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10 IN THE UNITED STATES DISTRICT COURT  
 11 FOR THE EASTERN DISTRICT OF CALIFORNIA  
 12 SACRAMENTO DIVISION  
 13

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

16 Plaintiffs,

17 v.

18 **GAVIN NEWSOM, et al.,**

19 Defendants.

Case No. 2:90-cv-00520 KJM-DB (PC)

**STIPULATION AND ORDER  
 APPROVING PLAN TO REPORT  
 ON CLASS MEMBERS  
 TRANSFERRED OUT OF DESERT  
 INSTITUTIONS**

Judge: The Hon. Kimberly J. Mueller

21 On September 27, 2019, the Court approved the California Department of Corrections  
 22 and Rehabilitation’s Desert Institutions Expedited Transfer for Mental Health Services Delivery  
 23 System policy and the addendum of definitions to the policy.<sup>1</sup> (ECF No. 6296.) The Court  
 24 further approved the parties’ September 12, 2019 stipulation and ordered Defendants to file  
 25 monthly reports on the transfers of Coleman class members out of CDCR desert institutions,<sup>2</sup> and

26  
 27 <sup>1</sup> The policy was implemented on December 16, 2019.

28 <sup>2</sup> The desert institutions are Calipatria State Prison, California City Correctional Facility,  
 the California Correctional Center, Centinela State Prison, Chuckawalla Valley State Prison, and  
 Ironwood State Prison.

1 to permit the Special Master to monitor those institutions via the filed reports instead of through  
2 institution tours.

3 Under the direction of the Special Master, the parties have met and conferred regarding the  
4 format of the two monthly reports that will provide census and tracking information for Mental  
5 Health Services Delivery System (MHSDS) inmates housed in one of the six desert institutions  
6 for the prior calendar month. In addition, Defendants will provide to the Special Master and  
7 Plaintiffs a separate letter at the time of the filing that provides details regarding why any patient  
8 may have missed timelines due to a medical hold.

9 Proposed templates for the filed reports are attached as Exhibit A. The “MH Change”  
10 report provides tracking information for inmates referred to the Mental Health Services Delivery  
11 System while housed in one of the six desert institutions during the reporting period. The  
12 monthly “MH Upon Arrival” report provides tracking information for Coleman class members  
13 inadvertently placed in one of the six desert institutions during the reporting period.

14 The parties have also discussed the underlying business rules used in the monthly reports.  
15 The parties have agreed that all transfers where the patient entered the MHSDS shall occur within  
16 fourteen days. Under the “MH Change” report’s methodology, if a patient enters the MHSDS  
17 while housed at a desert institution, the parties consider the following calendar day to be day one.  
18 If a patient transfers to another desert institution during the 14-day transfer period, the timeline  
19 shall not restart, but shall continue until the patient arrives at an appropriate MHSDS program.  
20 The parties have also agreed that when MHSDS patients inadvertently transfer to a desert  
21 institution, Defendants will transfer the patient to an appropriate MHSDS program within  
22 seventy-two hours. The timeline will start when the patient arrives at the desert institution and  
23 will end when the patient arrives at an appropriate MHSDS program per the Strategic Offender  
24 Management System (SOMS). The business rules used in the monthly reports are set forth in  
25 Exhibit B.

26 Several of the columns in the current report require CDCR to manually input or calculate  
27 information. (See Exhibit B). CDCR is in the process of automating those columns and  
28

1 anticipates completing automation of the report by March 2020. CDCR will notify the Special  
2 Master, Plaintiffs, and the Court when the reports are fully automated.

3 Defendants will file the first monthly report on February 18, 2020 and thereafter on the  
4 fifteenth day of each month.

5 The Special Master has reviewed this joint stipulation and proposed order and is in  
6 agreement with its terms.

7 Dated: February 14, 2020

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/S/ ELISE OWENS THORN  
Elise Owens Thorn  
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13 Dated: February 14, 2020

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/S/ MARC J. SHINN-KRANTZ  
Marc J. Shinn-Krantz  
Attorneys for Plaintiffs

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**IT IS SO ORDERED.**

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Dated: May 18, 2020  
(*nunc pro tunc* to February  
18, 2020)

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CHIEF UNITED STATES DISTRICT JUDGE

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# **Exhibit A**





# **Exhibit B**

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# OBIEERPT – MHSDS Inmates at Desert Institutions (Historical)

Version 1 (1-7-2020)

## REPORT TITLE

MHSDS Inmates at Desert Institutions (Historical)

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## POLICY or LEGISLATION

Desert Institutions Expedited Transfer Policy

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## REPORT PURPOSE

The purpose of the MH Change report is to identify any inmates who were housed at a Desert Institution and subsequently placed in the MHSDS system.

The purpose of the MH Upon Arrival report is to identify any inmates who were in the MHSDS system and housed at a Desert Institution.

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## REPORT DESCRIPTION

This report generates a list of MHSDS inmates who were housed for any length of time at a Desert institution.

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## SELECTION CRITERIA

1. Inmates who had a Mental Health Level of Care NOT equal to:
    - a. GP – General Population
    - b. GP(M) – Return to General Population
    - c. UNK – Unknown
    - d. MHCB – Mental Health Crisis Bed
  2. AND Inmate was housed at a selected Institution equal to:
    - a. CAC, CAL, CCC, CEN, CVSP, ISP
  3. During a Selected Date Range
- 

## REPORT PROMPTS

- **Institution Name Common ID** (one or multiple selection)
- Only List Desert Institutions (CAC, CAL, CCC, CEN, CVSP, ISP)



# OBIEERPT – MHSDS Inmates at Desert Institutions (Historical)

## Version 1 (1-7-2020)

- **Facility Name** (one or multiple selection optional)
- **Date Range**

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## REPORT COLUMNS

- A. Institution (Common ID)
- B. CDC Number
- C. Last Name
- D. (MH Changer Report) MH LOC
  - a. In a single cell, display each MH LOC, start date, and stop date, the inmate had during the selected period where the inmate was at a desert institution.
  - b. Format in chronological order [ CCCMS 8/1/19 – 10/2/19, EOP 10/2/19 – 10/6/19]
  - c. End Date should be the earlier of either:
    - 1. The Date the inmate left the prison
    - 2. The Date the MH LOC Changed
    - 3. The End date of the reporting period

(MH Upon Arrival Report) MHSDS Begin Date - The start date of MHSDS LOC
- E. Medical Hold
  - a. This is derived from the most recent Medical Classification Chrono as of the earlier of date of transfer or report end date range.
- F. Endorsement Date
  - a. This should be the most recent Endorsement Auditor Action, Audit Date (Or Decision Date for a NonCommittee) as of the earlier of the last day the inmate was at the desert institution or report ending date range
    - 1. Audit Result = Endorsed
    - 2. Classification Committee Review Status = Audited
  - b. Consider both Committee and Non-committee endorsements
- G. Endorsement Institution
- H. Endorsement Level
- I. Arrival Date to Desert Institution
  - a. On or before Date Range
- J. MHSDS Begin Date

# OBIEERPT – MHSDS Inmates at Desert Institutions (Historical)

## Version 1 (1-7-2020)

- a. This should be the date the inmate began being CCCMS or higher in a continuous period starting from the last day the inmate was at the desert institution or report ending date range.
  
- K. MHLOC History - (This will be a column with a specific phrase to identify each case type i.e. “MH Change” or “MH Upon Arrival”.)
  - a. **MH CHANGE** – Inmate had a MHSDS Begin Date after the current institution arrival date.
  - b. **MH UPON ARRIVAL** - Inmate was transferred into a desert institution with a MH LOC of CCCMS or higher at the time of transfer.
    - 1. Inmates who transferred in from another Desert Institution are not considered to be MH Upon Arrival.
  
- L. Departure Date from Institution
  - a. Next departure following arrival
  
- M. Arrival Date to Endorsed MHSDS Institution (Manual Added column)
  
- N. (MH Change Report) –Calendar Days Since MHSDS Begin Date - Timeframe from the Date the inmate’s LOC changed until the date the inmate arrived at the MHSDS endorsed institution (Manually Calculated)

(MH Upon Arrival Report) – Transfer Timeline Hours- Number of hours from the date and hour the inmate arrived at the Desert Institution to the date and hour of arrival to the endorsed MHSDS institution. (Manually Calculated)

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