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19 IN THE UNITED STATES DISTRICT COURT  
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21 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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23 SACRAMENTO DIVISION

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25 **RALPH COLEMAN, et al.,**

26 Plaintiffs,

27 v.

28 **ARNOLD SCHWARZENEGGER, et al.,**

29 Defendants.

30 CASE NO. CIV S-90-0520 LKK  
31 JFM P

32 **ORDER RE: KERN VALLEY  
33 STATE PRISON, SELF  
34 CERTIFICATION**

35 On May 1, 2006, this Court ordered Defendants to activate the mental health crisis  
36 beds in the correctional treatment center at Kern Valley State Prison not later than July 1, 2006,  
37 or inform the court in writing by that date why said centers are not fully operational. On June  
38 29, 2006, this Court received Defendants' ex parte motion stating that the self-certification  
39 necessary to license and so activate the correctional treatment center at Kern Valley State Prison  
40 would not be possible due to certain modifications to the physical plant. The accompanying  
41 declaration of George Sifuentes, Deputy Director of the Office of Facilities Management of the  
42 California Department of Corrections and Rehabilitation (CDCR), lists two specific

1 modifications preventing self-certification, namely the removal of grab bars and the addition of  
2 four holding cells with reduction of hallway width. These modifications depart from state  
3 building code requirements. Notably, grab bars are required by the building code yet may be  
4 used as a means of suicide by mentally ill patients housed in the facility.

5 Upon review of Defendants' submitted motion and the accompanying declaration of  
6 George Sifuentes, this Court hereby orders George Sifuentes, as Deputy Director of the Office of  
7 Facilities Management of the CDCR, to sign the necessary self-certification of the correctional  
8 treatment center at Kern Valley State Prison in the absence of compliance with the state building  
9 code requirements by the two indicated modifications to the physical plant of the correctional  
10 treatment center.

11 Dated: June 30, 2006.



12  
13 Lawrence K. Karlton  
14 United States District Court Judge

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