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CITY of CHINO

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Council Members

DR. LINDA REICH
City Manager

May 2, 2024

The Honorable Governor Gavin Newsom
California State Capitol
1021 O Street, Suite 9000
Sacramento, CA 95814

RE: CONDEMNED INMATE TRANSFER PROGRAM

Dear Governor Newsom,

The California Institution for Men (CIM) has been a major part of Chino's history since it was built in 1941. This "prison without walls," as it was called, was the first major minimum-security institution built and operated in the United States. It was designed as a Level I minimum security facility that only began to house Level II inmates in its more recent history. CIM was not designed to house death-row inmates and should not be housing them now, especially given the facility's aging condition.

Significant changes have occurred since CIM was opened 83 years ago, not the least of which is the growth of the City of Chino and other communities neighboring the facility. Chino and other communities have grown around CIM, with homes, schools, and parks in close proximity to this minimum-security prison. CIM and the City have had mutual respect throughout the years. For that reason, we were taken aback to learn at the April 9, 2024 meeting of the CIM Citizen Advisory Committee that CIM had begun to house death-row inmates since February 2024 under the Condemned Inmate Transfer Program (CITP).

Given CDCR's sizeable Office of Strategic Information and External Affairs, which, per its website, provides "timely and relevant information to educate and inform the public, the news media, agency staff, and stakeholders on the policies, events, operations and successes of the California Department of Corrections and Rehabilitation and California Correctional Health Care Services," it is unacceptable that CDCR transferred 15 of the state's worst offenders to the facility without notification or regard for the surrounding community. Currently, 33 death-row inmates are now at CIM.

The Condemned Inmate Transfer Program came out of CDCR regulations to implement Proposition 66, an initiative approved by voters on November 8, 2016 to reform the State's death penalty system by streamlining procedures bogged down by decades of appeals. Prop 66 expressed the voters' desire to fix the broken death penalty process, not to undo it. Actually, voters rejected Proposition 62, which would have repealed the death penalty, on the same ballot.



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Since learning of the CITP and its placement of death-row inmates at CIM, the Chino community has been outraged. The facility is in disrepair and not in the condition to house the state's worst offenders. We share residents' sentiments and concerns about the potential for inmate escapes, and the implications for community safety, given past prisoner escapes that have terribly impacted our community.

We ask that you reevaluate the Condemned Inmate Transfer Program given the condition of CIM and urge you to house death-row inmates at secure facilities that are in the appropriate condition to house Level IV inmates instead of the lower security level prison in Chino. Indeed, neither the proponents nor the opponents of Proposition 66 would have envisioned that death row inmates – Level IV condemned murderers who committed the state's most heinous crimes – would be given the benefit of being placed at a lower security level facility. Instead of implementing the law and intent of Prop 66 that these criminals pay restitution to victims' families, the CITP opens old wounds and turns Prop 66 on its head by putting the interests of those condemned by our courts ahead of the safety of our community.

We urge you to prioritize our residents' safety and respect the will of the voters who passed Prop 66, not to make a mockery of it through the Condemned Inmate Transfer program and the Prop 66 regulations developed by CDCR.

What happens when these death-row inmates get seriously ill or hurt – something much more likely as they are being put in with the general prison population? Will they be brought to Chino Valley Medical Center? What level of confidence is our community to have about the transport of these murderers through our streets when so little information has been provided to our public about the planned placement of these maximum-security prisoners in our City?

Please ensure the safety of Chino and surrounding area residents, students, and businesses by placing these individuals at appropriate facilities until the necessary maintenance, repairs, improvements, personnel, and procedures are in place at CIM. While CDCR may argue that it is merely implementing Prop 66 and the law, CDCR has a responsibility to protect the surrounding community first. CIM was not designed and is not in the condition required to house these dangerous inmates.

As recently as January 14, 2018, a prisoner escaped from Facility D at CIM after being trapped in the razor wire for 20 minutes. The inmate freed himself and subsequently stole a security vehicle from a nearby warehouse and led officers on a high-speed chase. A "shaker" wire that would have alerted guards to the inmate climbing the fence had been defective for three years. The prisoner was able to escape from their housing unit, scale a barbed wire fence, scale another barbed wire fence, break into the dive shop building to put on a wetsuit and gain access to the waterway, and scale another fence before scaling the perimeter fence and being hung up in the razor wire, between two manned guard towers, all without being detected. Further, the inmate was able to move freely around the sprawling prison complex due to a lack of security, technology, staffing, and lighting.

The attached 2008 Inspector General Report stated that CIM has fallen into an unacceptable state of repair due to years of neglect and would require \$28 million annually to maintain the facility in its

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current "poor" condition. During that same time, the prison was spending \$4 million annually. The report further stated that if funding were not dramatically increased, the condition of CIM would deteriorate to a level by 2014 that would necessitate its demolition and replacement. 10 years later, the facility continues in poor condition with insufficient funding for maintenance and critical safety improvements.

The facility and processes in place are not in the condition to house these dangerous inmates who have committed heinous crimes, including killing a victim with an axe during a home invasion robbery, beating and torturing a woman to death, and beating and lighting a woman on fire in front of her children.

Our community still feels the pain and fear of the murders committed in Chino Hills by CIM escapee Kevin Cooper. Sadly, this was not an isolated incident but rather one among several security breaches that have raised concerns about the safety protocols and investments of CDCR at CIM.

Until the facility can properly contain and supervise them, CIM should not be housing these condemned inmates.

Sincerely,



Eunice Ulloa
Mayor

Attachment: California Institution for Men: Quadrennial and Warden Audit, Office of the Inspector General, David R. Shaw, Inspector General State of California, November 2008.

cc: Members, Chino City Council
Linda Reich, City Manager, City of Chino
Congress Member Young Kim
Congress Member Norma Torres
Senator Susan Rubio
Senator Kelly Seyarto
Assembly Member Phillip Chen
Assembly Member Freddie Rodriguez
San Bernardino County Fourth District Supervisor Curt Hagman
Ron Broomfield, Director - Division of Adult Institutions, CDCR
Travis Pennington, Acting Warden, CIM
San Bernardino County Governmental and Legislative Director
Laura Varela, League of California Cities Regional Public Affairs Manager