

1 Aaron J. Fischer (SBN 247391)
2 Aaron.Fischer@disabilityrightsca.org
3 Anne Hadreas (SBN 253377)
4 anne.hadreas@disabilityrightsca.org
5 DISABILITY RIGHTS CALIFORNIA
6 1330 Broadway, Suite 500
7 Oakland, CA 94612
8 Telephone: (510) 267-1200
9 Fax: (510) 267-1201

6 Donald Specter (SBN 83925)
7 dspecter@prisonlaw.com
8 Margot Mendelson (SBN 268583)
9 mmendelson@prisonlaw.com
10 Sophie Hart (SBN 321663)
11 sophieh@prisonlaw.com
12 PRISON LAW OFFICE
13 1917 Fifth Street
14 Berkeley, California 94710
15 Telephone: (510) 280-2621
16 Fax: (510) 280-2704

17 *Attorneys for Plaintiffs*

Jessica Valenzuela Santamaria (SBN 220934)
jvs@cooley.com
Mark A. Zambarda (SBN 314808)
mzambarda@cooley.com
Addison M. Litton (SBN 305374)
alitton@cooley.com
COOLEY LLP
3175 Hanover Street
Palo Alto, CA 94304-1130
Telephone: (650) 843-5000
Facsimile: (650) 849-7400

Attorneys for Plaintiffs

12 **UNITED STATES DISTRICT COURT**
13 **EASTERN DISTRICT OF CALIFORNIA**
14 **SACRAMENTO DIVISION**

17 LORENZO MAYS, RICKY
18 RICHARDSON, JENNIFER
19 BOTHUN, ARMANI LEE, and
20 LEERTESE BEIRGE on behalf of
21 themselves and all others similarly
22 situated,

23 **Plaintiffs,**

24 v.

25 COUNTY OF SACRAMENTO,

26 **Defendant.**

Case No. 2:18-cv-02081 TLN KJN

CLASS ACTION

[PROPOSED] ORDER

Judge: Hon. Kendall J. Newman

Complaint Filed: July 31, 2018

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1 In light of the disruption to operations in the Sacramento County Jail facilities
2 (the “Jail”) caused by the COVID-19 pandemic, the parties previously agreed that it
3 was necessary to postpone scheduled on-site monitoring visits by the Court Experts
4 and Plaintiffs’ counsel as consistent with the Consent Decree and related orders in this
5 case. On April 30, 2020, the Court granted the parties’ request to extend the Court
6 Experts’ first monitoring report deadlines and directed the parties to file a status report
7 on or before June 24, 2020. (ECF No. 119.)

8 The parties have now submitted a Joint Status Report updating the Court as to
9 the status of monitoring pursuant to the Consent Decree given current circumstances,
10 and have proposed modifications to the timeline and parameters for completion of the
11 first monitoring reports by the Court Experts.

12 Having considered the parties’ Joint Status Report and good cause appearing, it
13 is hereby ordered that:

14 a) The Court Experts and Plaintiffs’ counsel who are able to travel to the
15 Jail for on-site monitoring will be permitted to do so, within modified parameters as
16 agreed upon by the parties and as consistent with operational and public safety needs
17 related to the COVID-19 pandemic.

18 b) Defendant will provide the Court Experts and Plaintiffs’ counsel with
19 remote access to class members’ Jail electronic health records (including medical and
20 mental health records) to allow for remote individual records review.

21 c) The Court Experts and Plaintiffs’ counsel will request production of
22 individual class member Jail custody records as they deem necessary for their
23 monitoring role. Defendant will produce such records within seven (7) calendar days
24 of the request.

25 d) Defendant will arrange for a virtual tour of the facilities to accommodate
26 the Court Experts who are unable to do an on-site monitoring visit. The virtual tour
27 will be made available to all Court Experts and Plaintiffs’ counsel.
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1 e) Defendant will timely produce documents, data, and other information
2 requested by the Court Experts and Plaintiffs' counsel.

3 f) The parties will work cooperatively to ensure that the Court Experts and
4 Plaintiffs' counsel are able to conduct interviews of custody and health care staff and
5 confidential, voluntary interviews of class members.

6 g) The Court Experts will prepare a draft written report on Defendant's
7 efforts to meet the terms of the Consent Decree, as set forth in the Court's Order re:
8 Joint Request for Appointment of Court Experts (ECF No. 117, ¶ 4) no later than
9 **October 7, 2020**.

10 h) The parties will provide written comments or objections to the Court
11 Experts' draft reports no later than **October 21, 2020**.


12 i) The Court Experts will issue their final reports no later than **October 28,**
13 **2020**. The parties will promptly file a Joint Status Report with the final reports.

14 j) Where there is a conflict between the aforementioned provisions and the
15 provisions in the Court's Order re: Joint Request for Appointment of Court Experts
16 (ECF No. 117), the provisions set forth above shall control for purposes of the first
17 monitoring report. All other provisions in the Court's previous orders remain in
18 effect.

19 k) Absent further court order, the monitoring and reporting provisions set
20 forth in the Consent Decree and the Court's Order re: Joint Request for Appointment
21 of Court Experts (ECF No. 117) will apply to all monitoring after completion of the
22 first monitoring reports.

23 **IT IS SO ORDERED.**

24 Dated: June 25, 2020

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27 KENDALL J. NEWMAN
28 UNITED STATES MAGISTRATE JUDGE