

# CALIFORNIA LEGISLATIVE WOMEN'S CAUCUS

## CALIFORNIA STATE LEGISLATURE



**Assemblymember Bonnie Lowenthal, Chair**  
**Senator Hannah-Beth Jackson, Vice-Chair**

July 9, 2013

Clark Kelso, Federal Receiver  
California Correctional Health Care Services  
P.O. Box 588500  
Elk Grove, CA 95758

Dear Mr. Kelso,

We are deeply concerned by reports that doctors under your supervision coerced pregnant inmates into sterilization procedures. Even more alarming were comments by your top medical director, Dr. Heinrich, that using taxpayer dollars for these extreme procedures was reasonable because they reduce welfare costs.

As the federal Receiver, you were appointed by the three-judge panel to implement a lawful standard of medical care in California prisons. These instances of unauthorized tubal ligations under your watch violate California state laws. Pressuring a vulnerable population – including at least one documented instance of a patient under sedation – to undergo these extreme procedures erodes the ban on eugenics. In our view, such practice violates Constitutional protections against cruel and unusual punishment; protections that you were appointed to enforce.

Over the last three years, the Senate has asked repeatedly for information regarding these procedures and the policies under which they have occurred. We have yet to receive a full explanation from your office on these procedures, despite a claim by investigative reporters that records show your office has been aware that sterilizations were happening.

We seek your response to the following questions:

- When did you become aware that sterilization procedures were being performed on female offenders by your doctors?
- Have these procedures stopped and if so, when?

- What action did you take to stop these procedures? Please provide any formal policy direction, memos, reports or documentation that you have regarding your physicians conducting sterilization procedures on female inmates.
- How many female offenders were given sterilization procedures since the Receivership was put in place October 3, 2005?
- When was the last sterilization procedure conducted on a female inmate?
- What levels of training have you set, if any, to educate your physicians on this issue?
- Have any federal or state funds been at risk by your physicians conducting sterilization procedures on female offenders?
- Have you conducted any administrative reviews of staff who participated in these procedures?
- Are the medical providers referenced in the report still employed by the Receiver's Office?


The Senate will request a review by the State Auditor into the allegations that physicians under the federal Receivership have coerced female inmates into sterilization procedures.


We would appreciate your responses to this inquiry be provided to the Senate and Assembly in the next two weeks. If you have any questions regarding this request, please contact Darby Kernan in the office of the Senate President pro Tempore Darrell Steinberg at 916-651-4170.


Sincerely,

  
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**DARRELL STEINBERG**  
Senate President pro Tempore

  
\_\_\_\_\_  
**BONNIE LOWENTHAL**  
Chair, Legislative Women's Caucus

  
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**HANNAH-BETH JACKSON**  
Vice-Chair, Legislative Women's Caucus

  
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**CATHLEEN GALGIANI**  
Senate District 5

  
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**NORA CAMPOS**  
Assembly Speaker pro Tempore

  
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**NOREEN EVANS**  
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Clark Kelso, Federal Receiver  
July 9, 2013  
Page 3



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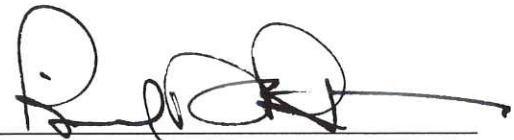
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Assembly District 4



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Senate District 9



**KEVIN de LEÓN**  
Senate District 22



**RICHARD ROTH**  
Senate District 31



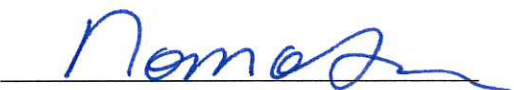
**CAROL LIU**  
Senate District 25



**MARK LENO**  
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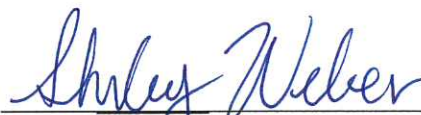
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Assembly Majority Leader



**SHIRLEY WEBER**  
Assembly District 79



**JIM BEALL**  
Senate District 15



**WILLIAM MONNING**  
Senate District 17

Cc: Governor Jerry Brown  
Judge Stephen Reinhardt, Three-Judge Panel  
Judge Lawrence K. Karlton, Three-Judge Panel  
Judge Thelton E. Henderson, Three-Judge Panel



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