

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3

4
5 MARCIANO PLATA, et al.,

6 Plaintiffs,

7 v.

8 EDMUND G. BROWN JR., et al.,

9 Defendants.
10

NO. C01-1351 TEH

ORDER RE: COURT EXPERTS

11 The court experts are currently under order to “proceed as quickly as possible to
12 complete their evaluations of individual prisons” that have received overall third-round
13 Office of Inspector General (“OIG”) scores of 85% or greater or, at their and the Receiver’s
14 discretion, prisons that have received overall scores of between 75% and 85% in any round
15 of the OIG inspections. Apr. 18, 2013 Order at 3. The Court now suspends that requirement.


16 Having reviewed the Receiver’s most recent tri-annual report and discussed the issue
17 with both the Receiver and the court experts, and having given careful consideration to how
18 best to move this case forward and ensure sustainable reforms, the Court finds that the
19 experts should re-direct their focus from individual institution evaluations towards more
20 systemwide problems. To that end, the court experts are directed to assist headquarters,
21 regional, and facility staff in correcting the systemic issues that the experts have identified in
22 their first ten reports. In addition, because a meaningful, independent system of evaluating
23 the quality of care is critical to ensuring sustainability of the reforms implemented through
24 this case, the experts are further directed to work with the OIG (1) to refine the OIG’s
25 inspection instrument so that it becomes an adequate and sustainable mechanism, either
26 standing alone or in connection with internal audits already developed by the Receiver’s
27 office, for monitoring the quality of inmate medical care, and (2) to ensure that OIG staff are
28 fully qualified and capable of conducting meaningful evaluations of inmate medical care.

1 The court experts and the Receiver shall explore alternate means of ensuring meaningful,
2 independent, and sustainable evaluations if it becomes apparent that the OIG is unable to
3 develop or is incapable of implementing such a system. Regardless of which entity performs
4 the evaluations, the Court expects clinical staff who monitor the quality of care to meet the
5 minimum requirements to work as primary care physicians or nurses in California's adult
6 prisons, including that physicians be board certified or board eligible in family practice or
7 internal medicine.

8 The Receiver shall work with the court experts to determine a reasonable schedule for
9 the experts' work. Defendants shall continue to pay the experts through the Court registry
10 using the existing procedure for processing invoices.

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12 **IT IS SO ORDERED.**

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14 Dated: 03/11/14



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT