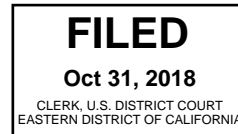


1 Wendy Musell, SBN 203507
2 Stewart & Musell, LLP
3 2200 Powell Street, Suite 440
4 Emeryville, CA 94608
5 415-593-0083
6 Fax: 415-520-0920
7 E-mail: wmusell@stewartandmusell.com



8 Attorneys for Non-party Witness
9 Michael Golding

10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA

12 RAPH COLEMAN, et.al.,

13 Plaintiffs,

14 v.

15 EDMUND G. BROWN, JR. et. al.,

16 Defendants.

) Case No.: 2:90-CV-0520 KMJ DB P

) DECLARATION OF MICHAEL GOLDING,
) M.D.

17
18 1. I, Michael Golding, M.D. declare:

19 2. I hold the position of Chief Psychiatrist for the California Department of Corrections and
20 Rehabilitation (CDCR). Pursuant to the Court's Order of October 17, 2018, I am providing
21 this declaration in reference to what has been described in pleadings submitted by the parties
22 before this Court as the "Golding Report" or "Golding Materials." While not addressed in
23 the Court's October 17, 2018 Order, in order to address patient privacy considerations and in
24 light of the Court's pending determination of whether materials may be made available to the
25 public in whole or in part, I am solely including a redacted version of the CDCR Mental
26 Health System Report and redacted exhibits to the report. The redactions include patient
27 identifying information. I understand based on the Court's record that these are the same
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DECLARATION OF MICHAEL GOLDING, M.D.
Case No. 2:90-CV-0520 KMJ DB P

1 redactions that Plaintiff Coleman has previously provided to the Court. I also understand
2 based on this Court's record that CDCR has requested that that the materials be under seal
3 and in the alternative, redactions consistent with those offered here be provided. In order to
4 comply with this Court's Order, I am providing this declaration *in camera* only, and all
5 attachments are the redacted versions.

- 6 3. Attached as Exhibit A is a true and correct copy of a 161 page report I draft entitled "CDCR
7 Mental Health System Report."
- 8 4. To the best of my knowledge and based on a review of my work records, review of data
9 available to me, my own expert analysis and materials referred to in the CDCR Mental Health
10 System Report, the information contained within the CDCR Mental Health System Report
11 (Exhibit A) is true and accurate. The exceptions to this are the following: at page 99 line 16,
12 I referred to the institution as CCWF. This reference should have referred to Corcoran. Further,
13 for clarification purposes, while not inaccurate, I indicated that I do not have access to the
14 databases. While the databases exist, in some cases the computer cannot provide the
15 information in useable format for analysis and/or I am not permitted access. This does not
16 mean that CDCR does not have access to this data or could not make the databases searchable
17 in a meaningful manner.
- 18 5. I was also ordered to authenticate the attachments to the CDCR Mental Health System Report.
19 Exhibit A are true and correct copies of emails I sent and received utilizing CDCR email to the
20 persons stated in the email. The dates set forth on the face of email are accurate. The
21 handwriting on Exhibit A is my own.
- 22 6. Exhibit B is true and correct copy of a document filed in this case, obtained from e-mails from
23 CDCR Attorney Generals. The document number is on the face of the document [5591-2]. The
24 handwriting on the document is mine.
- 25 7. Exhibit C is true and correct copy of a document filed in this case, obtained from documents
26 e-mailed to me by a CDCR Attorney General. The document number is on the face of the
27 document [5591].

- 1 8. Exhibit D are true and correct copies of emails I sent and received utilizing CDCR email to the
2 persons stated in the email. The dates set forth on the face of email are accurate. The
3 handwriting on the first page of Exhibit D is my own.
- 4 9. Exhibit E are true and correct copies of emails I sent and received utilizing CDCR email to the
5 persons stated in the email. The dates set forth on the face of email are accurate. The
6 handwriting in the document is my own.
- 7 10. Exhibit F is a true and correct copy of a chart compiled by Dr. [REDACTED] as discussed
8 in my report.
- 9 11. Exhibit G is a true and correct copies of emails I sent and received utilizing CDCR email to
10 the persons stated in the email. The dates set forth on the face of email are accurate. The
11 handwriting in the document is my own.
- 12 12. Exhibit H are true and correct copies of emails I sent and received utilizing CDCR email to the
13 persons stated in the email. The dates set forth on the face of email are accurate. The
14 handwriting in the document is my own.
- 15 13. Exhibit I are true and correct copies of emails I sent and received utilizing CDCR email to the
16 persons stated in the email. The dates set forth on the face of email are accurate. The
17 handwriting in the document is my own.
- 18 14. Exhibit J are true and correct copies of emails I sent and received utilizing CDCR email to the
19 persons stated in the email. The dates set forth on the face of email are accurate. The
20 handwriting in the document is my own. I did not input any of the data in the chart. This is a
21 true and correct copy of the chart. Also attached is a true and correct chart documenting a
22 schedule for appointments that was given to me, titled "Treatment Center 2 Winter 2017
23 (December 4th- February 23rd). The handwriting is my own.
- 24 15. Exhibit K is a true and correct copy of handwritten notes by me at the first page. Also included
25 in Exhibit K are true and correct copies of emails I sent and received on the dates set forth the
26 emails, utilizing CDCR email. The handwriting on the emails is my handwriting. Also
27 included in Exhibit K is a chart entitled "Confidential December 3, 2017 Sacramento
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1 Notified/Initial and Time Census: 13.” This is a true and correct copy of the chart I received.
2 The handwriting at the top is my own and I don’t know who drew the red circles on the
3 document.

4 16. Exhibit L is a true and correct copy of handwritten notes made by me at the first page. Also
5 included in Exhibit L are true and correct copies of emails I sent and received on the dates set
6 forth the emails, utilizing CDCR email. The handwriting on the emails is my handwriting.
7 Also included in Exhibit L is a true and correct copy of a “Psychiatrist Productivity Report,” I
8 received in the workplace. The handwriting is my own.

9 17. Exhibit M is a true and correct copy of emails I sent and received on the dates set forth in the
10 emails, utilizing CDCR email. The handwriting on the emails is my handwriting. Also
11 included is a copy of Business and Professions Code Section 680. 680.5. Some of the
12 handwriting and markings were made by me. I do not know who drew the red circles and
13 arrows and inserted the highlighting.

14 18. Exhibit N is a true and correct copy of emails I sent and received on the dates set forth in the
15 emails, utilizing CDCR email. The handwriting on the emails is my handwriting.

16 19. Exhibit O is a true and correct copy of part of an email I received on the dates set forth in the
17 emails, utilizing CDCR email.

18 20. Exhibit P is a true and correct copy of a personal e-mail I received from the individual
19 identified in the CDCR Mental Health System Report.

20 21. Exhibit Q is a true and correct copy of emails I sent and received on the dates set forth in the
21 emails, utilizing CDCR email. The handwriting on the emails is my handwriting.

22 22. Exhibit R is a true and correct copy of emails I sent and received on the dates set forth in the
23 emails, utilizing CDCR email. The handwriting on the emails is my handwriting. I am not sure
24 who did the highlighting.

25 23. Exhibit S is a true and correct copy of emails I sent and received on the dates set forth in the
26 emails, utilizing CDCR email.

- 1 24. Exhibit T is true and correct copy of a dashboard chart, the handwriting on the document is
2 mine.
- 3 25. Exhibit U is a true and correct copy of emails I sent and received on the dates set forth in the
4 emails, utilizing CDCR email. The handwriting on the emails is my handwriting.
- 5 26. Exhibit V is a true and correct copy of a Memorandum from the California Correctional Health
6 Care Services, dated July 3, 2018 to All Healthcare Staff, Headquarters Mental Health, Subject:
7 CCHCS Healthcare Dashboard Diagnostic Monitoring Methodology Change and Mental
8 Health Registry Enhancements that I received on or about the date for the memo. The
9 handwriting on the document in my own.
- 10 27. Exhibit W is a true and correct copy of emails I sent and received on the dates set forth in the
11 emails, utilizing CDCR email. The handwriting on the emails is my handwriting.
- 12 28. Exhibit X is a true and correct copy of a document I received concerning the MH Change
13 Management Committee, setting forth the date, time, location, dial-in number, participant code
14 and invitees to the meeting. The handwriting is my own.
- 15 29. Exhibit Y is a true and correct copy of emails I sent and received on the dates set forth in the
16 emails, utilizing CDCR email. The handwriting on the emails is my handwriting.
- 17 30. Exhibit Z is a true and correct copy of emails I sent and received on the dates set forth in the
18 emails, utilizing CDCR email. The handwriting on the emails is my handwriting.
- 19 31. Exhibit AA is a true and correct copy of emails I sent and received on the dates set forth in the
20 emails, utilizing CDCR email. The handwriting on the emails is my handwriting.
- 21 32. Exhibit BB is a true and correct copy of part of an e-mail I received from Dr. [REDACTED]. The
22 complete e-mail can be seen in Exhibit QQ. The handwriting on the emails is my handwriting.
- 23 33. Exhibit CC is a true and correct copy of emails I sent and received on the dates set forth in the
24 emails, utilizing CDCR email. The handwriting on the emails is my handwriting. Also
25 included is a copy of two dashboard screens that I printed out. The handwriting on the
26 document is mine.
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- 1 34. Exhibit DD is a true and correct copy of emails I sent and received on the dates set forth in the
2 emails, utilizing CDCR email. The handwriting on the emails is my handwriting.
- 3 35. Exhibit EE is a true and correct copy of emails I sent and received on the dates set forth in the
4 emails, utilizing CDCR email. The handwriting on the emails is my handwriting. Also
5 included in EE are true and correct copies of screenshots of documentation from the electronic
6 health record database, as set forth in the CDCR Mental Health System Report. The
7 handwriting is my handwriting.
- 8 36. Exhibit FF is a true and correct copy of emails I sent and received on the dates set forth in the
9 emails, utilizing CDCR email. The handwriting on the emails is my handwriting. Also
10 included is a true and correct copy of a screen shot of the electronic health record used in my
11 work, as described in the CDCR Mental Health System Report.
- 12 37. Exhibit GG is a true and correct copy of emails I sent and received on the dates set forth in the
13 emails, utilizing CDCR email. The handwriting on the emails is my handwriting. Also
14 included is a true and correct copy of a screen shot of the electronic health record used in my
15 work, as described in the CDCR Mental Health System Report. The handwriting on the
16 document is my handwriting.
- 17 38. Exhibit HH is true and correct copy of a screen shot of a Mental Health Performance Report ,
18 used in my work and as described in the CDCR Mental Health System Report. The
19 handwriting is mine.
- 20 39. Exhibit II is a true and correct copy of an email I received on the date set forth in the emails,
21 utilizing CDCR email. The handwriting on the emails is my handwriting.
- 22 40. Exhibit JJ is a true and correct copy of notes that Dr. [REDACTED] created. Also included
23 is a true and correct copy of a screen shot of two dashboard Performance Reports used in my
24 work, as described in the CDCR Mental Health System Report. There are also flow charts
25 included and I am not sure who created those. The handwriting on the document is my
26 handwriting.
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- 1 41. Exhibit KK is a true and correct copy of screen shots from dashboard Performance Reports
2 used in my work, as described in the CDCR Mental Health System Report. The handwriting
3 on the document is my handwriting.
- 4 42. Exhibit LL is a true and correct copy of a screen shot of a dashboard Performance Report used
5 in my work, as described in the CDCR Mental Health System Report. Also included are typed
6 notes by Dr. [REDACTED]. The handwriting on the document is my handwriting.
- 7 43. Exhibit MM is a true and correct copy of emails I sent and received on the dates set forth in
8 the emails, utilizing CDCR email. The handwriting on the emails is my handwriting.
- 9 44. Exhibit NN is a true and correct screen shot from the Electronic Health Record used in my
10 work regarding the medical situation explained in the CDCR Mental Health System Report.
11 The handwriting is my handwriting.
- 12 45. Exhibit OO is a true and correct copy of an email received on my CDCR email account, on the
13 date specified on the email, by the CDCR employee indicated in the document.
- 14 46. Exhibit PP is a true and correct copy of notes created by Dr. [REDACTED] and MHMD
15 Inpatient Progress Note. The exhibit also includes a true and correct copy of Inpatient Progress
16 Notes, and a discharge summary which are business and patient records redacted. The
17 handwriting on the document is my own.
- 18 47. Exhibit QQ are a true and correct copies of emails I sent and received on my CDCR email
19 account, on the date specified on the email, by the CDCR employee indicated in the document.
20 The handwriting on the document is my own. Also included is a true and correct copy of a
21 screenshot of a business records database, as described in my CDCR Mental Health System
22 Report.
- 23 48. Exhibit RR are true and correct copies of emails I sent and received on my CDCR email
24 account, on the date specified on the email, by the CDCR employee indicated in the document.
25 The handwriting on the document is my own.
- 26 49. Exhibit SS are a true and correct copies of emails I sent and received on my CDCR email
27 account, on the date specified on the email, by the CDCR employee indicated in the document.
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- 1 50. Exhibit TT is a true and correct copy of a screenshot from the CDCR Mental Health
2 Performance Report for 5/1/18 to 5/31/18 database. The handwriting on the document is my
3 own. The typed notes on the bottom are from Dr. [REDACTED] with my additions.
- 4 51. Exhibit UU is a true and correct copy of screenshots from the CDCR Mental Health
5 Performance Report database. Also included in Exhibit UU is a true and correct copy of a
6 document regarding CDCR CCCMS appointments from February 2018. The handwriting on
7 the document is my own.
- 8 52. Exhibit VV is a true and correct copy of two tables presented to the Court in the 2018 staffing
9 report from Mainline CCCMS of "Timely Psychiatry Contacts from 10/1/17 thru 3/31/18" and
10 "Psychiatry Contacts from 10/1/17-3/31/18. The handwriting on the document is my own.
- 11 53. Exhibit WW is a true and correct copy of an email I sent on my CDCR email account, on the
12 date specified on the email, to the CDCR employees indicated in the document. The
13 handwriting on the document is my own.
- 14 54. Exhibit XX is a true and correct copy of a document published by the NHS regarding Physical
15 Health Monitoring for Psychotropic Medication (not High Dose).
- 16 55. Exhibit YY is a true and correct copy of a document entitled "Medication Non-Compliance
17 Appointments at CHCF," compiled by Dr. [REDACTED]. Also included is a true and
18 correct copies of screenshots from a CDCR database, as described in my CDCR Mental Health
19 Performance Report. The handwriting present is my handwriting.
- 20 56. Exhibit ZZ is a true and correct copy of a document to the Court entitled "Psychiatry Contacts
21 10/01/17-3/31/18." The handwriting present is my handwriting.
- 22 57. Exhibit AAA is a true and correct copy of a report entitled "Medication Non-compliance
23 Appointments at CHCF," written by Dr. [REDACTED]. The handwriting on the document
24 is my handwriting.
- 25 58. Exhibit BBB is a true and correct copy of a report entitled "Psychiatry Indicators and Biases."
26 It is dated by me September 4, 2018. The handwriting in the exhibit is my handwriting. The
27 report was authored by Dr. [REDACTED] and me. Also included in Exhibit BBB is a
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1 screenshot of appointments as scheduled in the CHCF, and appointments scheduled by all
2 provider types. Also included are screenshots of an Excel file of CDCR CCCMS of all
3 appointments in February 2018 that was created by Dr. [REDACTED]. The total Excel file
4 is not included, as it is over 8,000 pages. If required to do so, I could provide the entirety of
5 the Excel file. Further, Exhibit BBB includes a true and correct copy of a screenshot of the
6 CHCF Mental Health Performance Report for 8/1/18 to 8/31/18 and SAC Timely MH referrals,
7 SQ Timely MH Referrals. Also included is a true and correct copy of an emails sent and
8 received on the dates indicated between myself and the employees listed in the emails. Exhibit
9 BBB further contains a true and correct copy of a memorandum from the California
10 Correctional Health Care Services, dated July 3, 2018, to all healthcare staff from Headquarters
11 Mental Health Subject: CCHS HealthCare Dashboard Diagnostic Monitoring Methodology
12 Change and Mental Health Registry Enhancements that I received on or about July 4, 2018.
13 The handwriting on this report is from Dr. [REDACTED] and me.

14 59. Exhibit CCC is a true and correct copy of a document that I received on or about September 4,
15 2018 for specifications of Antipsychotics-Lipid Monitoring. The handwriting in the exhibit is
16 my handwriting

17 60. Exhibit DDD is a true and correct copy of screenshots of the dashboard report manager for
18 timely psychiatry contacts from 6/1/18 to 6/30/18, 5/1/18 to 5/31/18, 7/1/18 to 7/31/18, and
19 8/1/18 to 8/31/18. The handwriting in the exhibit is my handwriting

20 61. Exhibit EEE is a true and correct copy of a screenshot of a medical performance dashboard
21 report definition.

22 62. Exhibit FFF is a true and correct copy of emails I sent and received on my CDCR email
23 account, on the date specified on the email, by the CDCR employee indicated in the document.
24 Also attached is true and correct copy of a policy memorandum by [REDACTED]
25 [REDACTED]

26 63. Exhibit GGG is a true and correct copy of a memorandum dated September 18, 2018 from
27 Health Care Services, and the individuals listed on the memo in the "From" section, Subject
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1 “Updated Mental Health Crisis Bed- Referral, Referral Recession, and Discharge Policy and
2 Procedures.” Also included is a true and correct copy of a policy Vol. 12, Chapter 5, 12.05.200
3 “Mental Health Crisis Bed- Referral, Referral Recession, and Discharge Policy.” effective date
4 October 15, 2018, Policy Vol. 12, Chapter 5, Procedure 12.05.200.P1 “Mental Health Crisis
5 Bed Referral Procedure” effective date October 15, 2018, Vol. 12, Chapter 5, Procedure
6 12.05.200.P1 “Mental Health Crisis Bed: Referral Procedure.” effective date October 15, 2018,
7 Vol. 12, Chapter 5, Policy 12.05.601 “Documentation Required for Referral to Mental Health
8 Crisis Bed,” effective date October 15, 2018.

9 64. Exhibit HHH is a true and correct copy of information provided to me about appropriate Mental
10 Health Crisis Bed Referrals.

11 65. Exhibit III is a true and correct copy of emails I sent and received on my CDCR email account,
12 on the date specified on the email, by the CDCR employees indicated in the document. I
13 referred to this information or communication in my CDCR Mental Health Performance
14 Report. The handwriting is my own. Also included are materials gathered by Dr. [REDACTED]
15 documenting her conversations with psychiatric physicians at SAC, the results of which are
16 referred to in the CDCR Mental Health Performance Report. The handwriting on those
17 documents is Dr. [REDACTED]'s handwriting.

18 66. Exhibit JJJ is a true and correct copy a screenshot of the Healthcare Services Dashboard,
19 California Health Care Facility (CHCF), September 1- Present referred to in my CDCR Mental
20 Health Performance Report.

21 67. Exhibit KKK is a true and correct copy a screenshot of the change from the MAPIP Dashboard-
22 trended View, demonstrating the change in percentages and from “red” to “green” with the
23 data more accurately reported, as referred to in my CDCR Mental Health Performance Report.

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28 **DECLARATION OF MICHAEL GOLDING, M.D.**
Case No. 2:90-CV-0520 KMJ DB P

1 I declare under penalty of perjury under the laws of the State of California and federal law that the
2 foregoing is true and correct, except as to those matters stated upon information and belief, and as to
3 those matters I believe them to be true.

4 Executed this 19th day of October, 2018, at Elk Grove, California.

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7 Michael Golding, M.D.

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DECLARATION OF MICHAEL GOLDING, M.D.
Case No. 2:90-CV-0520 KMJ DB P