

The Insider Outreach

Voices of California's Civil Detainees, Coalinga State Hospital

Issue 3

May 2011

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Violence Surges At Hospital For Mentally Ill Criminals

By Ina Jaffe (www.npr.org)

Atascadero State Hospital, on California's central coast, was built from the ground up to treat mentally ill criminal offenders.

Violence is on the rise at the hospital, and according to state and federal documents, it's gotten worse since 2006 – the same year the state signed an agreement with the federal government to put in a detailed new treatment plan.

The 92-page plan, which covers everything from psychiatry to dentistry to nutrition, came out of a civil rights investigation – something the Justice Department has done at a lot of public hospitals around the country. In California, the investigation found some serious problems: abuse and neglect of patients; substandard care; and lousy record-keeping.

The new treatment plan was supposed to make things better. And it did, according to Justice Department documents and some conversations with hospital staffers. But violence has risen at three of the four hospitals covered by the treatment plan. At Atascadero, it's gone up 36 percent.

That's what brought Republican state Sen. Blakeslee there recently – and not for the first time. "I have constituents who . . . work in the facility that are just distraught about their sense of threat and risk and potential injury," he says. "And it's just an inherently dangerous population."

But the hospital appears more blandly institutional than dangerous. The halls seem endlessly long. The patients wear identical khaki pants and shirts, and usually stare straight ahead as they walk. In the dayroom, no one looks up from the television when visitors walk in. "You know, that's how things are most of the time," says Blakeslee. "And when things change, it changes very quickly."

We Began to Struggle

A former psychiatric technician named Ramona Goodman found that out the hard way.

In September 2008, a patient made a routine re-

quest: He wanted some clean socks from the laundry room, which was down the hallway.

"So he and I walked down the hall," she recalls. "And as we were walking together, I had asked him: So you had a really hard time this weekend, and do you want to talk about that later with me? Maybe we can get things worked out?"

"He said, 'Yeah, but I don't want to talk about it right now.'" And then they reached the laundry room door.

"I got my key in the lock, and I felt his arm come around underneath my chin. And I dropped my chin down as far as I could into my neck so he couldn't choke me out," she says. "So we began to struggle. He was hitting me along side the head as I was biting him. And after a couple of minute, I realized I was not going to win this fight."

Eventually, she managed to scream and a co-worker came to her rescue.

Goodman now has two artificial discs in her neck held in place by a titanium plate. Her surgeon told her she can't work at Atascadero anymore.

"Because I could get knocked down, or whatever, and be paralyzed," she says.

Putting Paperwork Above Patients?

The attack was one of more than 1,000 violent incidents at Atascadero that year. Goodman blames the treatment plan the hospital was forced to adopt after the Justice Department's investigation. She says it drove a wedge between the staff and the patients by requiring massive amounts of documentation.

"Spending more time on paperwork than you are treating the patient," she says. "That's really the security problem right there."

She's not exaggerating, says psychiatrist William Walters. "I spent three or four hours a day typing, maybe six hours a day typing," he says.

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Predator to be Tried in Alleged Threat to Capital Prosecutor

BY PABLO LOPEZ (FRESNO BEE)

THE INSIDER EDITOR'S NOTE: THIS IS AN ARTICLE TAKEN FROM THE FRESNO BEE REGARDING ONE OF OUR OWN WHO HAS HAD CHARGES FILED AGAINST HIM. HE IS BEING CIVILLY DETAINED UNTIL THEY DECIDE IF THEY CAN LOCK HIM UP. SO WHICH IS HE, A MENTALLY ILL INDIVIDUAL WHO IS NOT ABLE TO CONTROL HIS IMPULSES AND THUS MUST BE HOSPITALIZED OR IS HE A CRIMINAL WHO IS IN CONTROL OF HIS ACTIONS.

THE STATE MUST BE FORCED TO DECIDE WHICH WAY THEY WANT IT. THIS HAVING YOUR CAKE AND EATING TOO IS PUTTING ALL OF US AT RISK OF DMH DECIDING AT ANY TIME THAT WE ARE TOO MUCH TROUBLE AND COMING UP WITH CHARGES TO SEND US BACK TO PRISON.

IF YOU DON'T BELIEVE THAT DMH WOULD DO SUCH A THING, GIVE SOME THOUGHT TO HOW MANY TIMES YOUR AREA IS SEARCHED WITHOUT YOU PRESENT TO INSURE NOTHING IS BEING PLANTED.

JUST SOMETHING TO THINK ABOUT.

A sexually violent predator who is a patient at Coalinga State Hospital will stand trial for allegedly threatening a Sacramento prosecutor, a judge ruled Friday in Fresno County Superior Court.

Judge Jon Nick Kapetan made his ruling after Kevin Higgins, a deputy district attorney in Sacramento County, testified that Richard Kisling, 55, sent him a threatening Christmas card and left a threatening telephone message at his office in January.

The case is being tried in Fresno because the crime originated from the state hospital in western Fresno County.

In court, Fresno prosecutor Tim Donovan contended that Kisling targeted Higgins because Higgins had persuaded a jury in November 2009 to commit Kisling to the state hospital as a sexually violent predator for his long history of rapes, burglaries and other crimes.

Because the jury's action was a civil commitment, Kisling is considered a patient in the state hospital, Donovan said. He must stay there until authorities say he is no longer a threat to public safety.

But if he is convicted of threatening the prosecutor, Higgins faces 25 years to life in prison, Donovan said.

At Kisling's preliminary hearing Friday, Higgins recalled that Kisling was angry when the jury announced its verdict in November 2009. According to Higgins, Kisling left the courtroom after making a parting shot: "I'll pray for you."

Then on Jan. 3, Higgins said he was surprised to find a Christmas card at his workplace. He said the envelope had a postmark from Sacramento and the initials "R.K." According to Higgins, the card said: "You remain in my prayers, Richard Kisling."

Later that month, Higgins said he received a phone message. The message, which was played in court, was from a man who whispered: "You know what I'm capable of doing. ... Your days are few."

Higgins testified that the voice belonged to Kisling.

The two messages are troubling, Higgins said, because Kisling's long criminal history includes escaping from the California Youth Authority twice and committing several rapes and burglaries as an adult. In the sexual assaults, Kisling tied up the husbands before raping the wives, he said.

Once he received the threats, he notified authorities and learned Kisling was still in the state hospital.

Steve Roberson, an investigator with the Sacramento County District Attorney's Office, said Kisling's ex-girlfriend told him that Kisling sent her three Christmas cards, and one of them was for Higgins, so she mailed it to him.

After reading this, I hope that you caught the statement by Fresno County prosecutor Tim Donovan... "Because the jury's action was a civil commitment, Kisling is *considered a patient* in the state hospital." So we're only considered a patient; then what are we if not patients. Possibly...

PRISONERS!!!

NAPA STATE HOSPITAL FINED \$100,000

Christina Jewett / CALIFORNIA WATCH / San Francisco Chronicle and SFGate.com / Friday, April 15, 2011 / Page C5

Napa State Hospital administrators were aware that patients who had free rein of facility grounds had a history of illegal drug use, stalking and aggressive behavior but made no reasonable effort to protect workers, according to a citation issued this week over the death of worker Donna Gross.

California regulators fined Napa State Hospital more than \$100,000 over safety failures uncovered after a patient allegedly strangled Gross, a psychiatric technician.

Jess Willard Massey was arrested on suspicion of killing Gross, 54, soon after the October attack.

California Division of Occupational Safety and Health investigators found that Massey was awarded a "grounds pass" by facility staff, a privilege that allows patients to roam freely through the sprawling and shaded campus. Cal/OSHA investigators found that such a system exposed staff to danger.

Department of Mental Health authorities, who oversee Napa State and other state mental hospitals, said Wednesday that they will appeal the fines.

says that Napa State Administrators were alerted in meetings that patients who held grounds passes acted in a threatening and "felonious" manner. Administrators "failed to address the hazard," and did not follow their own policies meant to restrict the grounds passes of rule-breaking patients, records show.

Cal/OSHA found that the hospital had an inadequate employee alarm system that did not work outside of buildings, and no outdoor alarm system. Investigators reported the hospital had inadequate police presence to protect the staff from assaults and an ineffective injury-prevention program.

Krisann Chasarik, a Cal/OSHA spokeswoman, said investigators are still looking into a December assault by a patient on a respiratory therapist.

The acting director of the state Mental Health Department, Cliff Allenby, said in a statement that the agency has improved safety at the hospital by "issuing personal alarms to employees, increasing hospital police presence, limiting grounds access and aggression reduction training for staff."

Workers held a vigil and protests soon after Gross' death and in recent weeks have been seeking stepped-up safety measures at the hospital.

(The Chronicle is a member of the California Watch Media Network. California Watch is part of the nonprofit Center for Investigative Reporting, www.californiawatch.org.)

The citation for "willful" violation of worker safety regulations

STATE TO ADD MENTAL FACILITY STAFF

The first positions will be at the Napa hospital, where a patient recently died.

Lee Romney / Reporting from San Francisco

Saturday, April 16, 2011 / Los Angeles Times, LATEXTRA

California Health and Human Services Secretary Diana Dooley said Friday that she is lifting a hiring freeze at the state's troubled mental hospitals amid concerns about rising violence.

Her decision came after a visit to Napa State Hospital a day earlier.

The trip was prompted by the death of a Napa patient on Monday and \$100,000 in fines levied against the hospital this week by Cal/OSHA for suspected systemic failings that contributed to the October slaying of a psychiatric technician.

Dooley, an appointee of Gov. Jerry Brown, said she is working to understand the complex problems that plague the state's five psychiatric facilities, where more than 80% of patients have been accused or convicted of crimes and a growing number have predatory tendencies.

Despite the state's acute budget crisis, Dooley said, "I made the decision this week that there are real needs in the state hospitals and we need to refill positions."

The move will create an exception to a statewide hiring freeze on vacant positions imposed by Brown in a Feb. 15 executive order.

Cynthia Radavsky, deputy director for long-term care services at the state Department of Mental Health, which Dooley oversees, said she plans to promptly fill about 25 positions at Napa with hospital police officers and clinical staffers with direct patient-care responsibilities.

Decisions about staffing at the other hospitals – Norwalk's Metropolitan, San Bernardino's Patton, the Central Coast's Atascadero and the Central Valley's Coalinga – will follow in the coming months, she said.

"Her advocacy is extremely appreciated," Radavsky said of Dooley, who spent five hours at the hospital and met privately with union stewards and other workers.

EDITOR'S NOTE: There is a lot more information available in both *The Insider* and *The Insider Online* that we just can't fit into this limited space. If there is anything or subject that you would like to hear about from our perspective, please write or call either Michael St. Martin or myself and let us know.

It is the hope of the editors and writers of *The Insider* and all its incarnations to bring out the voice of the civil detainees being held here and through our experiences perhaps extend hope to those of you who are suffering conditions worse than our own.

For myself, I pray everyday that we will all walk out of our various facilities as free men who have served their time. I hope that we will have the chance to once again be examples to the society that forsook us of how human beings can find redemption and change.

I hope to hear from some of you and I wish you peace and comfort in this time of suffering.

Sincerely, William L. Hester (Editor and Civil Detainee)

The U.S. Justice Department filed a lawsuit in 2006 to Issue 3

improve care and protect patients at all California's state mental hospital except its newest, in Coalinga. A court-ordered settlement simultaneously imposed a host of prescriptive reforms that have since been implemented.

Yet violence has increased systemwide, particularly at Napa.

According to Cal/OSHA's citations, the patient charged with the October killing of employee Donna Gross had been granted a pass to circulate freely on the fenced-in grounds despite a history of recent attacks, stalking and illegal drug use.

The citations, which state mental health officials will appeal, also contend that the hospital's own analysis of assaults was inadequate and therefore failed to prevent more incidents.

Meanwhile, the death Monday occurred as staffers restrained a patient who was assaulting a roommate.

A preliminary autopsy found that the patient had an enlarged heart and did not asphyxiate. On Tuesday, a patient who dived off a balcony at the hospital last month in an apparent suicide attempt died at an outside hospital.

The deaths have mounted in recent years, a trend that staff members at the hospitals sued by federal authorities contend is related to poor implementation of the paperwork-heavy court-ordered reforms. Department of Mental Health officials disagree. Yet there is consensus that staffing is critical.

Lawmakers are weighing in. In a letter to the governor on Tuesday, State Sen. Noreen Evans (D-Santa Rosa) and Assemblyman Michael Allen (D-Santa Rosa) asked Brown to direct Dooley and Cliff Allenby, acting director of the Department of Mental Health, to take immediate action to address the violence.

Dooley said she has been working with the department to explore plans to better assess patients' propensity for violence, to administer treatment accordingly and to move patients so that less secure facilities house less violent charges.

She said she is also discussing with the California Department of Corrections and Rehabilitation which types of mentally ill inmates are appropriate for placement at the hospitals and which patients should be returned to prisons.

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Guidelines for Publication

All submissions to *The Insider Outreach* are subject to editing for proper grammar, punctuation, length, language, and clarity. They may not include hate-speech, inciting or inflammatory language, or unnecessary profanity. Any submissions may be returned to the individual author for revision or rejected outright.

The Insider Outreach is produced at Coalinga State Hospital, in Coalinga, California. Material published in this electronic paper is written, edited, and published entirely by hospital residents.

The ideas and opinions expressed herein do not reflect the opinions of the hospital's staff or its administration, unless otherwise noted.

The Insider, in all its incarnations, is dedicated to fair, unbiased and impartial reporting of information, current events, and news that is of interest to civil detainees and others who are interested in finding out about the real people here. Any questions and correspondence can be submitted by mail to:

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THE INSIDER

VOICES OF CALIFORNIA'S CIVIL DETAINEES,
COALINGA STATE HOSPITAL

**THE INSIDER
ONLINE**

The Insider Outreach

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Walters left Atascadero about a year and a half after working for nearly two decades. He says something else changed when the hospital went to the new treatment plan: Their safety program was disbanded. It had won awards and been cited as a national model.

“They made it a hospital-wide mantra that safety was the first consideration,” he says. “And they did a really fine job of it.”

In 2008, the hospital started a new community to deal with violence after a patient was murdered by a fellow patient.

NPR spoke with a number of current staffers at Atascadero but isn't using their names because they've been warned not to speak to reporters without going through hospital administration.

The Employees mostly share Walters' skepticism about the plan calling for patients to identify their own goals and interests in choosing treatment options.

That, they say, is poorly adapted to a psychiatric hospital that treats felons and people who had committed violent crimes.

California is the only state where the Justice department has imposed the regimen on hospitals that exclusively treat mentally ill criminals. California's second such hospital, Patton State Hospital in San Bernardino, has also seen violent incidents rise by 36 percent.

The Justice Department declined requests for an interview. NPR also tried to speak with the court-appointed monitor who tracks California's compliance with the treatment plan, but he's barred from speaking with the media.

The treatment plan does have a champion, though, in John DeMorales, the executive director of Atascadero. He welcomes the demands the plan has made on the hospital – demands “that we establish reasons for commitment, discharge goals, obstacles to discharge, and [that are] geared to the strengths and weakness of an individual,” he says

Its goal, he says is to give patients “a realistic opportunity to recover from the reasons that led to their commitment here.”

That's not to say the plan can't be improved. California's agreement with the federal government expires later this year. DeMorales says he's already cutting down those paperwork requirements in order to reduce his staff's workload and allow them to spend more time with their patients.

Proposed Law

Walking through the hospital, Sen. Blakeslee says there are things that have nothing to do with the treatment plan that can make this place safer – like new furniture.

“You notice the chairs are intentionally so heavy that they're almost impossible to pick up and throw,” he says.

But ultimately, Blakeslee thinks it'll take new laws to make the hospital less dangerous. Other lawmakers agree. There are now at least half a dozen measures pending in the state Legislature, all focusing on hospital safety.

One of Blakeslee's measures would make it easier to medicate patients against their will. “Those that are acting out and behaving in a way that could pose a risk to themselves, to other staff or patients,” he says.

In the end, says Blakeslee, it's a matter of keeping faith with the taxpayers who are spending more than \$500 for each day a patient stays in the hospital.

“The public has a right to expect that these individuals will get the treatment to make them less dangerous, because ultimately many of these people will be back on the streets,” Blakeslee says. “They'll be our neighbors, they'll be at our grocery stores. Our kids will walk by their homes.”

And they won't be less dangerous on the streets, he says, if they're trying to get well in a violent place.