

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	SACV 01-0981 ABC (MLGx) SACV 75-03075 ABC	Date	February 1, 2012
Title	<u>Pierce, et al. v. County of Orange, et al.; Stewart v. Gates et al.</u>		

Present: The Honorable	Audrey B. Collins, Chief Judge		
Angela Bridges	Not Present	N/A	
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
None	None		

**Proceedings:** Status Conference (In Chambers)

The Court has received the Monitor’s second quarterly report, dated January 2012, and ORDERS the parties to appear for a status conference on **Monday, February 13, 2012 at 3:00 p.m.** to discuss several issues raised in the report regarding Defendant County of Orange, et al.’s (the “County’s”) compliance with the Court’s Order on Defendant’s Amended Final Plan. (Docket No. 779.) The Court commends the County on the substantial progress made on required physical modifications during the first six months following the Court’s Order, but the County has not complied with several significant parts of the Court’s Order, including the housing of class members and the implementing of required programmatic changes.

The Court is particularly concerned with the following information from the Monitor’s report:

- The failure to house a significant number of class members in the locations identified in the Court’s Order (Report at 5–7, § V);
- The comment by a class member at Theo Lacy who could not stand for long periods that there was no place to sit down in the recreation area adjacent to Module O, so he had to sit on the toilet in order not to miss the opportunity for outdoor recreation (Report at 8–9, § VI.A.2.a);
- The incident in which a class member was transported from Central Men’s Jail to Theo Lacy for outdoor recreation, which resulted in a 13-hour trip and still the class member never saw any grass or green space (indeed, based on the experience, the inmate said he would decline all future offers to be transported to recreation at Theo Lacy) (Report at 10–11, § VI.A.2.b);
- The failure to accommodate two female class members for classes and religious services at the Intake Release Center, whose disabilities prevented them from climbing the stairs to reach the area where classes and religious services were held (Report at 18–19, § VI.A.2.c); and

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- The long waits for accessible Court Transfer transportation, including the reported “pressure” and “harassment” on class members from deputies to take inaccessible vehicles, the comment that one class member had to lie on concrete bench because his condition did not allow him to sit in his wheelchair for hours to wait for transportation, and the comment by another class member that he crawled into an inaccessible bus rather than wait any longer for an accessible vehicle to arrive (Report at 20, § VII.A.3.a).

The Court also notes that, when the Monitor brought these issues to the County’s attention, the County’s response was usually inadequate and non-responsive. At the status conference, the County should be prepared to substantively and adequately respond to these issues.

The Monitor and his team will also be present at the status conference.

**IT IS SO ORDERED.**

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Initials of  
Preparer AB  
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cc: Keith Rohman, Public Interest Investigations, Inc.  
Court-Appointed Monitor/Rohman@piila.com