



**AVENAL STATE PRISON
WARDEN JAMES HARTLEY
ONE-YEAR AUDIT**

**OFFICE OF THE
INSPECTOR GENERAL**

**DAVID R. SHAW
INSPECTOR GENERAL**

STATE OF CALIFORNIA

OCTOBER 2010



October 7, 2010

Matthew L. Cate, Secretary
California Department of Corrections and Rehabilitation
1515 S street, Room 502 South
Sacramento, California 95814

Dear Mr. Cate:

Enclosed is the Office of the Inspector General's report concerning the performance of Warden James D. Hartley at Avenal State Prison (ASP). The purpose of the audit was to satisfy our statutory requirement to audit each warden one year after appointment.

The report concludes that Warden Hartley has successfully transitioned to his role as warden and has gained a reputation as a strong disciplinarian and accessible leader, who has promoted staff accountability at ASP. ASP employees we interviewed rated his management skills and qualities as 'very good' overall; and the employees we surveyed agreed that he is an effective leader, given all of the institution's challenges. However, we do note an area that Hartley can improve upon—employee-management relations with custody line staff. Generally, custody staff at the rank of sergeant and below rated Hartley's overall job performance as only "satisfactory" while other staff members and external stakeholders rated his performance between "very good" and "outstanding".

If you have any questions concerning this report, please contact Jerry Twomey, Chief Assistant Inspector General, Bureau of Audits and Investigations, at (916) 830-3600.

Sincerely,

A handwritten signature in blue ink that reads "Dave Shaw".

David R. Shaw
Inspector General

Enclosure

cc: Scott Kernan, Undersecretary, Operations, CDCR
Elizabeth Siggins, Chief Deputy Secretary, Adult Programs, CDCR
George Giurbino, Director, Adult Institutions, CDCR
Kim Holt, External Audits Manager, CDCR

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Results in Brief

Warden James Hartley

After completing our review at Avenal State Prison (ASP), the Office of the Inspector General (OIG) found that Warden James D. Hartley is a proactive leader who holds his staff members accountable for their actions and works to improve safety and security. We also found that under Warden Hartley's direction, the prison's operational areas of safety and security, inmate programming, and business operations are functioning at a high level. However, in the area of employee-management relations, our inspectors identified an opportunity for improvement.

When Warden Hartley first arrived at ASP in October 2007 and assumed the position of acting warden, he focused on employee discipline in order to promote staff accountability. But according to some staff members, this focus on discipline had a negative effect on his relations with some of the custody employees. However, in the nearly three years that Warden Hartley has served as ASP's acting warden and warden, the prison has operated quite well. In fact, 85 percent of the staff members and stakeholders we interviewed reported that ASP has been operating better since Warden Hartley arrived.

We began our audit of Warden Hartley's performance by surveying a broad range of ASP employees, key stakeholders, and California Department of Corrections and Rehabilitation (CDCR) executives. We analyzed all of the collected survey data and categorized it into four areas: safety and security, inmate programming (programs available to inmates), business operations, and employee-management relations. Our analysis showed that a high percentage of the prison's managers and CDCR's executives expressed very positive opinions about Warden Hartley's overall performance, as did most health care and non-custody staff members. Most of the custody staff members, however, expressed unfavorable opinions about the warden's overall performance.

We followed our initial survey by visiting ASP in March 2010 to interview prison management team members and employees who manage key prison functions as well as randomly selected employees from throughout the prison and community stakeholders. We found that on average, managers, medical and education staff members, and union representatives rated the warden highly in areas such as safety and security, inmate programming, plant and business operations, and employee union relationships. The prison's community stakeholders praised the warden for his leadership outside the prison

AVENAL STATE PRISON FACTS AT A GLANCE

Location: Avenal, CA

Opened: 1987

Mission: Low - Medium Security

Inmate Population: 6,693

Designed Capacity: 2,920 inmates

Employees: 1,505

Budget: \$251 million, FY 2009-2010



**Avenal State Prison
Warden James Hartley.
Photo: CDCR**

walls, praising in particular his outstanding communication skills, his partnerships with local law enforcement agencies, and his involvement in community projects and events.

On the whole, the warden's rating averaged "very good." When we asked prison employees to rate the warden's overall performance, 91 percent of the custody management, stakeholders, key employees, and non-custody personnel rated the warden as doing an "outstanding" or "very good" job. However, many lower-ranking custody staff members, especially sergeants and correctional officers, rated Warden Hartley at a level of "satisfactory" or below. In particular, some custody staff members expressed unfavorable perceptions about the warden's attitude and demeanor towards them. We found that five key factors, involving issues both within and beyond the warden's control, contributed to the lower ratings that some employees gave Warden Hartley. Those key issues follow:

- State employee furloughs and program budget cuts;
- CDCR's 3 percent staff redirection of posts;
- ASP's closer inspections of personal property;
- Warden Hartley's reputation as a strong disciplinarian; and
- Warden Hartley's personal demeanor.

One-Year Evaluation of Warden James D. Hartley

California Penal Code section 6126(a)(2) requires the Office of the Inspector General (OIG) to audit each warden of an institution one year after his or her appointment. To satisfy this requirement, we evaluated Warden Hartley's performance at Avenal State Prison (ASP) since his appointment in March 2009.

Background of Warden

Warden James Hartley has worked for CDCR for over 25 years, beginning with his employment in 1984 as a correctional officer at the California Men's Colony.

From 1990 to 1994, he worked as a correctional sergeant at California State Prison,

Corcoran. From 1994 to 2005, then-officer Hartley rose through the ranks at Wasco State Prison, holding positions as correctional lieutenant, correctional counselor II, and facility captain. In 2005 he returned to Corcoran, where he was promoted to associate warden and later became Corcoran's chief deputy warden. In 2007 he became the acting warden at ASP, and in March 2009 Governor Arnold Schwarzenegger appointed him warden of ASP.



Aerial view of Avenal State Prison. Photo: CDCR

Institution Overview

ASP is one of 33 adult prisons operated by CDCR and is the second most populous prison in the state. Although it is designed to hold 2,920 male inmates, as of February 3 of this year, ASP housed 6,693 inmates—229 percent of its design capacity. The prison opened in Kings County in January 1987 and occupies 640 acres just south of the town of Avenal.

ASP’s mission is to provide for the control, care, and treatment of those inmates committed to CDCR by the courts. ASP is designated as a low-medium security prison for general population and sensitive-needs inmates.¹ The prison houses its low-medium custody (Level II) inmates among three complexes, each comprised of two separate, semi-autonomous facilities. Facilities at ASP contain a total of 17 open-dorm buildings, six 200-bed open-dorm emergency-bed buildings, two converted gymnasiums, a 100-cell administrative segregation unit, and a 10-bed firehouse. The prison also houses mobility-impaired inmates in two facilities that have been modified to meet ADA standards.



Figure 1 - Exterior View of Dorm Style Housing Unit.
Photo: OIG, March 2010

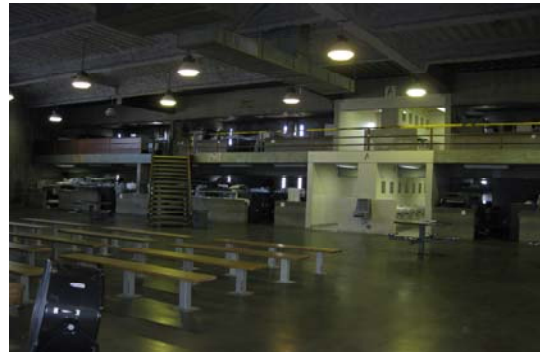


Figure 2 - Interior View of Dorm Style Housing Unit.
Photo: OIG, March 2010

Rehabilitation Programs

ASP offers its inmates a variety of rehabilitative programs that provide educational and work opportunities and include several self-help programs. Educational programs include a variety of academic and vocational programs including adult basic education, general educational development courses, computer-assisted instruction, and college programs. The prison’s vocational programs include auto mechanics, carpentry, electronics, graphic arts, printing, landscaping, plumbing, refrigeration, small engine repair, welding, painting, and janitorial services. In addition to these programs, ASP has 250 beds available for inmates enrolled in CDCR’s substance abuse treatment programs.

ASP’s inmate work assignments include clerical and porter positions, and firefighter positions at its firehouse. The prison’s fire department provides inmates with training and the opportunity to apply for State Firefighter 1 certification after they have completed the required course of study and gained fire-fighting experience. The Prison Industry

¹ Because of their crimes, notoriety, or gang affiliations, inmates placed on sensitive needs yards cannot mix with general population inmates.

Authority (PIA) offers inmates additional work in many fields, including poultry processing, egg production, furniture manufacturing, general fabrication, institutional laundry, warehouse shipping and receiving, maintenance and repair, and administration. Both the fire department and PIA work programs enhance inmates' job prospects upon parole.

ASP also offers many self-help programs, including Alcoholics Anonymous, Narcotics Anonymous, Youth Adult Awareness Program, and Criminal Gang Members Anonymous. The prison currently also offers twelve religious programs.

Budget and Staffing

For fiscal year 2009–2010, ASP reported that its prison operations budget was \$124 million, its education budget was \$8 million, and its health care budget was \$119 million, for a total budget of \$251 million. The prison reported 1,623 budgeted positions, of which 1,014 (or 62.5 percent) represent custody staff members. Table 1 below compares ASP's budgeted and filled positions as of November 30, 2009. Overall, the prison filled 1,505 of the 1,623 total budgeted positions, or about 93 percent.

Table 1: Staffing Levels at Avenal State Prison

Position	Filled Positions	Budgeted Positions	Percent Filled
Custody	969	1,014	95.6%
Education	64	80	80.0%
Medical	183	204	89.7%
Support	183	207	88.4%
Trades	91	102	89.2%
Management	15	16	93.8%
Total	1,505	1,623	92.7%

Source: California Department of Corrections and Rehabilitation, CompStat for November 30, 2009, Avenal State Prison. Unaudited data.

Objectives, Scope, and Methodology

To fulfill our objective of assessing Warden Hartley's performance, we employed a three-part approach. First, we used surveys to solicit opinions and comments from employees, CDCR management team members, and other stakeholders. Next, we analyzed operational data maintained by CDCR and compared it with the averages for prisons with a similar mission² and with averages for all prisons statewide. Then we reviewed relevant reports prepared by CDCR or other external agencies. Finally, we visited the prison and interviewed employees, community stakeholders, and an inmate representative from the Men's Advisory Council. We also followed up on noteworthy concerns identified from surveys, operational data, and reports.

To understand how the employees and other stakeholders viewed the warden's performance, we sent surveys to three distinct groups: CDCR and prison managers, ASP

² Prisons with a similar mission include: California Correctional Center, California Rehabilitation Center, California State Prison – Solano, Chuckawalla Valley State Prison, Correctional Training Facility, Folsom State Prison, Ironwood State Prison, and Sierra Conservation Center.

employees, and key stakeholders outside of CDCR. We surveyed 245 randomly selected prison employees. The surveys provided us with information about employees' perceptions of the warden's overall performance as well as information about the following specific operational areas at the prison: Safety and Security, Inmate Programming, Business Operations, and Employee-Management Relations.

We analyzed the employee survey results by grouping survey responses according to the respondent's employment in three categories: Custody, Health Care, and Other (which includes employees in education, plant operations, administration, and clerical positions). Then to identify strong trends or patterns, we classified the responses to our questions as either positive or negative. If the respondent "agreed" or "strongly agreed" with our question, we classified it as positive; and if the respondent "disagreed" or "strongly disagreed" with our question, we classified it as negative. We excluded passive responses such as "neutral" or "unknown."

Our inspectors also analyzed operational data maintained by CDCR (comparative statistics called CompStat) and analyzed the responses from other surveyed groups. We reviewed relevant reports prepared by CDCR or by external agencies about the prison's operations. Using these analyses and reviews, we identified topics for further review and evaluation during our on-site visit to ASP.

Visiting the prison gave us insight into the environment where Warden Hartley must perform his daily duties. We interviewed certain key employees as well as randomly selected employees. Our interviews involved employees in various operational areas throughout the prison, including the following:

- Armory
- Business services
- Educational/vocational programs
- Employee/labor relations
- Food services
- Health care
- Housing units
- Human resources
- Information technology
- Inmate appeals
- Inmate assignments
- Inmate case records
- In-service training
- Investigative services
- Litigation
- Personnel assignment
- Plant operations
- Prison industry authority
- Receiving and release
- Visiting
- Use-of-force review
- Warehouse

We performed our site visit during the week of March 22, 2010, and interviewed 70 individuals throughout the prison and two community stakeholders from the Citizen's Advisory Committee. We also interviewed by telephone two prison managers who were not available at the time of our site visit. Our total of 74 individual interview subjects included custody employees, CDCR executive management team members, prison education and health care professionals, and an inmate representative from the Men's Advisory Council. We asked them to describe and rate the warden's performance.

Review Results

Based on our interviews, we found that on average, the prison’s management team, key staff members, and stakeholders believe that Warden Hartley is doing a “very good” job overall. ASP’s lower-ranking custody staff, consisting of sergeants and correctional officers, rated his performance as “satisfactory.”

On the topic of the warden’s performance in four specific categories of Safety and Security, Inmate Programming, Business Operations, and Employee-Management Relations, however, we found that employee survey responses were mixed. For example, employees’ responses regarding safety and security were mostly positive. But when we asked about employee-management relations over half of the responses from custody employees were negative, while responses from non-custody staff were generally positive.

However, when we asked staff members and stakeholders whether the prison was operating better or worse, eighty-five percent of them reported that ASP is operating better since Warden Hartley arrived.

Category 1: Safety and Security

CDCR’s primary mission is to enhance public safety through safe and secure incarceration of offenders. The importance of safety and security is embodied in CDCR’s requirement that custodial security and the safety of staff members, inmates, and the public must take precedence over all other considerations in the operation of all of CDCR’s programs and activities. As shown in Table 2 above, when we surveyed ASP employees and asked them various questions about the safety and security of the prison, 79 percent of their responses were positive.

Table 2: Safety and Security – Employee Survey Results

Respondents	Positive	Negative
Custody	76%	24%
Health Care	85%	15%
Admin, Plant Operations, and Other	81%	19%
Weighted Average	79%	21%

Source: OIG Survey of ASP Employees. See Appendix for details.

During our site-visit review of the safety and security category, we also heard mostly favorable opinions from the employees we interviewed during our field visit. After considering the results of our interviews, and taking into account comments we received from the warden, we identified four areas that warranted more detailed discussion: Survey and Interview Results, Safety and Security Concerns Identified by Staff, Use of Force, and Employee Discipline and Accountability.

Survey and Interview Results

The responses to survey questions related to safety and security scored more positively than any other category. For example, 93 percent of the respondents indicated that employees effectively respond to emergencies, and 89 percent indicated that they had received all required training. In addition, 88 percent of the employees responded that

they had been issued or have access to all of the safety equipment they need. Yet in contrast to the very positive scores for emergency response, training, and equipment, only 59 percent of the employees surveyed felt that safety and security had improved since the warden's appointment.

When we conducted our on-site interviews with members of the warden's executive management team, other prison employees, and other individuals knowledgeable about the prison's operations, we asked them to name their biggest concerns related to safety and security. One-third of those employees responded that they did not have any safety and security concerns at all.

We heard additional positive comments from the employees we interviewed. For example, we were told that Warden Hartley holds staff members accountable for their actions by imposing employee discipline. We heard from several ASP employees that prior administrations had become too lax with some staff members, but that Warden Hartley takes immediate action to address issues and has "tightened things up" at the prison. Also, several employees noted that the warden has recruited an adept, cohesive management team that promotes staff accountability, which has further enhanced the overall safety and security at the institution.

During our interviews we were also told about Warden Hartley's strong efforts to provide staff with quality training that builds their skills in dealing with safety and security issues. For example, under the warden's direction in February 2010, prison management oversaw a series of alarm response training exercises using a vacated housing unit to simulate real-life inmate disturbances. During the exercises staff members responded to staged disturbances, thereby enhancing their skills in dealing with safety and security concerns that arise in those situations. The training benefited hundreds of employees on all three shifts, including custody staff members and such non-custody staff members as health care employees, and those working in plant operations and case records.



**Figure 3 - Participants in the February 2010 Alarm Response Training at ASP.
Photo: ASP Public Information Officer, February 2010**

Moreover, many employees commented positively on other safety and security improvements, including the warden’s actions to increase the Investigative Services Unit’s (ISU) staffing levels, obtain the services of two contraband sniffing dogs, implement a digital surveillance system, conduct more thorough inspections of prison visitors, and conduct closer staff inspections of personal property for contraband interdiction.

Safety and Security Concerns Identified by Staff

Employees also voiced concerns about the safety and security at ASP, including the improvements made by Warden Hartley. They expressed concerns about the risk of contraband, especially cell phones, entering the prison and the lack of coverage at various custody posts caused by the department’s staff redirection initiative, yet they also praised the warden for improving the lax attitude of some staff members. Although cell phone smuggling is a statewide problem for CDCR, the lax attitude of some employees may be a problem more unique to lower security-level facilities, such as ASP. The prison houses only level II inmates, who are generally less prone to serious inmate disciplinary violations. This can give employees a false sense of security. Some employees’ we interviewed attributed this complacency about safety and security to ASP employees who were never held accountable for poor work performance or misconduct during previous administrations. Their lack of accountability led to employees becoming too relaxed. However, employees note that since Hartley’s arrival at ASP, the relaxed attitude about safety and security has improved.

As part of a statewide initiative, CDCR reduced ASP’s staffing of custody posts by 3 percent causing a redirection in assignments for correctional officers, sergeants, and lieutenants. Because ASP custody staff can be redirected throughout the day to leave their post and provide coverage elsewhere, some custody employees are concerned about inadequate coverage when riots occur. Although the warden has little control over CDCR’s staff redirection initiative, he has made significant efforts to address the other safety and security concerns.

Not surprisingly, many employees we spoke to support the warden’s efforts through staff inspections to prevent contraband, such as cell phones from entering the institution through staff inspections. We were told by ASP employees that the warden is a strong advocate of CDCR’s cell phone interdiction program. By increasing staffing in ASP’s Investigative Services Unit, the warden strongly contributed to the discovery and confiscation of 939 cell phones in calendar year 2009—the highest number of phones confiscated by any state prison during that time period.³ In fact, as indicated in Chart 1

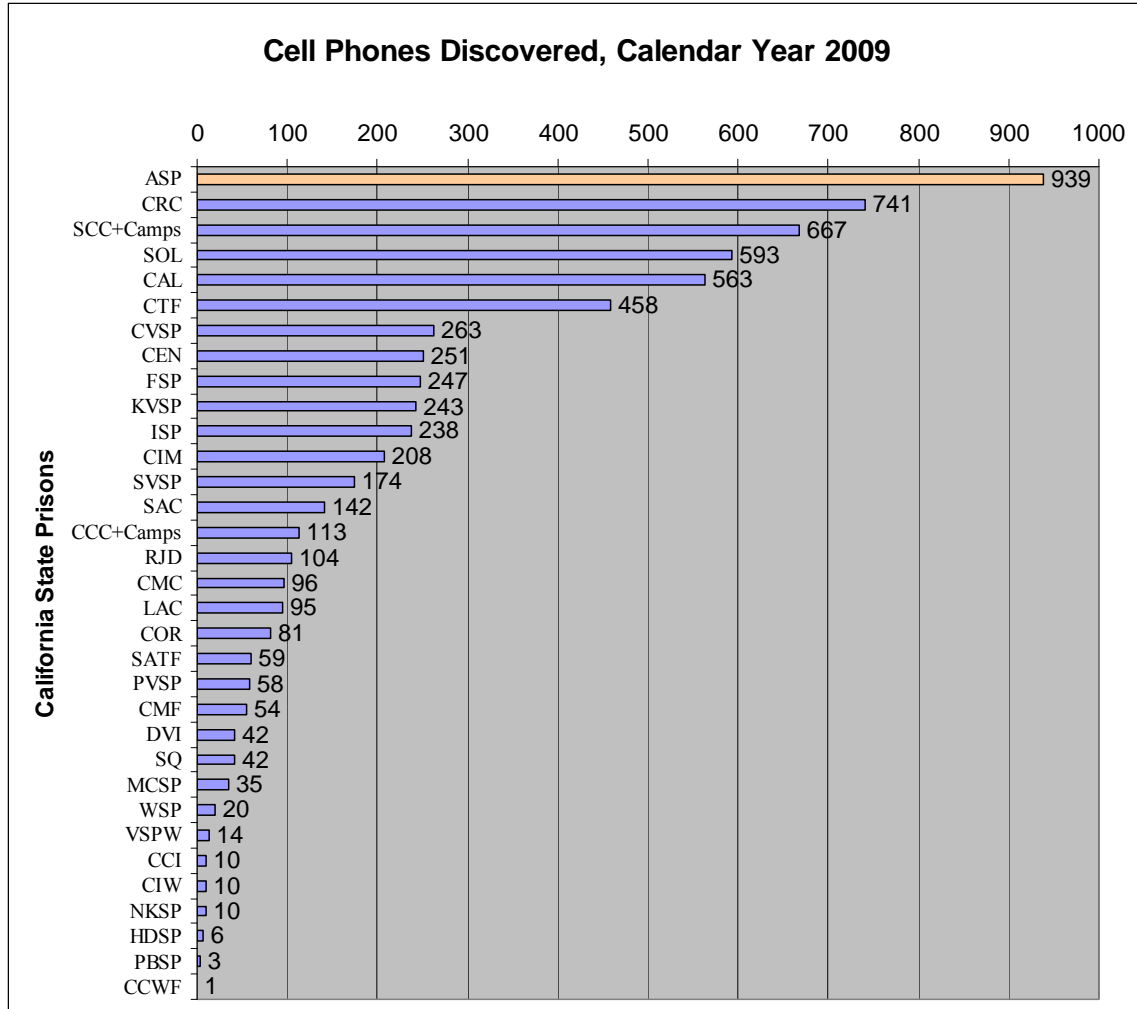


**Figure 4 - Cell phones confiscated at ASP.
Photo: ASP Investigations, March 2010**

³ The 939 figure for calendar year 2009 includes cell phones found on visitors, inmates, inmate facilities, and prison grounds. It does not include cell phones found during employee inspections.

below, the number of cell phones discovered at ASP was significantly higher than the number discovered at any other state prison.

Chart 1



Source: California Department of Corrections and Rehabilitation, Division of Adult Institutions, Office of the Associate Director. Unaudited data. Refer to **Appendix II** for prison abbreviation definitions

Also, the warden proactively developed and implemented a staff inspection program at ASP in May 2009 to address contraband interdiction and prevent cell phones and other contraband from entering the prison. Under Warden Hartley’s direction, ASP conducted surprise random staff searches and inspections (referred to as “closer inspections of personal property”) throughout the prison. CDCR later implemented its statewide “Operation Disconnect” policy in November 2009 and instructed all wardens to conduct unannounced random staff inspections at their facilities at least monthly. These closer inspections of personal property at ASP have yielded the discovery of cell phones and other contraband items that are not allowed inside the prison walls.



Figure 5 - Two ISU Officers with Contraband Sniffing Dogs. Photo: OIG, March 2010

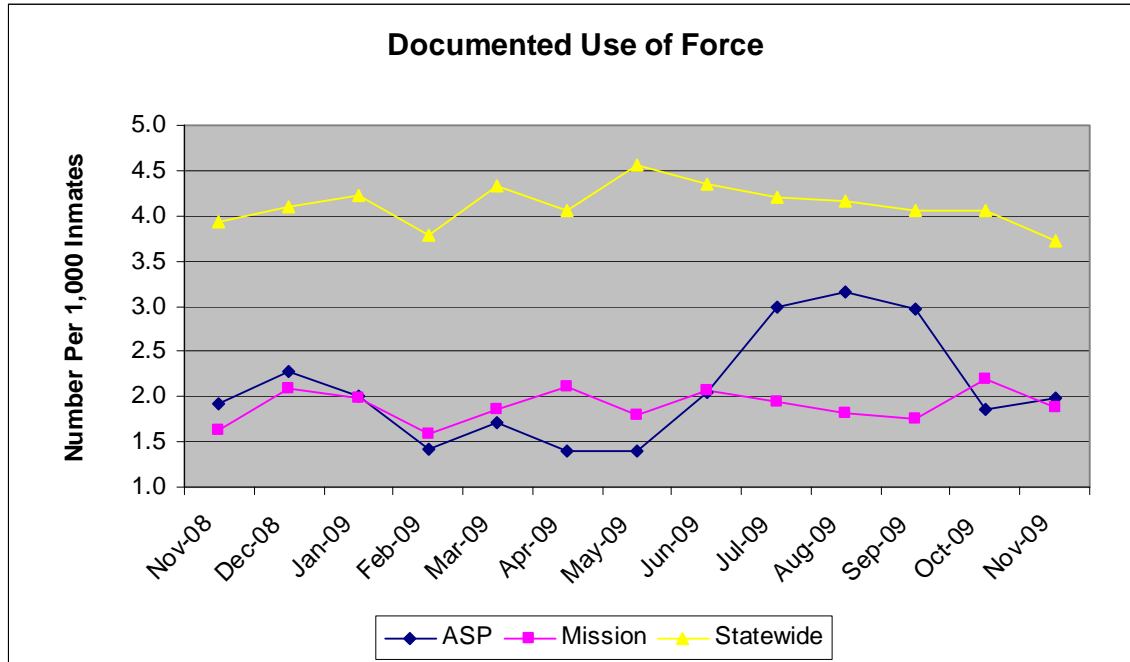
The warden implemented additional operational changes to further mitigate the risk of contraband entering the prison. For example, Warden Hartley helped ASP obtain two contraband sniffing dogs in February and March of 2010. Both dogs are trained to detect illegal drugs, and one is also trained to detect cell phones. At the main entry to the prison perimeter, the warden also had a gate installed that custody staff members close during evening hours, which prevents outsiders from entering the prison grounds. Because of these changes and the improvements in

accountability and training, several ASP employees asserted that the warden's improvements in safety and security are his biggest accomplishment at ASP.

Use of Force

The number of incidents in which force is necessary to subdue an attacker, overcome resistance, effect custody, or gain compliance with a lawful order is a measure of inmate behavior and of the prison's ability to safely incarcerate inmates. To assess ASP's use of force, we reviewed CDCR's use-of-force data during the 13-month period from November 2008 through November 2009. As shown in Chart 2 below, ASP's documented occurrences of the use of force are far below the statewide average and are in line with occurrences at prison with similar missions, except during the three-month time period from July 2009 to September 2009, when ASP experienced a spike in use-of-force occurrences. The warden attributed the increase to riots that occurred during the summer months. The warden noted that ASP has no air-conditioning in its open-dorm housing units. During the summer months, the temperature inside the housing units can become very uncomfortable, which can agitate inmates and ultimately contribute to rioting. We confirmed that riot incidents took place during the summer months through a review of CDCR data, discussion with a staff, and review of news articles.

Chart 2:



Source: California Department of Corrections and Rehabilitation, CompStat for November 30, 2009, Avenal State Prison. Unaudited data.

Employee Discipline and Accountability

Since his arrival at ASP, Warden Hartley has gained a strong reputation as a leader who focuses on employee discipline and accountability. In fact, during our interviews many staff members commended the warden for holding employees responsible for their actions. We were told by many managers that previous prison administrations did not take appropriate action to discipline employees. For example, we were told that previous wardens sometimes took no disciplinary action or gave reduced penalties for disciplinary cases. This lack of holding employees fully accountable can diminish the overall safety and security of a prison. However, that practice changed abruptly once Warden Hartley arrived and imposed more disciplinary actions. But according to individuals we interviewed, the warden acted too aggressively and as a result, he gained a negative reputation among staff members.

Category 2: Inmate Programming

Research shows that rehabilitative programming can reduce the likelihood that offenders will commit new crimes and return to prison. In fact, a 2006 Washington State Institute for Public Policy

Table 3: Inmate Programming – Employee Survey Results

Respondents	Positive	Negative
Custody	45%	55%
Health Care	61%	39%
Admin, Plant Operations, and Other	50%	50%
Weighted Average	48%	52%

Source: OIG Survey of ASP Employees. See Appendix for details.

study of adult basic and vocational education programs found that such programs reduce inmate recidivism by an average of 5.1 percent and 12.6 percent, respectively.⁴ CDCR recognizes these benefits and provides academic and vocational training and a number of self-help and self-improvement services, including substance abuse treatment programs. An added benefit is that programming requires inmates to have a more structured day and less idle time. Generally, inmates with a structured day tend to be easier to manage. As a result, the prison's safety and security can be enhanced by the amount of inmate programming available.

During our review of inmate programming at the prison, we found that ASP offered more than 4,000 educational opportunities and work assignments providing a variety of programming opportunities for its inmate population. Yet as shown in Table 3 above, only 48 percent of the employee survey responses were positive on the topic of the prison's programming opportunities. The survey question that received the most negative responses asked whether inmate programming had improved since the warden's appointment—nearly two-thirds of those surveyed gave a negative response. However, these negative responses may not be due to Warden Hartley's performance. Budget cuts throughout CDCR have reduced inmate programming opportunities, and all three of our interviews with academic and vocational employees at the prison cited budget cuts as a major issue in their area. But these budget cuts were outside of the warden's control. Further, employees we interviewed said that ASP generally provided good programming opportunities to inmates and that the warden was very supportive of inmate programming. After considering the interviews and the additional information that we gathered from CDCR statistics and from the warden, we identified two key areas for further discussion: Programming Opportunities and Inmate Program Attendance.

Programming Opportunities

Despite survey responses on the topic of inmate programming returning only 48 percent positive, all academic and vocational education staff members interviewed during our on-site visit praised Warden Hartley for supporting inmate programming. The vice principal added that the warden addresses education issues quickly. We also noted that ASP has been successful in filling the majority of its inmate work assignments. According to CDCR data for January 2010, ASP had 3,359 available inmate program assignments, which included assignments to various work positions as well as to academic and vocational programs. ASP had filled 87 percent of those available assignments, which compared favorably to the 80 percent average at prisons with similar missions.

We were told by the PIA administrator that prior to Warden Hartley's arrival, ASP was unable to fill PIA work assignments because the prison did not have enough inmates eligible to work outside the secured perimeter. But upon his arrival, Warden Hartley put a strong emphasis on increasing inmates' opportunities for programming and was successful in maintaining PIA work assignments at ASP. In fact, between January 2009 and January 2010, ASP improved its percentage of filled PIA assignments from 79

⁴ Washington State Institute for Public Policy, "Evidence-Based Adult Corrections Programs: What Works and What Does Not," January 2006.

percent to 89 percent. As of January 2010, ASP had 484 inmates enrolled in PIA programs and a total of 542 available assignments. These are larger numbers than any other prison with a similar mission.

While Warden Hartley has been successful in keeping inmate work assignments filled, his efforts to improve inmate programming opportunities at ASP have been offset by other factors that are generally outside of his control. Specifically, we identified two key factors—CDCR’s budget and ASP’s assigned inmate population—that have negatively affected inmate programming opportunities at ASP. First, according to ASP’s education principal, CDCR’s mandated budget cuts significantly reduced the number of academic and vocational education teaching positions and classroom instruction hours offered to inmates statewide. As a result, inmates now spend more unstructured study time in their housing units. The education principal reported that, from March 31, 2009 to March 31, 2010, ASP lost 15 (44 percent) of its academic teachers and eight (34 percent) of its vocational education teachers. In addition, he reported that six English language development classes were eliminated.

Second, because ASP’s inmate population has changed, the prison now houses more inmates designated as sensitive-needs inmates, and these inmates have programming restrictions. From February 2009 to February 2010, ASP’s population of sensitive-needs inmates increased from 38 percent to 47 percent so that by February 2010, ASP housed 622 more sensitive-needs inmates than it did one year earlier. For safety and security purposes, the CDCR restricts the work placement of sensitive-needs inmates and prohibits them from working directly with general population inmates. As a result, there are fewer work assignment programming opportunities for sensitive-needs inmates, who make up almost half of ASP’s population.

In spite of a weakened budget environment, ASP continues to offer inmates many self-help groups, including Alcoholics Anonymous and Narcotics Anonymous. Like the academic and vocational educational options, these groups provide structure and direction for inmates.

Also worth mentioning is the scheduled closure of one of ASP's PIA programs, a program unique to ASP —its egg production operation. According to ASP's PIA egg production superintendent, the operation currently faces closure by January 1, 2015 due to California's Proposition 2, which prohibits the confinement of certain farm animals (including egg-laying hens) in a manner that does not allow them to turn around freely, lie down, stand up, and fully extend their limbs. ASP's egg production facilities are currently in violation of Proposition 2, and PIA management does not plan to comply with the new law. Consequently, by 2015, PIA will have to eliminate its flock of 145,000 commercial laying hens, which produce 45,000 dozen shell eggs each week. These shell eggs and egg products are used by CDCR's adult prisons and juvenile facilities, as well as by state hospitals and veteran homes. According to the PIA program superintendent, the closure of this operation will eliminate 96 PIA inmate jobs and six PIA civilian jobs.



Figure 6 - ASP's PIA Egg Production Facility.
Photo: ASP PIA, April 2010

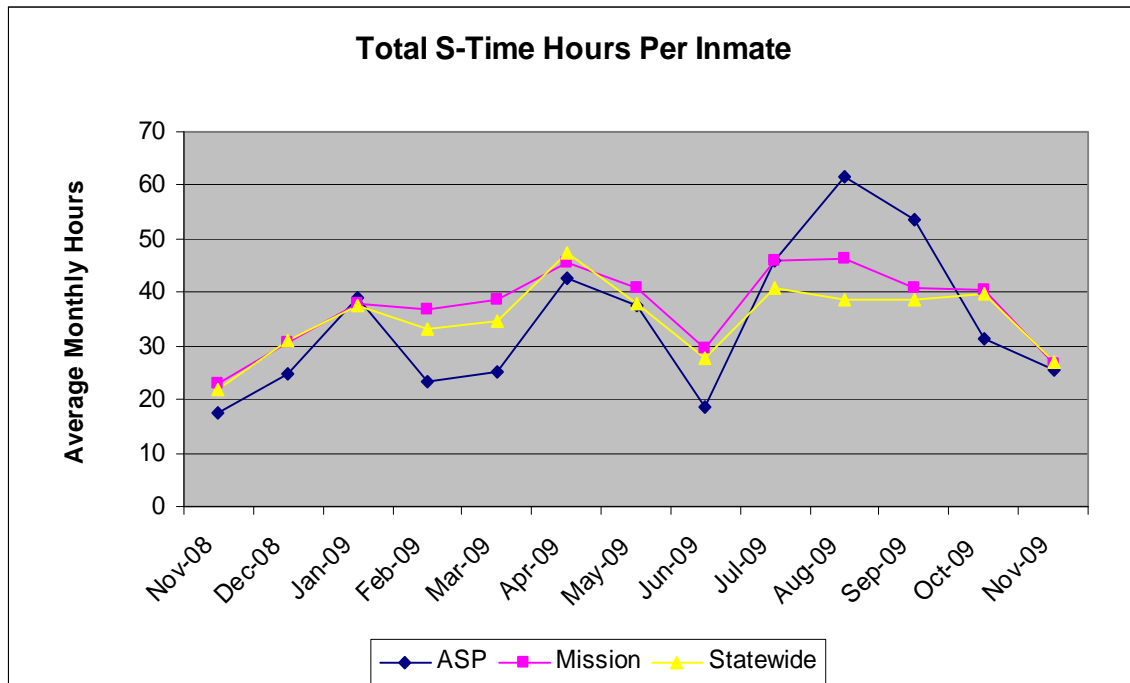
Inmate Program Attendance

CDCR establishes the amount of time that assigned inmates must attend academic and vocational training classes each day. As a result, each prison can be evaluated on how effectively it complies with school-day attendance requirements since prison administrators must track inmate class absences. CDCR refers to absences caused by circumstances beyond the inmate's control as "S-time." Such absences may result from security-related needs such as lockdowns, modified programming, investigations, and inmate medical appointments. Education-related absences, such as teachers calling in sick, also contribute to S-time. Patterns of high or increasing levels of S-time at prisons indicate that prison management may be ineffectively using their academic and vocational programs, or even wasting these resources, which give the inmates what they need to succeed upon parole.

ASP has few prison-wide lockdowns or other disruptions to normal operations that modify inmate programming. In fact, when we reviewed ASP's daily status reports from March 8, 2009 to March 8, 2010, we found that ASP reported no prison-wide lockdowns and reported only a few instances of modified inmate programming. Furthermore, when we talked to the vice-principal he indicated that, while the deactivations and activations of yards during modified programming sometimes precluded inmates from attending classes during 2009, the prison was still effective at getting inmates to attend programming.

Consequently, as indicated in Chart 3 below, the average per-inmate S-time absences at ASP were lower than the averages for prisons statewide and for prisons with comparable missions in nine out of the 13 months of the period reviewed. The months during which S-time exceeded the statewide average by a significant amount were August 2009 and September 2009, which correlated with two different types of events. First, riots that occurred during the summer months resulted in modified programming at two of ASP’s facilities. Second, according to the vice-principal of education, during those months many teachers who had been notified of impending lay-offs took time off to look for other employment, resulting in the cancellation of classes.

Chart 3:



Source: California Department of Corrections and Rehabilitation, CompStat for November 30, 2009, Avenal State Prison. Unaudited data.

Category 3: Business Operations

A prison’s business operations include budget planning and control, personnel administration, accounting and procurement services, employee training and development, and facility maintenance and operations. It is important for the warden to be knowledgeable in these areas to effectively perform his duties.

Table 4: Business Operations – Employee Survey Results

Respondents	Positive	Negative
Custody	51%	49%
Health Care	60%	40%
Admin, Plant Operations, and Other	63%	37%
Weighted Average	57%	43%

Source: OIG Survey of ASP Employees. See Appendix for details.

As shown in Table 4 above, while the various respondent groups had mixed opinions about the prison’s business operations, 57 percent of the overall survey responses were

positive. Our analysis of the information gathered from CDCR's data, prison employee survey responses, and employee interviews uncovered several specific areas that warrant further discussion: Overtime Usage, Staffing Levels, Survey and Interview Comments, and Administrative Segregation Housing.

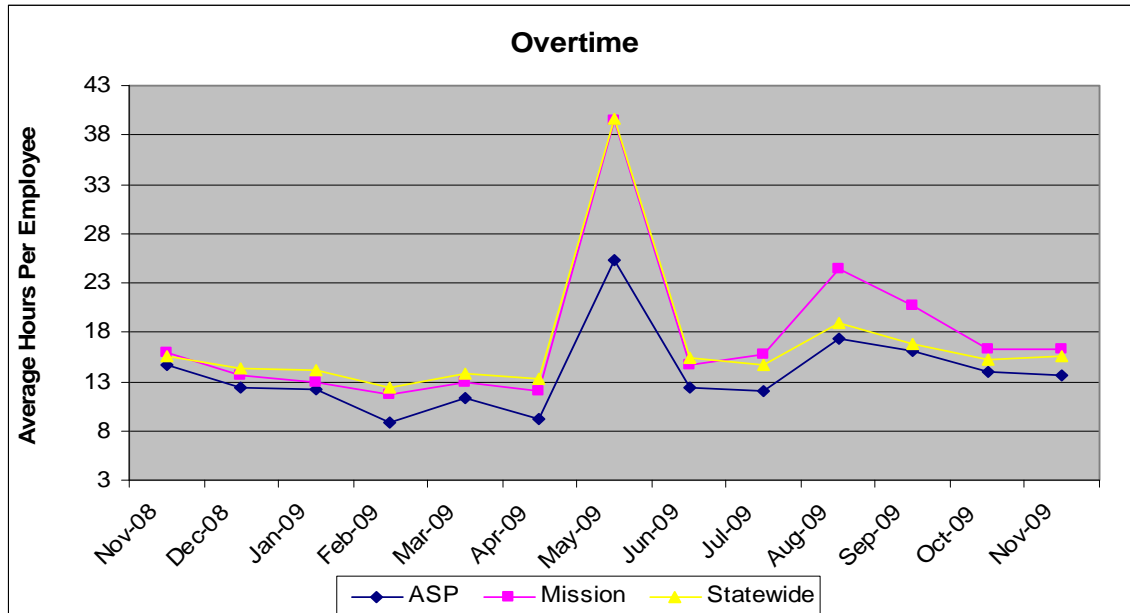
Overtime Usage

The control of overtime usage is one indicator of a warden's ability to manage his prison's overall operations because it requires the warden to ensure that good budgeting, planning, and personnel administration practices are in place. As shown in Chart 4 below, during the 13-month period from November 2008 to November 2009, ASP consistently incurred fewer average overtime hours per employee than averages for prisons statewide and for prisons with comparable missions.

We asked Warden Hartley why ASP's average overtime per employee was lower than other prisons during the 13-month review period. He attributed the lower overtime usage to ASP's closure of one yard and its redirection of posts. Because this redirection of posts did not result in a decrease in personnel positions, the prison was able to use those employees whose posts were eliminated to work shifts that would normally be filled through overtime. Also, another employee told us that Warden Hartley's emphasis on monitoring and reducing sick leave usage has reduced overtime usage at the prison. As a result, more shifts are fully staffed and there is less need to back-fill positions with employees on overtime status.

We also inquired about the spiked increase in overtime hours for ASP (and other prisons statewide) during the month of May 2009. According to the personnel manager who maintains data for the prison, the average overtime hours for May 2009 are inflated because a second pay period occurred in that month. ASP employees are paid every four weeks. As a result, during each year two pay periods occur within a single month, thereby inflating employees' average hours of overtime for that monthly reporting period.

Chart 4:



Source: California Department of Corrections and Rehabilitation, CompStat for November 30, 2009, Avenal State Prison. Unaudited data.

Staffing Levels

The majority of survey respondents felt that their assigned work areas had enough staff to complete the required work. We were told that Warden Hartley’s associate warden of business services actively addresses the prison’s business operations needs. For example, the associate warden regularly communicated with CDCR about filling ASP’s vacant beds to ensure that operational funding was maximized. Also, she regularly communicated with the management team about such issues as staff vacancies and limited resources.

Survey and Interview Comments

When we surveyed employees and asked if plant operations employees are able to meet maintenance and repair needs in their area, only 49 percent of the respondents answered the question favorably. However, during our on-site interviews, we were told that Warden Hartley “pays attention to maintenance,” that plant operations “get their people right over” when an issue comes up, and that plant operations staff “do the best they can with the resources they are given.” Similarly, when we surveyed employees and asked if business operations had improved since Warden Hartley’s appointment, only 52 percent of the respondents answered favorably. But in contrast, when we interviewed employees during our site visit, we were told about Warden Hartley implementing several changes that enhanced the prison’s workplace and overall work environment. First, the warden added extra parking spaces to the staff parking lot by having the parking spaces re-striped in a slanted pattern, replacing the original perpendicular pattern. Adding more spaces not only reduces the time it takes for staff members to find parking, it also lessens the frustration that can arise and generally improves staff morale. Second, Warden Hartley

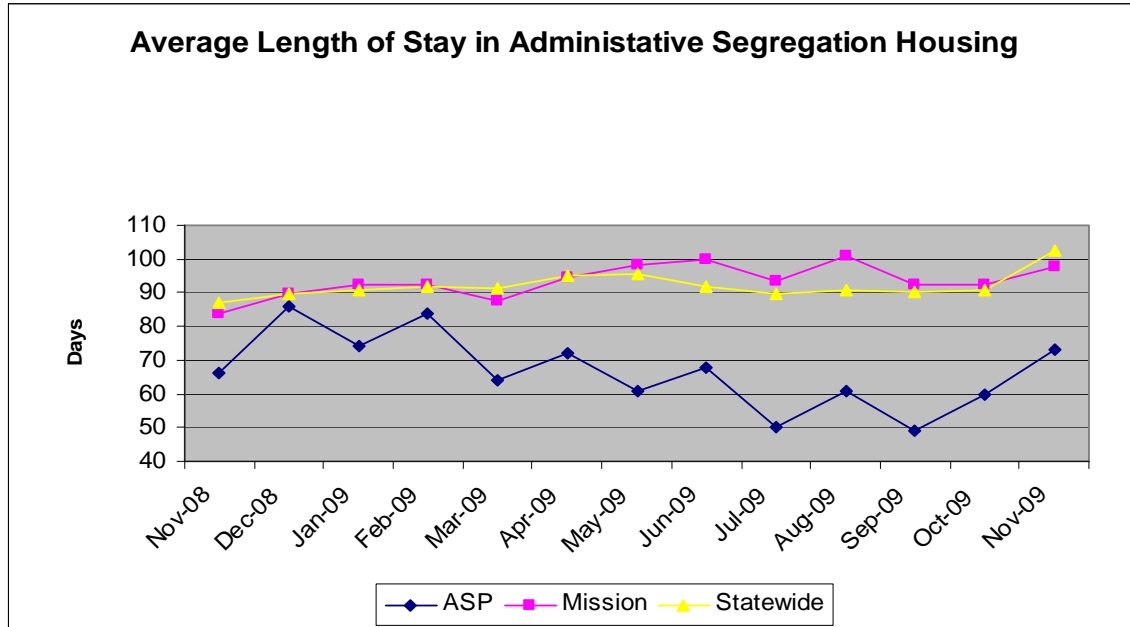
procured multi-personnel trams to efficiently transport staff members throughout the prison during shift changes. Like other prisons, ASP also uses golf carts with two or four seats for intra-prison transportation. However, the new trams can transport ten or more people at a time. Third, to address the staff overcrowding in some of ASP's work areas, Warden Hartley told us that he always looks for ways to maximize the use of under-used work areas. For example, he had plant operations staff members add walls to two areas in the administration building, creating separate work spaces for case records staff members and for employees who needed to review inmates' central files. He also used empty space between facilities to place medical clinics. All of these conveniences can contribute to improved employee morale while increasing operational efficiency.

Administrative Segregation Housing

Inmates that are either disruptive or victimized by other inmates are temporarily placed in segregated housing areas known as Administrative Segregation Units (ASU) until employees investigate the level of threat to the prison or the inmate. These housing areas are more expensive to operate than general population housing units because they have increased security requirements. Effectively managing the time it takes the prison to investigate the level of threat can significantly reduce the average length of stay and therefore the cost of housing an inmate in ASU. As a result, the average length of stay in ASU is an indicator of how well a prison is managing its resources.

We found that ASP runs its administrative segregation housing unit efficiently. As indicated in Chart 5 below, during the 13-month review period from November 2008 through November 2009, the average length of stay for inmates housed in an ASU was typically much shorter than both the average for prisons statewide and the average for prisons with comparable missions. When we talked to the associate wardens about the prison's success in minimizing inmates' length of stay in ASU, the associate wardens emphasized that they required inmate classification reviews to be conducted on a timely basis. They added that preparing all required supporting documents accurately and promptly expedites the inmate's return back to his regularly assigned housing unit. Given that an administrative segregation housing unit is more expensive to operate than a general population housing unit, promptly endorsing and returning the inmate back to his regular housing unit protects inmates' due process rights and saves money.

Chart 5:



Source: California Department of Corrections and Rehabilitation, CompStat for November 30, 2009, Avenal State Prison. Unaudited data.

Category 4: Employee-Management Relations

According to the correctional standards for effective leaders, “Successful leaders invite communication, listen well, and prove themselves trustworthy by exhibiting rational, caring, and predictable behavior in their interpersonal relationships.”⁵ The warden’s ability to communicate plays an important role in employee relations and is vital in implementing CDCR’s vision and mission at the prison level. Not only must the warden interact with employees at all levels and communicate instructions and directions clearly and effectively, but he or she must also communicate effectively with CDCR headquarters as well as with the surrounding community.

Table 5: Employee-Management Relations – Employee Survey Results

Respondents	Positive	Negative
Custody	41%	59%
Health Care	71%	29%
Admin, Plant Operations, and Other	71%	29%
Weighted Average	55%	45%

Source: *OIG Survey of ASP Employees. See Appendix for details.*

When we analyzed employees’ survey responses to various questions related to employee-management relations, we found a significant disparity between the average ratings given by custody officers and those given by the two other respondent groups. As shown in Table 5 above, only 41 percent of the responses we received from custody staff members were favorable, while 71 percent of the responses from non-custody groups were favorable. But because the custody staff members were the largest classification of survey respondents, only 55 percent of the total survey responses on employee-management relations were positive.

⁵ *Correctional Leadership Competencies for the 21st Century*, U.S. Department of Justice, National Institute of Corrections (December 2006).

While the opinions of employees and other stakeholders provide one measure of the warden's effect on employee-management relations, another measure can be found in the number of grievances filed by the prison's employees. Therefore, to evaluate Warden Hartley's effect on employee-management relations, we analyzed employee survey responses, interviews with the warden's management team and other employees, and statistics on employee grievances. This analysis resulted in several topics for further consideration: Employee Survey and Interview Responses, Employee Grievances, Warden Management Skills and Qualities, Relations with Internal and External Stakeholders and Non-Custody Staff, and Employee Morale.

Employee Survey and Interview Responses

The survey questions in the employee-management relations category dealt with such areas as the warden's knowledge, use of authority, professionalism, communication skills, approach to employee discipline, and overall employee-management relations. These areas all contribute to the culture of the work environment. As we previously noted, we found a disparity of opinion when we compared survey scores from respondents who identified their job as custody-related with respondents whose jobs were not custody-related. As indicated in Table 5, when we asked custody staff members various questions about employee-management relations, only 41 percent of the responses were positive. In contrast, 71 percent of the non-custody staff members' responses were positive. When we analyzed the custody employees' responses to individual questions in the employee-management relations category, we identified one survey question with significantly low ratings. Specifically, when asked whether employee-management relations had improved since the warden's appointment, only 22 percent of the custody respondents gave Warden Hartley a favorable rating.

In a related question at the end of our survey, we asked employees to rate the warden's overall performance after considering all institutional challenges. Again, we found disparity between the responses we received from custody staff compared to the responses we received from the other groups of employees. Specifically, only 29 percent of the custody staff rated Hartley's overall performance favorably, whereas 73 percent of the non-custody staff gave him a positive rating.

During our site-visit interviews, we asked employees to assess the warden's overall performance and to comment on their assessment rating. Similar to the survey results, the interviews revealed a disconnect between the various groups we interviewed, which included the management team and key staff members, stakeholders, and lower-ranking custody staff. The management team and key staff members included the chief deputy warden, associate wardens, captains, and key custody and non-custody personnel. Stakeholders included members from the Citizen's Advisory Committee, an inmate representative from the Men's Advisory Council, and representatives from several employee union groups. The lower-ranking custody staff members included sergeants and correctional officers. Specifically, we found that most of the prison's management team and key staff members, as well as the stakeholders, believe that the warden is doing

an “outstanding” or “very good” job overall. However, most of ASP’s lower-ranking custody staff members rated his performance as “very good” or “satisfactory,” with individual ratings ranging from “very good” to “unacceptable.” To understand why the sergeants and custody officers generally rated the warden’s overall performance lower than the other groups of interviewed employees, we analyzed the comments employees made in support of their ratings.

Of the total 19 lower-ranking custody staff members we interviewed, almost half of them attributed their ratings to low staff morale. But, while some of those employees blamed Warden Hartley for the low morale, others did not. For example, three employees who believe that morale is low attributed it to Warden Hartley’s demeanor, asserting that staff members “fear intimidation from the warden,” that he “belittles people,” and that “it doesn’t seem like he cares about staff.” Yet, three others told us that the low morale was due to furloughs, the 3 percent staff redirection, or was otherwise not attributable to the warden. Another employee told us that staff morale was low before Warden Hartley arrived. Several of these custody staff members suggested that the warden needs to be more accessible to line staff, visit the yards more often, or merely acknowledge employees for a job well done. It is worth noting, however, that three of the 19 lower-ranking custody staff members indicated that staff morale was not a problem at ASP, stating that it was “OK,” had “leveled out,” or was “good.”

In addition to the low employee morale issue, we found another factor that both custody and non-custody staff members commented on throughout our on-site interviews, and that issue may also have significantly contributed to some custody staff members’ low ratings for the warden. Specifically, employees we interviewed from all levels addressed Warden Hartley’s focus on staff discipline. For example, we were told that, upon his arrival, Warden Hartley promoted staff accountability and administered employee discipline. We were also told that staff discipline had been lacking at ASP before Warden Hartley’s arrival and that some staff members were either not being disciplined or that their discipline was inconsequential or reduced. Although many employees told us that they supported the crackdown on staff accountability, others were not supportive of his actions. Staff members we interviewed said that although the warden’s disciplinary practices are within the confines of CDCR’s disciplinary matrix, Warden Hartley aggressively administered punishment, especially when he first arrived at the prison. As a result, he has a lingering reputation as a stern disciplinarian. As shown in Table 6 below, during the 13-month period from January 1, 2009, to January 31, 2010, ASP took more adverse actions and enforced more dismissals than any prison with a similar mission.

Table 6:

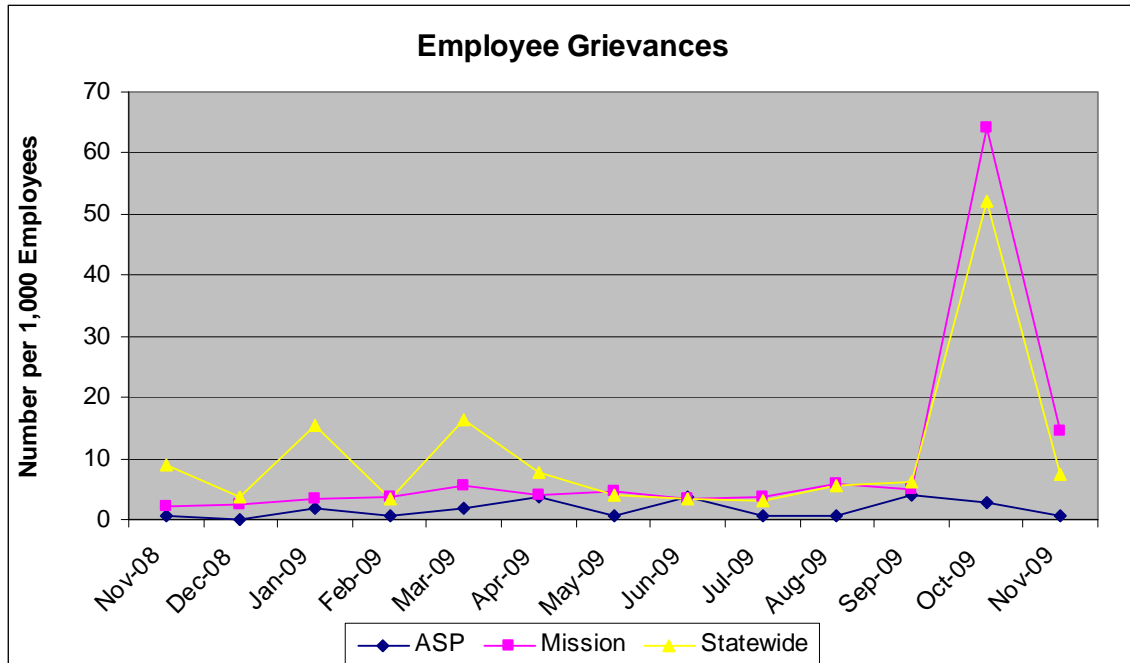
Adverse Actions and Dismissals									
Male General Population Levels II and III and Camps Mission-Based Group									
For the 13-Month Period of January 1, 2009 to January 31, 2010									
Disciplinary Action Type	ASP	CRC	CCC	ISP	CTF	FSP	SCC	SOL	CVSP
Adverse Actions Per 100 Staff	0.368	0.351	0.338	0.308	0.256	0.244	0.215	0.195	0.138
Adverse Actions -Total	73	56	48	44	48	33	31	30	14
Dismissals	14	8	0	2	13	5	5	7	3

Source: California Department of Corrections and Rehabilitation CompStat- January 1, 2009 to January 31, 2010 for Male General Population Levels II and III and Camps Mission-Based Group. Unaudited Data

Employee Grievances

All employees have the right to express their grievances through an established CDCR procedure. Although 59 percent of the non-custody employee survey respondents gave positive ratings when we asked them about the employee grievance process, only 37 percent of the custody employees’ responses were favorable. However, when we compared ASP to other prisons, we found that the results were quite favorable. As shown in Chart 6 below, the number of employee grievances per 1,000 employees at ASP was consistently lower than both the average for prisons statewide and the average for prisons with a similar mission.

Chart 6:



Source: California Department of Corrections and Rehabilitation, CompStat for November 30, 2009, Avenal State Prison. Unaudited data.

Warden Management Skills and Qualities

Based on the survey results, we found that the warden’s management team and CDCR’s management believe that Warden Hartley is performing at a very good to outstanding level.

CDCR officials and ASP managers rated Warden Hartley favorably for his management skills and other qualities. In our survey, we asked the officials and managers to consider the warden’s performance in six management skills and qualities and rate the

Table 7: Rating of Warden’s Management Skills and Qualities

Category	Average Rating
Personal Characteristics/Traits	Very Good
Relationships with Others	Very Good
Leadership	Outstanding
Decision Making	Outstanding
Communication	Very Good
Organization/Planning	Outstanding

Source: OIG Survey of CDCR and ASP Management

performance as either “unacceptable,” “improvement needed,” “satisfactory,” “very good,” or “outstanding.” As shown in Table 7, on average, the responding stakeholders believe that Warden Hartley is performing at a level of “very good” or “outstanding” in all categories. In addition, ASP employees we spoke with during our visit made various comments about Warden Hartley’s management skills and qualities that were consistent with these ratings. For example, employees described the warden as “knowledgeable,” “fair,” “a master strategist,” “approachable,” and “responsive,” and noted that he walks the facilities and will seek input in making decisions. Moreover, many employees we interviewed praised the warden’s management team. Several employees specifically commented that the warden assembled a good, effective, cooperative management team that works well together. Several managers also commented that they had learned from Warden Hartley’s mentoring and leadership, and from his previous experience as an employee relations officer.

Relations with Internal and External Stakeholders and Non-Custody Staff

We were told by representatives of the Citizens Advisory Committee (CAC), local law enforcement agencies, employee unions, the Men’s Advisory Council (MAC), and non-custody staff members from health care and education that they had a positive working relationship with the warden. The CAC representatives noted that in the 1980s they had lobbied for CDCR to build a prison in or near the town of Avenal and currently would like the department to consider the town of Avenal as a viable site for a re-entry facility. According to Warden Hartley and both CAC representatives, communication between them is outstanding. The CAC representatives praised the warden for doing his part to conserve water for surrounding farmlands. They also praised Warden Hartley for ASP’s participation in community events.

Warden Hartley has also partnered with local law enforcement. The Kings County Sheriff said in a survey that he has interacted with Warden Hartley on the transporting of inmates to state prisons, on the local court scheduling of inmates, and on community projects that benefit youth. Based on that interaction, the sheriff rated Warden Hartley with “outstanding” in communication skills. The sheriff wrote that Warden Hartley meets with

local stakeholders to ensure viable solutions; and that Warden Hartley and his staff members are accessible, responsive and sensitive to the needs of the community.

Employee union representatives whom we interviewed, including representatives from the California Correctional Peace Officers Association, also gave Warden Hartley very good ratings and said that the warden was accessible and worked well with them. They added that Hartley took the union relationship seriously and had good communication with the unions.

The MAC representative asserted that Hartley had been “fair, upfront and accessible.” He also noted that the warden will either “give you an answer or he will look into it and get back to you.” Furthermore, the representative said that custody staff did a good job getting inmates to their medical appointments.

Health care and education employees generally gave Warden Hartley a “very good” or “outstanding” rating. One health care provider said that Warden Hartley made health care a priority and had built a cooperative management team. Many staff members commented that the working relationship was strong between the medical and custody staff members and health care managers found the warden and his management team to be very accessible. An education employee said that the warden supports—and the custody staff respect—education programming. And in comparing ASP to two other prisons, the employee said that ASP was the “most staff-friendly of any prison.” Another education employee indicated that Warden Hartley tried to find jobs for teachers who were laid off, and that he was very positive.

Employee Morale

In both our surveys and our on-site interviews, we noted many comments related to ASP’s low employee morale, especially from lower-ranking custody staff. In fact, during our initial interview with Warden Hartley, he indicated that low morale among some staff members might prevent them from giving him credit for the positive changes he had made at the prison since his arrival. We listed below the commonly cited reasons for the low morale among ASP’s staff members:

- State employee furloughs and program budget cuts;
- CDCR’s 3 percent staff redirection of posts;
- ASP’s closer inspections of personal property;
- Warden Hartley’s reputation as a strong disciplinarian; and
- Warden Hartley’s personal demeanor.

Many interview subjects attributed the low staff morale to state furloughs and program budget cuts, which are generally outside the warden’s control. Others blamed the low morale on the CDCR’s February 2010 statewide 3 percent staff redirection of posts. We were told by one custody lieutenant that the staff-redirection policy change eliminated various custody posts from second and third watch and re-assigned those staff members to other areas of the prison. But some of those custody employees were concerned about

the change because they were not familiar with their new assignment areas. Custody employees also mentioned another negative outcome that could result from the post redirection changes. Specifically, they felt that inmate violence could increase because inmates' yard time has been reduced, due to limited yard post coverage. Consequently, custody staff members fear that not only will the number of incidents increase and that those incidents will be more difficult to control with the reduced post coverage.

A few custody staff members we interviewed said that the warden's random closer inspections of employee personal property have contributed to lower staff morale. But the warden told us that although there had been a lot of negative talk initially, employees' views on the closer inspections have improved over time. He also reported that two employees actually stopped by his office to thank him after he instituted the process. Further, supporting the warden's actions, CDCR now requires that all prisons conduct random inspections of staff.

Several survey respondents and various staff members we interviewed indicated that Warden Hartley's personal demeanor could be too direct, confrontational, and unprofessional. For example, during our interviews we were told about confrontational incidents that occurred in the open, in front of various staff members. When we spoke to the warden about some staff members' perceptions, he was not surprised. He indicated that one of the incidents had taken place during a meeting, shortly after he had arrived at ASP. He said that he had discussed the problem with the staff member involved in private, after the meeting, but that the incident had been "blown out of proportion."

The warden also told us that he makes an effort to be visible throughout the prison and to acknowledge custody employees while walking the prison grounds. He added that he goes out of his way to be personable and shake hands with each employee he meets. However, during our interviews, several custody staff members indicated that they did not see the warden regularly or that they wanted more personal interaction with him in the custody work area. In fact, two custody staff members noted that they had never met the warden. However, during our interviews several staff members commented that Warden Hartley's demeanor has improved over time.

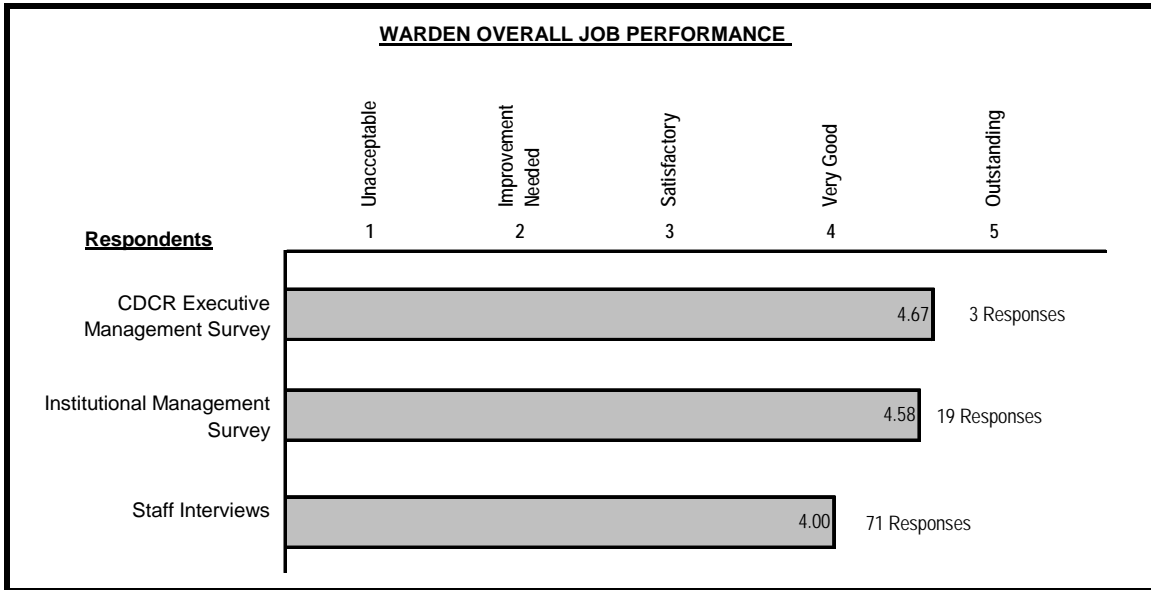
Overall Summary

In our employee survey we asked, "Considering all institutional challenges, how would you rate the warden's performance?" Only 52 percent of the employees responded with a positive rating of either "very good" or "outstanding." However, when we stratified the survey results among the three groups of employees surveyed (custody, health care, and other), we found notable variances in opinion. Specifically, while only 29 percent of custody respondents gave Warden Hartley a positive rating, 75 percent of health care respondents and 72 percent of other respondents rated Warden Hartley with a positive response. Similarly, when we analyzed the employees' responses to the general questions included at the end of each of the four operational area survey categories, we found that custody employees' opinions varied from non-custody employees' opinions. Specifically, when we asked employees if safety and security, inmate programming, business

operations, or employee-management relations had improved since the warden’s appointment, the custody staff members who responded to our survey rated the warden significantly lower than either of the non-custody respondent groups rated him. However, when we interviewed union representatives who represent custody and other institutional areas, they rated Warden Hartley positively.

In addition to reviewing the four key operational areas discussed in this report (safety and security, inmate programming, business operations, and employee-management relations), our assessment of the warden’s performance also included an overall performance rating. We based the rating on survey responses from CDCR officials and ASP managers and from interviews that we conducted with ASP employees during our site visit. As shown in Chart 7 below, those individuals on average rated Warden Hartley’s overall performance between “very good” and “outstanding.”

Chart 7:



Source: OIG surveys and interviews of CDCR and ASP employees

However, when we categorized the employees by work group, the staff interviews revealed a significant difference in opinion between the prison’s management team and key staff members and non-custody personnel as a group, and lower-ranking custody staff members. Specifically, we found that 89 percent of the prison’s custody management, key staff members and non-custody personnel rated the warden as doing an “outstanding” or “very good” job overall. But the lower-ranking custody staff members, consisting of sergeants and correctional officers, rated his performance, on average, as merely “satisfactory.”

When we interviewed ASP employees, we asked them to identify Warden Hartley’s accomplishments as well as areas in which he could improve. Employees told us that the warden has put together a quality management team, that he is “fair,” that he focused on staff accountability, and that he seeks input before making decisions. Several managers commented that they had learned from Hartley’s mentoring, his leadership, and his

previous experience as an employee relations officer. Others commented on the improved safety and security at the prison, including increased staffing levels in the Investigative Services Unit, the warden's success in obtaining the services of two contraband sniffing canines, and his implementation of a process to conduct more thorough inspections of personal property for contraband interdiction.

Although the majority of the employees we surveyed and interviewed generally gave the warden a favorable rating, we identified one area that Warden Hartley could improve upon; his relationship with lower-ranking custody staff. However, as we previously discussed in this report, the warden is aware that some staff members have negative opinions about him and that there is low morale among some staff members. To address this problem, he indicated that he makes an effort to be visible throughout the prison and to acknowledge custody employees while walking the prison grounds.

In conclusion, the Inspector General's review of Warden Hartley's performance since his appointment indicates that he has developed staff accountability at ASP and generally improved the perception of safety and security at the prison. His recruitment and training of skilled managers has helped build employee confidence in safety and security throughout the prison. As stated earlier, 85 percent of interview subjects reported that ASP is operating better since Warden Hartley was appointed.

Appendix I

Employee Survey Results

To prepare for our site visit, we randomly selected 245 of the prison’s employees and sent them a survey. The survey provides us with information about employees’ perceptions of the warden’s overall performance and gives us information about specific operational areas at the prison—Safety and Security, Inmate Programming, Business Operations, and Employee-Management Relations. One hundred and fifteen ASP employees responded to our survey—a 47-percent response rate. To simplify our analysis of the survey results, we grouped survey respondents by category and identified response trends.

Specifically, we grouped the respondents into three employment categories: Custody, Health Care, and Other (which includes employees in education, plant operations, administration, and clerical positions). Then, to identify strong trends or patterns, we classified the responses to our questions as either positive or negative. For example, if the respondent “agreed” or “strongly agreed” with our question, we classified it as positive; and if the respondent “disagreed” or “strongly disagreed” with our question we classified it as negative. We did not include passive responses. If employees responded that they were “neutral” or responded “unknown” to our question, we excluded their responses.

We report the results of our employee survey in a table on the following page.

Appendix: Compilation of Institutional Employee Survey Responses - Avenal State Prison

Operational Area/Question	Respondents' Employment Category						Total Responses			
	Custody		Health Care		Other					
	Pos	Neg	Pos	Neg	Pos	Neg	Pos	(%)	Neg	(%)
<u>Safety and Security</u>										
1. The institution is meeting its safety and security mission.	42	12	12	2	34	9	88	79%	23	21%
2. Employees effectively respond to emergencies.	50	3	14	1	39	4	103	93%	8	7%
3. You are issued or have access to all safety equipment you need.	47	6	12	3	39	5	98	88%	14	13%
4. You receive all required safety training.	51	3	13	2	38	7	102	89%	12	11%
5. The CDC-115 inmate disciplinary process modifies inmate misbehavior.	25	28	9	3	19	15	53	54%	46	46%
6. The CDC-602 inmate appeal process provides inmates an effective method for airing their grievances.	43	11	15	0	35	5	93	85%	16	15%
7. Safety and Security has improved since the warden's appointment.	24	26	6	3	23	8	53	59%	37	41%
Totals	282	89	81	14	227	53	590		156	
<i>Percent of Responses by Category</i>	<i>76%</i>	<i>24%</i>	<i>85%</i>	<i>15%</i>	<i>81%</i>	<i>19%</i>	<i>79%</i>		<i>21%</i>	
<u>Inmate Programming</u>										
8. The institution is meeting its inmate programming mission.	27	18	6	3	16	10	49	61%	31	39%
9. The inmate assignment process places the right inmate into the right rehabilitative program.	22	22	4	2	15	15	41	51%	39	49%
10. Inmate programming is adequate for the number of inmates at the institution who would benefit from the education or work experience.	22	28	3	4	11	14	36	44%	46	56%
11. Inmate programming has improved since the warden's appointment.	12	35	4	2	10	13	26	34%	50	66%
Totals	83	103	17	11	52	52	152		166	
<i>Percent of Responses by Category</i>	<i>45%</i>	<i>55%</i>	<i>61%</i>	<i>39%</i>	<i>50%</i>	<i>50%</i>	<i>48%</i>		<i>52%</i>	
<u>Business Operations</u>										
12. Plant operations employees are able to meet maintenance and repair needs in your assigned area.	21	29	8	8	25	19	54	49%	56	51%
13. Your assigned area has enough employees to get all of the required work done.	33	18	8	8	23	21	64	58%	47	42%
14. Your work area operates without waste of resources.	30	21	11	5	33	11	74	67%	37	33%
15. Business operations have improved since the warden's appointment.	13	26	6	1	19	8	38	52%	35	48%
Totals	97	94	33	22	100	59	230		175	
<i>Percent of Responses by Category</i>	<i>51%</i>	<i>49%</i>	<i>60%</i>	<i>40%</i>	<i>63%</i>	<i>37%</i>	<i>57%</i>		<i>43%</i>	
<u>Employee-Management Relations</u>										
16. The warden is knowledgeable about the day to day operations in your work area.	21	26	6	7	25	10	52	55%	43	45%
17. The warden welcomes feedback, including criticism from employees.	15	33	7	2	25	9	47	52%	44	48%
18. The warden does not abuse his or her power or authority.	15	30	6	3	23	7	44	52%	40	48%
19. The warden works effectively with the local bargaining unit representatives.	12	27	3	1	19	5	34	51%	33	49%
20. The warden is ethical, professional, and motivated.	18	22	7	2	31	6	56	65%	30	35%
21. The warden is in control of the institution.	36	14	9	1	32	7	77	78%	22	22%
22. The management team keeps employees informed about relevant issues.	22	31	14	1	28	15	64	58%	47	42%
23. The employee investigation/disciplinary process is fair, effective, and timely.	21	23	5	5	17	13	43	51%	41	49%
24. The employee grievance process is responsive to employee complaints, is fair in its application, and does not result in retaliation.	15	26	7	4	19	14	41	48%	44	52%
25. Employee-management relations have improved since the warden's appointment.	10	36	4	2	17	12	31	38%	50	62%
Totals	185	268	68	28	236	98	489	55%	394	
<i>Percent of Responses by Category</i>	<i>41%</i>	<i>59%</i>	<i>71%</i>	<i>29%</i>	<i>71%</i>	<i>29%</i>	<i>55%</i>		<i>45%</i>	
<u>Overall Warden Rating</u>										
26. Considering all institutional challenges, how would you rate the warden's performance?	14	34	9	3	28	11	51	52%	48	48%
<i>Percent of Responses by Category</i>	<i>29%</i>	<i>71%</i>	<i>75%</i>	<i>25%</i>	<i>72%</i>	<i>28%</i>	<i>52%</i>		<i>48%</i>	

Source: OIG, Institutional Employee Survey Results for ASP

Appendix II

CDCR Adult Prison Abbreviations and Names

CDCR Adult Prison Abbreviation	CDCR Adult Prison Name
ASP	Avenal State Prison
CRC	California Rehabilitation Center
SCC+Camps	Sierra Conservation Center (including camps)
SOL	California State Prison, Solano
CAL	Calipatria State Prison
CTF	Correctional Training Facility
CVSP	Chuckawalla Valley State Prison
CEN	Centinela State Prison
FSP	Folsom State Prison
KVSP	Kern Valley State Prison
ISP	Ironwood State Prison
CIM	California Institution for Men
SVSP	Salinas Valley State Prison
SAC	California State Prison, Sacramento
CCC+Camps	California Correctional Center (including camps)
RJD	R.J. Donovan Correctional Facility
CMC	California Men's Colony
LAC	California State Prison, Los Angeles County
COR	Corcoran State Prison
SATF	California Substance Abuse Treatment Facility and State Prison, Corcoran
PVSP	Pleasant Valley State Prison
CMF	California Medical Facility
DVI	Deuel Vocational Institution
SQ	San Quentin State Prison
MCSP	Mule Creek State Prison
WSP	Wasco State Prison
VSPW	Valley State Prison for Women
CCI	California Correctional Institution
CIW	California Institution for Women
NKSP	North Kern State Prison
HDSP	High Desert State Prison
PBSP	Pelican Bay State Prison
CCWF	Central California Women's Facility

California Department of Corrections and Rehabilitation's Response

OFFICE OF THE SECRETARY

P.O. Box 942883
Sacramento, CA 94283-0001



September 29, 2010

Mr. David Shaw
Inspector General
Office of the Inspector General
P.O. Box 348780
Sacramento, CA 95834-8780

Dear Mr. Shaw:

We are pleased to submit this response to your draft report entitled *Avenal State Prison Warden James Hartley One Year Audit*. We appreciate your acknowledgement of Warden Hartley's outstanding communication skills, partnerships with local law enforcement agencies, and his involvement in community projects and events. The California Department of Corrections and Rehabilitation concurs with the overall assessment of his performance.

We would like to thank the Office of the Inspector General for the opportunity to provide comment on this report. If you should have any questions or concerns, please call my office at (916) 323-6001.

Sincerely,

SCOTT KERNAN
Undersecretary, Operations

cc: James Hartley