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5 Attorney for Plaintiffs
CALIFORNIA CORRECTIONAL
6 SUPERVISORS ASSOCIATION,
and DR. JOHN ADAMO
7

8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 CALIFORNIA CORRECTIONAL)
11 SUPERVISORS ORGANIZATION, and)
12 DR. JOHN ADAMO, an individual,)

13 Plaintiffs,)

14 v.)

15 MATTHEW CATE, Director, California)
Department of Corrections and Rehabilitation;)
16 DEBRA ENDSLEY, Director, California)
Department of Personnel Administration,)
17

18 Defendants.)
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Case No.

DECLARATION OF
JOHN ADAMO
IN SUPPORT OF EX PARTE
MOTION FOR TEMPORARY
RESTRAINING ORDER

- 20 1. I, DR. JOHN ADAMO, am a Plaintiff in this action.
21 2. I have been licensed to practice dentistry in the State of California since 1984.
22 3. Between approximately 1998 and 2004, I was employed as a staff dentist with Defendant
23 California Department of Corrections and Rehabilitation (CDCR).
24 4. From approximately 2004 to 2006 I was employed by CDCR at Salinas Valley State
25 Prison as Acting Chief Dentist, and from 2007 to the present I have been the Chief
26 Dentist at Salinas Valley State Prison (SVSP).

- 1 5. As a Chief Dentist, I perform both administrative and clinical duties. However, an
2 intimate understanding, experience and knowledge of the practice of dentistry is required
3 in order to be qualified to perform the administrative duties of the Chief Dentist position.
- 4 6. In September, 2009, I was informed via a telephone conference by CDCR that all Chief
5 Dentist positions were going to be eliminated by January 31, 2010.
- 6 7. On that same date I was informed by CDCR that the clinical duties of the Chief Dentist
7 would be assigned to the Supervising Dentist, while the administrative duties would be
8 assigned to a Health Program Manager III (HPM III).
- 9 8. I have reviewed the duties of the HPM III position. The minimum qualifications for the
10 HPM III position do not require a license to practice dentistry by the State of California.
11 The HPM III duties include, among other things, the overall management of the
12 institution's dental program. Only licensed dentists are qualified to manage the dental
13 program pursuant to the California Dental Practice Act.
- 14 9. As Chief Dentist at SVSP, I have been responsible for collecting data on a daily, weekly
15 and monthly basis that tracks patient backlog, timely responses to inmate dental appeals,
16 and the number of patients seen by dentists providing clinical services. The purpose of
17 collecting this data is to monitor whether CDCR is compliant with the provisions in the
18 *Perez v. Cate* Amended Stipulation and Order issued by this Court in April, 2006.
- 19 10. In April, 2006, the SVSP dental program consisted of three clinical dentists and one
20 Acting Chief Dentist who were qualified to and did perform dental services for patient-
21 inmates. In March, 2008, pursuant to a statewide study to determine staffing need related
22 to the *Perez v. Cate* Amended Stipulation and Order, SVSP hired a Supervising Dentist.
23 As a result of the increased licensed dental staff, the SVSP program has been able to
24 decrease patient-inmate backlogs, respond to inmate dental appeals in a timely manner,
25 and has increased productivity.
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1 11. In June, 2008, the dental program at SVSP had a backlog of 403 patients. After the
2 addition of the Supervising Dentist, the backlog of patients at SVSP at October 28, 2009,
3 has been reduced to 47.

4 12. In January, 2008, 40 percent of inmate dental appeals were not responded to in a timely
5 manner. With the addition of a Supervising Dentist, SVSP has been 100% complaint in
6 responding to inmate dental appeals since March, 2009.

7 13. In January, 2008, without a Supervising Dentist position, the SVSP dental program saw
8 999 patient-inmates in January, 2008, for an average of 7.35 patient per day per dentist.
9 In October, 2009, after the addition of the Supervising Dentist position, the SVSP dental
10 program saw 1267 patient-inmates per month for an average of 9.2 patients per day per
11 dentist.

12 14. The ability of the SVSP dental program to decrease its backlog, increase productivity and
13 respond to 100% of inmate dental appeals in a timely manner is a direct result of the
14 increase of licensed dental staff and the increase of the dentist to inmate ratio.

15 15. The elimination of the Chief Dentist position will decrease the number of dental health
16 providers qualified to provide direct patient care. A decrease in the number of licensed
17 dental staff qualified to provide direct patient care will increase the backlog of the
18 minimum level of dental care necessary for CDCR inmates.

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1 16. The proposed elimination of the Chief Dentist position will also decrease the amount of
2 licensed dental staff qualified to timely respond to inmate dental appeals, and will
3 decrease productivity of the SVSP dental program.
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5 I declare under the laws of the United States that the foregoing is true and correct, based
6 on my own knowledge, and if called to testify, I will do so truthfully and competently as set forth
7 above.
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9 Dated: November 24, 2009
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12 DR. JOHN ADAMO
13 CHIEF DENTIST
14 SALINAS VALLEY STATE PRISON
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