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ENDORSED
FILED

10 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
11 COUNTY OF ALAMEDA
12 JAN 31 2005

CLERK OF THE SUPERIOR COURT
By Alphonsine Catus, Deputy

13 MARGARET FARRELL,

14 Plaintiff,

No. RG 03079344

15 v.

16 WALTER ALLEN III, Director,
17 California Youth Authority,

18 Defendant.

**STIPULATION REGARDING
CALIFORNIA YOUTH
AUTHORITY REMEDIAL
EFFORTS**

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20 Since the entry of the Consent Decree in this case, the CYA has implemented
21 interim measures to address deficiencies identified in the expert reports and has drafted
22 proposed Remedial Plans in consultation with the experts, plaintiff's counsel, and the
23 Special Master. The CYA has also undertaken a review of practices in other systems. As
24 a result, the CYA has committed to reforming California's juvenile system to a
25 rehabilitative model based on a therapeutic environment. The parties agree that the
26 Remedial Plans are dependent on the new system and therefore cannot be submitted in
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1 accordance with the schedule set forth in the Consent Decree. Therefore, IT IS HEREBY
2 STIPULATED by and through counsel for the parties that:

3 1. Defendant shall file with the court:

4 Medical Care Interim Plan: February 4, 2005
5 Education Remedial Plan: March 1, 2005
6 Mental Health Care Interim Plan: April 8, 2005
7 Disabilities Remedial Plan: May 2, 2005
8 Sex Offender Treatment Remedial Plan: May 2, 2005
9 Ward Safety & Welfare (formerly General Corrections) Remedial Plan:
10 November 30, 2005

11 2. Defendant shall implement the following immediate steps:

12 a. By February 15, 2005, the CYA will develop a plan and by March 1,
13 2005, will begin implementation to institute an open programming model at N.A.
14 Chaderjian Youth Correctional Facility and Heman G. Stark Youth Correctional Facility
15 to end their lockdown model and restore safe general population programming and to
16 ensure that wards are out of their rooms/cells daily for educational, vocational, and
17 treatment programming as well as meals and recreation. Implementation is expected to be
18 complete by June 1, 2005.

19 b. CYA staff, while implementing the open programming model, will
20 identify wards most at risk of committing violent acts and separate them from the wards
21 most vulnerable to attack.

22 c. By May 2, 2005, the CYA shall extend the open programming model to
23 all other institutions.

24 d. By March 1, 2005, the CYA will modify its lockdown protocol to
25 minimize the use of lockdowns through direct intervention by staff.

26 e. By February 15, 2005, the CYA shall implement clear policies and
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1 procedures to ensure that wards on the Special Management Programs are provided
2 access to educational, treatment, and other services outside their cells on a daily basis.

3 f. By April 1, 2005, the CYA will replace the phase system with a ward
4 incentive plan to encourage positive programming through positive reinforcement. The
5 plan shall be fully implemented by June 1.

6 g. By April 1, 2005, the CYA will eliminate the use of temporary detention
7 for punishment.

8 3. Defendant is in the process of interviewing and shall hire by March 1, 2005, a
9 consultant with expertise in the custodial treatment of juvenile offenders, to be approved
10 by plaintiff's counsel.

11 4. By May 2, 2005, Defendant shall submit a programmatic description of the
12 rehabilitative model chosen for the CYA. The plan to transform the CYA to this
13 rehabilitative model (the Ward Safety and Welfare Remedial Plan) shall be submitted by
14 November 30, 2005. The planning for such a transition will be developed in consultation
15 with the consultant hired pursuant to Paragraph 3, plaintiff's counsel, the Special Master,
16 and the experts in the case.

17 5. The transition plan described in Paragraph 4 shall be consistent with the
18 following principles:

19 a. Programs must be designed to provide habilitation/rehabilitation and
20 success in the community.

21 b. When reasonably possible and consistent with delivery of specialized
22 programs, youth must be placed in the facility closest to their homes. All treatment
23 services must be designed to include families, except where neither practical nor
24 determined to be consistent with treatment goals.

25 c. Youth must be assigned to facilities and programs based on age, risk and
26 needs assessments, and other appropriate factors.

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1 d. Facilities and programs should maximize youth/staff interaction, with
2 living units and staffing ratios that permit adequate supervision and intervention.

3 e. Facilities and living units should provide a safe and supportive
4 environment that promotes rehabilitative goals.

5 f. The CYA shall emphasize positive reinforcement rather than punitive
6 disciplinary measures.

7 g. Lockup may be used only as a temporary intervention in emergencies or
8 as a last resort.

9 h. All staff that supervise wards must be qualified and will be required to
10 provide rehabilitative and treatment services. They must be provided with the training
11 and support they need to succeed in their jobs.

12 i. To the extent feasible, programs should be based on evidence and/or best
13 practices, or shall be evaluated for effectiveness.


14 j. Transition planning for successful reintegration must be provided to
15 wards prior to release to the community.

16 6. The parties and the Special Master shall meet every 30 days to review the
17 remedial process.

18 Dated: 1/31/05


SARA NORMAN
Attorney for Plaintiff

19
20
21 Dated: 1/30/05


MONICA ANDERSON
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