

CALIFORNIA PRISON HEALTH CARE RECEIVERSHIP CORP.

For Immediate Release

Receiver to Federal Judge: “deliberate obstruction/willful failure by the State to live up to its constitutional and court-ordered obligations.”

“now forced to take ‘ actions ... preparatory to a direct order securing funds.”

For June 17, 2008

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Telephone Conference Call Tentatively Scheduled for 3:00pm today, (Please RSVP to contact # above) Conference Call # (1-888-272-7337) Conference ID # 3554858

California Prison Health Care Receiver J. Clark Kelso is today filing a quarterly report with Federal Judge outlining his successes but also detailing how “the State's obstruction threatens the Receiver's ability to resolve prison medical problems in a timely and cost effective manner.” (as found in the CONCLUSION Page 58- Lines 3-5)

In pages 50 through 58, the receiver discusses his efforts to work within the normal state channels to secure funding for his recently approved plan of action, but reports that “those discussions so far have not produced any breakthroughs, and the Receiver is now **forced to take certain actions in Federal Court preparatory to a direct order securing funds.**” (Quote found on Page 55 , Line 11& 12)

In his summary, the Receiver tells Judge Henderson that; “The State’s failure to make this necessary financial commitment puts the Receiver’s entire remedial program at risk since the various pieces of the program are so intertwined and interconnected that failure to fund and implement one major element undermines all of the other elements. Unfortunately, **the State’s failure to make the necessary financial commitment is not a result of inadvertent neglect or mere incompetence (trained or otherwise). Instead, it is a result of conscious, deliberate obstruction by key decision-makers and decision-influencers resulting in a willful failure by the State to live up to its constitutional and court-ordered obligations.** This is not a charge that the Receiver makes lightly; he has spent the last fifteen years working within State government processes to improve government operations. **The State has now crossed that line and, in so doing, demonstrates a lack of remorse and an unwillingness to accept accountability for its own constitutional violations. The State’s failure to express its unequivocal commitment to the Receiver’s necessary construction program should be taken into account by this Court in subsequent proceedings, and by the *Coleman, Armstrong, and Perez* Courts.** (Summary-Page 56 Lines 1-15)