

AFFIDAVIT OF CHASE RIVELAND

**Osterback, et. al.,
vs. Michael W. Moore, et al.
United States District Court,
Southern District of Florida**

CASE NO. 97-2806-CIV-HUCK

1. My name is Chase Riveland. My address is 5714 Deer Harbor Road, Post Office Box 367, Deer Harbor, Washington, 98243. I was requested by the attorneys for the plaintiffs in the above-stated case to review the conditions of close management incarceration in the Florida Department of Corrections.

2. My professional career, spanning thirty-nine years, has included experience in all aspects of corrections. That experience includes:

- ❖ Consultant, trainer, expert witness, and writer on corrections issues, 1997 to present.
- ❖ Secretary, Washington Department of Corrections, Olympia, Washington -- 1986 to 1997.
- ❖ Executive Director, Colorado Department of Corrections, Colorado Springs Colorado —1983 to 1986.
- ❖ Deputy Director, Wisconsin Division of Corrections, Madison, Wisconsin —1982 to 1983.
- ❖ Superintendent, Portage Correctional Institution, Portage, Wisconsin —1980 to 1982.
- ❖ A variety of other correctional positions as enumerated in my resume, attached as Attachment A.

3. The opinions stated in this report are based on my 39 years of professional, management, and administrative experience in the field of corrections. I am knowledgeable about contemporary and generally accepted correctional policies, practices, standards, and procedures.

4. I have been retained as an expert witness in over twenty-five cases in state and federal courts over the past seven years. The cases in which I have been retained are listed in Attachment B. Additionally, I have appeared in court as a witness numerous times over the years, normally

as the defendant, in fulfillment of my job responsibilities as a correctional administrator.

5. I have authored a variety of papers, articles, book chapters, and a monograph. The list for the last ten years is attached as Attachment C.

6. I have toured, evaluated, and/or inspected conditions of confinement of prisons in the states of Wisconsin, Colorado, Minnesota, Washington, Oregon, New Mexico, Texas, Utah, Iowa, New Hampshire, California, Montana, North Carolina, Maryland, Illinois, and Ohio. Also, Federal prisons at Chicago; Marion, Illinois; Florence, Colorado; Lompoc, California; Littleton, Colorado; Butner, North Carolina; Sheridan, Oregon and Oxford, Wisconsin. I have also toured prisons in Canada and Vietnam.

7. I have evaluated “supermax” confinement (equivalent to Florida’s ‘close management’) in Wisconsin, Washington, California, Colorado, Ohio, and the Federal Bureau of Prisons.

8. I served as an expert witness for the defendants in a “supermax” confinement case in Ohio (*Austin, et al. v. Wilkinson, et al, Defendants*; U.S. District Court, Northern District of Ohio); as an expert for the court monitor in a “supermax” confinement case in Wisconsin (*Dennis E. Jones et al. v. Gerald Berge, et al.*, United States District Court Western District of Wisconsin); and as an expert for the plaintiffs’ in *David Ruiz, et al., Plaintiffs v. Gary Johnson, et al., Defendants*, United States District Court: Southern District of Texas (a major portion of which was the evaluation of the Texas use of Administrative Segregation—an equivalent of the FDOC Close Management).

9. The opinions expressed in this statement are based on my knowledge, experience, and training in the field of corrections. They are also based on my review of Florida Department of Corrections (FDOC) Administrative Rules, policies, and procedures (see Attachment F) as well as on personal visits to close management units located at the following prisons in Florida, during the period of October through November, 2003:

- ❖ Florida State Prison
- ❖ Union Correctional Institution
- ❖ Lowell Correctional Institution
- ❖ Charlotte Correctional Institution
- ❖ Santa Rosa Correctional Institution

During those visits I interviewed a number of inmates (55 in all, see attachment E for a list by institution) in each institution (some of whom I had interviewed during my visits in 2001) as well as a number of others,

some in interview rooms, and others at cell-front. I also reviewed pertinent FDOC policies and procedures.

10. In April, 2001 I toured Dade, Charlotte, Okeechobee, South Bay, Baker, and Union Correctional Institutions. In August, 2001 I toured Columbia Correctional Institution and Florida State Prison. During those tours I interviewed inmates at the front of their cells as well as in interview rooms and reviewed pertinent Florida Department of Corrections and Institution administrative rules, regulations, and policies. I submitted an Expert Report containing my observations and opinions dated August 26, 2001.

11. During my visits in 2003, in contrast to my experience in other similar cases, there was no briefing at the institutions by senior staff; I was not allowed to converse with staff; I was not allowed to inspect unit records; and I was not allowed to inspect food trays or other pertinent items. I was accompanied on these five institution visits by Plaintiff's attorneys and several of the defendants' attorneys (Assistant Attorney Generals), as well as institution representatives.

12. The Florida Department of Corrections (FDOC) has not yet provided the requested records of the inmates interviewed. Therefore I have not been able to confirm the veracity of the inmates' statements, nor refute nor augment their information. It is my experience that inmate's statements are generally accurate, particularly when the same information is repetitively stated by the majority of inmates.

13. The FDOC stated that it would make the following changes in administering the Close Management (CM) program. The following were those commitments and , underlined, what I was able to ascertain from inmate interviews (again. The failure to be allowed access to any materials, records, or conversations with staff severely limited the ability to fully assess the compliance or non-compliance with these agreed upon changes):

- ❖ Reduce the number of institutions that house CM inmates from ten to four (one for females and three for males).
Apparently partially accomplished as there are now four CM facilities for males and one for females, although information suggests the intent to open an additional beds for CM inmates in the near future.
- ❖ Provide staff training on mental health issues relevant to the CM population.
Unknown due to the failure to provide records nor allow access to staff interviews.

- ❖ Perform mental health screening before and after CM placement.
Unknown due to the failure to provide records nor allow access to staff interviews.

- ❖ Assess behavioral risk for each CM inmate.
Unknown due to the failure to provide records nor allow access to staff interviews.

- ❖ Provide a full range of outpatient mental health services commensurate with clinical need.
Unknown due to the failure to provide records nor allow access to staff interviews.

- ❖ All CM inmates eligible to receive three soft cover books and one magazine and one newspaper subscription.
Inmate interviews indicate that this is being provided.

- ❖ CM I inmates to receive 1 telephone call every thirty days; CM II one every 14 days; and CM III every 7 days.
Inmate interviews indicate that this is generally being complied with, although several state that they are frequently told the "...phone is broken', therefore disallowing the use.

- ❖ All inmates may purchase a radio.
This appears to being complied with, although a very high percentage of inmates are indigent and therefore do not have access. Those that do have them state that the radio is enormously helpful in passing time, providing stimulation, and keeping them in touch with the rest of the world.

- ❖ CM II and III inmates allowed access to television programs in the dayroom.
Cm II and CM iii inmates interviewed relate that this is spotty. CM II inmates are placed in the dayroom in restraints with a couple of others, CM III without restraints. They indicate that short staffing and other excuses frequently eliminate or cut short these opportunities. Interestingly, while touring the Southbay Correctional Facility in 2001, all CM II and CM III inmates were allowed access to the dayroom and television *unrestrained* from early morning to early evening.

- ❖ Education and literacy programs to be available to all inmates.

Such programs are available to CM I and CM II inmates through a staff person providing written materials cellfront. Not having access to records I was unable to determine the actual use, type of materials, nor failure to provide.

- ❖ Wellness services shall be expanded to those inmates that request. Some wellness written materials are being provided. Again, Not having access to records I was unable to determine the actual use, type of materials, nor failure to provide. Interestingly, one of the programs apparently is a smoking cessation program. CM inmates generally have not had access to tobacco products for months or years.
- ❖ CM I and II inmates will have access to canteen one time per week: five non-food items and five food items. CM III inmates up to five non-food and ten food items. This apparently is being complied with according to most inmates, although the amount allowed is significantly less than other jurisdictions running extended control programs.
- ❖ CM II inmates' dayroom access two days a week, not to exceed four hours daily; CM III inmates five days a week not to exceed four hours a day. According to inmate interviews this appears to generally being complied with, although several CM II inmates state that frequently the time is either shortened or eliminated for a variety of excuses, including staffing shortages.
- ❖ Daily recreation (or work) three days a week, two hours each day. Exercise apparatus to be provided in the recreation yard. This seems to generally being complied with.
- ❖ CM I inmates to have one two-hour visit every thirty days; CM II one two-hour visit every fourteen days; and CM III one contact visit every fourteen days. This seems to be complied with. Most inmates interviewed state that they don't have visits either because the facility is too distant (and/or expensive) for their relatives/friends to travel too, or they do not want the friends relatives to see them in full restraints (CM I and CM II).
- ❖ Standards were set for the numbers of visits to CM housing units for security and program staff. Based on inmate interviews they seldom or ever see "rank" (Warden, Assistant Warden, and ranking correctional staff.

Not having access to records I was unable to determine the actual frequency of such visits/tours..

- ❖ Review times for CM inmates were established at once per week for the 1st sixty days and once every thirty days thereafter.
Unknown due to the failure to provide records nor allow access to staff interviews.

14. The life of an inmate on CM I has changed very little from the visits made in 2001. There is little human contact other than with security staff who are either restraining them, passing out food or materials, doing periodic counts, or moving the inmate to the showers or recreation. Occasional cell-front visits from a chaplain, nurse, or caseworker would be the only other human contact available. Each inmate interviewed stated that inmates are not allowed to communicate either through the cell door or window. If caught doing so they run the risk of being issued a disciplinary report, or being 'gassed', or both.

Meals are eaten alone; legal access is the same as in 2001; no work is available; and time is passed by either sleeping; reading; writing letters; working out in the cell—or as reported by several inmates—pacing or staring at the walls.

They are now allowed a two hour visit every thirty days but most inmates state they have no visitors either due to the distance from relatives or that they do not want their family to visit and see them in hand and leg restraints during non-contact visits. Several inmates have not had visitors for years.

They have the ability to have a radio, but many are indigent and cannot afford to buy one. Televisions either in the cell, or out of the cell are not allowed. Those that do have radios report that they derive a great deal of pleasure from this small bit of stimulation.

If they have no recent disciplinary reports they may order three books from the library each week (most say that the number of books available are very limited and many are ragged).

They may order five food and five non-food items from the canteen each month, again if they have no recent disciplinary reports. Many are indigent and cannot afford to order from the commissary and with no opportunity for work, cannot earn money.

The CM I inmates I interviewed in 2003, at all five institutions I visited, were predominately individuals who had been in CM for long periods of time, frequently measured in years rather than months, primarily for

repetitive Disciplinary Reports (DR's) rather than for assaults, escape attempts, gang membership, or other serious misbehavior. Indeed, it is very difficult for an inmate in CM I to commit a rule infraction severe enough to qualify as being a major violation. Most seem to be kept there for repetitive DR's. Exact reasons are unknown due to the failure to provide records nor allow access to staff interviews. The incidence of admitted past or present mental health problems remained extremely high at all facilities visited.

The inmates I interviewed were consistent, at each of the institutions in stating that the grievance system was a "sham". They stated that if they filed a grievance regarding staff misconduct the grievance would either be "lost" or they would be subjected to threats of retaliation or in some instances would be subjected to chemical agents. When the singular legitimate recourse an inmate has to report wrongdoing in these sterile settings is eroded the feelings of impotence, frustration, and anger are the likely reactions. This is apparent from the many stories relayed by the CM inmates interviewed in 2003.

15. The most shocking information relayed from the inmates at all five institutions visited in October and November, 2003 was the widespread use of gas. Many of the inmates interviewed had been gassed themselves and all had seen it used in their housing units, many multiple times. The prevalent story from the inmates is that the gas (generally OC spray, but occasionally CS) is used not only for control of acting out inmates, but as a threat and as a punishment. Despite the isolated nature of CM I confinement, the inmates are prohibited from talking to other inmates through their cell doors or windows. Inmates interviewed frequently relate how they, or other inmates they observe, are threatened with gas—or actually exposed to it and generally are issued a disciplinary report (DR) also. The DR's then result in retaining the inmate in their present CM status, and in some instances being raised to a higher CM status, as well as frequently resulting in a loss of 'gain time'. Thus the already severe living conditions of Close Management I isolation are further worsened by prohibiting and punishing the inmate who even talks to another human being.

16. As I stated in my report in 2001: "The amount of spray and gas used throughout the system is excessive. Normally, acceptable practice would preclude their use until less onerous means of removal from a cell had been exhausted. Continued efforts to talk the inmate into compliance are the norm. Then, chemical use of force is normally only allowed if the inmates behavior is threatening to himself or others (when the inmate is single celled there are few instance when they are a danger to others), or when extreme damage is being done to the cell or its furnishings. Chemical gases and sprays are used in close management units visited

for failure to follow orders (such as talking to other inmates through the doors or windows), disrespect, and other comparatively minor infractions. Too often the use is not documented thoroughly or at all by video cameras. The use of spray and gas on inmates who are mentally ill and or on psychotropic drugs and on those who are asthmatic is also a major deviation from normally accepted practice. ”Based on my visits during 2003, the use of gas in close management units apparently has not only not been reduced but appears to have escalated.

17. The FDOC Administrative Policy 33-602.210 (Use of Force) specifically excludes the use of chemical agents from videotaping. As follows: “ All use of force incidents will be videotaped in their entirety, except that videotaping the administration of chemical agents is not required for use on an inmate creating a disturbance in his or her cell when the officer is attempting to resolve the situation without extracting the inmate from his cell.” Most other correctional jurisdictions require filming of the use of chemical agents. It appears that the excessive use of gas has replaced forced cell extractions in the FDOC. The use of filming allows the correctional jurisdiction to monitor the use of chemical agents to assure their use is not abused

18. In my 2001 report I stated that: “It is my opinion that the impact of these sterile environments, particularly on inmates who have not been placed there based on actual serious misbehavior while in prison (such as inmates placed on Close Management based on pre-prison actions) and those that are mentally ill or intellectually limited, is very destructive. The absence of social interaction, the withdrawal of most humane privileges, the absence of reasonable stimulus, the isolation, and the stigma of being housed in a n environment thought to hold but the worst-of-the-worst all blend into a setting that probably will cause a deterioration of most human beings.” The CM I inmates in the FDOC have experienced little change in conditions; remain devoid of meaningful human contact; and are still are over- represented by mentally ill, developmentally limited, and minor-offense inmates.

19. In my report in 2001 I stated that: “It is my opinion that the added factors of what, at least to the inmates, appears to be arbitrary movement between Close Management Levels and the difficulty in understanding what behavior is required to leave Close Management, add to the potentially damaging nature of the Close Management units, as operated by the Florida Department of Corrections.” Although the FDOC, by policy, states that it will review CM inmates more frequently, the perception of the inmates remains unchanged. The reality is unknown due to the failure to provide records nor allow access to staff interviews. Inmates still languish on CM I for extended periods of time, being retained for only minor rules violations or “unsatisfactory” behavior ratings. In contrast, most

jurisdictions that operate similar 'extended control' facilities and programs (such as the Ohio and Wisconsin 'supermax' facilities) allow progression much faster through the classes of control and set 'target' maximum timeframes for an inmate to be in such an environment (24 months and 36 months respectively for Wisconsin and Ohio). This presumptive maximum timeframe is despite the fact that each of those jurisdictions place only a fraction of their total prison population in such an environment.

20. In my report of 2001 I stated that: "Certainly there are those inmates that must be placed under stringent control in order that staff and other inmates may be protected, escapes prevented, and the order of the prisons preserved. However, the percentage of those inmates are small. Units such as the Close Management units should be restricted to only those inmates that clearly present those major threats—and then only as long as they continue to present such a threat. To include lesser offenders or to control them longer than necessary is simply punitive."

I further stated that: "Inmates who chronically misbehave through minor rule violations, masturbating, talking inappropriately, etc. certainly present challenges to correctional administrators and staff. However, such behaviors can be dealt with through the disciplinary process that results in finite and time-limited periods in disciplinary segregation. Too frequently this type of inmate also suffers from mental illness, and placing them in the conditions found in Florida's close management only aggravate the problem."

"It is my opinion that the reasons inmates are placed in Close Management are vague and obscure. Although the Administrative Rule describing those inmates eligible for such placement are similar to those of other jurisdictions—the implementation of the rule is not. The actual reasons inmates are placed in close management vary greatly from defensible major rule violations; to repetitive minor violations; to behaviors that may be due primarily to mental illness or disability. Attempts to improve the consistency of decisions regarding such placements through centralizing the review appear to have failed." It is my opinion that little has changed with the FDOC use of Close Management. Many inmates interviewed have either been placed or retained on Close Management for rules violations having nothing to do with violence, serious contraband possession, possession of weapons, gang leadership, or, attempted or actual escape. 'Catchall' phrases governing placement in Close Management such as: "A history of disciplinary action or institutional adjustment reflecting an inability to live in general inmate population without disrupting the operation of the institution;..." allow nearly any inmate receiving a disciplinary report to be placed in CM. Many of the inmates found in CM in FDOC are dealt with in other jurisdictions through disciplinary hearings and finite and determinates periods of time (for

example, 30 or 60 days) in disciplinary segregation, then returned to general population. Using Wisconsin and Ohio (both of whom have been the recipients of intervention by Federal courts): both exclude mentally ill inmates and both contain only those inmates who have been violent, serious escape risks, and those that have been leaders in serious institutional disturbances.

21. In my 2001 report I stated: “The conditions under which the CM inmates are kept, particularly the CM I and CM II inmates, are as austere, or more austere, than any ‘supermax’ or administrative segregation program in the country.” After touring the four FDOC Close Management facilities in 2003 and interviewing over fifty CM inmates I found nothing to suggest that that opinion should be modified.

22. In my 2001 report I stated that: “The only clear behavioral standard that inmates can identify that would contribute to their ability to move out of CM is that they must be free of disciplinary reports for at least six months. All other criteria appear to be the subjective decisions of the local and central office classification staff.” After touring the four FDOC Close Management facilities in 2003 and interviewing over fifty CM inmates I found nothing to suggest that that opinion should be modified.

23. In my 2001 report I stated: “The very few ‘privileges’ available to inmates in close management are often not provided or are withheld due to ‘short staffing’. Fewer than 3 hours per week of recreation time, few books that presumably can be exchanged at least weekly (one book per week for CM I); and infrequent clothing and bedding exchanges are commonly reported.” The reality is unknown due to the failure to provide records nor allow access to staff interviews. Inmate interviews would suggest that little has changed.

24. In my 2001 report I stated: “Florida’s CM 1 level ...is as devoid of privileges and opportunities as the most severe segregation programs in the country that I have observed. Having recently toured numerous supermax facilities in the country in the course of writing a monograph on *Supermax Prisons*, I can personally form such an opinion. Where such similar severely restrictive programs exist they are only applied to the most chronically disruptive inmates. In Florida, they are applied to a much broader segment of the inmate population. The same can be said of CM II... .” Nothing I observe during my 2003 visits to the CM facilities would alter that opinion. For example, the “supermax” programs in Wisconsin and Ohio that serve more onerous populations, provide television sets (at state cost) to their populations in order to provide more stimulation to the inmate and to provide a wide range of programming. CM I’ s and CM II’ s in FDOC have little to provide stimulation (unless they have the resources to be able to purchase a radio) and extremely limited program options.

25. I stated in my 2001 report that: "It is my opinion that the impact of these sterile environments, particularly on inmates who have not been placed there based on actual misbehavior while in prison (such as inmates placed on Close Management based on pre-prison actions) and those that are mentally ill or intellectually limited, is very destructive. The absence of social interaction, the withdrawal of most humane privileges, the absence of reasonable stimulus, the isolation, and the stigma of being housed in a n environment thought to hold but the worst-of-the-worst all blend into a setting that probably will cause a deterioration of most human beings." Nothing I observe during my 2003 visits to the CM facilities would alter that opinion. The CM program in FDOC remains sterile, austere, arbitrary, and in my opinion serves no correctional objective.

26. In my 2001 report I stated that: "It is my opinion that the degree of austerity, the denial of privileges, and the amount of time that inmates must serve in the Close Management program of the Florida Department of Corrections (DOC) serves no correctional objective for the majority of inmates placed in such conditions. The development of policies governing the operation of the administration of prisons and other correctional residential facilities, if pursued consistent with generally accepted practices and standards, should meet the tests of demonstrating a "good faith" effort to improve the conditions of confinement. They should be consistent with community standards, deviating from that only when a legitimate penological interest can be established. Correctional administrators carry the professional burden of not unduly denying those under their custody those rights and privileges consistent with humane treatment. The Close Management program within the Florida DOC clearly exceeds, in its austerity, its harshness, and its ambiguous rules, conditions necessary to achieve a wide variety of correctional objectives. My opinion of the FDOC Close Management program has not changed since my 2003 visits. Generally accepted correctional practices are not being adhered to. No correctional objective is being served. No legitimate penological objective can be established for the extremely austere conditions for extended periods of time and for such large numbers of inmates. The conditions at there best are inhumane.

27. I am being reimbursed at the rate of \$ 150 per hour (not to exceed \$1,200/day) plus expenses.

Chase Riveland
Attachment A

Date

CHASE RIVELAND

EDUCATION

M.S.S.W. Degree, University of Wisconsin-Madison, 1971
B.S. Degree, Sociology/Psychology, University of Wisconsin-LaCrosse, 1964
Strategic Management, Wharton College, University of Pennsylvania, 1978
Management In Corrections [MADCAP]-USC, 1980
J.F. Kennedy School of State and Local Government-Harvard, 1984
Aspen Institute, 1984

PROFESSIONAL EXPERIENCE

Consultant, Expert Witness, Author, and Trainer. Riveland Associates, Deer Harbor, WA- January, 1997 to present
Secretary, Washington Department of Corrections, Olympia, WA-July, 1986 to January, 1997
Executive Director, Colorado Department of Corrections, Colorado Springs, CO-1983 to 1986
Deputy Division Administrator, Wisconsin Division of Corrections, Madison-1982 to 1983
Warden, Portage Correctional Institution, Portage, WI-1980 to 1982
Milwaukee Regional Director, State Bureau of Community Corrections, Milwaukee, WI-1976 to 1980
Probation and Parole Supervisor, Madison, Janesville, and Jefferson, WI-1975 to 1976
Graduate Student Supervisor, University of Wisconsin and Division of Corrections -1974 to 1975
Financial Compliance Officer, Wisconsin Division of Corrections-1973 to 1974
Probation and Parole Officer and Institution Social Worker, Wisconsin Division of Corrections-1969 to 1971
Probation and Parole Officer, Wisconsin Division of Corrections, Appleton, WI-1964 to 1966

RELATED EXPERIENCE

Supervisor, Child/Adolescent Program, Mendota Mental Health Institute, Madison, WI-1972
Assistant to the Superintendent, Mendota Mental Health Institute, Madison, WI-1973
Officer, U.S.Army-1966 to 1969 [Vietnam Veteran:1968-9]
Ten years Commissioned service in Army Reserve and National Guard;
Commander, Troop E, Fourth Armored Cavalry; 205th Infantry Brigade-1972-6)
Principal Faculty Member, "Corrections Executive Excellence: National Institute of Corrections"; 1997 through present

Site Facilitator: Alaska; Criminal Justice Systems Assessment Project; 1997 – 2000
Multiple Consultant Events throughout the United States
Serves as an Expert Witness in Multiple Corrections Related Cases
Author of "Supermax Prisons: Overview and General Considerations"
Commissioner, Washington Jail Standards Commission, 1986 to 1989
Member, Washington State Sentencing Guidelines Commission, 1986 to 1997
Member, Washington State Criminal Justice Training Commission, 1986 to 1997
Co-Chair: Washington State Law and Justice Counsel, 1991 to 1997
Chair, Colorado Pardons and Commutation Board, 1983-1987

MEMBERSHIP: PROFESSIONAL ORGANIZATIONS AND ASSOCIATIONS

National Council on Crime and Delinquency (Board of Directors) 1998 to 2001
(Chair of the Board of Directors, July 2000 to 20001)
Edna McConnell-Clark Justice Advisory Board-1988 to 1994 [Chair-1993 to 1994]
Association of State Correctional Administrators-1983 to 1997 (presently an Associate)
National Committee to Prevent Wrongful Executions: The Constitution Project;
Board Member-2000 to present
American Correctional Association
Western Correctional Association
Washington Correctional Association
Washington Council On Crime and Delinquency
Campaign for an Effective Crime Policy (Steering Committee Member)
American Probation and Parole Association
Editorial Board Member, *Crime and Justice—A Review of Research Journal* - 1995 to present
Editorial Board Member, *Correctional Management Review* - 1996 to present
Editorial Board Member, *Criminal Justice 2000*, National Institute of Justice – 1999-2000
Trustee, Board of Trustees, Orcas Island Library-2004

HONORS

National Governors Association Distinguished Leadership in Government Award-1989
Association of State Correctional Administrators, Michael Franke Outstanding Director Award-1993
IARCA, Margaret Meade Award-1994
Maude Booth Award, Volunteers of America-1998
Washington Council on Crime and Delinquency, Mark Cooper Criminal Justice Lifetime Achievement Award-1998

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Attachment B

Expert Witness Cases: Chase Riveland

David Ruiz, et al., Plaintiffs v. Gary Johnson, et al., Defendants
Civil Action No. H-78-987
United States District Court: Southern District of Texas
(Deposed and At Trial): Expert Witness for the Plaintiffs (civil case) 1998/1999

State of Washington, Plaintiff v. Robert Parker, Defendant
King County Superior Court
Case #: 96-1-07511-2 SEA
(At trial) (death penalty phase): Expert Witness for Defendant, 1998

State of Washington, Plaintiff v. Roberts, Defendant
King County Superior Court
(At trial) (death penalty phase) Expert Witness for Defendant 1997

State of Washington, Plaintiff v. Guy Rassmussen, Defendant
Pierce County Superior Court
Case #: 96-1-04481-6
At trial (death penalty phase) deposed)) Expert Witness for Defendant 1999

Lawrence, et al., v. Hollywood Entertainment, et al.
Second Judicial District Court, County of Bernadillo, State of New Mexico
Case #: CV 96-04039
Expert Witness for Plaintiffs, (civil case) 1998-2000 (Settled)

Woodruff v. United States of America
United States District Court, District of South Carolina, Spartanburg Division
Case #: 7 98-3770 24

Expert Witness for Defendants, (civil case) 1999-2000 (Settled)

Mark Knox v. Robert James Jenkins, Jr., et al.
United States District Court, Southern District of Texas, Houston Division
Civil Action No. 4:99-CV-03317
Expert Witness for the Plaintiff, (civil case) 2000-2001 (Settled)

Rochelle McGuire v. Charles Turnbo, et al
United States District Court, District of North Texas, Fort Worth Division
Case #: 4:91-CV-831-Y—USDC ND/Texas
Expert Witness for Defendants (civil case), 2000-2001

State of Washington, Plaintiff v. Covell Paul Thomas, Defendant
Pierce County Superior Court
Cause No. 99-1-00397-9
At trial (death penalty phase) (at trial) (deposed), for the Defendant 2000

State of Oregon vs. Bryant Wayne Howard, Defendant
Multnomah County Circuit Court
Case No. 000143C
Expert Witness for defendant (death penalty case) 2001

State of Washington, Plaintiff v. Brodie E. Walrad, Defendant
Kitsap County Superior Court
Cause No. 99-1-01101-3
Expert Witness for defendant (death penalty case) (at trial) 2001

State of Washington, Plaintiff vs. Allen Eugene Gregory, Defendant
Pierce County Superior Court
Cause No. 98-1-04967-9
Expert Witness for defendant (death penalty case)(deposed) 2001

Mark Osterback, et al., vs. Michael W. Moore, et al, Defendants
U.S. District Court, Southern District of Florida, Miami Division
Case No.: 97-2806-CIV-HUCK
Expert Witness for the Plaintiffs (civil case) 2001

Austin, et al. v. Wilkinson, et al, Defendants
U.S. District Court, Northern District of Ohio
Eastern Division
Case No.: 4:01CV071
(At Trial): Consultant and Expert Witness for Defendants (civil case), 2001
George Benjamin Robinson v. Joe T. Chavez, et al
United States District Court,
Northern District of Texas
Dallas Division

Case No. 3:98-CV-1205-R
Expert Witness for Defendants, (at trial) 2001-2

State Of Washington, Plaintiff vs. Kevin William Cruz, Defendant
King County Superior Court
Cause #:
(At trial) Expert Witness for Defendant (death penalty case)-2001-2002

Frances Hill, et al. Plaintiffs vs. State of Hawaii, et al. Defendants
Circuit Court for the First Circuit of the State of Hawaii
Civil No. 96-2592-06 (DTK)
(At Trial): Expert Witness for the Defendants 2001-2002

Mario Valdes, et al, Plaintiff v. James V. Crosby, et al, Defendants
United States District Court
Middle District of Florida
Jacksonville Division
Case #: 3:01-CV-799-J-21
Expert Witness for the Plaintiff 2002-2003

Ordorf, V. Jefferson County
United States District Court
Western Division, Seattle, W
Monitor, selected by Plaintiff and Defendant, 2003-5

Willie Mathews, Plaintiff v. James V. Crosby, et al, Defendant
United States District Court
Middle District of Florida
Jacksonville Division
Case #: 99-117-CV-J-20B
Expert Witness for the Plaintiff 2002-2003 (Deposed)

Robin Darbyshire, Plaintiff v. Extraditions International, et al, Defendants
United States District Court
Colorado District
Civil Action #: 02-N-718 (MJW)
Expert witness for the Plaintiff, 2002-2003

Dennis E. Jone 'el, et. al. v. Gerald Berge, et.al.
United States District Court
Western District of Wisconsin
Civil Action #: 00-C-421-C
Expert Witness for Court Monitor, 2003

State vs. Robert Paul Langley, Jr.
Marion County Circuit Court

Case No. 88C21624
Expert Witness for Defendant; 2003

California vs. Flinner and Ontiveros
Superior Court of California
County of San Diego
Case No. SCE 211301
Expert Witness for the Defendant, 2003

Victor Ramos, v. Fernandez, et al.
United States District Court
Southern District of Florida
Miami Division
CIVIL No. civ-02-2195
Expert Witness for the Plaintiff, (deposed) 2003-4

Nathan Essary v. Michael Chaney, et al.
United States District Court
Southern District of Texas
Houston Division
Civil Action No. H-02-3822
Expert Witness for Plaintiff, 2003-4

Marti Bartlett v. State of Washington, et al.
Superior Court of the State of Washington
King County
NO. 02-2-18232-1 SEA
Expert Witness for Defendant, (settled) 2003

Attachment C

Publications by Chase Riveland

“Prison Administration”; Chapter in *Crime and Justice: A Review of Research*; Volume 26 (Prisons) July, 1999.

Supermax Prisons: Overview and General Considerations; A monograph published by the U.S. Department of Justice/National Institute of Corrections under TA#98P4002; published in January 1999.

“Prisons Over The Next Several Decades; Guest Column for the *Walla Walla Bulletin*; accepted for publication in February, 1999.

“Leadership and The Corrections Executive”; with Robert Brown and Marie Mactavish; *Corrections Management Quarterly*; Aspen Publishing; Volume 2, Issue 4; Fall, 1998.

“The Correctional Leader and Public Policy Skills”; *Correctional Management Quarterly*; Aspen Publishing; Volume 1, Issue 3; Summer, 1997.

“Three Strikes and You’re Out Isn’t The Answer to Our Crime Problem”; Press release for the *Campaign For Effective Crime Policy*; September 18, 1996.

“Margaret Meade Lecture Series”; *The IARCA Journal*; February, 1995

“Let’s Invest in People, Not Prisons”; Guest editorial in the *Seattle Post-Intelligencer*; March 17, 1994.

“Baseball or Public Policy”; *Journal of Interpersonal Violence*; September, 1994

“Punishment, Politics, and People”; *Overcrowded Times*; December, 1993

"Being a Director of Corrections in the 1990's"; Federal Probation; published by the Administrative Office of the Courts; June 1991.

A Review of "The Cost of Corrections: In Search of the Bottom Line"; Research in Corrections; Volume 2, Issue 1; February 1989.

"Gubernatorial Styles: Is There a Right One?"; The Journal of State Government; v. 62, no.4, p 136, July/August 1989.

Attachment D

Other Consulting Projects: Chase Riveland

1997 through present

Corrections Executive Excellence

One of three prime faculty for the National Academy of Corrections year-long course for aspiring corrections CEO's at the federal, state and local level.

2002

Strategic Response in Prisons

NIC funded project. As a member of a six person team conducted a national survey and developed strategic planning and response models.

2001-2002

Research Project w/ABT Associates/National Institute Justice funded

Examination of six state-level correctional systems that have numerous juveniles sentenced to adult correctional systems.

March, 2001

Management Assessment of Green Hill Juvenile Training School, Washington State

Assessed onsite: staffing; utilization of new housing units; security; type of person needed as new superintendent.

Contract with Juvenile Rehabilitation Administration, Department Of Social and Health Services, State of Washington.

Product: Written report and verbal briefing.

October/November, 1997

Assessment of Montana Department of Corrections & moderated a statewide criminal justice session entitled 'Corrections 2000'.

Funded by the National Institute of Corrections on behalf of the Montana Department of Corrections

Product: Written reports and coordinate and moderate a 'vision' conference for over one hundred criminal justice professionals and officials in Montana.

July/August 1997

Assessment of Children's and Adult Protective Services in Washington State.

Performed at the request of the Governor's office; funded by the Department of Social and Health Services. With Mary Riveland.

Product: Two reports and briefings to DSHS and Governor's office..

March 1997 Through January , 2000

Criminal Justice System Assessment Project

Served as site-coordinator in Alaska for national project. Led site assessment team, facilitated development of Alaska Criminal Justice Assessment Commission, wrote final assessment report.

Product: Written report and facilitation of process.

February, 1997

Organizational Assessment

Provided technical assistance to the Oregon Department of Corrections.

Product: Oral briefing of Director of DOC and staff.

1980 through present

Multiple instances of provision of technical assistance to correctional jurisdiction regarding prison classification, probation/parole classification, security issues, organizational design, operation of supermax prisons, etc.

1997

Technical assistance to Alaska DOC regarding efficiencies in organizational design.

Evaluated management positions in the Alaska DOC for possible reduction due to legislative budget cuts.

Product: Written report and debriefing to Commissioner.

2002-3

Strategic Management For prisons

National Institute of Corrections project. Part of a team to develop a model for prisons.

Attachment E:

Florida State Prison Inmates Interviewed

Jacob Conner, # 286615 (CMIII)
Mark S. Jennings, # 286759 (CM II)
Marvin E Kreisher, Jr., # 105139 (CM III)
Robert Rudisel, # 193349 (CM I)
William Boddie, # 636402 (CMI)
David Baldwin, # 053309 (CM I)
Willie T. Silmon, # 194285 (CM I)
Xavier Washington, # 212089 (CM III)
Larry Bostic, # 197090 (CMI)
Frankie Derizzo, #553444 (CM I)
Joseph C. Johnson, # 081349 (CMI)
Stontraves Nash, # 722799 (CM I)
Joaquin Nelson, # 197053 (CMI)

Union Correctional Institution Inmates Interviewed

Paul Robinson, # 209978
Eric Green, # 192172
Troy Hall, # 082137
John Stable, # 894926
James Burke, # 884880
Kevin Robinson, # X07810
Sergio Radillo, # 185948
Craig Wall, # 140726

Theophilus Hyman, # 091832

Lowell Correctional Inmates Interviewed

Lanou Malone, # 905012
Wildie Wells, # W11153
Collette Green, L21045
Cecelia Harris, # 807853
Brenda Young, # 635615
Taneria Godfrey, #
Caradid O'Farrill, # L34481
Taneaia Espy, # T12630
Brenda Yancy, # 635615
Bernadette Easley, # 160465

Charlotte Correctional Institution

Gary Sessler, # 137085
Javier Fuentes, # 097407
Eugene Robbins, # 387285
Andre Sheffield, # 116194
Allen Roberts, # 085419
Horace Beard, # 796479
David Ruetter, # 117719
Kelvin Frazier, # 099699
Averil Powell, # 062047
Eric Clinkscale, # 185402
Alphonso Washington, # 386692
Toney Johnson, # 773764

Santa Rosa Correctional Institution

William Hoggard, # 051274
Lionel Lespinasse, # 192818
Henry Kulka, # 544043
Lavictor Flournoy, # 352985
William Demps, 091027
David Byrnes, # 053824
Jadde Barker, # 509722
Antonio Ward, # 442770
Kinsey Mae, # 760831
Stefan Linden, # 588662
Tareyan Cooks, 388887

Attachment F

Florida CM	CMI	1/30 days	inmate buy	cell front	No	3/2hrs./wk	3/week	Indeterminate*
	CMII	1/14 days	inmate buy	dayroom in restraints	Dayroom/in restraints	3/2hrs./wk	3/week	"
	CMIII	1/14 days	inmate buy	dayroom		3/2hrs./wk	3/week	"
Ohio	Level 5							
	B	1/month	state buy	cellfront/ group and TV	In cell	5/1 hr./wk	5/week	Indeterminate**
	A	2/month	state buy	cellfront group and TV	In cell	5/wk-congre	5/week	"
	Level 4							
	B	1/week	state buy	group and TV	In cell	5/wk congreg	5/week	"
	A	2/day	state buy	TV and in groups	In cell		5/week	"
Wisconsin	Level 1	1/month	state buy	TV	Limited video	5/week	daily	7 days***
	Level 2	2/month	state buy	TV and Celfront	In cell	5/week	daily	60 days
	Level 3	3/month	state buy	Group and TV	In cell	10/week	daily	6 months
	Level 4	4/month	state buy	group and TV	In cell	10/week	daily	4 months
	Level 5	5/month	state buy	Group and TV	In cell	10/week	daily	90 days

* no anticipated limit on time spent in any category or on CM

** No anticipated on limit time in any level, but anticipated no more than threeyears total

*** Anticipated total time to be 24 months

