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 9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **OAKLAND DIVISION**

12 MARCIANO PLATA, et al.,
 13 *Plaintiffs,*
 14 v.
 15 GAVIN NEWSOM., et al.,
 16 *Defendants.*

Case No. 4:01-cv-1351 JST

**DECLARATION OF SARA NORMAN
 IN SUPPORT OF PLAINTIFFS’
 RESPONSE TO ORDER TO SHOW
 CAUSE RE: RECEIVER’S
 RECOMMENDATION ON
 MANDATORY VACCINATION**

17
 18 I, Sara Norman, declare as follows:

19 1. I am a lawyer admitted to practice in this State and before this Court. I am
 20 one of the lawyers for the plaintiff class in this action. I have personal knowledge of the
 21 matters herein and if called upon could so testify.

22 2. I am lead counsel in *Clark v. California*, No. 3:96-cv-01486-CRB, a class
 23 action on behalf of people with developmental disabilities in the California Department
 24

1 of Corrections and Rehabilitation (CDCR). The program that CDCR has developed for
2 this population in response to this lawsuit is called the Developmental Disability Program
3 (DDP). There are approximately 1300 people in the DDP, and they are housed at most
4 CDCR prisons.

5 3. As part of my duties on the case, I regularly speak to people in the DDP; I
6 estimate that I have spoken to at least several hundred a year for more than 10 years. I
7 also speak regularly with CDCR staff who work on the DDP, including administrators
8 and auditors in Sacramento as well as DDP officers, sergeants, counselors, and clinicians
9 at the various prisons that house large numbers of people in the program. Many of these
10 conversations happen on DDP compliance reviews. I attend approximately five to seven
11 compliance reviews each year (in person when possible, remotely during the pandemic)
12 in which we jointly review and assess the DDP at individual institutions side by side with
13 auditors from CDCR. Each compliance review includes dozens of interviews of DDP
14 staff as well as people in the DDP.

15
16 4. The hallmark of the DDP is the identification and provision of adaptive
17 supports. Each person in the DDP is given an individualized list of the adaptive supports
18 that staff must provide. Attached as Exhibit A is the current listing of the adaptive
19 supports listed as options in CDCR's Electronic Health Records System.

20
21 5. As Exhibit A demonstrates, these supports range from activities of daily
22 living (prompt people to shower, brush their teeth, attend appointments, and take
23 medication) to behavior (monitor for isolation and acting out) to communication
24 (simplify, deescalate, remind). People in the DDP often need help understanding the

EXHIBIT A

Revised EHRS Options - Adaptive Support Needs

Reading and Writing

1. Offer to read/write CDCR forms/paperwork
2. N/A
3. Other:

Communication

1. Slow simple language/repeat as needed
2. Give one or two step instructions
3. Redirect to deescalate when agitated
4. Requires frequent reminders
5. N/A
6. Other:

Activities of Daily Living

1. Prompt to brush teeth
2. Prompt for canteen
3. Prompt for ducats/med line
4. Monitor for wearing clean clothes
5. Prompt for laundry exchange
6. Prompt & extra time: cell cleaning
7. Prompt & extra time: finish tasks
8. Prompt & extra time: meals
9. Prompt & extra time: showers
10. N/A
11. Other:

Behavior/Social Interactions

1. Prompt to correct behavior*
2. Prompt to go to yard/dayroom
3. Coach in steps if learning new task
4. N/A
5. Other:

* Must specify behavior

Rules and Procedures

1. Assist to understand rules/procedures
2. Assist adjusting to new environments
3. N/A
4. Other:

Revised EHRS Options - Adaptive Support Needs

Victimization*

1. Vulnerable to victimization
2. Vulnerable to pressuring/teasing
3. Monitor for theft: food/canteen
4. Monitor for theft: packages/property
5. N/A
6. Other:

*Must conduct a private one-on-one interview.