

**NOTICE: HECKER V. CDCR**  
**CLASS ACTION SETTLEMENT REGARDING RIGHTS  
OF PRISONERS WITH MENTAL ILLNESS**

*Hecker v. CDCR*, E.D. Cal. No. 2:05-CV-02441 LKK-DAD, is a class action challenging CDCR policies, procedures and practices regarding the rights of CDCR prisoners with mental illness under the Americans with Disabilities Act (ADA) and the Rehabilitation Act. If you are an inmate with a mental illness that is a disability as defined by the ADA and the Rehabilitation Act, and have allegedly been excluded and/or screened out from any prison service, program, or activity on the basis of your disability, you are a *Hecker* class member.

The Court has preliminarily approved a settlement of this matter. This notice explains the proposed settlement, how you can read it, and how you can tell the court about whether you think it is fair.

The settlement provides that the issues raised in the *Hecker* case will now be addressed through the existing remedial process in *Coleman v. Brown*. Under this settlement, CDCR has also agreed to implement certain new policies or revise existing policies in the *Coleman Program Guide* to prevent discrimination against prisoners with mental illness.

This case does not seek money damages and none will be awarded. This case does not involve any claim for individual relief, and attorneys for the class offer no opinion as to your ability to pursue any such claims. The settlement does not affect your ability to sue for money damages or to petition for a writ of habeas corpus.

You can read the full version of the Settlement Agreement in the prison's law library. The settlement agreement includes provisions that CDCR will implement procedures to ensure that:

- Prisoners in the Enhanced Outpatient Program will have access to jobs and educational and vocational programs, if approved by their treatment team.
- Prisoners taking heat-sensitive medications will receive reasonable accommodations to allow time outside their cells during heat alerts.
- EOP prisoners will have access to milestones credits for participation in EOP groups and other programs
- Requests for Accommodation through the CDC Form 1824 process from prisoners with mental illness will be processed under the procedures set out for prisoners with physical disabilities.

Fees for Plaintiffs' counsel's work in this case will not be resolved through this settlement, but will be addressed as part of the *Coleman* case.

The court will hold a hearing on the fairness of the settlement on \_\_\_\_\_, 2014 at \_\_\_\_\_ a.m./p.m., at the United States Courthouse in Sacramento, Courtroom \_\_\_\_.

Prisoners can write to the federal court about whether the settlement is fair. Comments MUST include at the top of the first page the case name, *Hecker v. CDCR*. Comments must be postmarked no later than \_\_\_\_\_, 2014, and sent to the following address: Clerk of the Court, United States District Court, Eastern District of California, 501 "I" Street, Sacramento" CA 95814

If you have additional information about the case, or to share your experience regarding the issues addressed in the case, please contact the attorneys for the Plaintiff class at the following addresses:

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