

## Debriefing Internal and External Questions of KDOK Coercion System

1. The California Department of Corrections (KDOK) debriefing Program is an underground policy which affects only a relative handful of prisoners, leaving the great majority free, for the time being, from the debriefing restaurant, from the 1960's up until 2014.
2. A survey of Title 15 of the Director's Rule indicates that the vast majority of rules and regulations designated cover every act of misbehavior. The California prison authority uses the existence of on going conspiracy to create the appearance of danger to institution security. This enables the prison authority to punish dis favorable prisoners for infractions that break no rules, and this continues to this very year (2014). Debriefing is a coercion system that (KDOK) applies to all indeterminate (SHU) prisoners!!
3. Once an informant identifies a prisoner as a member and/or associate of a prison gang in California, a rigid rule of debriefing is applied inflexibly without regard to the unique circumstances of each case. (This is where (KDOK) applies it's low intensity psychological (torture tactics).)
4. No prisoner could conceive that it is not within the power of the prison authority to prohibit acts intended to disrupt the security of the institution. The question we are concerned with is whether the prison authority has the power to impose debriefing on a disfavored group of prisoners under the cover of institutional security, prison authority, through it's classification committee, implies Title 15 Director Rules do not apply when it comes to any prisoner identified with a prison gang. The California Prison Authority say through it's actions that an on-going conspiracy by prison gangs justifies the debriefing program. Accepting this, and allowing it to go unchallenged, validates this unconstitutional procedure. After decades of legal suits, etc., in 2014 this illegal underground policy, is no longer a covert operation... Today, debriefing has changed to an overtoperation.
5. The debriefing program's real design is not only to eradicate so-called prison gangs, but also to create a pool of informants and to regulate conduct within its boundaries. This is part of an experimentation program, which will eventually be applied to all groups of prisoners regardless of social, religious, or political association. The state prison authority wants to first regulate the personal activities of the prisoner class throughout the country and civilian population of free society. The end result will be fascism.

1. Question: Lieutenant Z, where are you employed and in what capacity?

Answer: I presently work for the CDC, the California Department of Corrections, at Pelican Bay State Prison as an I.G.I. (Institutional Gang Investigator)

2. Q: What training and experience qualifies you as an I.G.I.?

A: Extensive experience dealing with prison gangs, and particular training identifying, detecting, investigating, and prosecuting prison gang activities. I've attended numerous seminars and training conferences on prison gangs, and have a background in identifying

various prison gang activities and modes of operation within and without the prison system.

3. Q: What does an I.G.I. do?

A: Gathers and maintains information regarding prison gangs and gang activities at Pelican Bay, and conducts debriefings of those inmates who wish to disassociate themselves.

4. Q: Now direct your attention to Exhibit A., a debriefing report in the name of \_\_\_\_\_, Record Number \_\_\_\_\_. Are you acquainted with those particular records, and have you reviewed them before?

A: Yes, this number \_\_\_\_\_, is the number given to the particular subject, Inmate A.

5. Q: Can you tell us if you ever conducted a debriefing of Inmate A.?

A: Yes, on \_\_\_\_\_.

6. Q: Can you tell us when you first came into contact with Inmate A., and under what circumstances?

A: I received an interview request slip from Inmate A's unit counselor, stating he requested to be interviewed for debriefing. I had the escorting officer bring him to the IGI office under pretense that the sergeant wanted to see him.

7. Q: Approximately how many IGI officers were involved in the debriefing?

A: There were two other lieutenants involved.

8. Q: Now in regard to the debriefing report, how is it classified?

A: Confidential.

9. Q: Does an inmate undergoing debriefing waive his Fifth Amendment right of self-incrimination?

A: The inmate is not forced to incriminate himself in violation of the Fifth Amendment. He may raise the issue of his rights being violated should those statements be introduced in a subsequent prosecution. As a policy, the KDOK does not prosecute or discipline inmates based on information obtained during debriefing.

10. Q: Why would an inmate undergo debriefing and be stigmatized as an informant?

A: The inmate will benefit in several ways, plus it shows his sincerity in disassociating himself from the gang in order for the gang classification to be removed from his central file.

11. Q: Does the inmate always tell everything he knows including the role he played in criminal activities as a gang member?

A: Initially, no. The interviewers expect the subject to conceal certain offenses from the debriefing. It is felt that most subjects will be apprehensive at first.

12.Q: Was Inmate A. initially apprehensive?

A: Inmate A. was not apprehensive at all. He full cooperated with the interviews.

13.Q: And what made Inmate A. different from other who showed some apprehension

A: Well, Inmate A. has provided the Department of Korrection (KDOK) with reliable information many times in the past. Prior to coming to prison, he had provided local police with information during a criminal invertigation.

14.Q: So the stigma of being an informant does not hinder Inmate A.?

A: No, in fact, he believes it's a necessary stop towards rehabilitation and becoming a productive citizen in society.

15.Q: Lt. Z, have you ever done any intelligence work outside of the KDOK?

A: Prior to working for KDOK, I was involved with military intelligence while in the navy.

16.Q: Are you, today, still working as an agent for military intelligence?

A: No, I am not.

17.Q: Prior to \_\_\_\_\_, were you aware of Inmate A. providing the KDOK with reliable information?

A: Yes, I was aware that he had provided information in the past.

18.Q: Did Inmate A. ever provide you with information prior to \_\_\_\_\_?

A: No.

19.Q: What does the term "reliable information" mean?

A: Information which the informant witnessed himself, or which the criminal, himself, told to the informant.

20.Q: How do you determine if information is accurate and not deceptive?

A: If the inmate tells us what another classified relevant informant has told us, this is one means of determining accuracy, or if he tells about more recent offenses of the same type, or if he told us about more serious offenses. These inmates who are categorized as "deceptive/questionable" told us about offenses which were similar to, but did not exactly match, offenses about which the state already had information.

21.Q: How did you determine whether information is exaggerated or not?

A: Well, to safeguard against exaggeration, we have a set of detailed questions we ask.

22.Q: How is it that you came to know Inmate A. as an informant?

A: Another inmate gave Inmate A.'s name during debriefing as an active member of the \_\_\_\_\_, prison gang, along with other names.

23.Q: The inmate who gave Inmate A.'s name during debriefing, did he complete a successful debriefing?

A: Yes, he did.

24.Q: Did Inmate B's information about Inmate A. prove reliable?

A: Yes.

25.Q: Lt.Z, from whom did you learn Inmate B. was an informant?

A: After learning about Inmate B.'s membership in the gang, I ran his name through the computer and had his central file brought over to the IGI office. After reviewing his file, I learned about the information he had provided to KDOK in the past.

26.Q: During your debriefing of Inmate B., did you learn that Inmate B., himself, had been involved in some criminal activity?

A: Yes, the mere fact that extensive confidential information exists indicating Inmate B.'s membership in the \_\_\_\_\_ prison gang is evidence of criminal activity involvement.

27.Q: Lt. Z., did you learn that Inmate A. was directly involved in the murder of an inmate?

A: Yes, during the debriefing of Inmate B., we learned of Inmate A.'s alleged involvement in the death of an inmate.

28.Q: The information about A's involvement in a homicide, did the IGI determine it to be reliable?

A: We determined that Inmate A. may have knowledge surrounding the death of an inmate.

29.Q: Was criminal prosecution sought against Inmate A.?

A: No.

30.Q: Was Inmate A. issued a KDK 115?

A: No.

31.Q: During the debriefing of Inmate A., was he given immunity from prosecution if he provided information regarding the murder he allegedly participated in?

A: No immunity was given or offered to Inmate A.

32.Q: Did Inmate A. tell you about his role in the murder?

A: No, he did not.

33.Q: To your knowledge, did you or any other IGI question Inmate A. about the murder during his debriefing?

A: No, we did not.

34.Q: Is there some reason why Inmate A. was not debriefed on the murder he is alleged to have participated in over a decade ago?

A: The IGI interviewers know concealment varies from one inmate to another, and certain offenses of a statute of limitation will be concealed more often than other offenses without one. If the inmate undergoes/undergoing debriefing, is questioned about his role in a homicide, and does not provide us with detailed information, he will feel that no real reward will be forthcoming so why debrief? The debriefing procedure is based on the strategy of convincing the inmate he will benefit. He would not provide information if he felt he would be prosecuted in court.

35.Q: Let me understand clearly, an inmate can escape prosecution for a murder by just debriefing and providing reliable information on others?

A: Absolutely not.

36.Q: Well, has any inmate who has successfully debriefed ever been prosecuted for any criminal activity that is still within the statute of limitations?

A: No, not to my knowledge.

37.Q: To your knowledge, is there a statute of limitation for murder?

A: No, there is not.

38.Q: Does the IGI have the option of prosecuting those debriefers who commit a criminal offense at a later date?

A: That is not our job, it is up to the State Attorney General's Office if prosecution is sought at a later date.

39.Q: What is the first thing you ask when an inmate is before the IGI debriefing?

A: An inmate debriefing before us has completed the first pre-debriefing examination by providing us with a hand written biography account of how he came to be involved with the gang and recruitment requirements. The IGI interviewers are selectively chosen to gain the confidence of the inmate. We explain the debriefing process. We then ask the inmate to help us by supplying names of every member of the gang, as well as those in close association to the gang. After this, we ask him who he knows that has committed criminal acts for which they have not been caught, together with as much as they can tell us about the criminal act he has revealed. The interviewers assure the debriefer about confidentiality and anonymity, and we stress the importance of truthfulness in successful debriefing.

40.Q: Does second-hand information about as reliable?

A: If other sources have provided the same information, or if the inmate has proven reliable after successfully undergoing debriefing, then, yes, second-hand information is reliable, within the framework of the institutional order.

41.Q: Do you tape record and/or videotape debriefings?

A: All debriefing interviews: are [now] recorded for voice identification, as well as videotaped.

42.Q: What about polygraph examination, does everyone who debriefs take one?

A: No, in part, and yes, in part.

43.Q: Please explain your answer.

A: Debriefing inmates who themselves have been involved in criminal activity that falls within the statute of limitation are not given polygraphs as a policy on the statute of limitation offenses. If we as the inmate about his involvement in a murder and do not give him immunity, he will lie, and be deceptive about his role. There fore, the polygraph will show his untruthfulness, plus, he does-not know that we already have reliable information about his participation.

44.Q: So if an inmate takes a polygraph and fails, would he still be deemed reliable on other information?

A: Not necessarily. The polygraph is just a tool.

45.Q: Is that the reason Inmate A. was not required to undergo polygraph examination about his alleged involvement in a murder?

A: No, the fact is that Inmate A. has provided accurate information in the past, as has met the criteria by incriminating himself and others in illegal activities per section 312 of the classification manual and Title 15, Article 5, Section 3321, so we felt a polygraph was not warranted at that time.

46.Q: What type of machine does your office use for polygraph examination of debriefing/debriefers?

A: An ultra-scribe produced by stolty, a multi-function instrument capable of making three different types of recordings required by law: respiration, skin response, and cardio vascular tracings.

47.Q: Besides inmates not given polygraphs on criminal offenses that have no statute of limitation, are there any other inmates not required to take polygraphs?

A: Yes, inmates determined unsuitable for testing, such as schizophrenics, some inmates are not psychologically suitable for tests. For example, inmates under the influence of certain drugs would be medically unsuitable.

48.Q: Does Inmate A. know that another inmate has provided confidential information about his involvement in criminal activities?

A: Yes, he does.

49.Q: Does he know that information about his involvement in a murder has been provided?

A: I have no idea, neither I nor any other IGI official have made any reference to it.

50.Q: What is the intent, purpose, and objective of this debriefing procedure?

A: To break the will of prison gangs and their membership. The procedure is based on the strategy that if at least half of the criminal gangs are debriefed, the interviewers would then have a pool of information on everyone. The intent is to create as many informants as possible within the prison population until half are informing on the other half.

51.Q: Is the policy designed to have all inmates debriefing incriminate themselves in criminal activity?

A: Yes.

52.Q: If an inmate does not incriminate himself, but tells you everything he knows about others' criminal activities, how will his debriefing be affected?

A: As a matter of policy, the inmate will be considered a concealer of information if he doesn't confess to an offense about which a previous informant has told us.

53.Q: Then the debriefing procedure is based on the strategy that each inmate corroborates what another said about him during debriefing?

A: That is your interpretation.

54.Q: And what is your interpretation?

A: The IGI policy holds that in order for an inmate to successfully debrief, he must make a showing of sincerity and good faith by asserting membership and/or association in a criminal prison gang he has claimed to be part of. Once the information he gives is classified as reliable, as a matter of policy we do not question it, and to this date, all prior confidential information has proven reliable. Classification remains the same until reliable information indicates otherwise, or until the inmate provides reliable contradictory information.

55.Q: How does an inmate provide reliable information that he is not associated with a prison gang?

A: He does it through the debriefing process.

56.Q: Earlier you stated the debriefing procedure is built around convincing the inmates he will benefit in several ways. In which ways will the inmate benefit?

A: The gang classification is removed and he can be moved to a less restrictive environment. If the inmate is under a life term, he will be able to meet his parole suitability requirements of general population placement. The inmate can benefit through the visiting program, both contact and conjugal visits become available. He also becomes eligible to draw more canteen each month and to receive special purchases he could not make while in security housing.

57.Q: Are inmates who debrief and/or move to less restrictive environments placed in the general prison population?

A: In most cases they will remain in the security housing unit (SHU) until they complete their SHU term. If they have no SHU term, they are usually transferred to another institution where they either go into general population or are placed in a management control unit (MCU) for a period.

58.Q: Inmates placed in a MCU have no SHU term to complete.

A: That is correct.

59.Q: Why do some inmates go straight into the general population, and others go into a MCU?

A: In some cases the IGI interviewers were not certain whether during the debriefing something was deliberately being concealed or distorted, or whether the memories of the informants merely differed about the same information. This is a security precaution in case an inmate has feigned disassociation and escaped our detection.

60.Q: Once an inmate has made it to the MCU, how do you determine if he is feigning disassociation?

A: That inmate will go through a post debriefing test as proof of sincerity and good faith because the safety of inmates and staff requires further evidence.

61.Q: Please elaborate on the post debriefing test?

A: A post debriefing interview lasts from thirty-five minutes to two hours for each session. There is a standard questionnaire of 50 questions. Each question describes something a fellow gang member might have done. The post debriefing test is classified confidential. To elaborate any further would threaten the debriefing process.

62.Q: Are inmates under any special conditions who are placed within the general prison population during the course of debriefing?

A: You will have to be specific when you inquire about special conditions.

63.Q: Is the inmate required to provide the KDOK with on-going information about any illegal activities he witnesses in the future?

A: That depends. Inmates who undergo debriefing are instructed for their own safety to report on inmates who are involved in prison gang activity. Sometimes an inmate may spot someone who has strong association ties with a prison gang, and for his own safety he may report it to the IGI. We also encourage cooperation and communication between the inmate and staff.

64.Q: Are ex-gang members used to control their respective ethnic groups within the general prison population?

A: As I understand, you, no. It is against departmental rules to use inmates in a leadership role to control other inmates. I believe that is listed under Title 15, Section 3022.

65.Q: Does the IGI recommend, or directly place the ex-gang member who has debriefed into the men's advisory committee (MAC)?

A: We may recommend the inmate get involved in non-criminal activities, such as Christian study groups, school curriculums, or MAC. This helps establish positive norms and role expectations for adult social life. It meets the need for group fulfillment and allows ex-gang members to talk freely in front of, and to, correctional staff. This helps to prepare the ex-gang member to meet parole eligibility requirements and responsibilities.

66.Q: Is an inmate who debriefs considered a state informant who will give information from time to time?

A: If a serious incident occurs in the general area of the ex-gang member, we require him to answer truthfully any questions related to the incident, in order to protect from being falsely accused.

67.Q: What happens to an inmate considered a state informant who does not provide information pertaining to an incident he has first or second knowledge of?

A: During investigation he may be returned to the SHU until he has been cleared of any involvement.

68.Q: Has any debriefer serving a life sentence received a parole date?

A: I have no idea, and that is not my concern.

69.Q: Does anyone from the IGI office make favorable recommendations to the Board of Prison Terms (BPT)?

A: I have not, and no one, to my knowledge ever has.

70.Q: You stated earlier that your IGI office did not seek prosecution on discovering information pertaining to homicide of an inmate. Was anyone else informed?

A: yes, a CDOC Form \_\_\_\_\_ packet was completed per procedure. One copy was sent to the special services unit (SSU), and another was sent to the State Attorney General's special prosecution section.

71.Q: What is the purpose of videotaping debriefing sessions?

A: It is done incase prosecution is sought against another gang member and the inmate who has debriefed dies before he can testify. It also ensures against subjects (debriefers) who later recant information, denying it or claiming it was misinterpreted.

72.Q: Do you release copies of videotaped debriefings to other law enforcement agencies?

A: Only when an agency requests it through the Great System Data Base.

73.Q: Lt. Z., What is the "containment theory"?

A: Isolation for gang members away from the gang structure, which leave many of them vulnerable, and unable to function alone.

74.Q: Is this part of the strategy to induce debriefing?

A: Yes, the objective of debriefing includes destroying a subjects gang identification.

75.Q: What does the IGI operate outside the prison facility?

A: Only within the department of corrections framework of the SSU.

76.Q: Are inmates who have debriefed and paroled back to the outside required to provide the Department of Correction's SSU with on-going information about any illegal activities on the part of other parolee's?

A: If a subject is questioned by his parole officer, or any law enforcement agency about any criminal investigation pertaining to another parolee in his general area, yes, he is required to answer truthfully about any first, or second-hand information he may have. This

also protects him from being falsely suspected and/or accused. Any information he provides can also serve to shorten his parole period.

77.Q: What if he refuses to provide information that he may or may not have?

A: He could be charged with obstruction of Justice and have his parole revoked.

78. Q: Is an inmate who has debriefed required to give testimony if a grand jury is convened against any of the prison gangs?

A: I would think anyone subpoenaed before a grand jury would be obligated to answer questions put before them.

79. Q: Are prison gang members required to debrief before being released from an indeterminate SHU sentence, and if so, what are the names of those prison gangs?

A: Yes, they are. There is the \_\_\_\_\_, and the \_\_\_\_\_, and \_\_\_\_\_ . Also the \_\_\_\_\_.

80. Q: Does an official debriefing policy exist?

A: No, it's confidential in nature.

81. Q: Is this an underground policy?

A: No, it's confidential in nature.

82. Q: Is the debriefing policy derived from some form of military procedure?

A: Yes, it is.

83. Q: Are all prison gangs considered criminal gangs?

A: Yes, they are.

Submitted by

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