

1 KAMALA D. HARRIS
 Attorney General of California
 2 JAY C. RUSSELL
 DANIELLE F. O'BANNON
 3 Supervising Deputy Attorneys General
 ELISE OWENS THORN, State Bar No. 145931
 4 MANEESH SHARMA, State Bar No. 280084
 CHRISTINE M. CICCOTTI, State Bar No. 238695
 5 Deputy Attorneys General
 1300 I Street, Suite 125
 6 P.O. Box 944255
 Sacramento, CA 94244-2550
 7 Telephone: (916) 323-4025
 Fax: (916) 324-5205
 8 E-mail: Christine.Ciccotti@doj.ca.gov
Attorneys for Defendants

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 10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE EASTERN DISTRICT OF CALIFORNIA
 12 SACRAMENTO DIVISION

13
 14 **RALPH COLEMAN, et al.,**

15 Plaintiffs,

16 v.

17 **EDMUND G. BROWN JR., et al.,**

18 Defendants.

2:90-cv-00520 KJM-DB (PC)

**AMENDED STIPULATION AND ORDER
 MODIFYING FEBRUARY 3, 2015
 ORDER REGARDING FIRST WATCH
 SECURITY/WELFARE CHECKS AT
 PELICAN BAY STATE PRISON
 SECURITY HOUSING UNIT**

Judge Kimberly J. Mueller

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 22 AS ATTACHED
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1 The parties, with the concurrence of the Special Master, stipulate as follows:

2 On February 3, 2015, the Court entered an order adopting the Special Master's expert's
3 recommendations on suicide prevention (ECF No. 5271), including the recommendation that
4 CDCR continue to implement and monitor the May 9, 2014 directive for twice-hourly
5 Security/Welfare Checks at the Pelican Bay State Prison Security Housing Unit (SHU).

6 In response to concerns and suggestions raised by Plaintiffs' counsel and the Special Master
7 that the welfare checks were disturbing inmates' sleep, the parties agreed to assess the noise
8 levels at the Pelican Bay SHU. On December 28, 2015, this Court approved the parties'
9 stipulation that Security/Welfare checks utilizing Guard One at the Pelican Bay SHU temporarily
10 be conducted only once per hour during First Watch (2200 hours to 0600 hours), while
11 Defendants worked to assess and possibly reduce the noise caused by the opening and closing of
12 the Unit's pod doors. Order, Dec. 28, 2015, ECF No. 5393. That stipulation expired by its terms
13 on May 1, 2016, but was extended by further stipulations of the parties and orders of the Court
14 until August 31, 2016. *Id.*; Stipulation Extending Order Modifying Security/Welfare Checks at
15 Pelican Bay SHU, Apr. 29, 2016, ECF No. 5437; Order, May 3, 2016, ECF No. 5438; Stipulation
16 Extending Order Modifying Security/Welfare Checks at Pelican Bay SHU, June 29, 2016, ECF
17 No. 5465; Order, June 30, 2016, ECF No. 5467.

18 CDCR completed its assessment of the noise issues raised by Plaintiffs and submitted a
19 report to the Special Master and Plaintiffs on July 1, 2016. In response to allegations raised by
20 plaintiffs' counsel, CDCR instituted several measures to reduce the noise generated by the
21 security/welfare checks. Without agreeing that the Security/Welfare checks utilizing Guard One
22 at the Pelican Bay SHU create excessive noise levels or cause any harm to inmates, CDCR has
23 agreed to conduct Security/Welfare checks utilizing Guard One at the Pelican Bay SHU only
24 once per hour during First Watch (2200 hours to 0600 hours) on a permanent basis.

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