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State Tests Way to Halt Prison Fights

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SACRAMENTO—State corrections officials say they've developed a safer, high-tech alternative to shooting inmates in order to quell fights in prison yards.

The practice in recent years has led to the deaths of dozens of inmates and prompted federal indictments of officers and millions of dollars in legal costs. So the Department of Corrections, working with a San Diego County engineering firm (Hydro-Force Inc. of Pine Valley) and an Israeli manufacturer of water cannons (Belt Alfa Trailer Co.), spent nearly four years to develop a safer method. The result: a device that can be accurately aimed to shoot a pressurized solution of water and chemicals like pepper spray or tear gas as far as 200 feet across an exercise yard.

After testing the device for three months last year at Calipatria State Prison in Imperial County, Corrections Director C.A. "Cal" Terhune was so impressed with the results that he is now trying to persuade Gov. Gray Davis to shell out more than \$1.9 million to purchase 54 units and install at least one—and as many as 16—at each of the state's 33 prisons.

As at Calipatria, the cannon-like devices would be placed overlooking the exercise yards of only the most troublesome and dangerous prisoners—those confined in what wardens call "administrative segregation" or security housing units.

"It just seems to me to be clearly, clearly a very effective, less lethal option for use in our trouble spots," says Mr. Terhune. "If we can't get it budgeted—and we're going to move heaven and earth to do it—then we'll begin the slow process" of cutting expenditures to pay for the units.

When Mr. Davis unveiled his 1999-2000 budget last week, there was no mention of the devices, which are called water restraint systems. But Calvin Smith, a program budget manager in the Department of Finance, says that doesn't necessarily mean the new governor has rejected the idea; it could be that he simply hasn't had enough time to study it. Looking ahead, Mr. Smith and Dan Carson, a corrections specialist with the Legislative Analyst's Office, say Mr. Davis will likely revisit the matter in May. That's when the governor,

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after reviewing the latest economic data, traditionally issues a revised budget.

"We might have additional state revenues," says Mr. Carson, "or we might find other ways to economize" on prison costs, perhaps because of an expected slowdown in the growth of the inmate population.

Consider that the \$2.9 million price tag would be only a sliver of the \$4.6 billion that Mr. Davis has proposed to spend on all correctional programs. Perhaps more importantly, it's considerably less than the estimated \$5.3 million in taxpayer dollars that Corrections has spent since July 1994 in legal costs connected to inmate shootings. And there may be more costs to come; Corrections Department analyst Weaver Rhine estimates that four pending cases could run the state "as much as \$5 million" by the time they're done.

"We're open to looking at any alternatives that might be cost-beneficial to the state," says Mr. Carson, whose office provides budget guidance to lawmakers, "not to mention the human impact here of running a better prison system."

In fact, it was publicity about the escalating costs—in lives and dollars—of their lethal-force policy that Corrections officials say prompted them in 1995 to begin searching in earnest for alternatives. In late 1994, the Orange County Register published a series of articles reporting that state correctional officers from 1989 to late 1994 had shot and killed 27 convicts—at the time, more than three times as many as in all other U.S. prison systems combined.

But as Corrections engineers began working on a solution, they soon grew frustrated that none of the existing technologies available could do the job effectively. Using compressed air to launch projectiles such as mini-beanbags had a limited range of no more than 40 feet; 37mm "black powder" firearms that fire rubber bullets or chemical cartridges were limited by their range and capacity; and hand-tossed tear-gas grenades couldn't be thrown far enough and threatened officers' safety.

"There was nothing available for us to control [fighting] inmates at long range," recalls Larry Cothran, an electronics engineer for Corrections and the executive officer of its Technology Transfer Committee. "We had to develop a totally new concept."

It was Mr. Cothran's idea to take the traditional water cannon, used for crowd control in Europe and South America, and transform it into something that could pack more of a chemical wallop. Yet he couldn't even track down a water-cannon manufacturer in the U.S.

Soon after, he turned to engineer Dennis Berglund and his wife, whose Pine Valley-based Communications & Documenta-

tion Technologies Co. had helped Corrections design and fabricate cell-door locking controls and personal security devices for prison guards. The Berglunds, who would form Hydro-Force in 1998 to develop the water restraint system, in turn tracked down Beit Alfa in Israel and began working with the company.

After four years of experimentation, the joint venture has produced a cannon-like device, mounted alongside a guard tower, that uses pressurized water to propel the chemicals. A correctional officer, equipped with a video monitor marked with cross hairs, a joystick and other electronic controls, can aim the camera-equipped nozzle at an altercation and instantly fire a burst or stream of water carrying the chemicals over the heads of the inmates. The heavier chemicals then separate and drop from the water to create an invisible mist over the inmates. The nozzle camera not only helps aim the device, it also allows all operations to be videotaped.

Unlike a hand-held pepper spray canister that typically affects an inmate's eyes and breathing, the pepper-spray fog launched by this new system gets into every open pore and sweat gland. During the test, inmates reported burning eyes, skin irritation, coughing and respiratory distress—but nothing that lingered longer than 15 minutes. Calipatria inmates who were hit with the pepper spray generally needed only a quick shower to decontaminate themselves, Corrections reports.

"It's a heck of a tool that knocks the dog stuffings out of a human being and knocks them on their butt," says Don Novey, president of the California Correctional Peace Officers Association, who has witnessed the system in action. "It's a viable tool, but lethal force should still be available. Something people forget is that not every incident should be handled the same way."

During the three months of testing last spring, Corrections officials found that the appearance and use of the water restraint

system slashed by more than half the number of inmate incidents, compared with a similar three-month period at Calipatria. What's more, there were no serious injuries to staff or inmates recorded during the test, and the time needed to stop any incident was reduced on average to 15 seconds from as long as 15 minutes.

When the ominous three-foot-long nozzle and associated equipment was first installed at Calipatria last February, correctional officers gave inmates no information about the system. Then they waited. For six weeks, inmates peacefully and anxiously watched and wondered about the device. Then, Corrections officials say, rival prison-gang leaders ordered their minions to fight to see what was up with the ray-gun-looking device.

Inmates interviewed after being sprayed have told prison officials, "It's nasty stuff, and it works," and it made them stop," recalls Debra Dexter, a prison spokeswoman. At the same time, though, she says inmates' formal complaints about the water restraint system "have been minimal.... It's been very, very effective. We've been very pleased with it."

Since the test, Ms. Dexter says, Calipatria correctional officers have continued to use the device regularly with no injuries either to staff or inmates. Recently, though, correctional officers stopped the practice of firing "warning shots" of only water before applying the chemicals; the inmates simply weren't stopping their fights.

Steve Fama, a staff attorney with the Prison Law Office, a prisoner-rights group in San Rafael, says he's encouraged by what he's heard so far about the water restraint system. Even so, he is withholding judgment until he has seen the written test results and talked to affected inmates.

"Any alternatives to lethal force are great," Mr. Fama says. "The department ought to be looking as much as possible at avoiding the use of deadly force."

THE WALL STREET JOURNAL/CALIFORNIA welcomes your comments—by mail, electronic mail, phone or fax. Letters should be addressed to Jess Bravin, Editor, 6500 Wilshire Boulevard, Suite 1500, Los Angeles, Calif. 90048. The phone number is 323-656-6464; the fax number is 323-651-9305; the E-mail address is wsjca@news.wsj.com