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9	UNITED STATES DISTRICT COURT	
10	NORTHERN DISTRICT OF CALIFORNIA	
11	OAKLAND DIVISION	
12	MARCIANO PLATA, et al.,	
13	Plaintiffs,	Case No. 4:01-cv-1351 JST
	V.	DECLARATION OF SARA NORMAN
14	GAVIN NEWSOM., et al.,	IN SUPPORT OF PLAINTIFFS' RESPONSE TO ORDER TO SHOW
15	Defendants.	CAUSE RE: RECEIVER'S RECOMMENDATION ON MANDATORY VACCINATION
16		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		
22	matters herein and if called upon could so testify. 2. I am lead counsel in <i>Clark v. California</i> , No. 3:96-cv-01486-CRB, a class	
23		
24	action on behalf of people with developmental disabilities in the California Department	
25		
26	DECLARATION OF SARA NORMAN	Plata v. Newsom, No. C01-1351 JST

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

- 3. As part of my duties on the case, I regularly speak to people in the DDP; I estimate that I have spoken to at least several hundred a year for more than 10 years. I also speak regularly with CDCR staff who work on the DDP, including administrators and auditors in Sacramento as well as DDP officers, sergeants, counselors, and clinicians at the various prisons that house large numbers of people in the program. Many of these conversations happen on DDP compliance reviews. I attend approximately five to seven compliance reviews each year (in person when possible, remotely during the pandemic) in which we jointly review and assess the DDP at individual institutions side by side with auditors from CDCR. Each compliance review includes dozens of interviews of DDP staff as well as people in the DDP.
- 4. The hallmark of the DDP is the identification and provision of adaptive supports. Each person in the DDP is given an individualized list of the adaptive supports that staff must provide. Attached as Exhibit A is the current listing of the adaptive supports listed as options in CDCR's Electronic Health Records System.
- 5. As Exhibit A demonstrates, these supports range from activities of daily living (prompt people to shower, brush their teeth, attend appointments, and take medication) to behavior (monitor for isolation and acting out) to communication (simplify, deescalate, remind). People in the DDP often need help understanding the

rules and reading and writing forms like sick call slips and grievances. Many need to be monitored to protect them for theft or verbal or physical abuse.

- 6. Many of these supports cannot be provided without close contact with staff usually, custody staff. For example, reminders to shower and to brush teeth cannot be given over the loudspeaker; they are required to be given through personal contact, and staff are required to log both the prompt provided and the disabled person's response. Staff cannot help someone to read or write, or redirect them when they are agitated, or "[m]onitor for wearing clean clothes" without being close at hand. For people who are vulnerable to abuse by others, staff are required to have individual, confidential conversations at least monthly to enquire in private about such concerns. In my experience, these conversations can sometimes take a significant amount of time.
- 7. In sum, it is impossible to meet the basic needs of people in the DDP without frequent close contact with custody and other staff. Based on my observation and experience, frequent close contact is occurring on a daily basis with this population.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on August 24, 2021, at San Francisco, California.

/s/ Sara Norman

Sara Norman

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:

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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.