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FRESNO COUNTY SUPERIOR COURT
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2008-2009

FRESNO COUNTY GRAND JURY



FINAL REPORT

#4

**Fresno County
2008 – 2009 Grand Jury
Report # 4**

PLEASANT VALLEY STATE PRISON

INTRODUCTION

In compliance with Section 919, subdivision (b), of the California Penal Code, “The grand jury shall inquire into the condition and management of the public prisons within the county,” the Fresno County Grand Jury has conducted its annual review of the Pleasant Valley State Prison (PVSP). This report addresses issues raised by prior grand juries. The grand jury visited PVSP on September 25, 2008 and was received with hospitality. The prison subcommittee interviewed various staff and the warden. Prison staff provided background information and answered questions.

BACKGROUND

Pursuant to state law, the grand jury is obligated to examine the operation and condition of any state prison located within Fresno County. Currently there is one such facility, the Pleasant Valley State Prison, which is located at 24863 West Jayne Avenue, in Coalinga, California. This institution was opened in November 1994 and covers 640 acres. According to the website, as of Fiscal Year 2007-2008, it had an operating budget of approximately \$200 million dollars. The staff totals 1,500. The prison is designed to house 2,200 inmates. However on the day of our visit, the inmate population was 5,191. There were two inmates per cell; others were housed in the gymnasium.

According to its mission statement:

Pleasant Valley State Prison provides long-term housing and services for minimum, medium and maximum custody inmates. Productivity and self-improvement opportunities are provided for inmates through academic classes, vocational instruction and work programs. PVSP provides Correctional Clinical Case Management System (CCCMS) mental health services. The Correctional Treatment Center provides diagnostic evaluation and treatment for inmates, including those in need of Mental Health Crisis Bed housing.

Inmate programs include arts, computer, vocational, academic, and religious programs, as well as community service work crews. There are substance abuse classes offered for inmates, as well as college level classes where inmates can obtain an Associate of Arts degree. General Equivalency Diploma (GED) testing is provided by the Avenal

School District. Additionally, certified classes are offered in the field of fiber optics. There are volunteers from surrounding communities, but many more volunteers are needed.

ISSUES OF CONCERN

AREAS INVESTIGATED

Since the last grand jury report (2007-2008), the present grand jury has not received any complaints from inmates concerning the operation of PVSP. However, the grand jury continues to be concerned about previous problem areas and recommendations. This report focuses on those areas previously mentioned and their current status. The problem areas previously reported were 1) provision of a medical wing, 2) concern over Valley Fever, 3) improved and updated medical record-keeping, 4) status of Federal Health Receivership, and 5) the need to revise pay scales for medical staff. The 2008-2009 Fresno County Grand Jury did not find any new areas of concern but, instead, focused on the status of prior concerns and recommendations.

PRIOR GRAND JURY RECOMMENDATIONS

As part of its report, the 2007-2008 Fresno County Grand Jury focused on medical care provided by Pleasant Valley State Prison. Its recommendations concerning health care were to continue to work on improving medical care provided to inmates, to look for ways to minimize the threat of Valley Fever, and to upgrade the prison computer system. The prior grand jury included in its recommendations that a secure wing for inmate patients be provided at Coalinga Regional Medical Center (CRMC), that adequate laboratory equipment be provided for the Correctional Treatment Center, that a more sophisticated and adequate system of medical record storage be implemented, and that the pay scale for physicians and nurses be revised.

As reported last year, all medical issues are now under the jurisdiction of a receiver appointed by the federal court. Some recommendations that were made have been followed. Improved laboratory equipment has been purchased. A compromise for improved pay scales was achieved by contracting for physicians and nurses through a medical registry. In addition, PVSP has converted paper medical records to an electronic format which can be forwarded to a prisoner's new location. However, physicians still do not have adequate office space.

The remainder of this report will focus on the areas that are still of concern. These areas are:

1. A secure medical wing at CRMC
2. Concern over Valley Fever
3. Status of federal health receivership

A SECURE MEDICAL WING

The Coalinga Regional Medical Center currently has no secure medical wing for prisoners from PVSP. Our investigation revealed that when inmates need hospitalization, they are transported to Bakersfield Community Medical Center, approximately one hour away. PVSP has contracted for twenty beds on the fifth floor of the Bakersfield hospital. When these beds are filled, inmates are transported to local hospitals in the surrounding area by correctional staff. This situation greatly impacts staffing and budget at PVSP. There continues to be support from the Coalinga community for a secure wing at Coalinga Regional Medical Center. However, California's current budgetary problems will impede this effort.

VALLEY FEVER

Valley Fever is widespread in the Coalinga area. This infection is caused by a fungus that lives in certain arid-type soils. Its spores are released into the air when the soil is disturbed by wind, farming, construction, and other activities. It is an ongoing concern that affects the health of both inmates and staff. Prior to 2003, the prison did not maintain records on Valley Fever. Testimony to the grand jury reported thirteen Valley Fever related deaths in the 2005-2006 years, three deaths in 2007, and no deaths in 2008.

Local prison officials are well aware of this health crisis and have taken steps to identify and address the problems associated with high-risk inmates. Our investigation revealed that inmates with compromised medical conditions (e.g., asthma, emphysema) at Pleasant Valley State Prison are transferred to another prison in the state. Additionally, a statewide effort was expanded in November 2007 to prevent inmates who are susceptible to the fungus from being housed at PVSP.

STATUS OF FEDERAL HEALTH RECEIVERSHIP

The entire health care system for the California Department of Corrections and Rehabilitation (CDCR) is currently under the jurisdiction of a court appointed Federal Receiver (Receiver). This was a result of a class action suit filed against the CDCR. There are four separate cases before four different federal judges. The cases deal with medical care, mental health care, dental care, and compliance with the Americans with Disabilities Act. The original plan developed by the Receiver in April, 2006 called for the Receiver to establish his remedial programs while the prison continued with the day-to-day health care operations. Within a short time, the Receiver had to assume control over daily prison healthcare functions. The Receiver is responsible for developing a plan of action and submitting quarterly written reports to the federal court. The report for the period of September 15, 2008 through January 15, 2009 details progress being made by the Receiver.

In early 2008, the Receiver produced a comprehensive report, "The Turnaround Plan of Action." The Receiver's goal was to resolve issues in the class action suits. "The Turnaround Plan of Action" provided schedules for completion and estimated costs. Various issues have contributed to the delay of completing the plan, such as construction delays, prison overcrowding, and budget concerns.

As of January 15, 2009, the following have been accomplished statewide:

1. Ninety percent of nursing positions statewide have been filled.
2. Paper medical files have been converted to electronic profiles.
3. A system is now in place to eliminate invoice backlog.
4. The Receiver has created a program to reduce drug costs by aggressively managing the pharmacy program and will begin an audit of providers and hospitals to find ways to reduce costs of specialty and hospital care,
5. An audit system has been in place since November 2008 to track patient-inmates' access to health care.

CONCLUSION

The prison population exceeds the bed space for which Pleasant Valley State Prison was originally designed. The location of this prison has increased health risks, adversely affecting both inmates and staff. While medical treatment for Valley Fever has improved, the location of the prison in this area, along with serious budget constraints, make this an ongoing problem. Individual prisons and staff have limited options since they are under the Federal Receivership. The Federal Receiver's recommendations will be difficult to implement given the current California budget deficit.

FINDINGS

F401 The state has not implemented a secure wing for inmates at Coalinga Regional Medical Center.

F402 Valley Fever continues to be an ongoing threat to inmates and staff.

F403 At the PVSP, the Federal Receivership has converted medical records to an electronic format.

F404 Doctors do not have adequate office space.

RECOMMENDATIONS

The 2008-2009 Fresno County Grand Jury recommends that the following be implemented.

R401 That the PVSP continue to work with the community to establish a secure wing for inmates at the Coalinga Regional Medical Center. (F401)

R402 That the PVSP look for new ways to minimize the threat of Valley Fever. (F402)

R403 That the PVSP provide adequate office space for doctors. (F404)

REQUEST FOR RESPONDENTS

Pursuant to Penal Code 933.05, the Fresno County Grand Jury requests responses to each of the specific findings and recommendations. It is required that responses from elected officials are due within 60 days of the receipt of this report and 90 days for others.

RESPONDENTS

James A. Yates, Warden Pleasant Valley State Prison (F401-404, R401-403)
Matthew Cate, Secretary of California Department of Corrections and Rehabilitation (F401-404, R401-403)

SOURCES AND REFERENCES

Interviews with warden and staff
Pleasant Valley State Prison Web Site
California Penal Code
Tenth Tri-Annual report to U. S. Federal Court, January 15, 2009
2007-2008 Fresno County Grand Jury Report

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