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Local COs file against 13 inmates

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A grassroots organization representing California Department of Correction employees who have been the victims of inmate assaults filed 36 small-claims lawsuits Wednesday against 13 inmates on the behalf of 10 Calipatria State Prison correctional officers.

Thirty-five of the lawsuits are related to a Nov. 21 incident at the prison in which a riot by 93 inmates resulted in the injury of 13 correctional officers. The lawsuits were filed at the County Courthouse in El Centro and they asked for the \$5,000 maximum amount allowed by the small claims court.

The California Staff Assault Task Force was organized in October by Correctional Lt. Charles Hughes and other correctional employees. The aim of the non-profit organization is to support correctional employees who have been the victims of inmate assaults by helping them pursue civil litigation against their attackers.

Hughes, who works at Lancaster State Prison in Los Angeles County and is CSATF executive director, said an average of 9.8 correctional staff members are assaulted each day in CDC facilities. Hughes added the assault rate has increased from three per day only a few years ago.

"It's not just correctional officers, correctional sergeants correctional lieutenants and correctional counselors being assaulted. We've got correctional cooks, correctional teachers and plumbers ... they're being assaulted, too," said Hughes.

Inmates think they have nothing to lose in attacking staff because they often are serving life sentences, district attorney's offices are reluctant to prosecute inmates with life sentences and the CDC's own internal discipline bureaucracy often fails to punish inmates, said Hughes.

Chris Todd, a correctional officer at Calipatria State Prison and president of the prison's California Correctional Peace Officers Association chapter, praised the work of the local District Attorney's Office in prosecuting inmates. Todd noted Deputy District Attorney Wayne Robinson vigorously pursues cases against inmates who assault staff.

"We're one of the lucky areas because we have a district attorney who will prosecute. He doesn't do the 'Oh, we don't have time to prosecute' thing," said Todd.

The logic behind filing the small-claims lawsuits is to hold inmates accountable for their actions and is not about money, said Hughes. The aim of asking for the maximum \$5,000 allowed by the small claims court is to hit the inmates where it hurts most — their trust accounts administered by the prisons.

The trust accounts are inmate savings accounts where money is held from their prison work or contributions from their families. The inmates use their trust account money to purchase toiletries and sundries at the prison canteens.

Although inmates with life sentences might not care about getting a few extra years tacked onto their sentences, they will care when the \$20 a month they earn through their prison work is garnished because of a \$5,000 small claims judgment against them, said Hughes.

The irony is inmates often file spurious small-claims lawsuits themselves, added Hughes, who explained he knows of one inmate who filed a lawsuit claiming his cellmate was receiving preferential treatment because he received a larger piece of cake than he did. The state will often settle inmate small-claims lawsuits for less than the \$5,000 maximum because it is cheaper to settle the cases than to fight them, noted Hughes.

"This is a tough job. We're getting urine and feces thrown at us. ... These lawsuits show the inmates we have teeth when the system fails us. We have the right as American citizens to use the civil courts to pursue these claims," said Hughes.

"A lot of people in the public don't realize what we do. You see the street cops every day on patrol, but you look at the prison and whether there is a riot going on or whether everyone is sleeping, it looks the same," said Todd.

From November 2002 to November 2003, inmate assaults on staff cost Calipatria State Prison \$1.22 million in lost wages, retirement payments forced by disabling injuries and overtime payments paid to cover for rehabilitating officers, noted Todd. Two officers are still on medical disability due to injuries suffered during the November riot, added Todd, and one of the officers is expected to not be able to return to work.

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