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15 IN THE UNITED STATES DISTRICT COURT
16 FOR THE EASTERN DISTRICT OF CALIFORNIA
17 SACRAMENTO DIVISION

18 **RALPH COLEMAN, et al.,**

19 Plaintiffs,

20 v.

21 **ARNOLD SCHWARZENEGGER, et al.,**

22 Defendants.

23 2:90-cv-00520 LKK JFM P

24 **STIPULATION AND
25 ORDER RE: MODIFICATION
26 OF DEFENDANTS' SHORT-TERM
27 PROJECT FOR 150 LEVEL III/IV
28 ENHANCED OUTPATIENT
PROGRAM SENSITIVE NEEDS
YARD BEDS AT THE SUBSTANCE
ABUSE TREATMENT FACILITY**

Acronym List	
Term	Definition
CDCR	California Department of Corrections and Rehabilitation
EOP	Enhanced Outpatient Program
GP	General Population
SATF	Substance Abuse Treatment Facility
SNY	Sensitive Needs Yard

1 On March 31, 2009, this Court ordered that Defendants develop and file concrete
2 proposals to meet the short-term, intermediate, and long-range beds needs of the *Coleman* class
3 members. (Docket No. 3556.) Defendants submitted their bed plan on May 26, 2009. (Docket
4 No. 3592.) As one of their short-term bed projects, Defendants proposed to convert a 270-design
5 housing unit on Facility E at the Substance Abuse Treatment Facility (SATF) to housing for 150
6 Level III/IV Enhanced Outpatient Program (EOP) Sensitive Needs Yard (SNY) inmates. (*Id.* at
7 10.) On December 4, 2009, Defendants informed the Court that they cannot timely activate this
8 short-term project. (Docket No. 3736.)

9 The parties have met and conferred regarding Defendants' 150 Level III/IV EOP SNY
10 project, and it was agreed that Defendants replace this project with a project that will convert
11 housing on Facility G at SATF to housing for up to 176 Level I/II EOP SNY inmates. Facility G,
12 which consists of dormitory style housing, is divided into four housing pods with each pod
13 containing 44 beds, for a total of 176 beds. Defendants expect to activate this 176-bed project in
14 three phases, as follows: 1) Phase 1 - conversion of two 44-bed pods with an April 30, 2010
15 expected full occupancy date; 2) Phase 2 - conversion of one 44-bed pod with an August 30, 2010
16 expected full occupancy date; and 3) conversion of one 44-bed pod with a September 30, 2010
17 expected full occupancy date. Converting the 44-bed pod during Phase 2 and the 44-bed pod
18 during Phase 3 is dependent upon clinical staff availability and inmate population needs. Should
19 inmate population needs not support enough Level I/II EOP SNY beds to fill up the two 44-bed
20 pods that the California Department of Corrections and Rehabilitation (CDCR) expects to convert
21 during Phase 2 and/or Phase 3, CDCR will evaluate and, to the extent necessary and appropriate,
22 house Level I/II EOP General Population (GP) inmates in one or both of those 44-bed pods.

23 Therefore, the parties, by and through their counsel, stipulate that Defendants shall replace
24 their short-term project for 150 Level III/IV EOP SNY beds at SATF with the above-described
25 short-term project for 176 Level I/II EOP SNY beds at SATF. Further, the parties stipulate that
26 should inmate population needs identified during Phase 2 and/or Phase 3 of the 176 Level I/II
27 EOP SNY bed project not support enough Level I/II EOP SNY beds to fill up the two 44-bed
28 pods that CDCR expects to convert during Phase 2 and/or Phase 3, CDCR may house Level I/II

1 EOP GP inmates in one or both of those 44-bed pods. Defendants will not need to return to the
2 Court if this conversion is necessary; Defendants will only need to inform the Special Master and
3 Plaintiffs' counsel.

4 SO STIPULATED.

5

6 Dated: February 24, 2010

7 By: /s/ Debbie J. Vorous
Debbie J. Vorous
Office of the Attorney General
8 Attorneys for Defendants

9

10 Dated: February 24, 2010

11 By: /s/ Jane Kahn
Jane Kahn
12 Rosen, Bien and Galvan
Attorneys for Plaintiffs

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14 SO ORDERED

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16 The above stipulation is the Order of this Court.

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18 Dated: February 25, 2010

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT