

RECEIVER DETAILS SUBSTANTIAL PROGRESS ADDRESSING PRISON MEDICAL SYSTEM CRISIS

**Fifth report to Judge covers improvements at San Quentin,
strides in business and personnel practices,
and upcoming Court activities**

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SAN JOSE, Calif. – Robert Sillen, court-appointed Receiver of the state's prison medical care system, laid out a detailed account of the current initiatives underway and several planned for the future to bring prison medical care up to constitutional standards in a report today to U.S. District Court Judge Thelton E. Henderson.

The reporting period was one of extraordinary activity by the Receivership, which issued a two-year Plan of Action, a report on the impact of overcrowding on the remedial efforts, a budget estimate for the upcoming fiscal year and four requests to waive state law during the three month timeframe covered in the report.

“We have undertaken a substantial amount of work in multiple areas to improve prison medical care, and we are starting to see results,” Sillen said. “There is still a long way to go, and there are no quick fixes for this complicated, intractable problem. But we are leaving the crawl phase and starting to walk.”

A new emergency facility for San Quentin's approximately 5,200 inmates is one concrete example of the Receivership's accomplishments. Sillen and Warden Robert Ayers opened the new Triage and Treatment Area at San Quentin last week. Today's filing includes a progress report on several other aspects of the Receiver's San Quentin Project, which since July 2006 has worked to improve medical staffing, sanitation, space and clinical and operational systems at the state's oldest prison.

The Receivership is the result of a 2001 class action law suit - *Plata v. Schwarzenegger* - that found the medical care in California's 33 adult prisons violates the Eighth Amendment of the U.S. Constitution, which forbids cruel and unusual punishment. After several years of failure by the state to fulfill court orders to improve care, federal Judge Henderson last year appointed Sillen as Receiver to oversee operations and direct improvement in the quality of medical care, stripping that function from the California Department of Corrections and Rehabilitation (CDCR).

To carry this out the Receiver has assumed control over certain day-to-day operational functions in the prison medical system including personnel, recruitment, fiscal, contracts, invoice processing, business services and space acquisition. The Plata Support Division was created to serve this purpose, and it is staffed by state workers who report to the Receiver's team. Together, this group is leading the way to recruit medical staff for the prisons – for instance, hiring 771 Licensed Vocational Nurses to date. Also, a new automated contracting system is being piloted at four prisons to ensure inmates' access to specialty and hospital care.

The Receiver in April also made four requests to the court to waive state law in order to permit the implementation of prison medical care improvements. The waivers address physician discipline, management personnel, pharmacy staffing and the Receiver's ability to enter into contracts on behalf of the California prison medical care system. In each case, Sillen asked Judge Henderson to take the narrowest, least intrusive action possible to allow the remedial efforts to happen in a timely manner. To date, Judge Henderson has granted the requests for pharmacy staffing and contracting. The other two are still pending before the court.

In his fifth report to the court today, Sillen summarized an extensive body of work he and his team have undertaken in the first 14 months of the Receivership to bring California's 33-prison medical care system up to constitutional standards. Sillen has put the timeframe for reaching constitutional levels at five to 10 years, with a possibly equal amount of time then spent transitioning the system back to the state.

For more information, read the full report, which is now posted on the California Prison Health Care Receivership web site at www.cprinc.org in the Court Materials section.