While the Affordable Care Act has ensured that millions of Californians have access to affordable, quality health care, the same cannot be said for California’s prison and county jail inmates. This timeline chronicles the fraught history of the state’s prison health care system.

**January 30, 2002**
Settlement announced for *Plata v. Schwarzenegger*
Lawyers announce the settlement of *Plata v. Schwarzenegger*, the largest ever prison class-action lawsuit in which prisoners alleged that the State violated their constitutional right to medical attention, as prison officials inflicted cruel and unusual punishment by being deliberately indifferent to serious medical needs. The settlement agreement requires the Department of Corrections to completely overhaul its prison health care system. The state must phase in new policies over several years, with progress being audited by an independent medical panel.

**January 3, 2003**
State audit: serious problems in care
The state’s Office of the Inspector General releases an audit of the California substance Abuse Treatment Facility and State Prison in Corcoran, CA, which found “a large number of serious problems,” including “serious deficiencies in the medical care provided to inmates […], placing the health of inmates and staff at risk and exposing the State to possible legal action.”

**April 6, 2004**
State audit: 77% of contracting done without competitive bidding
At the request of the Joint Legislative Audit Committee, the Bureau of State Audits concludes that “Corrections does not adequately ensure that it enters into medical service contracts that are in the State’s best interest.” The audit found that in the previous five years, 77% of prison contracts for health care services were awarded without competitive bidding, with contract costs increasing by 150%. “Not only is Corrections unable to demonstrate that its contracts are in the State’s best interest, but also its prisons may be paying inappropriate and invalid medical claims.”

**August 11, 2004**
Federal court report: “The only requirement for hiring is a medical license”
A federal court report finds that incompetent doctors, including some with a history of substance abuse, have been hired by the state’s prison system, contributing to serious deficiencies. After conducting reviews of medical treatment at about half a dozen of the state’s 32 prisons, a panel of two doctors and a nurse practitioner concluded that the department had hired many incompetent doctors with a history of problems, and failed to monitor them: “the only requirement for hiring is a medical license.” Specific examples include:
- “An incompetent retired cardio-thoracic surgeon manages complex internal medicine patients and makes serious life-threatening mistakes on a continual basis.”
- Obstetricians treating HIV patients
- Physicians who are only allowed to conduct exams while inmates are in their cells (only contact is through a 4-inch x 12-inch food port)
- Corrections official in Sacramento who has authority over hiring physicians but is not a doctor
- Written requests by inmates to see a doctor “had not been reviewed for months.”
- At one facility, half of the eight doctors had prior criminal charges, loss of privileges at community hospitals, or mental health problems. At another, seven of 20 doctors had similar problems

**September 22, 2004**
Prison doctors will be subject to evaluations
Under a court agreement, physicians working in the state’s prison facilities by 2006 must complete a series of written and oral examinations. Doctors who do not pass the exams must be retrained or banned from working with inmates.


September 29, 2004

Los Angeles Times: Prison doctors disciplined or sued five times more than other CA physicians

Documents obtained by the Los Angeles Times shows one in five CA prison doctors has been disciplined by the state Medical Board or sued for medical malpractice, almost five times the rate for other doctors in the state.


October 5, 2004

Family of inmate who died of heart failure after dental surgery files wrongful-death lawsuit

The family of a former Solano State Prison inmate files a wrongful-death lawsuit against Governor Arnold Schwarzenegger and two state Department of Corrections officials. Anthony Shumake, age 41, was serving a 12-year sentence for corporal injury to a spouse, stalking, and a drug offense. He died of heart failure on June 28, 2004, less than one week after a wisdom tooth extraction led to an infection and swelling in his neck that made breathing difficult. On the day Shumake died, an ambulance called to the prison arrived 90 minutes later and was sent to a hospital more than 75 miles away. A report by the ambulance company that transported Shumake said he complained that he hadn’t eaten in several days.


April 14, 2005

Expert panel finds that most deaths were preventable, records missing for 30% of inmates

A court-appointed panel of medical experts finds conditions at San Quentin State Prison to “demonstrate multiple instances of incompetence, indifference, cruelty and neglect” in providing health care to inmates. The panel was inspecting progress on the 2002 court order to provide adequate health care to inmates by 2008, found that overall compliance with the court order was “nonexistent.” After reviewing the medical records of 10 inmates who died over the last few years, the panel finds that most deaths were preventable; doctors and nurses misdiagnosed illnesses, gave patients the wrong medications, neglected them for months and even years, or delayed sending them to emergency rooms until they were fatally ill. Doctors reported that records could not be found for at least 30% of the inmates they examined.

http://articles.latimes.com/2005/apr/14/local/me-prisons14

May 29, 2005

Los Angeles Times: Scientology-linked rehabilitation programs present in prisons

A Los Angeles Times report finds that hundreds of inmates at Corcoran State Prison have participated in a rehabilitation program through Criminon International, the secular arm of the Church of Scientology, which rejects traditional mental health care, particularly psychiatry and medication as treatment options. Experts interviewed expressed concern that Criminon’s presence could undermine the ability of licensed clinicians to treat mentally ill patients. Authorities at corrections headquarters claimed to have no evidence that has occurred, and were unaware of their presence at prisons.

http://articles.latimes.com/2005/may/29/local/me-prison29

July 1, 2005

Federal judge orders takeover of prison health care system by federally-appointed receiver

U.S. District Judge Thelton Henderson orders that a federal receiver take control of the state’s prison health care system to correct deplorable conditions and stop the needless deaths of inmates due to medical malfeasance. Experts note that the order was unprecedented in its scope, given that the prison system provides health care to 164,000 inmates at an annual cost of $1.1 billion. Henderson said he was motivated by an “uncontested statistic,” provided by a court-appointed expert, “that a prisoner needlessly dies an average of roughly once a week.”


February 15, 2006

Robert Sillen appointed as federal receiver
U.S. District Judge Henderson names Robert Sillen, Santa Clara Valley Health and Hospital System director, as the federal receiver in charge of reforming the state’s prison health system. Sillen’s authority extends to determining budgets, hiring/firing/disciplining employees, entering/breaking contracts, establishing/terminating policies, and determining how to spend funds for prison health care.

http://www.californiahealthline.org/articles/2006/2/15/sillen-named-receiver-of-prison-health-system

April 28, 2006
Judge approves state’s $600 million plan for mental health facilities
Federal judge approves the Schwarzenegger administration’s plan to spend $600 million on building mental health facilities for inmates in several prisons, including Folsom and Vacaville. The plan would create 695 new beds for inmates requiring mental health services.


July 2, 2006
Federal receiver: “The sense of hopelessness [...] cannot be overstated.”
Federal receiver Sillen’s report finds that the problems are far worse than he thought: “almost every necessary element of a working medical care system either does not exist or functions in a state of abject disrepair.” State laws and union contracts have led to a “bureaucratic paralysis,” with current restrictions making it “virtually impossible to effectively discipline and/or terminate state employees for poor performance, up to and including incompetence and arguably illegal behavior. The sense of hopelessness this creates [...] cannot be overstated.”

http://articles.latimes.com/2006/jul/06/local/me-prisons6
http://www.freerepublic.com/focus/fnews/1661006/posts

August 2, 2006
State audit: Prison health system has “no clear policies”
An audit ordered by state controller Steve Westly finds that the state prison health care system has “no clear policies” for overseeing billing and contracting for medical services, which has cost the state millions of dollars more than other entities for the same services. Prison health care spending increased by 437% between 2001 and 2006, growing from $153 million to $821 million. The audit was ordered after it was reported that the corrections department was $58 million behind in payments for contracted medical services.

http://www.utsandiego.com/uniontrib/20060803/news_1n3prisons.html

September 13, 2006
Receiver recommends 5-64% salary increase to retain qualified workers
Receiver Sillen recommends salary increases for a variety of prison health care workers to fill vacancies, retain qualified workers, and rely less on more costly temporary workers. Depending on vacancy rates and market wages, staff will receive salary increases of 5-64%; for example, pharmacists will get maximum raises of 64%, with clinical dieticians receiving up to 28%. If approved, the plan would cost as much as $24 million annually.

According to Sillen, the state spent about $90 million on contract health care workers in prisons in FY2005-06.

http://www.insidebayarea.com/oaklandtribune/localnews/ci_4328910

October 31, 2006
Audit finds $5 million overpayment by State due to failure to enforce contract terms
An audit by the Office of the Inspector General finds that the Department of Corrections and Rehabilitation overpaid three substance abuse treatment contractors nearly $5 million over a four-year period. The overpayments were not detected because the department failed to enforce contract terms requiring contractors to reconcile their revenues with the actual costs. One of the contractors also did not follow normal accounting rules and overstated its expenses by more than $250,000 by expensing the entire value of 22 automobiles purchased with state funds. In addition, the department violated the California Constitution and state policy by allowing contractors to retain ownership of potentially millions of dollars of equipment that is purchased with state funds but has a unit cost of less than $5,000.

http://www.oig.ca.gov/media/reports/ARCHIVE/BOA/Reviews/Substance%20Abuse%20Treatment%20Contractors,%20Special%20Review.pdf

December 21, 2006
Governor complies with federal order, announces prison expansion plan
To comply with recommendations by court-appointed receivers, Governor Schwarzenegger announces a prison expansion plan that includes $1 billion for the construction of medical, dental, and mental health facilities. The plan will also create 10,000 new hospital beds at small facilities. Receiver Bob Sillen had previously testified
before the Little Hoover Commission that he would not hesitate to use his court-appointed authority to bypass legislative approval and “seize” money from the state budget to fund his recommendations.

**May 3, 2007**
Governor signs legislation to build 53,000 more prison and jail cells
Governor Schwarzenegger signs into law AB 900, which calls for $7.4 billion in lease revenue bonds to build 53,000 more prison and jail cells. While conceding that prison overcrowding is a significant barrier in improving the prison health care system, Receiver Bob Sillen later criticizes the legislation, stating that those “who think population controls will solve California’s prison health care problems are simply wrong.”


**May 11, 2007**
Receiver announces separate prison health plan, Governor creates strike teams to implement his own plan
Receiver Sillen announces a plan to start fixing the state’s prison health care system. His recommendations include:
- creating a system to measure progress in improving clinical care, complying with standards set by the courts, reviews of inmate deaths and patient satisfaction
- creating crisis-response teams of doctors, nurses and administrators to travel to prisons in medical crisis
- developing innovating ways to solve staffing needs at the state’s most remote prisons
- breaking the prison system into regions of 3-5 prisons each, with each region’s medical care overseen by its own team of clinicians and administrators
- moving toward creating an electronic medical record for every inmate patient, with a computer system and internet access so those records can be shared between prisons/departments
- launching a personnel program to recruit, hire, train and retain medical staff, possibly including loan forgiveness programs
- tightening the CA Department of Corrections and Rehabilitation’s health care budgeting and accounting to ensure taxpayer dollars are being spent wisely
- assessing how many more medical beds are needed at all 33 prisons

http://www.insidebayarea.com/oaklandtribune/localnews/ci_5870973

On the same day, Governor Schwarzenegger creates two strike teams to expedite the implementation of AB 900, namely the construction of correctional facilities.


**May 31, 2007**
Receiver tells prison medical staff to ignore orders from Governor’s strike teams
Receiver Sillen’s chief of staff John Hagar informs prison medical staff to ignore any orders from a strike team established by the Governor to oversee the construction of new prison facilities. In a report filed two weeks earlier to U.S. District Court Judge Henderson, Sillen said the bill will not provide enough new clinical space to meet the added inmate capacity.


**July 12, 2007**
Receiver criticizes the Governor’s plan, claims it would further delay reforms
Receiver Sillen states that AB 900 will prove to be a setback in prison health care reforms. “Before I started, I said this could be done in five years. Six months later, it was five to seven years. Since the passage of AB 900, it’s seven to 10 years.”


**July 25, 2007**
Federal judges disagree with Governor’s plan, considers capping prison population
U.S. District Judges Thelton Henderson and Lawrence Karlton rule that the state’s prison construction plan (AB 900) would not adequately address underlying problems with the health care and mental health care systems in the state’s prisons, nor does it take steps to correct the shortages of medical or correctional staff at prisons. The judges ordered the creation of a judicial panel to consider capping the prison population. Inmates’ attorneys had previously sued the state to request a population cap in November 2006.

August 15, 2007
Public health officials warn against prison construction in San Joaquin Valley
A report by public health officials recommends that the state hold off on building new prisons in the San Joaquin Valley because construction will expose inmates to the potentially fatal valley fever. Public health officials fear that construction will stir up airborne spores that can lodge in the lungs and possibly lead to respiratory failure. During an interview, Kings County public health officer Michael MacLean said, “if you put down more beds down here you can pretty much bet that some people will be very sick and perhaps die as a result of that decision.” In 2006, more than 500 valley fever cases were reported at the 5,000-inmate Pleasant Valley State Prison in Fresno County, with four inmate deaths in 2005. A delay or shutdown of prison construction would negatively impact the state’s attempts to resolve inmate overcrowding.

September 11, 2007
Appellate court sides with federal judges
A federal appeals court rejects Governor Schwarzenegger’s attempt to prevent a three-judge panel (Judges Thelton Henderson, Lawrence Karlton and Stephen Reinhardt) from considering a population cap on the state’s prison system. The governor argued that the limit is no longer necessary due to the prison expansion plan that would address overcrowding issues.

January 24, 2008
J. Clark Kelso replaces Sillen as receiver
Former federal receiver Sillen is replaced by J. Clark Kelso, a lawyer with more experience with state governments. Sillen’s uncompromising attitude and clashes with legislators, state officials, and inmates’ attorneys were speculated as reasons for the replacement.
http://articles.latimes.com/2008/jan/24/local/me-prisons24

May 30, 2008
State senate rejects receiver’s plans to build new health care facilities for inmates
The state senate twice rejects federal receiver J. Clark Kelso’s $7 billion plan (SB 1665) to construct new health care facilities for prisoners to provide a constitutional level of health services to inmates. The plan would have renovated existing prison clinics and add 10,000 new beds in up to seven new facilities. Kelso sent the director of the Department of Finance Michael Genest a letter, in which Kelso declares that he “can no longer stand idly by while the state continues its pattern of prevarication,” and announced that he would demand $7 billion over three years, with or without the legislature’s support.
http://articles.latimes.com/2008/may/30/local/me-prisons30

August 14, 2008
Federal judge approves receiver’s plans
After a federal judge approved his plan to begin construction on up to seven new health care facilities statewide, federal receiver J. Clark Kelso filed a legal motion in U.S. District Court that requires the state to allocate $8 billion over five years to build these facilities.
http://www.californiahealthline.org/articles/2008/8/14/california-prison-medical-receiver-asks-court-for-8-billion-from-state

January 28, 2009
State tries to end federal receivership
State Attorney General Jerry Brown files a motion to end the federal receivership overseeing the state’s dysfunctional prison health care system. The state argues that Receiver J. Clark Kelso is exceeding his authority under federal law by forcing the state to spend billions even as its cash reserves are depleted due to a budget deadlock. “By many measures, the Receivership has helped: In the last three years, significant improvements in prison health care have been achieved. But in implementing these improvements, the Receiver failed to focus on the proper goal (ensuring that Defendants are no longer deliberately indifferent) or to do so in the proper manner (by the least intrusive means). Instead, the Receiver ignored these limits, and spent and continues to spend massive sums in an unaccountable manner to create one of the most expensive prison health care systems in the nation. The Receiver’s utopian system must now end.”
http://www.contracostatimes.com/politics/ci_11572942
January 29, 2009
State audit: Former receiver violated state regulations
A report by the Bureau of State Audits finds that former staff members of federal receiver Bob Sillen violated state regulations and laws when they awarded more than $28 million in technology deals in 2007-2008. In a review of 21 contracts, auditors found 24 breaches of state contract laws in 16 contracts, and four contracts noncompliant with bidding and evaluation requirements. Current federal receiver J. Clark Kelso had requested the audit.

February 6, 2009
Receiver presents additional, less costly plans
Federal receiver J. Clark Kelso presents alternative, less-costly options to address the state’s prison health care system. In addition to his existing $6 billion scenario, he outlines two other options that do not address inpatient or outpatient mental health needs:
- five facilities with 7,500 beds at a construction cost of $4.3 billion
- three facilities with 5,000 beds at a construction cost of $2.5 billion

In an interview, Attorney General Jerry Brown claims that the plan is “not grounded in common sense” and includes “redundant, excessive spending at a time of fiscal crisis.”
http://www.insidebayarea.com/sanmateocountytimes/localnews/ci_11648541

March 24, 2009
Federal judge rejects Governor’s attempt to remove receiver oversight
U.S. District Court Judge Henderson rejects Governor Schwarzenegger’s request to remove the court-appointed receiver, rejecting the administration’s claim that Kelso is violating federal law by seeking construction money. The administration had also argued that Kelso is no longer needed because the state is now capable of running its own prison health care system. Henderson writes, “the court is far from confident that [state officials] have the will, capacity, or leadership to provide constitutionally adequate medical care in the absence of a receivership.”
http://www.mercurynews.com/breakingnews/ci_11985419

May 29, 2009
Los Angeles Times: State and federal officials close to agreement on prison plan
Reports indicate that state prison officials and receiver Kelso are close to an agreement on a $1.9 billion plan, which is a third of the price tag of Kelso’s initial plan. The deal would also bring prison medical employees under the Department of Corrections and Rehabilitation instead of the receivership under Kelso.

June 25, 2009
Governor backs away from prison plan agreement
Governor Schwarzenegger backs away from an earlier agreement to allocate $1.9 billion for long-term health care for prison inmates. In a statement, the governor writes, “We cannot agree to spend $2 billion on state-of-the-art medical facilities for prisoners while we are cutting billions of dollars from schools and health care programs for children and seniors.”

August 4, 2009
Federal judge panel orders state to reduce prison population
A panel of three federal judges orders California to reduce its prison population by 40,000 to meet constitutional standards for inmate health care. “The convergence of tough-on-crime policies and an unwillingness to expend the necessary funds to support the population growth has brought California’s prisons to the breaking point,” the panel wrote. The Schwarzenegger administration immediately announces its plans to appeal the decision.

October 22, 2009
Federal judges reject Governor’s prison overcrowding proposal
Three federal judges reject Governor Schwarzenegger’s proposal to ease prison overcrowding, threatening to impose their own plan if the administration does not submit an acceptable plan within three weeks. The state’s plan failed to specify how the number of inmates would decrease after six, 12, 18, and 24 months, as demanded by the judges. The judges also agree to postpone a decision on whether or not the Governor was in contempt of court for defying an earlier order issued on August 4.

November 12, 2009
Governor complies with federal deadline, submits overcrowding prison plan
In compliance with a deadline set by a panel of three federal judges, Governor Schwarzenegger submits a plan to reduce California’s prison population by 40,000 in two years, mostly by sending fewer people to prison for relatively minor crimes and parole violations. The governor acknowledges that the plan might violate some state laws and circumvent the legislature; if the legislature does not approve construction for new prisons, the judges may need to bypass state regulations.
http://www.mercurynews.com/crime-courts/ci_13776086

April 30, 2010
District court upholds lower court ruling, Governor cannot remove federal receiver oversight
The 9th U.S. District Court of Appeals upholds a lower court ruling, which rejected Governor Schwarzenegger’s attempt to eliminate the court-appointed federal receiver. The court also dismissed the state’s request to terminate the federal receiver’s plans to build additional prison hospitals.

June 14, 2010
Supreme court agrees to review prison overcrowding case
The U.S. Supreme court agrees to review whether federal court judges had the authority to order California to reduce its prison population by 40,000 over two years to ease prison overcrowding and improve unconstitutional health care conditions.

September 10, 2010
Number of preventable deaths in prisons decline
A report by the federal receiver finds that the number of preventable deaths in California prisons fell in 2009, compared with the three previous years (68 in 2007, 66 in 2008, and 46 in 2009).
http://www.mercurynews.com/breaking-news/ci_16020628

September 28, 2010
Governor signs bill to release incapacitated/comatose inmates on medical parole, eligible for federal financing for health care
Governor Schwarzenegger signs SB 1399 (D-Leno), which authorizes state prisons to release physically incapacitated and comatose inmates on medical parole. In doing so, many inmates may qualify for federal financial assistance for health care, which could help the state reduce prison health care spending by $200 million annually.

January 10, 2011
Governor unveils prison realignment plan in proposed FY2011-12 budget
In his FY 2011-12 budget proposal, Governor Brown announces a plan to realign many state services to local county governments, including responsibility over lower-level offenders, parolees, juvenile justice programs, foster care and child welfare services, adult projective services, and some mental health services. Under this realignment plan, thousands of prisoners would be transferred from state facilities to county jails.

April 4, 2011
Governor signs bill to transfer tens of thousands from state prison to county jails
Governor Jerry Brown signs AB 109, which authorizes the transfer of tens of thousands of state prison inmates to county jails, in an attempt to reduce prison overcrowding. This bill implements the realignment plan announced in the proposed budget summary.
July 13, 2011
State audit: Poor departmental coordination led to tens of millions in “unnecessary work”
A state audit finds that California paid tens of millions of dollars to contractors for “unnecessary work” because of inadequate coordination between the Department of Mental Health and the Department of Corrections and Rehabilitation.

August 5, 2011
LAO: Governor Brown’s plan will not meet federal court order’s requirements
A report by the Legislative Analyst’s Office finds that Governor Brown’s plan to shift prison inmates to county jails will not ease overcrowding soon enough to comply with the federal court order. The state must reduce the inmate population by 34,000 by June 27, 2013.

November 28, 2011
LA Times: Almost $9 million spent on salaries of physicians accused of malpractice
An audit of public records by the Los Angeles Times reveals that since 2006, California prisons have paid $8.7 million to physicians and mental health professionals accused of malpractice, and have instead been tasked with menial job duties (e.g. mail sorting) or no work at all.

January 3, 2012
State and federal officials disagree about prison population caps
California prison officials announce that the state has met its initial target to reduce the inmate population. Federal judges have demanded that California reduce its population by 10,000 by the end of 2011 to about 133,000; as of the previous week, the inmate population declined to 132,887 across California’s 33 prisons.
http://www.californiahealthline.org/articles/2012/1/4/state-meets-first-goal-to-trim-inmate-population-to-improve-health-care

January 8, 2012
Thousands of inmates, many with severe mental illnesses and/or incomplete records, being realigned to county jails
As the state begins its realignment of prison inmates to county jail facilities, the Los Angeles Times finds that many newly released state prisoners are arriving in Los Angeles County jail facilities with incomplete medical records and more serious mental illnesses than anticipated. With 3,300 released to LA County and about 6,000 more on the way, county mental health officials estimate that 30% will require mental health services and 60% will have drug addictions.
http://articles.latimes.com/2012/jan/08/local/la-me-prisoners-mentalhealth-20120109

January 17, 2012
District judge recommends end of federal receivership
U.S. District Judge Henderson recommends that the court-appointed federal receivership should be ended, given the progress that has been made in the state’s prison health care system.

January 27, 2012
Federal receiver insists state build new medical facilities before end of oversight
In an interview with the Associated Press, federal receiver J. Clark Kelso claims that the state must keep its promise to build new medical facilities before the federal courts can end the federal oversight of the prison health care system. “The courts have been promised construction for the last half-decade. Somehow those promises don’t get kept.”

February 23, 2012
LAO: State should delay new facilities until prison realignment is complete
A study by the Legislative Analyst’s Office recommends that the state hold off on building new medical facilities for prison inmates, due to declining prison populations via prison realignment. The findings contradict receiver J. Clark Kelso’s plan to build additional medical facilities to provide constitutional levels of care.

July 16, 2012
State creates new state agency to monitor prison realignment, appoints director
Governor Brown appoints Susan Mauriello, the county administrator of Santa Cruz County, as the director of the Board of State and Community Corrections. The new state agency will monitor prison realignment.

September 5, 2012
District judge denies state’s request to end federal oversight
U.S. District Court Judge Henderson once again denies the state’s request to end federal oversight of its prison health care system. “Evidence of progress made under the direction and control of the receiver does not constitute evidence of [the state’s] own will, capacity and leadership to maintain a constitutionally adequate system of inmate medical care,” he writes. He also notes that California officials have “not always cooperated with, and have sometimes actively sought to block, the receiver’s efforts.”
http://articles.latimes.com/2012/sep/06/local/la-me-prisons-20120906

September 26, 2012
Amnesty International: State’s isolation prison cells “breach international standards on human treatment”
An Amnesty International report states that conditions in California’s isolation prison cells are inhumane, with more than 3,100 inmates living in maximum security segregation units. More inmates commit suicide in California prisons than at prisons in any other state, and nearly half of those deaths occur among inmates in segregation cells. The report finds that conditions in isolation cells in California prisons “breach international standards on human treatment,” with at least 500 prisoners having spent more than 10 years in segregation; 78 inmates have been in isolation for more than 20 years.
http://www.amnestyusa.org/research/reports/the-edge-of-endurance-prison-conditions-in-california-s-security-housing-units

October 25, 2012
Federal officials begin to transfer some administrative functions to state
California begins to regain control of prison health system, with federal officials transferring select administrative functions to state officials. Among the tasks that will be transferred to the state include:
- allocating funds for prison health care facilities/staff
- ensuring that inmates have access to physicians, clinics and hospitals
- staffing and equipping new prison health care facilities
http://articles.latimes.com/2012/oct/25/local/la-me-prisons-20121025

January 8, 2013
Governor demands end of federal receivership
Governor Brown declares that the “prison crisis is over in California,” and demands the end of federal oversight of state prison health system.
http://articles.latimes.com/2013/jan/08/local/la-me-prisons-brown-20130109

January 29, 2013
Federal judge panel extends overcrowding deadline by 6 months
A panel of three federal judges grants California six additional months to comply with a federal order to reduce prison overcrowding.

February 28, 2013
State suppressed report that found that state’s suicide-watch practices encouraged inmate deaths
Court filings reveal that the state suppressed a report from its own consultant that California’s prison suicide-watch practices encouraged inmate deaths. The report finds that the state’s handling of suicidal inmates is “seemingly punitive” and “anti-therapeutic.” In 25 cases examined, the report finds that seven of those prisoners had killed themselves within hours or days of being released from suicide watch. The report also found lapses in
care in 68% of the cases studied (lengthy delays in checking on prisoners, falsified watch logs, failure to attempt CPR).

March 19, 2013
County jails facing lawsuits over inadequate medical care
Following the realignment of prisoners to county jails, several counties face lawsuits over inadequate medical care for jail inmates. Fresno County is being sued over allegations that inmates are routinely denied treatment for mental or physical health conditions, as well as Riverside, Alameda, and Monterey Counties. In an interview with the Associated Press, Monterey County Sheriff Scott Miller said, “It was a masterful stroke by Governor Brown to shift all the state’s prison problems to county jails.”

April 5, 2013
Federal judge: “Ongoing constitutional violations remain,” rejects state request to end oversight
U.S. District Judge Karlton rejects the Governor’s claim that California has improved its mental healthcare for inmates enough to end federal oversight. Judge Karlton tosses out core evidence, in which the state’s paid experts questioned inmates about their healthcare without telling the inmates' lawyers, and determines that “ongoing constitutional violations remain,” with climbing suicide rates, shortages of mental health crisis beds and workers, and inadequate treatment space contributing to “deliberate indifference.”

April 10, 2013
NY Times calls for California to improve prison care, reduce overcrowding
A New York Times editorial calls for California to improve prison health care. “California has until December to comply with the overcrowding order, but in aggressively fighting it in court the state has repeatedly shown that it has no intention of meeting that deadline. The only way for California to satisfy constitutional standards for its prisons is to reduce the number of inmates and improve the mental health care in those institutions without delay.”

April 23, 2013
LA County chief probation officer: “Under no circumstances are counties interested in expanding the current realignment population”
Appearing before the LA Board of Supervisors, LA County Chief Probation Officer Jerry Powers states that counties are not willing to take on any new offenders through realignment expansion. “Under no circumstances are counties interested in expanding the current realignment population.” The state has yet to address plans on how to further reduce the prison population by 9,000 inmates.

May 1, 2013
CDC investigates valley fever outbreak at two CA prisons following almost 40 inmate deaths
With more than three dozen inmates dying due to valley fever outbreaks at two California prisons, the national Centers for Disease Control has stepped in to investigate. Receiver Kelso had previously asked state officials to relocate 3,200 at-risk inmates at Avenal and Pleasant Valley state prisons.

June 17, 2013
State officials acknowledge prison overcrowding worsening
California acknowledges that prison crowding has begun to increase. In a report to the U.S. District courts, the state indicates that California’s 33 prisons are at more than 150% of capacity. Three prisons – North Kern, the Central California Women’s Facility, and Wasco – are at or near 175% crowding. The court-ordered prison cap is 137.5% of capacity, while the state argues that medical care within prisons has improved to the point that overcrowding does not matter.

June 20, 2013
Federal panel of judges orders release of almost 10,000 inmates by end of 2013
A panel of three federal judges orders Governor Brown to release 9,600 state prisoners (8% of inmate population) by the end of the year to reduce prison overcrowding. The judges write, "We are willing to defer to their choice for how to comply with our order, not whether to comply with it. Defendants have consistently sought to frustrate every attempt by this court to achieve a resolution to the overcrowding problem." In a statement, Governor Brown announces his intent to "seek an immediate stay of this unprecedented order." 
http://articles.latimes.com/2013/jun/20/local/la-me-ff-brown-prisons-20130621

**June 24, 2013**
Federal judge orders transfer of 3,250 inmates from two prisons due to high risk of contracting valley fever
U.S. District Judge Henderson orders the state to move 3,250 prison inmates out of two prisons because they are at high risk of contracting a potentially deadly airborne fungus. The state has 90 days to comply.

**July 8, 2013**
Center for Investigative Reporting: Doctors sterilized 150 women without required state approvals
The Center for Investigative Reporting discovers that doctors under contract with the Department of Corrections and Rehabilitation sterilized almost 150 female inmates from 2006-2010 without required state approvals. At least 148 women received tubal ligations in violation of prison rules during those five years, with dozens more dating back to the late 1990s. Former inmates and prisoner advocates claimed that prison medical staff coerced women, targeting those deemed likely to return to prison.

**July 9, 2013**
30,000 inmates begin hunger strike, protest isolation units
To protest the use of isolation units as gang management policy, 30,000 inmates refuse meals. Organized by inmates at Pelican Bay State Prison, the hunger strike aims to seek a five-year limitation on isolation, as well as educational and rehabilitation programs.
http://articles.latimes.com/2013/jul/08/local/la-me-ff-prison-strike-20130709

**July 12, 2013**
Inmates who contracted valley fever sue state for lifetime medical care
California inmates who contracted valley fever sue state officials for lifetime medical care, including coverage for drugs that can cost $2,000 a month. According to the lawsuit, corrections officials were aware of the fatal fungus in the region’s soil, but did not properly act to protect inmates, and thus violated their constitutional rights. Current state policy is to release severely infected parolees with a 30-day supply of medication.

**August 2, 2013**
Supreme Court denies state attempt to delay court order
The U.S. Supreme Court denies Governor Brown’s request to delay a federal court order to release 9,600 state prisoners.
http://www.reuters.com/article/2013/08/02/us-usa-california-prisons-idUSBRE97113J20130802?feedType=RSS&feedName=domesticNews

**August 9, 2013**
Brown administration files appeal with Supreme Court
Governor Brown’s administration files an appeal with the U.S. Supreme Court over the federal court-ordered reduction of the state’s prison population, citing the lack of low-risk inmates that could be released to meet the cap. The filing also maintains that the state’s prison health care now exceeds constitutional standards.

**August 19, 2013**
Federal judge approves state request to force-feed inmates if necessary
U.S. District Court Judge Henderson approves a state request to force-feed inmates if necessary, as a statewide prison hunger strike enters its seventh week. Almost 130 inmates continue the hunger strike that began July 8, with officials fearing for the welfare of almost 70 inmates. The order includes those who recently signed do-not-resuscitate requests to not be revived.
**August 27, 2013**

Governor Brown announces 3-year plan to meet cap, transfer inmates to private prisons

Governor Brown announces a plan to spend $1 billion over the next three years to move 9,600 inmates to private prisons and other facilities to comply with a federal court order. The order, however, requires the state to complete the reduction by 2014. Senate President Pro Tempore Darrell Steinberg (D-Sacramento) calls the proposal “a plan with no promise and no hope,” and releases his own plan to reduce prison overcrowding.

http://gov.ca.gov/news.php?id=18176
http://www.reuters.com/article/2013/08/28/us-usa-california-prisons-idUSBRE97R0O020130828?feedType=RSS&feedName=politicsNews

**September 4, 2013**

LAO: Governor’s plan does not include long-term solution to prison overcrowding

A report by the Legislative Analyst’s Office outlines several significant problems with both the Governor’s and Senator Steinberg’s prison overcrowding plans. The LAO notes that the Governor’s plan does not include a long-term solution to prison overcrowding, could lead to unnecessary expenditures due to “various logistical difficulties,” and would still lead to 8,800 inmates over the court-ordered cap in two years. Similarly, Senator Steinberg’s plan “would not meet the court-ordered population reduction by December” and is “unlikely to achieve a large population reduction in 2013-14.”


**September 5, 2013**

Inmate hunger strike ends after two months

Following news that lawmakers would hold hearings on the use of solitary confinement, California prison inmates call off a two-month hunger strike protesting the use of security housing units for indefinite isolation of certain prisoners. The state did not invoke its authority to force-feed inmates.


**September 9, 2013**

Governor, legislators announce compromise plan, assumes indeterminate extension to meet cap

Governor Brown and state legislators announce a compromise plan to comply with prison overcrowding. Under the plan, Governor Brown would ask judges for an extension to comply with the population cap, and $400 million would go toward prisoner rehabilitation efforts. It is unknown how much extra time the administration will request under the compromise.

http://www.latimes.com/local/political/la-me-pc-jerry-brown-california-prisons-20130909,0,5380847.story#axzz2vzaPqg2J

**September 16, 2013**

Governor requests three-year extension to comply with cap

After signing the compromise plan on September 12, the Governor asks the federal judges for three additional years to comply with the population cap.


**September 24, 2013**

Federal judge panel rejects request for three-year extension, grants four weeks

The federal judge panel rejects the Governor’s request for a three-year extension. The state is granted an additional four weeks to meet the cap; the administration has until January 27, 2014 to fully comply with the reduction order.


**September 25, 2013**

State officials announce relocation of at-risk inmates

State prison officials announce they have met a court order to relocate inmates at risk of contracting valley fever.


**October 15, 2013**

Supreme Court rejects Governor’s appeal of court-ordered reduction
The U.S. Supreme Court denies Governor Brown’s appeal of the court-ordered reduction of prison inmates. The justices rejected the appeal without comment, saying that the court lacked jurisdiction to rule on the matter. The state has until January 27, 2014 to release at least 4,400 inmates.


October 23, 2013
Following video leak, state corrections announces it will limit use of pepper spray
After facing scrutiny on its questionable methods for subduing mentally ill inmates with pepper spray, the state corrections department will limit its use. The announcement coincides with a ruling by U.S. District Court Judge Karlton, requiring the state to produce public copies of videotapes, which show six mentally ill inmates in four state prisons being pepper sprayed after refusing to be handcuffed for removal from their cells. The video shows some inmates naked and screaming for help after being repeatedly sprayed with large amounts of pepper spray.

http://articles.latimes.com/2013/oct/23/local/la-me-ff-prisons-20131024#axzz2idXMILSc

October 31, 2013
Video showing prison guards pepper spraying mentally ill inmates made public
A video showing California prison guards pepper spraying mentally ill inmates was filed in federal court. Previously, the state corrections department tried to block it from being shown in court, and had only been viewed by a small group under tight restrictions as part of an ongoing class-action lawsuit.

http://www.sacbee.com/2013/10/31/5871226/california-releases-controversial.html

December 11, 2013
State granted an additional two-month extension
The state is granted an extra two-month extension to reduce prison overcrowding in a decade-long dispute.

http://www.reuters.com/article/2013/12/12/us-usa-california-prisons-idUSBRE9BA1CP20131212?feedType=RSS&feedName=domesticNews

December 14, 2013
State to distribute $500 million to 15 counties for jail realignment construction
A state panel recommends $500 million to be distributed across 15 counties for jail realignment construction purposes. The funds will be used towards construction of jail and parole facilities focused on education, mental health and medical care, job training, and other rehabilitation services.

http://www.sacbee.com/2013/12/14/5999519/sacramento-county-poised-to-receive.html

January 9, 2014
Governor addresses prison overcrowding plan in budget
Governor Brown’s proposed FY2014-15 budget includes plans to address prison overcrowding, but assumes a two-year extension of the reduction order.

http://gov.ca.gov/news.php?id=18358

January 13, 2014
LAO questions Governor’s prison plan in proposed budget
The LAO’s analysis of the proposed budget states, “The administration has not yet provided an analysis of county jail needs or other rationale for why the level of funding proposed is needed for jail projects or what criteria would be used to award the lease-revenue funding,” which will make it “difficult for the Legislature to assess whether additional funding will be allocated in a manner that is cost effective and in line with state priorities.” The report calls for the administration to “provide details on how each proposal would be implemented, such as how the proposed community re-entry facilities would be operated and how inmates would be selected to be placed in the limited space available at such facilities.”


January 23, 2014
Governor requests an additional two-year extension
Governor Brown asks the federal panel of judges for a two-year extension on meeting the court-ordered cap on the state’s prison population. If his extension is granted, the deadline would be February 28, 2016. The crowding limits were imposed four years ago.

http://www.latimes.com/local/la-me-ff-prisons-20140123_0,1442682.story#axzz2rJiv6CsX

February 4, 2014
Admissions halted at new prison medical facility due to unsanitary conditions
Receiver Kelso orders admissions to be stopped at the 6-month-old California Health Care Facility in Stockton, as well as delaying the opening of an adjacent 1,133-bed prison facility, due to unsanitary conditions and inadequate medical care. In his report, Kelso notes that one patient had died from excessive bleeding after his calls to nurses were unanswered for more than 30 minutes. The report states that the new Stockton facility “was being run as just another prison – where custody issues are typically the highest priority and health care and other programs are secondary – instead of being run as a health care facility for patient-inmates.”

February 10, 2014
Governor granted two-year extension
Governor Brown is granted a two-year extension to comply with the court-ordered prison population cap. A panel of federal judges establishes that the February 28, 2016 deadline is non-negotiable.
http://www.sacbee.com/2014/02/10/6144537/california-wins-two-year-extension.html

February 13, 2014
Center for Investigative Reporting: Prison doctor responsible for hundreds of more inmate sterilizations
The Center for Investigative Reporting finds that a prison doctor being investigated by the state medical board after ordering tubal ligations without state approval is responsible for hundreds of more inmate sterilization. In addition to the tubal ligations, Dr. James Heinrich arranged other types of sterilization 378 times between 2006 and 2012. These included hysterectomies, removal of ovaries, and a procedure called endometrial ablation, which destroys the lining of the uterus. Heinrich had previously told CIR that the money spent sterilizing inmates was minimal “compared to what you save in welfare paying for those unwanted children – as they procreated more.” Although federal officials discovered problems with Heinrich’s care in late 2007, Dr. Heinrich continued treating inmates through December 2012.
http://www.sacbee.com/2014/02/13/6153122/california-prison-doctor-linked.html

April 9, 2014
Federal judges appoint Lui as compliance officer
A panel of federal judges appoint former state appellate judge Elwood Lui as the state’s compliance officer. If the administration fails to meet the mandated population cap deadlines, the compliance officer will determine which state prison inmates will be freed. The state must reduce the population by 4,500 inmates by February 2016, with interim goals in June and February 2015.

April 10, 2014
Federal judge rules state’s use of excessive force against mentally ill inmates violates constitutional rights
U.S. District Court Judge Lawrence Karlton rules that the state’s treatment of mentally ill inmates violates constitutional protections against cruel and unusual punishment through excessive use of force, pepper spray, and isolation. Karlton offers a range of options to limit use of these practices without banning them outright.

April 12, 2014
LA Times: New medical prison facility “beset by waste, mismanagement and miscommunication”
An investigation by the Los Angeles Times finds that the new $840 million medical prison has been “beset by waste, mismanagement and miscommunication between the prison and medical staffs.” Prisoners at the California Health Care Facility had reportedly been left in broken wheelchairs and lying on soiled bedsheets. Despite receiver Kelso’s desire to have a medical officer in charge of the facility, the state corrections department hired a former vocational center warden Ronald J. Rackley, who previously had no experience with delivering medical care.
http://www.latimes.com/local/la-me-ff-prison-hospital-20140413,0,3288458,full.story