necessary to identify and acknowledge what actions and decisions are inconsistent with the therapeutic community we seek to create moving forward. We must not repeat history!

We encourage all stakeholders to view the history of CDCR through the lens of solutions. What action can we take *today* to provide a healthy and healing environment for all within the system *tomorrow*?

We incorporate by reference and implication the Final Report of the California Task Force to Study and Develop Reparations Proposals for African Americans, specifically Chapter 28's policies for addressing the "Unjust Legal System." We believe that training CDCR staff in several areas mentioned in the Task Force report is necessary for the success of the California Model. This includes:

- Mandate policies and training on bias-free policing.
- Create and fund department Racial Justice Act advocacy and compliance monitoring.

- Apply the Racial Justice Act to parole proceedings.
- Require correctional officers to attend implicit-bias training.
- Assess and remedy racially-biased treatment of African American adults and juveniles in custody in state prisons.³⁴

2. PUT FORTH A SUCCESSFUL AND SCALABLE REHABILITATION MODEL WHICH CAN BE IMPLEMENTED AT SAN QUENTIN THEN THROUGHOUT CALIFORNIA'S PRISON SYSTEM WITH MINIMAL ADJUSTMENT TO

³⁴ id. *The California Reparations Report*, Chapter 28, pp. 747-758.

APPENDIX

APPENDIX A: RESPONSE LETTER re: The California Model SQ News Survey
Incarcerated Persons: Bullington #E-67557
Karl Russell #G-41933
D. Maraglino #WF-3620

APPENDIX B: ETIQUETTE TRAINING: PRELUDE TO EDUCATION AND REHABILITATION

APPENDIX C: FINANCIAL LITERACY CURRICULUM OVER-VIEW

APPENDIX D: SURVEY DATA RESULTS re: INCARCERATED INPUT ON "CALIFORNIA MODEL"

APPENDIX E: OVER FAMILIARITY MEMO

APPENDIX F: FOOD PROGRAM

ACCOMMODATE THE SECURITY NEEDS OF THE VARIOUS DIFFERENT INSTITUTIONS

The Four-Phase LRM is a scalable model that can be implemented throughout the system with minor tweaks to accommodate institutional security.

3. POLICY AND REGULATION SOLUTIONS PROMOTING A HEALTHY AND SUSTAINABLE SHIFT IN CULTURE FOR BOTH CDCR OFFICERS, FREE STAFF, AND INCARCERATED PEOPLE

To ensure that the California Model is successful in its infancy and grows stronger as it ages, there must be mechanisms put into place to hold everyone accountable. The California Model must be given teeth, and the only way to give it the teeth it needs to be successful is community buy-in and involvement. This includes the creation of a community-oversight board.

CDCR has proven time and time again that it cannot police itself. The myriad of court rulings against the department show this, including the rulings and orders in Coleman/Plata litigation and the more recent In re Ivan Von Staich Marin County Superior Court Covid-19 ruling. The department is too big to hold itself accountable.

Therefore, a complete redrafting of the rules and regulations as it surrounds incarcerated people's and officers conduct must be initiated. CDCR rules, regulations, and policy must be absolutely clear so as to leave little to no room for misinterpretation. As it currently stands, how each individual officer interprets a standing rule is "valid" even if the interpretation directly conflicts with other rules and or the law.

4. ACTIVELY ADVOCATE FOR VICTIM/SURVIVORS OF CRIME, INCARCERATED FAMILIES, AND COMMUNITY LEADERS TO BE PART OF AND INFORM THE CULTURE SHIFT

The main prompting for the California Model is the acknowledgment that the system has failed in its duty to everyone. Because the system has failed everyone, everyone must be involved in fixing it. Everyone's involvement ensures nothing is missed and everyone is accountable for shifting the culture.

5. REDUCE COMMUNITY VIOLENCE AND RECIDIVISM

A shift in culture within the prison system ensures the reduction of community violence. With true cultural shift as envisioned, the system will no longer return to the community traumatized people, blinded by their trauma who are likely continue to harm themselves and others. The majority of people release will be healed and will help their communities heal as well. To quote a notable group, Guiding Rage Into Power, “Healed people, heal people.” When these healed citizens’ return to our communities they will be able to model what true healing in progress looks like. This will prevent others from being victimized. We have the ability to change not just our prisons, but our communities as well.

REFERENCES