

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RALPH COLEMAN, et al.,

Plaintiffs,

No. CIV S-90-0520 LKK JFM P

vs.

ARNOLD SCHWARZENEGGER,
et al.,

Defendants.

ORDER

By order filed March 3, 2006, defendants were directed to respond to the second and third objections raised in plaintiffs' February 3, 2006 objections to the special master's fifteenth round monitoring report. On March 17, 2006, defendants filed their response, and on March 21, 2006, plaintiffs filed a reply to defendants' response. This matter was heard before the undersigned on April 27, 2006. Michael Bien, Esq., appeared as counsel for plaintiffs. Lisa Tillman, Deputy Attorney General, appeared as counsel for defendants.

In one of the objections at issue, plaintiffs seek enforcement at nine institutions of the court's prior orders requiring daily rounding by psychiatric technicians in administrative segregation and other locked down units. After consideration of the briefs filed by the parties and the oral report of the special master at the April 27, 2006 hearing, and good cause appearing, plaintiffs' objection will be overruled.

1 Plaintiffs' second objection centers on the percentage of mentally ill inmates
2 awaiting treatment in California Department of Corrections and Rehabilitation (CDCR) reception
3 centers. Plaintiffs contend that the number of such inmates is approaching unconstitutional
4 levels and they ask that defendants be required to create treatment programs for enhanced
5 outpatient inmates in CDCR reception centers. After consideration of the briefs filed by the
6 parties and the oral report of the special master at the April 27, 2006 hearing, and good cause
7 appearing, defendants will be directed to file within ninety days a plan for providing adequate
8 mental health care for inmates in reception centers who have been identified as requiring an
9 enhanced outpatient program (EOP) level of care who remain in reception centers for longer than
10 sixty days.

11 In accordance with the above, IT IS HEREBY ORDERED that:

12 1. Plaintiffs' second and third objections to the special master's fifteenth round
13 monitoring report are overruled; and

14 2. Within ninety days from the date of this order, defendants shall file a plan for
15 providing adequate mental health care for inmates in reception centers who have been identified
16 as requiring an enhanced outpatient program (EOP) level of care who remain in reception centers
17 for longer than sixty days.

18 DATED: May 1, 2006.

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20 /s/Lawrence K. Karlton
21 LAWRENCE K. KARLTON
22 SENIOR JUDGE
23 UNITED STATES DISTRICT COURT
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