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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

DENNIS RUTHERFORD, *et al.*,

Plaintiffs,

vs.

ROBERT LUNA, Sheriff of Los  
Angeles County, in his official  
capacity, and COUNTY OF LOS  
ANGELES, in their official capacities,  
*et al.*

Defendants.

Case No. CV 75-04111 DDP

**DECLARATION OF MEREDITH  
GALLEN**

1 I, Meredith Gallen, hereby declare:

2 1. I make this declaration based on my own personal knowledge, and if  
3 called to testify I could and would do so competently.

4 2. I am an attorney-at-law, duly licensed to practice in the State of  
5 California, and in good standing with the California State Bar. I am employed by the  
6 Los Angeles County Public Defender’s Office and a board member of the Los  
7 Angeles County Public Defenders Union – Local 148.

8 3. I currently work in a felony trial assignment at the Clara Shortridge  
9 Foltz Criminal Justice Center in downtown Los Angeles. In this assignment I  
10 represent indigent clients charged with a wide range of felony offenses.

11 4. A significant number of my clients are people with mental illness who  
12 are currently incarcerated in Los Angeles County jails. Many of these clients were  
13 unhoused prior to their incarceration.

14 5. All of my clients who were assigned male at birth are detained and  
15 assessed at the Inmate Reception Center (IRC) prior to receiving their permanent  
16 housing locations in the jail system.

17 6. Since late summer of 2022, I have observed that my clients with mental  
18 illness are experiencing significant delays in receiving mental health medications at  
19 the jail.

20 7. At the time of their scheduled preliminary hearings – which occur 10  
21 court days after arraignment—my clients often indicate that they have not been  
22 prescribed medications or been meaningfully evaluated by mental health staff in the  
23 jails. Some of them experience lapses in medication use even when they were  
24 regularly taking prescribed medications when living in the community.

25 8. I have frequently filed orders with the superior court (colloquially  
26 known as “medical orders”) requesting that the court order that a client be evaluated  
27 by a mental health clinician in the jail and be prescribed medications as necessary.  
28

1           9.     On multiple occasions I have found that my clients have not been  
2 evaluated by mental health clinicians at the jail even after the court has submitted a  
3 signed medical order to the jail.

4           10.    Additionally, in the past few months I have observed that some of my  
5 clients with serious mental illnesses such as major depressive disorder,  
6 schizoaffective disorder, bipolar disorder, have been assigned to permanent jail  
7 housing that is designated for persons without mental illness.

8           11.    Many of my clients with mental illness would qualify for the services  
9 offered by the Office of Diversion and Reentry (ODR). Currently, ODR only accepts  
10 clients who were homeless at the time of their incarceration and have a diagnosis for  
11 schizophrenia, schizoaffective disorder, or bipolar I disorder. Through ODR, they  
12 may qualify for mental health diversion via ODR programming/housing or may be  
13 offered a plea in which they would receive ODR programming/housing as a  
14 condition of that plea. Due to the nature of their charges and/or the seriousness of  
15 their mental health needs they do not qualify for other diversion programs.

16           12.    I have many clients with other serious mental health diagnoses whom I  
17 believe need and would benefit from ODR-type treatment, yet they do not qualify.

18           13.    In 2022, there was a months-long waitlist for clients to have an initial  
19 screening with ODR because there were not enough ODR beds available to meet the  
20 overwhelming need for them. On January 1, 2023, ODR abandoned the waitlist  
21 process for screening and launched an online portal system that defense attorneys  
22 can use to apply for clients to be screened by ODR.

23           14.    The ODR online portal opens every Wednesday morning at 8:00 a.m.  
24 In the Public Defender’s Office, we have taken to calling it “ODR Wednesday.”  
25 Because ODR only has the capacity to screen a small number of people who are  
26 incarcerated each week, the portal link only remains active for long enough to allow  
27 a small handful of attorneys to complete the request for a screening application. In  
28 practice, this means that my colleagues and I all attempt to log into the portal seconds

1 before 8:00 a.m. Some of my colleagues try to submit the form from home because  
2 they believe they have faster internet connections outside the office. Some monitor  
3 the clock down to the second starting at 7:59 a.m. Others just mash the internet page  
4 refresh button continuously for minutes before 8:00 a.m. All of us are desperate to  
5 find a way to a path to ODR programming for our clients. In all seriousness, it feels  
6 very much like trying to obtain high-demand concert tickets through a rigged system.

7 15. I have spent several Wednesday mornings in 2023 frantically refreshing  
8 the portal page hoping to be granted access to the application for screening. This past  
9 week, I was able to access and complete the application for one of my clients, only  
10 to get to the end of filling out the form and then the program ultimately would not  
11 accept the application for reasons unknown. The failure felt crushing.

12 16. While I attempt to navigate this process to request a screening, my  
13 clients remain incarcerated in jail custody awaiting an ODR eligibility screening,  
14 and the number of clients on my caseload who require the services of ODR continues  
15 to grow.

16 17. Unfortunately, if my clients are not placed in ODR – due to ODR  
17 capacity issues or otherwise – their case disposition options will all include a very  
18 significant periods of incarceration during which time they will not receive  
19 appropriate treatment for mental health needs, and their mental health further  
20 decompensates while incarcerated.

21 I declare under penalty of perjury under the laws of the State of California that  
22 the foregoing is true and in my personal knowledge.

23 Executed February 23, 2023 in Los Angeles, California.

24 

25  
26 \_\_\_\_\_  
Meredith Gallen