

1        **SECOND SUPPLEMENTAL DECLARATION OF TERRY KUPERS, M.D.**

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3        I, Terry A. Kupers, M.D., M.S.P., declare as follows:

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5            1.        My name is Terry Kupers. I am a board-certified psychiatrist, Institute  
6 Professor at the Wright Institute, Distinguished Life Fellow of the American  
7 Psychiatric Association, and an expert on correctional mental health issues.

8            2.        I incorporate by reference my September 5, 2022 Declaration in this  
9 matter. (Doc. 318, Ex. 16; ECF Dkt. 318-2 at 146-192) as well as my Supplemental  
10 Declaration in this matter. My biographical information and qualifications are  
11 outlined in my September 5, 2022 Declaration and in my curriculum vitae, which is  
12 attached thereto. As noted in that declaration, I have served as an expert to Plaintiffs’  
13 counsel in *Rutherford* since its filing, including testifying at the 1978 trial. *Id.* at ¶ 3.  
14 If called as a witness, I could and would testify competently to the following under  
15 oath.

16        **I.        Background**

17            3.        I have been asked by Plaintiffs’ counsel to offer supplemental expert  
18 opinions about policies and practices at the Los Angeles County Jail (LACJ) for the  
19 provision of “Bridge Medications” at the Inmate Reception Center (IRC). My fees  
20 are \$350/hour for all work except testimony, and \$500/hour for testimony at  
21 deposition and trial.

22        **II.        Preparation**

23            4.        In addition to the documents I have reviewed previously for the  
24 *Rutherford* litigation, the documents I listed in my September 5, 2022 Declaration  
25 and in my Supplemental Declaration, I have had the opportunity to review the  
26 Declarations of Daniel Ray and Carlos Cruz, as well as a May 22, 2023 email  
27 exchange between Melissa Camacho from the ACLU of Southern California and and  
28 Dr. Gayani DeSilva, who is a psychiatrist in the IRC.

1 **III. Continuing Problems Regarding Bridge Medications at L.A. County**  
2 **Jail**

3 5. Reviewing the Declarations of Mr. Ray and Mr. Cruz, it is clear there  
4 are ongoing problems regarding bridge medications in the IRC and at L.A. County  
5 Jail. Neither Mr. Ray nor Mr. Cruz received bridge medications in timely manner,  
6 nor were they seen by a physician or prescriber for the purpose of assessing their  
7 medical needs and assuring continuity of their medication regimens. Mr. Ray, who  
8 suffers from anxiety among other problems, did not receive medications from the  
9 time he arrived at IRC on or about April 25, 2023 after having turned himself in for  
10 a parole violation, and May 1, when he signed his Declaration. Mr. Cruz is also  
11 being treated for anxiety as well as substance abuse, and was without the  
12 medications he had been taking in the community from his arrival at April 28, 2023  
13 until signing his Declaration on May 1, 2023.

14 6. Precipitous discontinuation of psychotropic medications causes  
15 significant psychiatric symptoms and disabilities (see my September 22, 2022  
16 Declaration). With antidepressants (Lexapro in the case of Mr. Ray, and Wellbutrin  
17 in the case of Mr. Cruz), the negative effects of precipitous cessation of medications  
18 can be quite severe, including exacerbation of anxiety and depression as well as  
19 multiple physiological effects that can be quite dangerous and too can lead to death.  
20 Suicide is a possibility that must be taken into account. The prevalence of suicide  
21 in jail is quite high, especially in the first several days of incarceration, and  
22 precipitous cessation of medications is a serious risk factor for suicide.

23 7. After Ms. Camacho submitted a grievance on behalf of Mr. Ray to help  
24 get him prescribed Lexapro, Dr. Gayani DeSilva writes in her email to Ms.  
25 Camacho regarding Mr. Ray that “There is technically no withdrawal from  
26 Lexapro (no tolerance, no dependency). Typically when stopping Lexapro, in the  
27 first couple days there may be some flu-like symptoms.” Dr. DeSilva is entirely  
28 incorrect here, the harmful effects of rapid cessation of Lexapro (and other

1 antidepressants including Wellbutrin) can be very serious and include significant  
2 exacerbation of the condition for which the medication was prescribed and risk of  
3 suicide. There has been a lot of attention in psychiatry in recent years to the  
4 previously under-valued side effects and negative sequelae to the cessation of these  
5 anti-depressants. A couple of representative articles are Mark Horowitz, "Tapering  
6 of SSRI Treatment to Mitigate Withdrawal Symptoms," The Lancet, 2019,  
7 available at [https://www.thelancet.com/journals/lanpsy/article/PIIS2215-  
8 0366\(19\)30032-X/fulltext](https://www.thelancet.com/journals/lanpsy/article/PIIS2215-0366(19)30032-X/fulltext), and Yusuke Murata et al, "Effects of the Serotonin 1A,  
9 2A, 2C, 3A, and 3B and Serotonin Transporter Gene Polymorphisms on the  
10 Occurrence of Paroxetine Discontinuation Syndrome," Journal of Clinical  
11 Psychopharmacology, 2010, available at  
12 [https://journals.lww.com/psychopharmacology/Abstract/2010/02000/Effects\\_of\\_t  
13 he\\_Serotonin\\_1A,\\_2A,\\_2C,\\_3A,\\_and\\_3B.3.aspx](https://journals.lww.com/psychopharmacology/Abstract/2010/02000/Effects_of_the_Serotonin_1A,_2A,_2C,_3A,_and_3B.3.aspx).

14 8. The fact that precipitous discontinuation of prescribed psychotropic  
15 medications continues in the IRC of L.A. County Jail this long after the September  
16 27, 2022 court order in this matter is of great concern.

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18 I declare under penalty of perjury that the foregoing is true and correct.  
19 Executed in Oakland, California.

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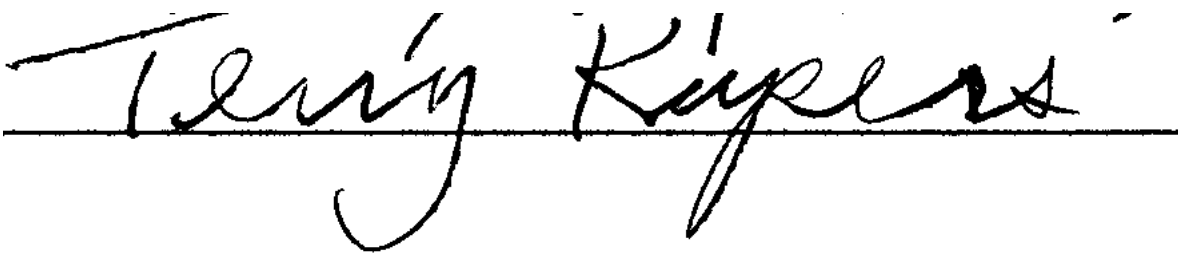
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A handwritten signature in black ink, reading "Terry A. Kupers", is written over a solid horizontal line. The signature is cursive and appears to be written with a pen.

Terry A. Kupers, M.D., M.S.P. Date: June 6, 2023