



PRISON LAW OFFICE
GENERAL DELIVERY
SAN QUENTIN, CA 94964
www.prisonlaw.com

Your Responsibility When Using the Information Provided Below:

When putting this material together, we did our best to give you useful and accurate information because we know that prisoners often have trouble in getting legal information and we cannot give specific advice to all prisoners who ask for it. The laws change often and can be looked at in different ways. We do not always have the resources to make changes to this material every time the law changes. If you use this information, it is your responsibility to make sure that the law has not changed and still applies to your situation. Most of the materials you need should be available in a law library. If you want legal advice backed by a guarantee, try to hire a lawyer to address your specific problem.

**Requesting Investigations of Staff Misconduct or
Conditions of Confinement Problems in California State Prisons**

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There are several offices through which prisoners, their families and advocates may file complaints about staff misconduct or conditions of confinement problems in California state prisons. A prisoner who believes that his or her rights have been violated by the California Department of Corrections and Rehabilitation (CDCR) should file an CDC 602 administrative appeal before contacting the offices listed in this letter. The people and organizations listed below will generally not help unless the prisoner has first tried to solve the problem through the 602 process, unless the situation requires emergency attention.

The most effective way to get help from these investigative offices is to briefly describe the problem, what has already been done to try to resolve it (for example, talking to staff, filing 602s, writing outside organizations), and what the prisoner wants to be done. A non-prisoner who files a complaint with any of these organizations should include his or her name, contact information and information on how he or she is related to the prisoner, as well as listing the name, CDCR number and location of the prisoner. In general, the key to getting a helpful response is to be brief and clear. Do not include information on every problem the prisoner ever had – focus on the one or two problems that are most urgent.

CDCR Office of the Ombudsman

The CDCR has established an ombudsman's office. The ombudsman reviews, investigates and responds to complaints from prisoners, families and friends of prisoners, and advocacy groups. The ombudsman also acts as an advisor to the CDCR Director and assists in developing and implementing new procedures and policies. Anyone can request help from the

ombudsmen about any issue of confinement, other than issues relating to sentencing, a criminal case or immigration matters. The ombudsmen typically will not help prisoners who have not tried to resolve the problem through the regular 602 administrative appeal process.

In addition to a general lead ombudsman who is responsible for addressing complaints throughout the prison system, there are specific ombudsmen designated for CSP-Sacramento, High Desert State Prison, California Correctional Institution (Tehachapi), Salinas Valley State Prison, California Training Facility (Soledad); Pelican Bay State Prison, CSP- Los Angeles (Lancaster); CSP-Solano; Corcoran State Prison; the Substance Abuse Training Facility at Corcoran; and all of the women's institutions.

A prisoner at an institution where there is an active ombudsman can request an interview with the ombudsman by putting the request in a U-Save-Em envelope. Alternatively, any person can contact the Office of the Ombudsman by mailing a letter to:

CDCR Ombudsman
P.O. Box 348780
Sacramento, CA 95834

Non-prisoners can also contact the ombudsmen by email or phone. The email address for the lead CDCR ombudsman is: "Ken.Hurdle@cdcr.ca.gov" and the phone number is (916) 445-1748. Additional email addresses and phone numbers for the other ombudsmen are listed on the CDCR's website at www.cdcr.ca.gov/Communications/OO.html.

Office of the Inspector General

Complaints about prison conditions and staff misconduct also can be sent to the Office of the Inspector General (OIG). This independent agency, which is *not* part of the CDCR, was created specifically to investigate prison and youth facility problems.¹ The OIG staff prefer to be contacted by prisoners only after a 602 administrative appeal has been pursued. Upon completion of an investigation, the OIG must provide a response to the person who requested the investigation.² In addition, the OIG publishes reports that summarize the audits and investigations that have recently been conducted, as well as reports discussing in more detail some specific audits and investigations.³

¹ Penal Code §§ 6125-6133.

² Penal Code § 6126(b).

³ See Penal Code § 6129(c).

The address to which requests for investigations or audits should be sent is:

Office of the Inspector General
Youth and Adult Correctional Agency
P.O. Box 348780
Sacramento, CA 95834-8780

Non-prisoners may also contact the OIG by telephone at (916) 830-3600, by FAX at (916) 928-5974 or by email at "Inquire@oig.ca.gov". Additional information and various OIG reports are available on the OIG website at www.oig.ca.gov.

CDCR Office of Internal Affairs

A prisoner, family member or advocate can also request that an investigation of serious staff misconduct be conducted by the CDCR Office of Internal Affairs. The prisoner should exhaust the 602 process before contacting the Office of Internal Affairs. The office generally prefers contact by mail.

CDCR Office of Internal Affairs
P.O. Box 3009
Sacramento, CA 95812
(916) 255-1300