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UNITED STATES DISTRICT COURTS
EASTERN DISTRICT OF CALIFORNIA
AND NORTHERN DISTRICT OF CALIFORNIA
UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES
PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

RALPH COLEMAN, et al.,
Plaintiffs,
v.
GAVIN NEWSOM, et al.,
Defendants.

Case No. 2:90-CV-00520-KJM-DB
THREE JUDGE COURT

MARCIANO PLATA, et al.,
Plaintiffs,
v.
GAVIN NEWSOM,
Defendants.

Case No. C01-1351 JST

THREE JUDGE COURT

**DECLARATION OF MEGAN LYNCH
IN SUPPORT OF PLAINTIFFS'
EMERGENCY MOTION**

DECLARATION OF MEGAN LYNCH

I, Megan Lynch declare:

1. I am an investigator at the Prison Law Office, counsel of record for *Coleman* and *Plata* Plaintiffs. I am also assigned to work on *Armstrong v. Newsom*. I have personal knowledge of the facts set forth herein, and if called as a witness, I could competently so testify. I make this declaration in support of Plaintiffs' Emergency Motion.

Disability Inmate Roster Report and Electronic Health Records System

2. On March 24, 2020, I reviewed the "Disability Inmate Roster" ("Roster"), a report generated and produced by *Armstrong* Defendants monthly. The report that I reviewed was run on March 2, 2020, and produced by email from Defendants on March 2, 2020. I regularly review these reports as part of my duties as an *Armstrong* investigator.

3. The Roster lists all persons identified by the California Department of Corrections and Rehabilitation ("CDCR") with a Disability Placement Program ("DPP") code at all CDCR institutions. DPP codes indicate someone's specific disability. The DPP codes that the CDCR uses are: Mobility (DPW, DPO, DPM, DLT, and DNM); Vision (DPV, DNV); Hearing (DPH, DNH); Speech (DPS); Dialysis (DKD); and Learning (LD). Not all people who are class members in the *Armstrong* case are identified with DPP codes. For example, people who have upper extremity mobility disabilities are not tracked by the CDCR with a DPP code.

California Institution for Men ("CIM") - Joshua Hall

4. I counted the number of people on the Roster identified with DPP codes at CIM in Joshua Hall, a dormitory housing unit on Facility A.

5. In Joshua Hall there are 86 people with DPP codes. Some of those people have more than one type of disability and DPP code.

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6. The table below shows the number of people in Joshua Hall with each DPP code.

DPP Code	Number of people with the DPP code
DPW	10
DPO	19
DPM	48
DNM	2
DPV	4
DNV	2
DNH	31
DPS	1

7. On March 24, 2020, I reviewed medical records for the 86 people with DPP codes living in Joshua Hall. I determined each person's age by using the "Encounter Search" function in the electronic health record system ("EHRS").

8. The age of people with DPP codes living in Joshua Hall ranged from 32 to 89. Twenty-eight people are aged 60-69. Twenty-seven people are aged 70-79. Seven people are aged 80-89.

9. I randomly selected six people living in Joshua Hall from the Roster and reviewed their medical records. I used the "Diagnosis & Problems" tab in the EHRS to identify what conditions each person has been diagnosed with. These six people have diagnoses and problems including diabetes, hypertension, hyperlipidemia, renal masses, atrial fibrillation, chronic kidney disease, chronic obstructive pulmonary disease, hepatitis C, hypothyroidism, hepatic fibrosis, unspecified systolic (congestive) heart failure, and HIV.

California Institution for Men - Elm Hall

10. I counted the number of people on the Roster identified with DPP codes at CIM in Elm Hall, a dormitory housing unit on Facility D.

11. In Elm Hall there are 122 people with DPP codes. Some of those people have more than one type of disability and DPP code.

12. The table below shows the number of people in Elm Hall with each DPP code.

DPP Code	Number of people with the DPP code
DPW	10
DPO	17
DPM	34
DLT	24
DNM	14
DPV	7
DPH	7
DNH	25
DPS	1

13. On March 24, 2020, I reviewed medical records for the 122 people with DPP codes living in Elm Hall. I determined each person's age by using the "Encounter Search" function in the electronic health record system ("EHR").

14. The age of people with DPP codes living in Elm Hall ranged from 26 to 78. 33 people are aged 60-69. 12 people are aged 70-78.

15. I randomly selected six people living in Elm Hall from the Roster and reviewed their medical records. I used the "Diagnosis & Problems" tab in the EHR to identify what conditions each person has been diagnosed with. These six people have diagnoses and problems including asthma, dyslipidemia, fibrosis of liver, hypertension, seizures, advanced cirrhosis of liver, diabetes, hyperlipidemia, cirrhosis of liver, presence of automatic (implantable) cardiac defibrillator, ANA positive, cardiomyopathy, hypothyroid, disorder of lipoprotein metabolism, presence of coronary angioplasty implant and graft, ventricular fibrillation, unspecified viral hepatitis B without hepatic coma, chronic viral hepatitis C, and liver disease unspecified.

California Medical Facility ("CMF") – Dormitory J1

16. I counted the number of people on the Roster identified with DPP codes at CMF in J-1, a dormitory housing unit.

17. In J-1 there are 76 people with DPP codes. Some of those people have more than one type of disability and DPP code.

18. The table below shows the number of people in J-1 with each DPP code.

DPP Code	Number of people with the DPP code
DPO	19
DPM	33
DLT	14
DNM	7
DPV	2
DNV	1
DPH	1
DNH	8

19. On March 24, 2020, I reviewed medical records for the 76 people with DPP codes living in J-1. I determined each person's age by using the "Encounter Search" function in the electronic health record system ("EHRS").

20. The age of people with DPP codes living in J-1 ranged from 42 to 79. 35 people are aged 60-69. 12 people are aged 70-79.

21. I randomly selected six people living in J-1 from the Roster and reviewed their medical records. I used the "Diagnosis & Problems" tab in the EHRS to identify what conditions each person has been diagnosed with. These six people have diagnoses and problems including diabetes, hyperkalemia, unspecified sequelae of cerebral infarction, hypertension, hyperlipidemia unspecified, unspecified atrial fibrillation, presence of automatic (implantable) cardiac defibrillator, atherosclerotic heart disease of native coronary artery without angina pectoris, disorder involving immune mechanism unspecified, presence of cardiac pacemaker, and nonrheumatic aortic (valve) stenosis.

Monitoring Tours and Photographs

California Institution for Men, March 2019, October 2019

22. On March 11 – 14, 2019, and October 28 – 31, 2019, I participated in monitoring tours of CIM, along with attorneys employed by the PLO.

1 23. During the monitoring tours, I walked through and observed the living areas
2 in all housing units currently occupied by incarcerated people on Facility D at CIM and
3 directed CIM staff members to take photographs throughout the facility, including inside
4 the housing units. Other attorneys on my team walked through and observed living areas
5 for incarcerated people on Facilities A and B at CIM and similarly directed CIM staff
6 members to take photographs throughout the institution.

7 24. Following the monitoring tours, we received copies of the photographs
8 produced by Defendants in PDF format.

9 25. Attached hereto as **Exhibit A**, is a true and correct copy of 20 photographs
10 taken by CIM staff members as directed by PLO staff members. 10 photos were taken
11 during the March 2019 monitoring tour, and 10 additional photos were taken during the
12 October 2019 monitoring tour.

13 26. In addition, during the monitoring tour in March 2019, I measured the space
14 next to 15 beds in Elm Hall on Facility D at CIM. The distance between the beds ranged
15 from 30" to 40". I did not measure the distance between the other beds in Elm Hall, but it
16 appeared to me that all the beds were approximately the same distance apart. I saw that the
17 dormitory was crowded, and that people's belongings were stored in every open space
18 around the beds and in the walkway between the rows of beds. I saw that people had very
19 little space to move without coming into contact with other individuals or their belongings.

20 27. During the monitoring tour in October 2019, I was told by the regularly
21 assigned correctional officer in Elm Hall that no changes had been made to the distance
22 between beds in Elm Hall.

23 **California Medical Facility, April 2019, November 2019**

24 28. On April 9-11, 2019, and November 19-21, 2019, PLO staff members
25 participated in monitoring tours of CMF.

26 29. During the monitoring tours, CMF staff members, as directed by PLO
27 investigator Amber Norris and staff attorney Thomas Nosewicz, took photographs
28 throughout the institution.

1 30. Following the monitoring tours, we received copies of the photographs
2 produced by Defendants in PDF format.

3 31. Attached hereto as **Exhibit B**, is a true and correct copy of 14 photographs
4 taken by CMF staff members as directed by PLO staff members. Eight photos were taken
5 during the April 2019 monitoring tour, and six additional photos were taken during the
6 November 2019 monitoring tour.

7 **Substance Abuse Treatment Facility and State Prison, Corcoran (“SATF”),**
8 **March 2017, April 2019, June 2019**

9 32. On March 27-30, 2017, April 15-18, 2019, and June 18-20, 2019 PLO staff
10 members participated in monitoring tours of SATF.

11 33. During the monitoring tour in March 2017, SATF staff members, as directed
12 by PLO investigator Amber Norris and staff attorney Rita Lomio, took photographs
13 throughout the institution.

14 34. During the monitoring tours in April and June 2019, SATF staff members, as
15 directed by PLO investigator Tania Amarillas and staff attorney Rita Lomio, took
16 photographs throughout the institution.

17 35. Following the monitoring tours, we received copies of the photographs
18 produced by Defendants in PDF format.

19 36. Attached hereto as **Exhibit C**, is a true and correct copy of three photographs
20 taken by SATF staff members as directed by PLO staff members. One photo was taken
21 during each of the three monitoring tours.

22 **Central California Women’s Facility (“CCWF”), September 2017**

23 37. On September 6-8, 2017, PLO staff members participated in a monitoring
24 tour of CCWF.

25 38. During the monitoring tour, CCWF staff members, as directed by PLO
26 investigator Amber Norris and staff attorney Corene Kendrick, took photographs
27 throughout the institution.

