

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RALPH COLEMAN, et al.,
Plaintiffs,
v.
GAVIN NEWSOM, et al.,
Defendants.

No. 2:90-cv-0520 KJM DB P

ORDER

The court held a further telephonic status conference on May 15, 2020 to receive further updates on defendants’ response to the novel coronavirus (COVID-19) pandemic and its impact on *Coleman* class members. At hearing, the court made several rulings, which are confirmed in this written order. The court also makes additional orders to provide further direction going forward. Accordingly, IT IS HEREBY ORDERED that:

1. On or before May 27, 2020, the parties shall meet and confer and file a stipulated request concerning the filing of the maps and other documents submitted in camera on May 15, 2020, specifically, whether some or all of the documents should be filed under seal.
2. The maps and other documents submitted in camera on May 15, 2020, are referred to the Special Master’s Workgroup for further refinements, including

1 but not limited to¹: (a) addition of explanation(s) when the empty bed count
2 plus census of mental health units does not add up to capacity; (b) information
3 identifying how many class members at each institution have been referred, but
4 not transferred to, a different level of mental health care; (c) where each class
5 member is housed who has been referred, but not transferred to, a different
6 level of mental health care; (d) information identifying how many class
7 members at each institution are receiving mental health care in a temporary
8 mental health unit (TMHU), identification of MAX custody TMHUs and non-
9 MAX custody TMHUS, and the census of each TMHU; and (e) addition of
10 location and census information for the Correctional Clinical Case
11 Management System (CCCMS) segregation units. Any disputes over the
12 refinements shall be raised with the court at the status conference set for May
13 29, 2020.

- 14 3. Updated maps and accompanying information shall be filed with the court on
15 the 15th of every month, beginning on June 15, 2020.
- 16 4. The Workgroup shall work on creating an addition to the maps and other
17 documents that shows mental health staffing, including the number of mental
18 health positions required for each institution by defendants' Staffing Plan, ECF
19 No. 3693, how many of those positions are actually filled, and whether the
20 filled positions are on-site or teleworking. The status of the Workgroup's
21 efforts will be placed on the agenda for the May 29, 2020 status conference,
22 for a report on whether the addition can be completed on or before the next
23 status conference thereafter set for June 12, 2020, and then filed with the
24 updates beginning June 15, 2020, required by this order.

25 ¹ Some of the following refinements may be included in the stipulation and proposed
26 order filed May 20, 2020, ECF No. 6679, and others may be suggested by that stipulation. The
27 court has not completed its review of that stipulation. To the extent the parties jointly agree that
28 one or more refinements required by this order are covered by the stipulation, they may include
their agreement in a joint statement filed before the May 29, 2020 status conference.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

5. Further status conferences for COVID-19 updates as relevant to this case are set for now as follows:

- a. Friday, May 29, 2020 at 10:00 a.m.;
- b. Friday, June 12, 2020 at 10:00 a.m.; and
- c. Friday, June 26, 2020 at 1:30 p.m.

SO ORDERED.

DATED: May 21, 2020.



CHIEF UNITED STATES DISTRICT JUDGE