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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO/OAKLAND DIVISION

**ALAMEDA COUNTY MALE PRISONERS**  
And Former Prisoners, DANIEL GONZALEZ,  
ROCCI GARRETT, LAWRENCE GERRANS  
and MICHAEL LUCAS, MARTIN  
GALLARDO, SERGIO MORALES-SERVIN,  
DWIGHT ADAMS, SAUL ESPINOSA,  
CEDRIC HENRY, OCIE LEE JOHNSON,  
TYRONNE ALEXANDER JONES,  
MATTHEW PIERCE, DIONTAY  
SHACKLEFORD, ERIC WAYNE And JOHN  
DOEs Nos. 1-- X, on behalf of themselves and  
others similarly situated, as a Class, and  
Subclass

**PLAINTIFFS,**

vs.

**ALAMEDA COUNTY SHERIFF'S**  
**OFFICE**, GREGORY J. AHEARN, THOMAS  
F. MADIGAN, CAPTAIN DERRICK C.  
HESSELEIN, DEPUTY IGNONT (sp),  
DEPUTY JOE (sp), ALAMEDA COUNTY and  
John & Jane ROEs, Nos. 1 – 25;  
**WELL-PATH MANAGEMENT, INC.**, a  
Delaware Corporation, (formerly known as  
California Forensic Medical Group) a

No. 3:19-cv-0724 JSC

**FIRST AMENDED COMPLAINT** for  
INJUNCTIVE RELIEF,  
DECLARATORY RELIEF AND  
DAMAGES FOR VIOLATION OF  
CIVIL RIGHTS and OTHER WRONGS

**JURY TRIAL DEMANDED**

corporation; its Employees and Sub-Contractors, and Rick & Ruth ROEs Nos. 26-50,  
**and,**  
**ARAMARK CORRECTIONAL SERVICES, LLC**, a Delaware Limited Liability Company; its Employees and Sub-Contractors, and Rick and Ruth ROES Nos. 51-75.  
**DEFENDANTS.**

1. Plaintiffs, ALAMEDA COUNTY JAIL MALE PRISONERS, DANIEL GONZALEZ, ROCCI GARRETT, LAWRENCE GERRANS and MICHAEL LUCAS, MARTIN GALLARDO, SERGIO MORALES-SERVIN, DWIGHT ADAMS, SAUL ESPINOSA, CEDRIC HENRY, OCIE LEE JOHNSON, TYRONNE ALEXANDER JONES, MATTHEW PIERCE, DIONTAY SHACKLEFORD, ERIC WAYNE on behalf of themselves and those they speak for and seek to represent herein, for themselves and others make this complaint, based on the knowledge of the Plaintiffs as to themselves and as to conditions and acts which they have personally observed, and on information and belief, including the investigation of counsel, as to all other matters.

### **PRELIMINARY STATEMENT**

2. This is a civil rights action in which the Plaintiffs, on behalf of themselves and a class of similarly situated individuals, seek relief for Defendants' violations of Plaintiffs' rights and privileges secured by the First, Fourth, Fifth, Eighth and Fourteenth Amendments of the United States Constitution.

3. This civil rights lawsuit arises out of the unlawful, unconstitutional and inhumane manner in which defendant ALAMEDA COUNTY SHERIFF'S OFFICE (hereinafter Defendant "SHERIFF"), its staff and employees and multiple for-profit contractors, operate the largest county jail in the San Francisco Bay Area. Eighty-five percent or more of prisoners at Santa Rita Jail are pretrial detainees, both state and federal,

4. Defendant GREGORY AHEARN has promulgated policies and practices for Santa Rita Jail's handling of prisoners under its custody and control. There are two basic policies toward its prisoners. The first is a fiscal tightfisted penny pinching attitude toward prisoner

1 services. And the second policy, as publicly articulated by Sheriff Gregory AHEARN, is that  
2 Santa Rita Jail's prisoners, including all pretrial prisoners, are violent criminals, who have lied  
3 their entire lives and make things up, and so, despite the constitutional presumption of innocence,  
4 all prisoners, including pretrial detainees in its custody, are deserving of punishment and  
5 deprivations.

6 5. Defendants operate this county jail as a penal institution which has as its primary  
7 purpose, the lock down of prisoners. Prisoners are treated as the inventory in defendants'  
8 business of incarceration, and not as sentient human beings with feelings. Defendant Sheriff has  
9 developed policies and deputy trainings to minimize benefits to prisoners, and to excuse and  
10 approve of actions which are at best, petty cruelties and generally degrading.

11 6. Unable to tolerate these unsanitary and inhumane conditions, plaintiffs and other  
12 prisoners after failing to obtain a response through defendants' purported grievance process, then  
13 engaged in a multi-prong strike, including a hunger strike, a work strike, and a strike against  
14 participating in jail activities such as going to court.

15 7. The conditions plaintiffs and class members seek to address are:

- 16 1. Excessive lock down, and inadequate time out of cell;
- 17 2. Inadequate outdoor recreation;
- 18 3. Unsanitary conditions of confinement;
- 19 4. Food that is infested with rodents, insects and bird droppings;
- 20 5. Food that is inedible due to excessive cooking and overheating;
- 21 6. Food that is inedible due to age, poor storage and spoilage,
- 22 7. Food that lacks nutritional value and consists primarily of soy powder, white  
23 flour and sugar;
- 24 8. Lack of medical care for newly booked detainees who are detoxing from  
25 drugs;
- 26 9. Requiring prisoners to provide the medical care for newly booked, detoxing  
27 detainees;
- 28

1           10.     Profit motivated policy which creates deliberate delay and denial of prisoners'  
2 medical care to save on costs;

3           11.     Cost based medical care for less effective and cutting corners on medical  
4 treatment;

5           12.     Denial of comfort care in medical treatment;

6           13.     Cost cutting, requiring prisoners to share medications including asthma  
7 inhalers;

8           14.     Group punishment: punishing entire units for the perceived infraction of  
9 individuals;

10          15.     Retaliation and discipline against prisoners for speaking out against problems;

11          16.     Deliberate conduct by defendants to prevent plaintiffs and class members  
12 from filing grievances or raising complaints over conditions of confinement;

13          17.     Intimidation and retaliation by defendants when plaintiffs and class members  
14 attempt to file grievances or articulate complaints over conditions of confinement;

15          18.     Defendants wrongful denials of attorney visits, family visits, phone calls and  
16 mail.

17          19.     Defendants' price gouging and profiteering from charges for commissary;  
18 phone calls and video visits.

19          20.     Defendants' profit motive driving the reduction of all prisoner services to the  
20 bare bones minimum.

21        8.       Many if not most of these are long standing conditions, many of which were first  
22 raised by the women prisoners at Santa Rita Jail in *Mohrbacher et al v. Alameda County Sheriff's*  
23 *Office*, et al. 3:18-cv-00050-JD.

24        9.       Defendants actions deprive plaintiffs and class members of their constitutional rights  
25 to free speech and free association; to the right as pretrial detainees with the presumption of  
26 innocence, to be free from punishment; to the right, to be free from cruel and unusual punishment;  
27 to the right of equal protection and due process under the law; all of which are guaranteed by the  
28 United States constitution.



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11. Jurisdiction is conferred upon this Court by 28 U.S.C. §1331 (claims arising under the United States Constitution) and §1343 (claims brought to address deprivations, under color of state authority, of rights privileges, and immunities secured by the United States Constitution).

12. The claims alleged herein arose in the County of Alameda, State of California. Therefore, venue and assignment, under 28 U.S.C. § 1391(b), lies in the United States District Court for the Northern District of California, San Francisco Division or Oakland Division.

13. Plaintiffs respectfully demand a trial by jury of all issues in this matter pursuant to Fed. R. Civ. P. 38(b).

### A. Plaintiffs

5

1 have tested positive for covid-19, and contracted covid-19 while in the custody and under the  
2 control of Santa Rita jail.

3 **B. Alameda County Defendants**

4 15. Defendant ALAMEDA COUNTY SHERIFF'S OFFICE (hereinafter referred to as  
5 "SHERIFF") is a "public entity" within the definition of Cal. Govt. Code § 811.2.

6 16. Defendant ALAMEDA COUNTY is a county in the State of California.

7 17. Defendant GREGORY J. AHEARN (hereinafter referred to as "AHEARN") is, and  
8 at all times relevant to this Complaint was, the Sheriff of Alameda County. As Sheriff of  
9 Alameda County, Defendant AHEARN has at times relevant to this Complaint held a command  
10 and policy making position with regard to County Jails, including Santa Rita Jail. Defendant  
11 Sheriff AHEARN has caused, created, authorized, condoned, ratified, approved or knowingly  
12 acquiesced in the illegal, unconstitutional, and inhumane conditions, actions, policies, customs  
13 and practices that prevail at Santa Rita Jail, as described fully below. Sherriff AHEARN has,  
14 wholly or in part, directly and proximately caused and, in the absence of the injunctive relief  
15 which Plaintiffs seek in this Complaint, will continue in the future to proximately cause, the  
16 injuries and violations of rights set forth fully below. Defendant Sheriff AHEARN is sued in his  
17 official capacity.

18 18. Defendant TOM MADIGAN (hereinafter referred to as "MADIGAN") is, and at all  
19 times relevant to this Complaint was, the Commander in Charge of Detention and Corrections  
20 (hereinafter "DCU"), which includes the Santa Rita Jail. As the Commander in Charge of DCU,  
21 Defendant MADIGAN has at times relevant to this Complaint held a command and policy making  
22 position with regard to County Jails, including Santa Rita Jail. Defendant MADIGAN has caused,  
23 created, authorized, condoned, ratified, approved or knowingly acquiesced in the illegal,  
24 unconstitutional, and inhumane conditions, actions, policies, customs and practices that prevail at  
25 Santa Rita Jail, as described fully below. Defendant MADIGAN directly supervises defendant  
26 HESSELEIN and has, wholly or in part, directly and proximately caused and, in the absence of  
27 the injunctive relief which Plaintiffs seek in this Complaint, will continue in the future to  
28

1 proximately cause, the injuries and violations of rights set forth fully below. Defendant  
2 MADIGAN is sued in his official capacity.

3 19. Defendant D. HESSELEIN is, and at all times relevant to this Complaint was, the  
4 Detention and Corrections Captain in charge of Santa Rita Jail. As the Captain in charge of Santa  
5 Rita Jail Defendant HESSELEIN has at times relevant to this Complaint held a command and  
6 policy making position with regard to Santa Rita Jail. Defendant HESSELEIN has caused,  
7 created, authorized, condoned, ratified, approved or knowingly acquiesced in the illegal,  
8 unconstitutional, and inhumane conditions, actions, policies, customs and practices that prevail at  
9 Santa Rita Jail, as described fully below. Defendant HESSELEIN has direct supervision and  
10 control over the staff of Santa Rita Jail. Defendant HESSELEIN is the responsible individual for  
11 enforcing defendant SHERIFF's policies and procedures, for setting standards, for holding all  
12 other employees, including all sheriff deputies and technicians accountable for the proper  
13 enforcement of SHERIFF's policies and procedures and insuring that conditions of confinement  
14 are lawful and constitutional. Defendant HESSELEIN is responsible for investigating and being  
15 personally knowledgeable about the goings on inside the jail. Defendant HESSELEIN, wholly or  
16 in part, directly and proximately caused and, in the absence of the injunctive relief which  
17 Plaintiffs seek in this Complaint, will continue in the future to proximately cause, the injuries and  
18 violations of rights set forth fully below. Defendant HESSELEIN is sued in his official capacity.

19 20. Defendants DEPUTY IGNONT (sp), DEPUTY JOE (sp), DEPUTY 'John Roe',  
20 and DEPUTY "Jane Roe were and are guards and deputies on duty at Santa Rita Jail with direct  
21 control over plaintiffs and class members. Defendants DEPUTY IGNONT (sp), DEPUTY JOE  
22 (sp), DEPUTY 'John Roe', and DEPUTY "Jane Roe", are sued in their individual capacities.

23 21. Each and every individual Defendant named herein was at all times relevant to this  
24 Complaint an officer or employee of the Alameda County Sheriff's Office, acting under the color  
25 of law within the meaning of 42 U.S.C. § 1983, and acting pursuant to the authority of ASCO and  
26 within the scope of their employment with ASCO.

22. Defendant **WELL-PATH MANAGEMENT, INC** (hereinafter referred to as "WELL-PATH") is an active, for-profit corporation incorporated in the State of Delaware with its principal place of business in California, located at San Diego, California. Defendant WELL-PATH contracts with ASCO to provide general medical, dental, prenatal and opioid treatment services at Santa Rita Jail. Defendants RICK and RUTH ROEs 1-50 are WELL-PATH employees who work at Santa Rita Jail. At all times relevant to this Complaint, Defendants WELL-PATH and RICK and RUTH ROEs 1-25 were agents of the Alameda County Sheriff's Office, acting under the color of law within the meaning of 42 U.S.C. § 1983, and acting pursuant to the authority of ASCO and within the scope of their agency with ASCO.

23. Defendant ARAMARK CORRECTIONAL SERVICES LLC (“ARAMARK”) is an active, foreign, for-profit Limited Liability Company registered in the State of Delaware and licensed to do business in the State of California. Defendant ARAMARK contracts with ASCO to operate the kitchens at Santa Rita Jail for the purpose of feeding Santa Rita prisoners, and for the purpose of preparing food to feed prisoners at least six other Bay Area county jails. Defendants RICK and RUTH ROEs 51-100 are ARAMARK employees who work at Santa Rita Jail. At all times relevant to this Complaint, Defendants ARAMARK and RICK and RUTH ROEs 26-50 were agents of the Alameda County Sheriff’s Office, acting under the color of law within the meaning of 42 U.S.C. § 1983, and acting pursuant to the authority of ASCO and within the scope of their agency with ASCO.

24. Pursuant to Rules 23(a), (b)(2) and (b)(3) of the Federal Rules of Civil Procedure, the named Plaintiffs seek to represent a Plaintiff class consisting of all men incarcerated at Santa Rita Jail (“SRJ”) from November 12, 2017 through to the present, and the subclass of men incarcerated at Santa Rita Jail (“SRJ”) from in March and April, 2020 through to the present who contracted the corona virus while under the custody of defendants. All such prisoners were denied access to food that is adequate to maintain health in violation of the Eighth and Fourteenth Amendments to the U.S. Constitution, denied conditions of confinement that met the minimal

1 requirements of the Eighth and Fourteenth Amendments to the U.S. Constitution, and all faced  
2 denial of due process in defendants' retaliatory actions and the manner in which grievances were  
3 handled. All plaintiffs and class members had their First Amendment and Due Process rights,  
4 under the United States Constitution violated.

5 25. The members of the class are so numerous as to render joinder impracticable. In the  
6 Fourth Quarter of 2018, Santa Rita Jail had an average daily population of 2,573 prisoners, of  
7 which 85% or 2,175 were pretrial. Approximately 2,239 or 87% of all prisoners are male.

8 26. On May 5, 2020, due to the covid-19 pandemic, the population of Santa Rita Jail  
9 has been reduced to 1,773. On information and belief, Plaintiffs assert that over 1,500 of the  
10 current prisoners are men.

11 27. In addition, joinder is impracticable because, upon information and belief, many  
12 members of the class are not aware of the fact that their constitutional rights were violated and  
13 that they have the right to seek redress in court. Many members of the class are without the  
14 means to retain an attorney to represent them in a civil rights lawsuit. There is no appropriate  
15 avenue for the protection of the class members' constitutional rights other than a class action.

16 28. The class members share a number of questions of law and fact in common,  
17 including, but not limited to:

18 1. whether the lack of sanitation in prisoner housing, in holding cells, and in  
19 jail food preparation facilities is inadequate and violations of prisoners eight and 14<sup>th</sup>  
20 amendment rights;

21 2. whether SHERIFF and WELL-PATH established and implemented policies  
22 specifically designed and intended to place the reduction of costs as the primary objective  
23 in the provision of medical care for Plaintiffs and class members which resulted in the  
24 detriment and injury of Plaintiffs and class members;

25 3. whether this denial of medical care violated Plaintiffs and Class members  
26 rights under the 8<sup>th</sup> and 14<sup>th</sup> Amendment;

27 4. whether the members of the class were denied access to food that is  
28 adequate to maintain health;

1           5.       whether SHERIFF and ARAMARK jointly established and implemented  
2 policies specifically designed and intended to deny access to clean, unspoiled and sanitary  
3 food adequate to maintain health, and reduce necessary expenditures on food purchase,  
4 food preparation, food storage and the proper food handling and service, in order to reduce  
5 SHERIFF's costs to increase the profits of SHERIFF and ARAMARK;

6           6.       whether SHERIFF, in concert with its goals to increase profits to SHERIFF,  
7 established and implemented policies specifically designed and intended to increase profits  
8 to SHERIFF by providing the lowest quality food provided to prisoners, and the poor  
9 quality of the food forces prisoners to purchase food from the commissary. This has the  
10 double benefit to defendant SHERIFF of maintaining lower costs output for food and  
11 simultaneously increasing profits from sale of commissary items. On information and  
12 belief, plaintiffs assert that the Sheriff has sole approval authority over recent significant  
13 prices increases where simple, common food stuffs such as ramen return profit margins of  
14 400% and the Sheriff's contract with the commissary concessionaire provides that the  
15 Sheriff receives 40% of all profits earned. Commissary prices were significantly raised in  
16 Fall, 2019.

17           7.       whether SHERIFF, in concert with its goals to impede and create barriers to  
18 plaintiffs and class members' abilities to communicate with family and friends, and  
19 increase profits to SHERIFF, established and implemented policies specifically designed  
20 maintain high prices for prisoner phone and family video contacts;

21           8.       whether SHERIFF established and implemented policies in violation of the  
22 First, Eighth and Fourteenth Amendment, by wrongfully limiting the ability of prisoners to  
23 phone and visit with family and community, unreasonable denial and limits of in person  
24 and video visits, with these unreasonable denials and limits partially imposed through high  
25 and excessive costs of telephone calls and video visits, imposed through making phones  
26 inaccessible and unavailable, and lockdowns so that prisoners are prevented from  
27 participating in in-person and video visits;  
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1           9.       whether SHERIFF established and implemented policies in violation of the  
2 Fourteenth Amendment which inflicted unconstitutional punishment against the male  
3 pretrial population of SRJ by long periods of enforced idleness, excessively locking them  
4 into cells and denying them necessary out of cell time, and outdoor recreation time;

5           10.     whether SHERIFF established and implemented policies in violation of the  
6 First, Eighth and Fourteenth Amendment, by wrongfully delaying mail or not delivering  
7 mail;

8           11.     whether SHERIFF established and implemented policies in violation of the  
9 Fourth, Eighth and Fourteenth Amendment by subjecting all prisoner workers to daily,  
10 naked, full body searches which are dehumanizing and degrading;

11          12.     whether SHERIFF established and implemented policies in violation of the  
12 Eighth and Fourteenth Amendment by subjecting laundry prisoner workers to exposure to  
13 linens and materials contaminated with human biohazardous materials from the coroners'  
14 office, including failing to provide adequate training; failing to provide any protective  
15 clothing or gear.

16          13.     whether the manner in which jail laundry was performed is inadequate and  
17 violates plaintiffs and class members' Eight and 14<sup>th</sup> amendment rights;

18          14.     whether SHERIFF, as part of its objective to maximize profits from the  
19 prisoners to the jail, in concert with WELL-PATH policies and practices creating barriers to  
20 medical care including excessive co-pay charges;

21          15.     whether SHERIFF established and implemented policies in violation of the  
22 First, Eighth and Fourteenth Amendments, to intimidate and prevent plaintiffs and class  
23 members from filing grievances against wrongful and unlawful practices at SRJ;

24          16.     whether the members of the class were prevented by fear of retaliation from  
25 engaging in the right to file grievances against unlawful practices at SRJ.

26          17.     whether at all times relevant to this Complaint Defendants SHERIFF,  
27 WELL-PATH and ARAMARK acted under color of State law;  
28

29. The Plaintiffs' claims are typical of those of the class. Like the other members of the class, the Plaintiffs were victims of the Defendants' policy, practice, and/or custom of preventing access to: appropriate and necessary health sustaining food; communications with family and community, necessary sanitation including sufficient supplies provided with sufficient frequency for maintaining personal sanitation; access to medical care; sufficient clean laundry; and the right to be free of infliction of frequent and repeated strip and body cavity searches that are conducted outside prisoners' cells, for no valid penological reason, and as a form of deliberate dehumanizing degradation.

30. The legal theories under which the Plaintiffs seek relief are the same or similar to those on which all members of the class will rely, and the harms suffered by the Plaintiffs are typical of the harms suffered by the class members.

31. The Plaintiffs have a strong personal interest in the outcome of this action, have no conflicts of interests with members of the class, and will fairly and adequately protect the interests of the class. The Plaintiffs have all been subject to conditions of confinement that violate the First, Fourth, Eighth and Fourteenth Amendments of the U.S. Constitution.

32. The Plaintiffs are represented by experienced civil rights and class action counsel. Plaintiffs' Counsel have the resources, expertise, and experience to prosecute this action. Plaintiffs' Counsel know of no conflicts among members of the class or between the attorneys and members of the class.

33. The Plaintiff class should be certified pursuant to Rules 23(b)(2) and 23(b)(3) of the Federal Rules of Civil Procedure because the Defendants have acted on grounds generally applicable to class members, the interests of the Plaintiffs and potential class members are aligned, and a class action is superior to other available methods for fairly and efficiently adjudicating the case.

## **STATEMENT OF FACTS**

On October 30, 2019, for the first time ever, prisoners at Santa Rita Jail, unable to tolerate the conditions of confinement, commenced a hunger strike, and a strike against the jail. The



1 strike against the jail included refusal to go to Court, refusal to eat the Jail's food, and refusal to  
2 perform work.

3 **A. General Conditions For MALE Prisoners At SRJ**

4 34. Santa Rita Jail was completed in 1989, and designed with the concept of locking up  
5 prisoners. Santa Rita Jail was not designed to provide prisoners with classes or programs, but  
6 primarily to keep prisoners, even those who are pretrial, locked in cells.

7 35. Defendant SHERIFF, despite California State policy that the "dramatic spending in  
8 corrections" have resulted in worse or unchanged recidivism rates, and mandated that "California  
9 must reinvest its criminal justice resources to support community-based corrections programs and  
10 evidence-based practices that will achieve improved public safety returns on this state's substantial  
11 investment in its criminal justice system," Penal Code §17.5, and despite Defendant Alameda  
12 County Sheriff's Office's receipt of a significant portion of Alameda County's funding from the  
13 state for evidence based practices, through realignment funding, defendant SHERIFF has not  
14 changed its emphasis on locking up prisoners locked in cells, defacto punishment and its policy of  
15 enforced idleness. Santa Rita Jail, severely limits out of cell time, outdoor exercise time, and has  
16 maintained its administrative rigidity.

17 36. All male prisoners are given nutritionally deficient food with an emphasis on  
18 calories composed of white starch and sugar, few fresh fruits and vegetables, and protein  
19 primarily created with soy powder.

20 37. With the general policy of penny pinching and defacto punishment, medical care  
21 consists of delay and deferral, and treatment with a priority of the inexpensive rather than the  
22 curative.

23 **B. Lack Of Sanitation**

24 38. Prisoners complain that it is impossible for the plaintiffs and class members to  
25 actually clean the bathrooms, or their cells, and must live in squalor and filth. Santa Rita Jail's  
26 men minimum security housing consists of large cells with 28 to 30 men in each cell. Men are  
27 housed in bunk beds, and there are 6 cells in each housing unit. In the minimum-security housing  
28 units, each cell has 2 toilets, one urinal and one shower, which all 30 prisoners share. The jail

1 does not provide soap in the bathrooms. Prisoners are required to clean their own housing and  
2 bathrooms. But the jail only permits access to cleaning supplies at most, once a week for 15  
3 minutes. Many times, cleaning supplies are denied for weeks. In addition, the cleaning supplies  
4 is limited to one broom and one mop, and one bottle of cleanser. The broom and mops are the  
5 same set, used in all areas of the prisoners' cells, the bathrooms, the common areas, the sleeping  
6 areas, and the brooms and mops are never cleaned, the bacteria and filth from the bathrooms are  
7 actually just spread around, making everything coated with dangerous bacteria and dirt, rather  
8 than actually improving the cleanliness and the sanitation of prisoners' cells. One of plaintiffs'  
9 complaints is that the prisoner bathrooms have become infested with swarms of small flies or  
10 biting gnats who are attracted by the filth. The men have requested better and more frequent  
11 access to cleaning supplies.

12 39. Furthermore, the jail has a policy of housing people who are detoxing from drugs  
13 with the general population in a housing unit rather than in a medical unit where these people  
14 receive care from medical staff. People who are detoxing from drugs are very ill, vomiting or  
15 with severe loss of bowel control. These people end up vomiting or losing bowel control on their  
16 beds, on the floors, all over the bathrooms. Because getting a lower bunk often requires a  
17 medical slip, these prisoners who are detoxing are placed in the upper bunk and the vomit and  
18 feces gets on the person below. In addition, these individuals are disoriented, weak, and when  
19 they have to vomit or have loose bowels, they have difficulty getting down in a hurry from the top  
20 bunk, leading to frequent falls and injuries. Sometimes, these severely weakened and impaired  
21 individuals are unable to reach the bathroom and the resulting human bio waste is over the floors  
22 and in the general cell living area.

23 40. Because everyone is required to live together, the smell, biohazards, and filth  
24 negatively affects everyone. Because prisoners have no access to cleaning supplies, this frequent  
25 situation contributes to the squalor, filth and unsanitary conditions prisoners are forced to live in.  
26 Almost all of the minimum-security cells have someone at least once a week, who is detoxing, so  
27 this is a constant, chronic condition. This results in the spread of contagious bugs such as lice and  
28

1 scabies, staph infections, e-coli, pseudomonas, hepatitis, C-difficile, and even possibility the Aids  
2 virus.

3 41. Due to the policy of arresting indigent and homeless people, defendant SHERIFF  
4 regularly places these people into the cells with other prisoners, without affording these people an  
5 opportunity to shower and wash. Theoretically, there is a shower available at booking/intake.  
6 However, the holding cells and the booking/intake facilities are routinely filthy, rendering the  
7 showers unavailable, and unusable, and certainly not suitable for assisting in cleaning people to  
8 avoid the spread of contagion.

9 42. These problems are exacerbated by the jail's policy of not providing soap for  
10 prisoners in the bathrooms. Although there is a "free" toiletry kit given out to all newly booked  
11 prisoners and for indigent prisoners, the products are of limited quantity so that it is inadequate for  
12 maintaining personal hygiene beyond one or two uses. Therefore, while the soap in the "free" kit  
13 is supposed to last a whole week, those who are reliant on the indigent kit do not provide enough  
14 supplies to maintain personal cleanliness for an entire week. In addition, although the "free" kit  
15 for indigent prisoners is supposed to be provided once a week, often is provided less frequently.  
16 The inability of prisoners to maintain personal hygiene negatively impacts all of the prisoners who  
17 share the same cell with indigent prisoners.

18 43. The problems extend beyond the housing unit cells and booking/intake. Whenever  
19 people are booked, or go to and from the jail to court, they are held in the multi-purpose rooms,  
20 and various holding cells. A recurring problem is unsanitary conditions in the bathrooms and the  
21 holding cells. Due to the large number of people who transit through these rooms, these cells  
22 quickly become dirty, and filled with trash. The multi-purpose room, holding cells and dress out  
23 rooms are rarely cleaned. The bathrooms available are filthy with feces and biohazards all  
24 around.

25 44. Even prisoners do not have access to soap outside the housing unit cells because  
26 they are not permitted to carry this soap on their person. Because the jail does not provide soap in  
27 any of the bathrooms available to prisoners, when prisoners are required to go to court or other  
28 parts of the jail, they have no means to wash their hands after using the bathroom. While there is

1 a policy on the books for Defendant SHERIFF's books permitting prisoners to bring a sanitary kit  
2 to court, whether an prisoner actually gets to bring a "sanitary kit" depends on the arbitrary whim  
3 of the deputies in charge at the various stations along the way. Most prisoners do not chance  
4 bringing their soap with them because meeting up with the wrong deputy results in having that  
5 soap confiscated and therefore in having no soap at all. As a result, prisoners going to court are  
6 not afforded the ability to wash their hands.

7 **C. Laundry**

8 45. Every male prisoner, by regulation is limited to only one set of clean clothes per  
9 week. Having extra clean clothing is subject to disciplinary punishment. Laundry exchange  
10 requires that each prisoner strip down to underwear, or wrap in a sheet or towel, because laundry  
11 is a one to one exchange. Being permitted only one change of clothes per week is another means  
12 whereby, the jail makes it difficult, if not impossible to maintain personal cleanliness.  
13 Furthermore, laundry exchange is on Thursday or Friday, but bathroom cleaning is done in  
14 Saturdays. Given the filth of the bathroom, any of the prisoners who "volunteers" to clean the  
15 bathrooms are then placed in the situation that their clothes become soiled due to cleaning human  
16 feces and urine in the bathroom, and then, as a reward for their volunteer efforts, they have to live  
17 in these soiled clothes for 5-6 days. Prisoners have requested that if they either be provided two  
18 sets of clean clothing or if they are to be limited to one set of clean clothes, it would make more  
19 sense for clean laundry to be provided, after cell cleaning, so that prisoners can clean the  
20 bathroom, and then have clean laundry to wear for the rest of the week.

21 46. Even with "clean" laundry, the "clean" clothing is frequently not very clean, having  
22 been improperly laundered. This is due to the insufficient washing machines at the jail. Jail  
23 laundry workers, in order to meet their work loads, have to overstuff the washing machines, which  
24 results in laundry which is not properly laundered. Furthermore, jail laundry workers are required  
25 to do the sheets and towels and other linens from the coroners' office, which are often soaked in  
26 human bodily fluids. At times these linens even have body parts wrapped within. While these  
27 linens are transported in bags clearly marked as "biohazard", these linens are given to jail laundry  
28

workers, who have no protective clothing, no training in handling biohazardous human wastes, and are washed in the same jail washing machines.

**D. Defendant SHERIFF's Substantial Salary Increases**

47. Since 2013, Defendant AHEARN has overseen an unprecedented increase in the salaries of defendant SHERIFF personnel at Santa Rita Jail. Salaries and benefits at SRJ have increased by \$12.44 million dollars since 2013. As a result, being a jail guard at SRJ is one of – if not the most – remunerative jobs in the entire county that a high school graduate with no college education can get. A starting jail guards make approximately \$100,000 per year in salary and benefits. This is not counting overtime payments available.

48. That \$12.4 million-dollar salary increase, and the \$1.7 million increase in overtime between 2013 and 2018 amounted to almost 50% of the Sheriff's office SRJ budget increases over that period. It is reported that in 2017, Defendant AHEARN received \$632,332 in total compensation, then Detentions and Corrections Commander Houghtelling received \$449,144.96 in total compensation and Defendant Captain Hesselein received \$394,437.<sup>1</sup>

49. Over the same period, while remuneration for Sheriff's office deputies and personnel at SRJ increased substantially, the SRJ jail population for whom the Sheriff is responsible, *declined* by almost 30%.

50. According to Defendant SHERIFF, the average daily population at SRJ was 3,431 prisoners in June 2013 and had fallen to 2,825 by June 2015. On March 1, 2020, the Jail population was 2,597. On May 6, 2020, the population had declined to 1,746. Thus, the population at SRJ has declined by about 30% at the same time that remuneration for Sheriff's office deputies and personnel at SRJ increased by over 18%.

51. On March 20, 2020 defendant SHERIFF submitted a budget increase request to the Alameda County Board of Supervisors, of an additional \$106 million to hire 456 new staff for the jail.

52. During this period, SHERIFF also entered into contracts with private, for-profit companies to provide basic and crucial services to SRJ prisoners.

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<sup>1</sup> <https://transparentcalifornia.com/salaries/2017/alameda-county/>

1           **E.       SHERIFF's Contract with For Profit Defendant WELL-PATH**

2           53.       SHERIFF contracts with Defendant WELL-PATH to provide all health care  
3 services of any type needed by any prisoner at SRJ. WELL-PATH's contract specifies a set price  
4 based on average daily prisoner population ("ADP").

5           54.       Crucially, the WELL-PATH contract specifies that WELL-PATH itself is solely  
6 responsible for all costs incurred in connection with any health care services provided to prisoners  
7 outside the jail and that WELL-PATH is not entitled to and will not receive any reimbursement  
8 from SHERIFF for the cost of services provided to prisoners by hospitals or by any non-WELL-  
9 PATH personnel. The cost for all such services is borne solely by WELL-PATH.

10          55.       SHERIFF's contract with WELL-PATH explicitly states that WELL-PATH will  
11 pay for any and all "inpatient hospitalization costs, emergency room visits, ambulance  
12 transportation expenses, outpatient surgeries, outpatient physician consultations, outside specialist  
13 fees, off-site diagnostic procedures." If an prisoner receives such medical services, WELL-PATH  
14 must pay the total cost of the medical care provided, "regardless of the level of cost incurred."

15          56.       The contract specifies that WELL-PATH alone will determine "the necessity and  
16 appropriateness of inpatient hospital care and other outside medical services."

17          57.       Incredibly, the contract also specifies that in the event a third-party payor such as an  
18 insurer pays for part or all of any medical service provided to an prisoner outside the walls of SRJ,  
19 WELL-PATH must turn over half of that third-party payment to the Sheriff's office. In other  
20 words, even if WELL-PATH is reimbursed for its costs for outside medical care provided to  
21 prisoners, the Sheriff's office takes half of the reimbursement even though it paid nothing for the  
22 outside medical care.

23          58.       By requiring WELL-PATH to pay for any and all medical care provided outside of  
24 SRJ to any SRJ prisoner, and by limiting WELL-PATH's ability to recover any amount WELL-  
25 PATH pays for such care, SHERIFF's contract with WELL-PATH creates a financial incentive  
26 and imperative for WELL-PATH to refuse and withhold needed and appropriate outside medical  
27 services to all prisoners, including pregnant prisoners, when the needed and appropriate medical  
28

1 services consist of “inpatient hospitalization costs . . . outpatient physician consultations, outside  
2 specialist[s, or] off-site diagnostic procedures,” among other services.

3 59. By specifying that WELL-PATH alone will determine “the necessity and  
4 appropriateness of inpatient hospital care and other outside medical services,” SHERIFF’s  
5 contract with WELL-PATH enables WELL-PATH to refuse and withhold needed and appropriate  
6 outside medical services to SRJ prisoners, including pregnant prisoners, when the needed and  
7 appropriate medical services consist of “inpatient hospitalization costs . . . outpatient physician  
8 consultations, outside specialist[s, or] off-site diagnostic procedures,” among other services.

9 60. “[O]utpatient physician consultations, outside specialist[s and] off-site diagnostic  
10 procedures” within the meaning of the WELL-PATH contract include any outside or off-site  
11 OBGYN services, including prenatal care, provided to pregnant SRJ prisoners.

12 61. The medical provider in the San Francisco County jail is not a for-profit  
13 correctional healthcare company such as WELL-PATH. It is the County Department of Public  
14 Health, which has no financial incentive to deny care.

15 62. The medical provider in the Contra Costa County jail is not a for-profit correctional  
16 healthcare company such as WELL-PATH. It is the County Department of Public Health, which  
17 has no financial incentive to deny care.

18 63. The price provisions of the WELL-PATH contract which create a financial  
19 incentive to deny care have had a devastating impact on the provision of medical services to  
20 prisoners at SRJ. That impact is detailed below at Paragraphs 92-99 and 117-129.

21 **F. SHERIFF’s Contract with For-Profit Defendant ARAMARK**

22 64. SHERIFF contracts with ARAMARK to prepare food for prisoners at SRJ and to  
23 prepare food which is used to feed prisoners at other adult jail facilities in Colusa, Solano, San  
24 Benito, San Joaquin, Amador and Lake counties, and a juvenile facility in San Joaquin County.  
25 ARAMARK prepares 16,000 meals a day, with the labor of prisoner workers who are not paid but  
26 receive food treats.

27 65. ARAMARK implemented the reduction in the prisoner food budget at SRJ in the  
28 amount of \$1.65 million, which was an almost 25% reduction.

1           66.     The cost reductions which SHERIFF instituted in the ARAMARK contract and  
2 implemented by ARAMARK have had a devastating impact on the quantity and quality of food  
3 provided to prisoners at SRJ. That impact is detailed below.

4           **G.     Vermin and Animal Invested Food/Poor Sanitation in the Jail Kitchen**

5           67.     The kitchen at SRJ is staffed by prisoner workers under the supervision of  
6 Defendant ARAMARK. Prisoners are not consistently tested for communicable diseases before  
7 being assigned to work in the kitchen.

8           68.     Santa Rita's kitchen prepares food not just for prisoners in the Santa Rita Jail, but  
9 also for at least six (6) other county jails within the region. Both Aramark and the Alameda  
10 County Sheriff's Office receive financial benefit from this food service to other county jails.

11          69.     According to prisoner kitchen workers at SRJ, the kitchen at SRJ is filthy. Birds  
12 roost at night in the kitchen. Kitchen workers report seeing rats and mice daily in the kitchen.  
13 Night time workers report that cockroaches are in the kitchen every night. Animal droppings fall  
14 all on counter surfaces, including food preparation surfaces. Rats run across the kitchen floor and  
15 there are frequently rat droppings in the food. Santa Rita Jail has attracted a variety of animals  
16 and bugs by providing abundant food and suitable habitat.

17          70.     Prisoners have complained that the food they receive is infested by rat and mice  
18 feces, bird droppings, and on occasion, the dead mouse in the beans.

19          71.     The cake and bread trays, loaded with baked goods, are left out over-night,  
20 uncovered, and the birds feast. Food in the kitchen is kept in such a manner that rats can access it.  
21 Bread is kept in plastic bags in open plastic crates, providing for easy access for rats. Rats climb  
22 over the bread and chew open packages. When bread bags are chewed by rats, a few pieces are  
23 thrown away but the rest of the bread is served to prisoners.

24          72.     Used food trays are collected and delivered to the kitchen, where they are stacked  
25 against one wall, and left in the open, available and accessible to mice and rats, again providing an  
26 easily accessible, bounty of food and therefore, continually attracts mice and rats.

27          73.     Sandwich meat, primarily bologna, often is spoiled, with raised white spots of  
28 unknown origin and type on it. That spoiled meat is given to prisoners to eat.



1           74.     Cooked beans are not properly stored, and not labeled, so that old, leftover beans  
2 are frequently reheated and served, or combined with newer cooked beans. As a result, the beans  
3 decompose, and frequently become slimy and start to bubble as part of its bacterial  
4 decomposition. Decomposing spoilt beans are regularly served to prisoners.

5           75.     The kitchen bathroom is not adequately maintained and frequently by the middle of  
6 the first day shift, the bathroom has run out of soap and paper towels, so that prisoner workers,  
7 required by health code to wash their hands after using the bathroom, are unable to do so.

8           76.     Commercial kitchens normally have a daily clean-up crew which comes in and  
9 cleans all ovens, stoves, vent hoods, floors, and other surfaces and equipment in the kitchen.  
10 Commercial clean-up crews normally come in the early morning, before a commercial kitchen  
11 opens.

12           77.     In 2017, the women prisoners at Santa Rita Jail filed a class action lawsuit against  
13 the jail for similar issues. For a period of time, women prisoners, who work the graveyard shift at  
14 the kitchen, were organized into cleaning crews, and crews were assigned to clean the various  
15 parts of the jail. For the past two months, this situation has reverted. The cleaning crews have  
16 been disbanded. The new Aramark staff person no longer has access to the cleaning supplies.  
17 There is only one woman prisoner assigned to cleaning, and she given only dishwashing liquid  
18 and a squeegee to clean the kitchen floor.

19           **Dirty Food Trays And InAdequate Kitchen Sanitation**

20           78.     The Santa Rita Jail has a tray washing system that does not consistently remove old  
21 food and clean the food trays. Used food trays are collected and sent back to the kitchen, and  
22 stacked along the walls in open stacks overnight. These trays are not rinsed. By the time the next  
23 day's kitchen shift starts, this food has dried and hardened, particularly into the corners of the  
24 tray's indented pockets. The Aramark cleaning procedure is for these trays to be dumped into a  
25 large, wash basin, approximately 100 to 150 gallons in size, which is filled with soapy water.  
26 There is a circulating pump which moves the soapy water, and these trays swish around. The  
27 prisoner worker has a paddle to move these trays After a few minutes the prisoner worker takes a  
28 milk crate style plastic crate and scoops up these trays out of the wash basin and dumps these

1 trays onto a counter. A second worker then stacks these trays into a conveyor belt, where these  
2 trays are processed through a machine that to sanitize the trays. The sanitization process takes  
3 less than 5 minutes. After this sanitization, the trays are then provided to other kitchen workers to  
4 refill with new food for future meals. Often the trays have left over food encrusted, and remaining  
5 on the bottom of the tray's pockets.

6 79. Prisoners regularly discover that under the new food in their trays, there is dried,  
7 hardened, old food, and have regularly notified sheriff deputies of this problem. Prisoners have  
8 also notified sheriff deputies of rodent and vermin droppings and of bird excrement in their food.  
9 And on occasion, boiled mice are found in the beans. Prisoners have filed grievances on these  
10 issues. These grievances are denied and these notifications have not caused either defendant  
11 SHERIFF nor Aramark to change its procedures, or improve their sanitization.

#### 12 **Inedible Food**

13 80. The quality of the food provided to prisoners is of the lowest quality, high in starch  
14 and sugar, with most of the protein from soy powder and plain, flavorless beans. The food is  
15 repetitive, overcooked, and tasteless. Defendant SHERIFF and Aramark's metrics is to produce  
16 this food at the minimum cost with the only goal, a minimum calorie count. The food is prepared  
17 using a cook chill method, whereby the food, such as oatmeal and beans are cooked in large 100-  
18 gallon containers, this food is then packed in large plastic bags, refrigerated and held for up to 30  
19 days. All texture is rendered obsolete.

20 81. Then the contents of these plastic bags are portioned out into plastic trays. These  
21 trays are then plastic wrapped and refrigerated. These trays are placed onto carts, which deliver  
22 food to the housing units. Once at the housing unit, these trays are placed into warming ovens,  
23 sometimes for many hours. Due to the systems with which SHERIFF operates its jails, meals,  
24 including dinner, are served at irregular times. By the time food is served, this over cooked food  
25 has often been held in warming ovens for over long. This tasteless material is what defendant  
26 SHERIFF and ARAMARK give prisoners as food.

1           82.     As a result of the irregular deliveries, one of the few fresh foods prisoners receive,  
2 milk, is often soured and spoilt, rendering it inedible. There are seldom fresh fruits and vegetables,  
3 and what there is the same, bagged mini carrots, oranges and apples.

4           83.     In addition, service of food is timed erratically. Sometimes lunch is not served until  
5 after 4 pm, and then dinner is served right after that. For plaintiffs suffering from diabetes, this  
6 creates dangers due to unregulated blood sugar swings.

7           **Lockdowns & Insufficient Out Of Cell Time And Outdoor Recreation Time**

8           84.     Despite the fact that there are 30 men living in each cell of minimum housing, in  
9 filthy and unsanitary conditions, despite the fact that most of the men are pretrial and the jail is  
10 not permitted to punish these prisoners, the housing unit deputies frequently lock down the cells,  
11 not allowing the men out into the common area, and not providing outdoor recreation. These  
12 lockdowns reinforce defendant SHERIFF's policy and practice of enforced isolation. During  
13 periods of enforced isolation, deputies and technicians will increase the isolation by turning off  
14 all phones, and turning off the television.

15          85.     Furthermore, the jail provides very little in the way of activities for prisoners, and  
16 so lockdown and cell time is enforced idleness. At best, 25% or less of the prisoner have access  
17 to classes. *2015 Santa Rita Grant Application to BSCC, Narrative*, p. 2 of 35. Classes and  
18 programs are at best 90 minutes once or twice week. The out of cell time for classes do not offset  
19 the lockdowns.

20          86.     By having prisoners, particularly low security level, minimum security prisoners in  
21 frequent lockdown, these prisoners are incentivized to "volunteer" for work, just to be able to get  
22 out of the cell. For prisoner workers, the coercion to work results in defacto denial of pod time  
23 and outdoor recreation time.

24          87.     Defendant SHERIFF routinely asserts that it has insufficient staffing to carry out  
25 the normal functions of the jail. It is unclear whether there is actual insufficient staffing, or  
26 whether there are issues of poor jail management, or some other reason, including housing  
27 deputy whim. In early 2019, defendant SHERIFF and defendant AHEARN announced the  
28 closure of the downtown Oakland jail, Glen Dyer. Simultaneously, these defendants announced

1 that there would be no layoffs and that all personnel from Glen Dyer would be transferred to  
2 Santa Rita, significantly increasing the staffing at Santa Rita Jail.

3 88. Despite what would appear to be a significant increase in staffing at Santa Rita Jail,  
4 prisoners are constantly placed on lockdown and denied out of cell time. The reasons frequently  
5 given is insufficient staffing. There is often no rhyme or reason for why plaintiffs and class  
6 members are placed on lockdown.

7 89. In addition, these lockdowns also result in denial of outdoor recreation time.

8 90. For prisoner workers, they are denied POD time and outdoor recreation time  
9 because they are at work when POD time and outdoor recreation time opportunities are available.  
10 Prisoners perform a significant amount of the work in Santa Rita Jail, from kitchen work and  
11 food preparation, to all the laundry, to all the significant cleaning in and around the jails.  
12 Prisoner workers distribute the food and laundry, and all supplies to prisoners. None of this  
13 work is compensated. Defendant SHERIFF states that these workers “volunteer”, and in  
14 exchange for their volunteer work they are afforded time out of the cell and some food treats.

15 **Food Treats**

16 91. Defendant SHERIFF also assert that the compensation prisoner workers men  
17 receive are “food treats”. However, these men are only provided 5 minutes or less to eat these  
18 “food treats”, they are not permitted to carry these treats back to their cells, so they can eat them  
19 at a leisurely pace. For those with medical issues, such as ulcers, so that wolfing food creates  
20 health issues, these prisoners are then denied “food treats”.

21 **Medical Care Is Grossly Inadequate At Santa Rita Jail**

22 92. As a result of the cost provisions of SHERIFF’s contract with WELL-PATH,  
23 medical care provided to SRJ prisoners at SRJ is grossly inadequate. In addition, SRJ prisoners  
24 are regularly denied necessary and appropriate outside medical care by WELL-PATH because the  
25 provision of such care comes directly out of WELL-PATH’s bottom line profits. The following  
26 example of grossly inadequate and entirely withheld medical care are given by way of illustration  
27 only and not by way of limitation.

28 i. Lawrence Gerrans

1           93. Plaintiff LAWRENCE GERRANS arrived at Santa Rita Jail, with a number of  
2 medical conditions, including hypertension, for which he was under the care of a physician and  
3 prescribed daily medication. This information was transmitted multiple times to both defendant  
4 SHERIFF, and WellPoint. Defendant SHERIFF refused to accept or permit prisoner  
5 LAWRENCE GERRANS to bring into jail, his own prescription medication. For over 2 weeks,  
6 defendants failed to provide plaintiff with any of his needed, daily prescription medication.  
7 Plaintiff started suffering from dangerous symptoms of hypertension. Then defendant WELL-  
8 PATH provided plaintiff with some other medication, which had not been prescribed, and for  
9 three days afterwards, Plaintiff LAWRENCE GERRANS reported excruciating headaches,  
10 difficulty seeing, pressure in his cranium and eye. Not until after this incident, did defendant  
11 WELL-PATH finally provide Plaintiff LAWRENCE GERRANS with the medication for which  
12 he had been prescribed.

13           94. Defendant WELL-PATH on a regular, and constant basis clears newly booked  
14 individuals with addiction issues and withdrawal issues, to be placed into general housing with  
15 other prisoner, and refuse to provide these newly booked individuals with medical treatment for  
16 their withdrawal. When these prisoners become violently ill, vomiting, seizing, uncontrollable  
17 diarrhea, defendant deputies Doe 1-25, refuse to summon medical assistance, refuse to remove  
18 these prisoners, telling the other prisoners in the housing unit, "This is your problem. If you don't  
19 like it, don't come to jail."

20           95. These detoxing prisoners introduce biohazards in the housing cells. As a result,  
21 there are chronic issues of staph infections hepatitis, pseudomonas, E.coli, C-difficile infections, ,  
22 which defendants do nothing to prevent, and are slow and sluggish to address when these  
23 infections and communicable diseases are present. As a result of the ongoing presence of  
24 biohazardous human waste in the cell Plaintiff GERRANS developed a severe staph infection on  
25 his foot from the spread of biohazardous human waste in the bathroom and cell floor.

26           ii. Kyle Murphy

27           96. Class member Kyle Murphy was incarcerated at Santa Rita Jail. At the time of the  
28 incident, he was pretrial and in minimum security. One day Kyle started having seizures. Men in

1 his cell pushed the emergency button. Defendant Technician Kaiser was on duty, and said,  
2 “Don’t hit the button” and then apparently turned the button off. Men in Kyle’s cell started  
3 yelling “man down”, and soon all of the six cells started yelling “man down”. It took 30-40  
4 minutes for a Sheriff deputy to appear. After visually examining Kyle, the Sheriff Deputy left,  
5 and it took another 15 -20 minutes before a male nurse arrived. The nurse came, assessed the  
6 situation and gave Kyle a dose of Narcan. That had no effect, so the nurse then left to get oxygen.  
7 The nurse returned with an oxygen mask and can, and proceeded to try and apply oxygen to Kyle.  
8 The male nurse was not well trained and did not know how to use the oxygen tank and mask. The  
9 mask apparently was cutting off all outside oxygen to Kyle, but oxygen was not flowing from the  
10 tank. Kyle started to turn blue. Men in the cell started getting upset, and many of them were  
11 screaming “he’s dying”. After some time with Kyle turning blue, a female nurse appeared. She  
12 took the oxygen tube and plugged it into the tank and then oxygen started to flow. They had to  
13 carry Kyle out. He was gone to the hospital for a week, and upon his return, neurological damage  
14 was obvious. His eyes could no longer track in tandem, and one of his eyes wanders.

15 iii. Darryl Geyer

16 97. Class member Darryl Geyer was walking down the stairs of his housing unit, when  
17 he lost his footing and fell on his knee, cutting and injuring his knee. Later, when he asked to be  
18 assigned a lower bunk, the housing unit deputy refused, and forced Darryl to climb onto a slipper  
19 metal table to get onto his upper bunk. In doing so, Darryl Geyer fell again, and this time, split  
20 his knee completely open. The wound did not heal properly. It became infected, and defendant  
21 Well-Point merely gave him some Neosporin, a topical ointment to apply. Over the next four  
22 months, the infection spread and grew, and was visible as a red line following his veins, moving  
23 toward his groin. At that point, Darryl Geyer requested that his defense attorney file a Penal Code  
24 4011 petition, requesting a court order that he be provided outside medical care for this  
25 increasingly serious condition.

26 98. It turned out that his knee became infected with fecal bacteria, most like spread  
27 from the bathrooms into the housing unit, the stairs, and Darryl Geyer’s bunk, by the unsanitized  
28 mops used for cleaning.

1           99.     Over the next 8 months, defendant Well-Point tried various anti-biotics, and placed  
2 Darryl Geyer in the Out Patient Housing Unit, and even suggested to Darryl Geyer that he consent  
3 to having his knee removed. Finally, after forcing Darryl Geyer to endure more than 8 months of  
4 daily pain, defendant Well-Point finally transported Darryl to Highland Hospital where he had  
5 repeated surgeries on his knee, where the surgeons would clean and disinfect his knee. It took  
6 multiple surgeries because the infection became so extensive due to defendant Well-Points delay  
7 and refusal to take the necessary, but more expensive medical steps early on

8           iii.     Upper Bunks

9           100.    The upper bunk of the bunk beds has no ladder, and the only way to access it is to  
10 clamber on the horizontal railings of the lower bunk and to hoist one-self up. To get a lower  
11 bunk, requires a medical slip, called a “chrono”. For people who are detoxing, getting off the  
12 upper bunk quickly is important, otherwise they end up vomiting or defecating on themselves in  
13 bed, or the floor, rather than making it to the bathroom. While detoxing, these people are in a  
14 severely weakened and disoriented state, and getting off that top bunk is difficult. Yet, these  
15 people are medically cleared to be in housing units, and never given a chrono for a lower bunk.

16           101.    On the weekend before the strike, a young man, who was not well, was in 31 West,  
17 and was assigned to an upper bunk. A few days prior to his serious injury, he was having  
18 seizures. On or about October 26, 2019, this young man, had a seizure and fell off and fell on his  
19 head. Deputies were slow in responding, and medical staff took almost half an hour before  
20 coming to the cell. Prisoners in the cell observed that it appeared that this young man stopped  
21 breathing. Paramedics were called and all the prisoners of that housing unit was required to leave  
22 and stay in the little yard while he was removed. Prisoners believe that this young man died.

23           **Phone/Visiting/Video Visits**

24           102.    Recognizing that maintaining family contact and contact with friends and  
25 community is an important ingredient to the mental health and well-being of prisoners, and that  
26 prisoners with stronger ties to family and community have a lower recidivism rate, 15 CFR 1062  
27 states that “as many visits and visitors as facility schedules, space, and number of personnel will  
28 allow.” Cal. Code Regs., tit. 15, § 1062

1           103. Santa Rita Jail and defendant SHERIFF do not follow this state regulation. Instead,  
2 on a frequent basis, visitors many who have traveled long distances, are denied visits, often with  
3 little notice.

4           104. Santa Rita Jail and defendant SHERIFF have implemented a video visit procedure.  
5 However, the equipment frequently malfunctions, and more important, defendant SHERIFF and  
6 sheriff deputies frequently take actions to deny and prevent prisoners from participating video  
7 visits because prior to the video visits, they will force prisoners into lockdown. Then at the time  
8 of the video visit, the deputy is conveniently unavailable to escort the prisoner to the video kiosk  
9 in order to participate in the visit. All of these video visits require money, and when the deputies  
10 fail and or refuse to allow a plaintiff out of the cell to access the video call, the prisoner is still  
11 charged for these calls. The minimum charge is \$6.00. The net result is to deny prisoners video  
12 visits, and still charge for the video call the prisoner was prevented by defendants from having.

13           105. Other times, plaintiffs have family members schedule visits, and travel from great  
14 distances for these visits, only to be told that the jail is unable to move the plaintiff from the cell  
15 to the visiting room and so the visit is canceled, often just before the visit is scheduled.

16           **Profiteering and Excessive Charges**

17           106. Commissary prices charged by defendant SHERIFF have mark-ups in excess of  
18 400%. For example, Maruchan Ramen retails for 20 cents, yet defendant SHERIFF sells single  
19 Maruchan ramen packets for \$1.13. Assuming these are purchased wholesale, the profit margin is  
20 even higher. Commissary prices at Santa Rita Jail, which are higher than prices at other jails, just  
21 had a price increase. Forty percent of the profit goes to defendant SHERIFF.

22           107. Phone charges at Santa Rita Jail are also higher when compared to prices in  
23 surrounding county jails, such as San Mateo and San Francisco. Defendant SHERIFF charges  
24 prisoners 23 cents per minute for collect calls. San Francisco charges 8 cents.

25           **Strike**

26           108. On or about October 17, 2019, Santa Rita Jail's Watch Commander, late in the  
27 afternoon, defendant Hesselein, entered the common area of Housing Unit 31. Defendant  
28



1 Hesselein was dressed, not in uniform, but a suit with a red tie. He was in the company of other  
2 older, white, men and women, likewise dressed in business attire.

3 109. At that time, the men in HU 31 had been on lockdown all day, and there had been  
4 no lunch, so the men had not had any food for almost 12 hours. Sua sponte, the men started to  
5 yell, “Stop feeding us rat shit.” “Jail clothes stink” “The food sucks” “There’s shit all over the  
6 place.”

7 110. Defendant Hesselein walked over and verbally confronted the prisoners, demanding  
8 respect and yelled, “I’ll shut this place down.” “I’ll make you guys’ life hell.” The prisoners did  
9 not stop yelling out and defendant Hesselein walked out.

10 111. Shortly thereafter, despite the fact that during this past week, the men had been on  
11 lockdown, with the excuse that there were not enough deputies to allow the men out of their cell  
12 for POD time; a squad of about a dozen sheriff deputies dressed in tactical outfits and armed with  
13 rifles and weapons stormed the housing unit. One deputy stood on a table with a rifle pointing it  
14 at the prisoners and someone barked out an order, “Get down on the ground” and the prisoners  
15 were instructed to lay down, face down on the floor of their cell.

16 112. Someone yelled out, “I’m not getting down on the ground, the ground is filthy”, and  
17 as a result, no one in the cell laid down. The sheriff deputies threatened to shoot the prisoners,  
18 and a tense standoff resulted. Finally, the prisoners were instructed to put their hands over their  
19 heads, and then all prisoners were all walked out of their cells into the multi-purpose room.

20 113. Once the prisoners were removed, the deputies, conducted a “raid” where  
21 everything in the cell was turned inside out and searched. All the personal belongings, food and  
22 other items of the prisoners were all tossed helter skelter into a pile in the center of the room.

23 114. By the time, the deputies were finished “raiding” all of the three lower tier cells, it  
24 was close to 11 p.m., and so the deputies yelled out at the upper tier that the prisoners were  
25 required to throw outside the bars into the landing, anything extra, meaning extra food, extra  
26 towels, extra bedding and extra food. The guards yelled out that if the upper tier prisoners  
27 complied, they would not be “raided” in the morning. Otherwise, the upper tier prisoners threw  
28 out some stuff, and the deputies left. There was no raid in the morning.

1           115. The next day, October 18, 2019, the men were again placed on lock down, and the  
2 meal schedule was again chaotic. When the afternoon meal finally arrived, late in the afternoon,  
3 the men of Housing Unit 31, spontaneously refused to leave their cells, and refused the meal,  
4 thereby engaging in a hunger strike. The deputies, alarmed, called in officers, first a sergeant and  
5 then a lieutenant, who offered to discuss with the prisoners, their grievances, and asked the men to  
6 select a spokesperson. They selected Lawrence Gerrans.

7           116. The men of HU 31 then spent the next two hours writing down their grievances and  
8 giving them to Plaintiff Lawrence Gerrans. These grievances were copied, a statement was  
9 written, and these were given to the lieutenant, who promised to review these documents and  
10 respond. These grievances, later called the Strike Demands are attached as Exhibit A, and the  
11 documented later called the Strike Statement is attached as Exhibit B.

12           117. That evening, around 10 p.m., the deputy Charondo placed into HU31, upper D, a  
13 young, white, emaciated man, who was in drug withdrawal. He was place on an upper bunk.  
14 Within an hour, this young man lost control of his bowels and defecated all over himself. The  
15 prisoners pressed the emergency buzzer and said there was a man who was ill and needed to  
16 leave. As he was walking, everyone could see the diarrhea on the back of his pants, having gone  
17 through his pants and was now pooling in the cuffs of his sweats.

18           118. Deputy Ignont (sp?) walked in and stated that the infirmary had cleared him to be in  
19 the housing unit. Deputy Ignont (sp?) said, "He's your problem." "You guys take care of him".

20           119. By this time, the diarrhea had dripped into this young man's shoes and he was now  
21 tracking this all over the floor. This young man appeared to be in extremely poor health, and  
22 could easily have been ill with a number of infectious diseases including pseudomonas, hepatitis,  
23 aids, C-dip.

24           120. But there was nothing the prisoners could do, so the young man and the prisoner  
25 helping him, slowly walked him back to his mattress.

26           121. By six a.m., when everyone woke up, the stink in the cell from this young man's  
27 diarrhea was like a green, disgusting fog coating the entire room. The diarrhea had smeared all  
28 over the bed and all over his clothes. The prisoners again rang the buzzer yelling "Sick man

1 coming out”. Eddie took a sheet and wrapped it like a diaper around this young man and walked  
2 him out of the cell. The technician buzzed open the cell door, and one prisoner rolled up this  
3 young man’s mattress, and with an arm around this young man’s shoulders, proceeded to walk  
4 him down the landing and down the stairs. As they reached the bottom Deputy Joe walked in, and  
5 he signaled to Eddie to drop the mattress, and he proceeded to handcuff Eddie and take him away.  
6 Deputy Joe tells the young man to walk back to the cell. The young man was barely able to walk  
7 and when he reached the cell door, he collapsed, prone on the floor.

8 122. Deputy Joe brings Eddie back into the room and announces that “This is your  
9 fucking problem. I don’t care how many times he shit himself.” Then Deputy Joe orders the kid  
10 to stand up and move. The kid doesn’t move. Deputy Joe walked over, and grabbed this kid by  
11 the hair and pulled him up by the hair onto a sitting position and yells into his face, “don’t make  
12 me do this.” At this time, Lawrence Gerrans, afraid that this kid would not be able to tolerate any  
13 physical violence, and intervened. “Whoa, whoa, it doesn’t need to be like this.” Then Deputy  
14 Joe released the kid, whose head drops like a ball back onto the floor. Lawrence Gerrans said,  
15 “I’ll take care of him”, and requested a hazmat bag, and clean clothing, clean sheets and towel.  
16 Lawrence Gerrans said to Deputy Joe, “You seem like a nice guy, but doing this to this kid is  
17 indefensible.” Deputy Joe responded, “Don’t come to jail” and walked off.

18 123. The prisoners then took the kid back into the cell, showered him, and while he was  
19 showering had another episode of diarrhea. Prisoners cleaned his mattress, put the mattress on the  
20 floor, and put the kid on the floor.

21 124. By noon, the kid had another episode of diarrhea. Plaintiff Gerrans pushed the  
22 emergency button and said that at the very minimum, this kid was now severely dehydrated and  
23 this was a medical emergency.

24 125. Only after the 4<sup>th</sup> or 5<sup>th</sup> incident of diarrhea, and over 15 hours of all the men in the  
25 cell enduring this unsanitary, exposure to human feces, were the prisoners finally able to get  
26 defendant SHERIFF to remove this kid from the cell and place him under appropriate medical  
27 supervision.  
28

1           126. That afternoon, another prisoner in HU 31, fell off the top bunk, landing on his  
2 head. Soon thereafter, this prisoner went into seizure, flapping like a fish. Men in the cell heard  
3 the crack, as his head hit the ground. They immediately hit the emergency button and requested  
4 medical response. The medical response was also slow in coming. The deputies were slow in  
5 responding.

6           127. This cell was a kitchen workers cell, and they were not permitted to return after  
7 their shift for over two hours. During this time, some of these plaintiffs and class members could  
8 see a paramedic van drive up into the parking lot. However, when the paramedics arrived, the  
9 paramedics were in no hurry. This led these plaintiffs and class members to conclude that the  
10 young man in HU 31 had died, and so there was no longer a medical emergency. They concluded  
11 that if the kid was alive, they would have been hustling to get him to the hospital.

12           128. After being held for two hours extra in the kitchen, these men were moved into  
13 small yard. By the time they got back to the cell, the kid was gone.

14           129. That evening, after prisoners returned to their cells, the mood was “Enough is  
15 enough”, and there was a call for a vote. The majority and all the races and majority voted for a  
16 strike that would be a hunger strike, a work strike and a strike against participating in jail  
17 activities such as going to class or court.

### 18           **Excessive Searches**

19           130. Not only are plaintiffs and members of the plaintiff class required to work for no  
20 compensation, to lose out free time in the form of POD time, to miss out on outdoor recreation,  
21 because they are at work when outdoor recreation is available, and then face threats and discipline  
22 of additional days on their sentence without a hearing, these class members are subjected to a full  
23 body search, each and every day after their work shift. These workers have to strip naked, stand  
24 before a deputy, and be searched. They often have to open their mouths, and let the deputy view  
25 their anus. It is a dehumanizing and degrading procedure, all for the ability to work for free.

### 26           **Grievances And Retaliation**

27           131. Multiple members of the class have filed grievances in this case, and exhausted the  
28 grievance process. In addition, plaintiffs may seek consolidation with *Mohrbacher, et al. v.*

1 *Alameda County Sheriffs Office, et al.* 3:18-cv-00050-JD on related and intersecting issues.

2 Many of the plaintiffs of the present case and class members in Mohrbacher, et al, have also tried  
3 to file grievances but defendants refuse to accept those grievances, refuse to assign numbers to the  
4 grievances, and have failed and refused to respond to these grievances. In addition, plaintiffs  
5 submitted the strike demands to SHERIFF on October 18, 2019, at the request of a jail Lieutenant,  
6 who asked for their grievances. EXHIBIT A.

7 132. While defendant SHERIFF purports to have a grievance process, defendant and its  
8 employees actively dissuade and prevent plaintiffs and members of the class from filing  
9 grievances. The system on paper appears reasonable. The housing unit deputy is supposed to try  
10 and resolve the grievance. However, the result is that housing unit deputies refuse to accept  
11 grievances because clearly, receiving grievances reflect negatively on the housing unit deputies,  
12 so the goal is to reduce the number of grievances prisoners submit. To keep the number of  
13 grievances low, housing unit deputies often refuse or fail to provide blank grievances; refuse to  
14 accept completed grievances from plaintiffs and members of the class, stating that the complaint  
15 is “not grievable”; or refuse to accept completed grievances from plaintiffs and members of the  
16 class, stating that the grievance, for example, the complaints on the food or the lack of tray  
17 sanitation, is directed at defendant Aramark, which is a separate business and not subject to a  
18 grievance. The first level of SHERIFF grievance procedure is for the housing unit deputy to  
19 exercise discretion to resolve the grievance, and housing unit deputies often respond by stating  
20 “This is jail. If you don’t like it, don’t come to jail.”

21 133. Even when a grievance is submitted, the responses are formulaic and do not address  
22 the prisoner’s concerns. Lavert Branner filed a grievance complaining of an invasion of gnats,  
23 and that the gnats were getting into his food. Defendant SHERIFF’s denied the grievance, stating  
24 “If you have any discrepancy with any of your meals, you need to contact a housing unit deputy  
25 immediately. Not only is a deputy a great resource to verify your claim, the deputy will be able to  
26 contact the Kitchen and possibly issue a remedy.”

27 134. In one situation, an prisoner brought to deputy Wong’s attention of a meal that had  
28 been contaminated. Deputy Wong took a grievance and brought it down to the kitchen.

1 Apparently, the grievance was not well received. The next time, a problem with a meal was  
2 brought to Deputy Wong's attention, he refused the grievance although he did bring in another  
3 food tray.

4 135. Defendant SHERIFF gives reports to the Alameda County Board of Supervisors on  
5 grievances, touting how few grievances are filed, as proof of the quality of the conditions of  
6 confinement at Santa Rita Jail. This is an added reason why deputies are instructed to refuse and  
7 deflect grievances in order to reduce the total number of grievances. Some prisoners have asked  
8 deputies, "Don't you want to improve this place?" And the response has been "Not my job."  
9 This strategy does not change the root cause of the problem, which is why problems escalate and  
10 the prisoners were forced to hold a strike.

11 136. LAWRENCE GERRANS was the individual who the other prisoners requested to  
12 be their spokesperson. LAWRENCE GERRANS collected everyone's comments and requests  
13 and wrote up what became, both the Strike Demands and the Strike Statement. Plaintiff  
14 LAWRENCE GERRANS has taken this action at the suggestion of a defendant SHERIFF  
15 lieutenant who came into the Housing Unit when plaintiffs and class members were refusing food  
16 in protest on October 18, 2019. On Thursday, October 31, 2019, defendant SHERIFF had him  
17 removed from Santa Rita Jail, and transferred to Marin County jail. In Marin County Jail,  
18 LAWRENCE GERRANS has been placed into administrative segregation.

19 137. As the strike progressed, Defendant SHERIFF began issuing disciplinary citations  
20 only to sentenced prisoners who had been workers. None of the workers had been informed that  
21 they lacked the right to not work. They all believed that working was a "voluntary" activity,  
22 especially since the only compensation they received was "food treats". 15 CCR 1080 requires  
23 that the disciplinary process be posted or handed out to prisoners. There is nothing posted nor is  
24 there anything in the SHERIFF handbook that workers are prohibited from refusing work, and  
25 that if an prisoner worker refuses to work, that they would be subject to discipline.

26 138. Due to fears and concerns that sentenced kitchen workers who participated in the  
27 strike would be summarily punished with extra time tacked onto their sentence, Plaintiffs rushed  
28 and file the initial complaint. After the complaint was filed, defendant SHERIFF did not execute

1 the threatened discipline and on information and belief, Plaintiffs allege that all prisoners were  
2 released on their original release dates.

3 **Broad Jailwide Frustration With Intolerable Conditions**

4 139. Housing Unit 31, where the strike initiated is on the minimum security section of  
5 the jail which are, on the east side of the jail. Word of the strike traveled to the maximum security  
6 housing units, which are on the west side of the jail. Various prisoners in maximum security  
7 housing units, discussed and reviewed the conditions of Santa Rita Jail, and wrote up a list of  
8 grievances. These lists were essentially identical in content to what the prisoners in Housing Unit  
9 31 wrote. These lists were combined with the demands of Housing Unit 31 and circulated  
10 amongst the various housing units for review, comment and approval. The prisoners collected  
11 signatures indicating approval and support for these as a joint group grievance. This group  
12 grievance, signed by hundreds of prisoners, was submitted to the Alameda County Board of  
13 Supervisors and defendant SHERIFF on March 17, 2020. A true and correct copy is attached as  
14 Exhibit C.

15  
16 **PRIOR KNOWLEDGE OF JAIL CONDITIONS: CONSCIOUS DISREGARD**  
17 **OF HARM TO PRISONERS**

18 140. None of these complaints are new, or a surprise. Many of these exact same issues,  
19 as listed in the Strike Demands have been made by women prisoners in the Mohrbacher case, filed  
20 in January, 2018, now pending in this court. 3:18-cv-00050-JD. The fact that prisoners on the  
21 East Side of the jail, and prisoners on the West Side of the Jail, independently derived essentially  
22 the same complaints, describing the same problems, indicates these are jail-wide, system wide  
practices.

23 141. Defendants were well aware of the issues and have chosen to not address or fix the  
24 problem. Defendants AHEARN, MADIGAN, and HESSELEIN, encouraged, authorized, ratified,  
25 and condoned the unconstitutional and wrongful conducts complained of herein.

26 142. Said customs, policies and practices include the maintenance of inhumane and  
27 unsanitary conditions of confinement, the interference, disruption of plaintiffs' First Amendment  
28 protective activities, and the right to family visits and communications with family and attorneys;

1 the failure to maintain adequate policies and failure to adequately train, supervise and control jail  
2 employees including jail deputies and technicians; failure to insure that for profit contractors  
3 provide adequate services including medical care, and health, nutritious and edible food.

4 **APPLICABLE COMMUNITY STANDARDS**

5 143. SRJ's treatment of prisoners falls far short of acceptable conditions under the  
6 United States Constitution. The Eighth Amendment to the U.S. Constitution requires that  
7 correctional facilities "must ensure that prisoners receive adequate food, clothing, shelter, and  
8 medical care." *Foster v. Runnels*, 554 F.3d 807, 812 (9th Cir. 2009) quoting *Farmer v. Brennan*,  
9 511 U.S. 825, 832 (1994)

10 144. California Regulations provide a ready benchmark for what constitutes "adequate  
11 food, clothing, . . . and medical care." All references will be to Title 15.

12 145. Santa Rita Jail is primarily a Type II facility, defined as "a local detention facility  
13 used for the detention of persons pending arraignment, during trial, and upon a sentence of  
14 commitment."

15 146. California Code of Regulations (hereinafter "CCR") 15, § 1006.

16 147. CCR §1051 requires appropriate segregation of prisoners until a medical evaluation is  
17 completed.

18 148. CCR §1061 requires an "voluntary academic and/or vocational education of housed  
19 prisoners."

20 149. CCR §1062 requires that SHERIFF "provide for as many visits and visitors" for  
21 prisoners as the facility allows.

22 150. CCR § 1073 requires a grievance procedure where prisoners "may appeal and have  
23 resolved grievances relating to any conditions of confinement.

24 151. CCR§ 1080 requires that rules and disciplinary penalties be posted or issued to each  
25 prisoner.

26 152. CCR §1200 requires "emergency and basic health care".

27 153. CCR § 1206 requires health screening, and a "written plan to provide care" for any  
28 prisoner at the time of booking who requests or needs medical, mental health care.



1           154. CCR §1210(b) specifies that “[f]or each prisoner treated for health conditions for  
2 which additional treatment, special accommodations and/or a schedule of follow-up care is/are  
3 needed during the period of incarceration, responsible health care staff shall develop a written  
4 treatment plan.”

5           155. CCR § 1248 specifies that, “The medical diets utilized by a facility shall be planned,  
6 prepared and served with consultation from a registered dietitian. The facility manager shall  
7 comply with any medical diet prescribed for an prisoner.

8           156. CCR § 1248 further specifies that, “[t]he facility manager and responsible physician  
9 shall ensure that the medical diet manual, which includes sample menus of medical diets, shall be  
10 available in both the medical unit and the food service office for reference and information. A  
11 registered dietitian shall review, and the responsible physician shall approve, the diet manual on  
12 an annual basis.

13           157. CCR § 1240 specifies that, “[p]rovisions shall be made for prisoners who may miss  
14 a regularly scheduled facility meal. They shall be provided with a substitute meal and beverage,  
15 and prisoners on medical diets shall be provided with their prescribed meal.”

16           158. CCR § 1242 specifies that “Menus shall be planned to provide a variety of foods,  
17 thus preventing repetitive meals.”

18           159. CCR § 1241 specifies that “A wide variety of food should be served.”

19           160. CCR § 1241(c) specifies that “The daily requirement of fruits and vegetables shall  
20 be five servings. At least one serving shall be from each of the following three categories:

21           161. CCR § 1241(c)(1) specifies that “One serving of a fresh fruit or vegetable per day,  
22 or seven (7) servings per week.”

23           162. CCR § 1241(c)(2) specifies that “One serving of a Vitamin C source containing 30  
24 mg. or more per day or seven (7) servings per week.”

25           163. CCR § 1241(c)(3) specifies that “One serving of a Vitamin A source, fruit or  
26 vegetable, containing 200 micrograms Retional Equivalents (RE) or more per day, or seven  
27 servings per week.”  
28

1           164. CCR § 1241 further specifies that “Providing only the minimum servings outlined  
2 in this regulation is not sufficient to meet the prisoners’ caloric requirements. Additional servings  
3 from the dairy, vegetable-fruit, and bread-cereal groups must be provided in amounts to meet  
4 caloric requirements.”

5           165. CCR § 1230 specifies that, “[t]he responsible physician, in cooperation with the  
6 food services manager and the facility administrator, shall develop written procedures for medical  
7 screening of prisoner food service workers prior to working in the facility kitchen”

8           166. In addition, CCR § 1243 specifies that, “Facilities shall have a written food service  
9 plan that shall comply with the applicable California Retail Food Code.”

10           167. Among other things, the California Retail Food Code § 113980 requires that “All  
11 food shall be manufactured, produced, prepared . . . stored . . . and served so as to be pure and free  
12 from . . . spoilage; . . . shall be protected from dirt, vermin, . . . droplet contamination, overhead  
13 leakage, or other environmental sources of contamination; shall otherwise be fully fit for human  
14 consumption.”

15           168. As alleged above in Paragraphs 67-83, SHERIFF and ARAMARK comply with  
16 none of the standards cited above which clearly define what constitutes the provision of adequate  
17 foods to prisoners.

18           169. CCR § 1260 specifies that, “The standard issue of climatically suitable clothing to  
19 prisoners held after arraignment . . . shall include (c) clean undergarments . . . (2) for females - bra  
20 and two pairs of panties.” Further, CCR § 1262 specifies that, “Undergarments and socks shall be  
21 exchanged twice each week.”

22           170. CCR § 1248 also provides that “The prisoners’ personal undergarments and  
23 footwear may be substituted for the institutional undergarments and footwear specified in this  
24 regulation. This option notwithstanding, the facility has the primary responsibility to provide the  
25 personal undergarments and footwear.”

26           171. CCR § 1263 specifies that “Written policy and procedures shall specify handling of  
27 laundry that is known or suspected to be contaminated with infectious material.”  
28

172. As alleged above in Paragraphs 67-83, SHERIFF and Aramark complies with none of the standards cited above which clearly define what constitutes the provision of adequate foods to prisoners.

**FIRST CLAIM FOR RELIEF**  
**DEPRIVATION OF FEDERAL CIVIL RIGHTS**  
**UNDER 42 U.S.C. § 1983**

173. Plaintiffs repeat and re-allege each and every allegation contained in the above paragraphs with the same force and effect as if fully set forth herein.

174. This first claim is asserted against Defendants Alameda County Sheriff's Office, Alameda County, Defendants Gregory AHEARN, Thomas Madigan, Captain Derrick C. Hesselein, Deputy Ignont, Deputy Joe and Technician Kaiser, and Does 1 through 25.

175. At all relevant times herein, defendant SHERIFF has been responsible for operating the Santa Rita Jail.

176. At all relevant times herein, Defendants MADIGAN was the individual directly in charge of Santa Rita Jail, with direct supervisory powers, and the duty to properly supervise, train and insure that there are appropriate and necessary policies, procedures, customs, and or practices, and that those policies, procedures, customs and/or practices were followed and properly applied. Instead, while Santa Rita Jail has a plethora of written policies, many of these policies were routinely either not applied, or applied in a manner that corrupted or perverted the intent and purpose of those policies, and then caused violations of the Plaintiffs' and the class members' constitutional rights granted pursuant to 42 U.S.C. § 1983, including those under the First, Fourth, Eighth and Fourteenth Amendments.

177. As a direct and proximate result of the conduct of defendants described herein the named individual plaintiffs have been denied their constitutional and legal rights as stated, and have suffered physical injuries and bodily harm, mental and emotional distress, and other damages in an amount according to proof.

178. Defendants' policies, practices, customs, conduct and acts all alleged herein have resulted and will continue to result in irreparable injury to plaintiffs, including but not limited to

1 violations of their constitutional and statutory rights. Plaintiffs have no plain, adequate or  
2 complete remedy at law to address the wrongs described herein. Plaintiffs and members of the  
3 class remain in the custody and under the control of Defendants. Plaintiffs therefore see  
4 injunctive relief from this court, to ensure that plaintiffs and persons similarly situated will not  
5 suffer violations of their rights from defendants' illegal and unconstitutional policies, customs and  
6 practices as described herein.

7 179. An actual controversy exists between plaintiffs and defendants in that Plaintiffs  
8 contend that the policies, practices and conduct of defendants alleged herein are unlawful and  
9 unconstitutional, whereas plaintiffs are informed and believe that defendants contend that said  
10 policies, practices and conduct are lawful and constitutional. Plaintiffs seek a declaration of rights  
11 with respect to this controversy

12 180. 185. Defendants' above-described conduct violated plaintiffs and all class members  
13 rights under the First, Fourth, Fifth, Eighth and Fourteen Amendment.

14 **SECOND CLAIM FOR RELIEF**

15 **DEPRIVATION OF FEDERAL CIVIL RIGHTS UNDER 42 U.S.C. § 1983**  
16 **AGAINST SHERIFF AND DEFENDANT WELL-PATH**

17 181. Plaintiffs repeat and re-allege each and every allegation contained in the above  
18 paragraphs with the same force and effect as if fully set forth herein.

19 182. At all relevant times herein, Defendant WELL-PATH acted under color of State  
20 law.

21 183. At all relevant times herein, Defendant WELL-PATH established and/or followed  
22 policies, procedures, customs, and or practices, and those policies were the cause of violation of  
23 the Plaintiffs' and the class members' constitutional rights granted pursuant to 42 U.S.C. § 1983,  
24 including those under the Eighth and Fourteenth Amendments. All of the aforementioned acts of  
25 the Defendant WELL-PATH, their agents, servants and employees, were carried out jointly with  
26 SHERIFF under the color of state law.

27 184. At all relevant times herein, Defendant SHERIFF delegated to Defendant WELL-  
28 PATH the traditional public function of determining and controlling the provision of medical

1 services to prisoners, including prisoners, in such a way as deliberately calculated to deny such  
2 prisoners access to adequate medical care. The denial of necessary and appropriate medical  
3 services was imposed in order to reduce WELL-PATH's costs under its contract with Defendant  
4 SHERIFF, specifically pursuant to the pricing provisions of that contract which penalized WELL-  
5 PATH for allowing the provision of any outside medical care, regardless of the medical necessity  
6 of such care.

7 185. At all relevant times herein, Defendant WELL-PATH acted jointly and intentionally  
8 with Defendant SHERIFF, pursuant to a customary plan to restrict Plaintiffs and class members  
9 from obtaining medically necessary and appropriate medical care.

10 186. At all relevant times herein, Defendant WELL-PATH intentionally participated with  
11 the Defendant SHERIFF in a customary plan to restrict Plaintiffs and class members from  
12 obtaining medically necessary and appropriate medical care.

13 187. At all relevant times herein, an prisoner's right to necessary and appropriate medical  
14 services was clearly established. The contours of the right to necessary and appropriate medical  
15 services was made sufficiently clear by, among other things, the California Regulations cited  
16 herein.

17 188. At all relevant times herein, Defendants WELL-PATH and SHERIFF acted with  
18 deliberate indifference to the violation of Plaintiff's class members' rights. As shown above,  
19 Defendants WELL-PATH and SHERIFF were aware of the substantial risk of serious harm to an  
20 prisoner's health and safety created by the denial of necessary and appropriate medical services  
21 and Defendants WELL-PATH and SHERIFF deliberately disregarded that risk. At all relevant  
22 times, the California Regulations cited herein put Defendants WELL-PATH and SHERIFF on  
23 actual notice that such substantial risk of serious harm is not one that today's society chooses to  
24 tolerate.

25 189. At all relevant times herein, there existed a pervasive entwinement between  
26 Defendants Defendant WELL-PATH and Defendant SHERIFF, in that Defendant SHERIFF  
27 delegated to Defendant WELL-PATH the traditional public function of determining and providing  
28 medical care to prisoners.

190. The deprivation of Plaintiffs' and class members' constitutional rights was caused by the close nexus between Defendant WELL-PATH and Defendant SHERIFF that was created by the direct role of Defendant SHERIFF in enforcing WELL-PATH's determination to deny and withhold necessary and appropriate medical care to SRJ prisoners.

191. The close nexus between Defendants WELL-PATH and SHERIFF is the legal cause of injuries to Plaintiffs and the class as alleged herein and, as a result, Plaintiffs and the class have sustained general and special damages, as well as incurring attorneys' fees, costs, and expenses, including those as authorized by 42 U.S.C. § 1988, to an extent and in an amount subject to proof at trial.

192. Wherefore, plaintiffs and the prisoner class they represent request relief as outlined below.

### **THIRD CLAIM FOR RELIEF**

**DEPRIVATION OF FEDERAL CIVIL RIGHTS UNDER 42 U.S.C. § 1983**  
**AGAINST SHERIFF AND ARAMARK CORRECTIONAL SERVICES LLC**

193. Plaintiffs repeat and re-allege each and every allegation contained in the above paragraphs with the same force and effect as if fully set forth herein.

194. At all relevant times herein, Defendant ARAMARK CORRECTIONAL SERVICES LLC acted under color of State law.

195. At all relevant times herein, Defendant ARAMARK established and/or followed policies, procedures, customs, and or practices, and those policies were the cause of violation of the Plaintiffs' and the class members' constitutional rights granted pursuant to 42 U.S.C. § 1983, including those under the Eighth and Fourteenth Amendments. All of the aforementioned acts of the Defendant ARAMARK, their agents, servants and employees, were carried out under the color of state law.

196. At all relevant times herein, Defendant ALAMDEA COUNTY SHERIFF'S OFFICE delegated to Defendant ARAMARK the traditional public function of feeding municipal prisoners and allowed and enabled Defendant ARAMARK to cause constitutionally inadequate food to be provided to SRJ prisoners and to deny SRJ food that is adequate to sustain health. The

1 denial of food that is adequate to sustain health was imposed in order to reduce ARAMARK's  
2 costs under its contract with ASCO.

3 197. At all relevant times herein, Defendant ARAMARK acted jointly and intentionally  
4 with Defendant SHERIFF, pursuant to a customary plan to prevent Plaintiffs and class members  
5 from having access to food that is adequate to maintain health.

6 198. At all relevant times herein, Defendant ARAMARK intentionally participated with  
7 the Defendant SHERIFF in a customary plan to prevent Plaintiffs and class members from having  
8 access to food that is adequate to maintain health.

9 199. On information and belief, plaintiffs allege that deplorable, inedible jail food  
10 benefited said defendants by lowering the cost of providing this food, and at the same time  
11 encouraging prisoners at Santa Rita Jail to purchase the over-priced commissary food, from which  
12 defendant SHERIFF also benefited.

13 200. At all relevant times herein, an prisoner's right to food that is adequate to maintain  
14 health was clearly established. The contours of the right to food that is adequate to maintain  
15 health was made sufficiently clear by, among other things, the California Regulations cited herein.

16 201. At all relevant times herein, Defendants ARAMARK and SHERIFF acted with  
17 deliberate indifference to the violation of Plaintiff's class members' rights. As shown above,  
18 ARAMARK and SHERIFF were aware of the substantial risk of serious harm to an prisoner's  
19 health created by the denial of food that is adequate to maintain health and ARAMARK and  
20 SHERIFF deliberately disregarded that risk. At all relevant times, the California Regulations  
21 cited herein put ARAMARK and SHERIFF on actual notice that such substantial risk of serious  
22 harm is not one that today's society chooses to tolerate.

23 202. At all relevant times herein, there existed a pervasive entwinement between  
24 Defendant WELL-PATH and Defendant SHERIFF, in that ARAMARK was at all relevant times  
25 delegated by SHERIFF the traditional State function of feeding prisoners.

26 203. The deprivation of Plaintiffs' and class members' constitutional rights was caused  
27 by the close nexus between Defendant WELL-PATH and Defendant SHERIFF that was created  
28

1 by the direct role of Defendant SHERIFF in enforcing ARAMARK's determination to prevent  
2 Plaintiffs and class members from having access to food that is adequate to sustain health.

3 204. The close nexus between Defendants ARAMARK and SHERIFF is the legal cause  
4 of injuries to Plaintiffs and the class as alleged herein and, as a result, Plaintiffs and the class have  
5 sustained general and special damages, as well as incurring attorneys' fees, costs, and expenses,  
6 including those as authorized by 42 U.S.C. § 1988, to an extent and in an amount subject to proof  
7 at trial.

8 WHEREFORE, Plaintiffs and the Prisoner Class they represent request relief as  
9 outlined below.

#### 10 PRAYER FOR RELIEF

11 Plaintiffs and the class and subclass they represent have no adequate remedy at law to redress  
12 the wrongs suffered as set forth in this Complaint. Plaintiffs have suffered and will continue to suffer  
13 irreparable injury as a result of the unlawful acts, omissions, policies, and practices of the  
14 Defendants as alleged herein, unless Plaintiffs are granted the relief they request. Plaintiffs and  
15 Defendants have an actual controversy and opposing legal positions as to Defendants' violations of  
16 the constitutions and laws of the United States and the State of California. The need for relief is  
17 critical because the rights at issue are paramount under the constitutions and laws of the United  
18 States and the State of California.

19 WHEREFORE, Plaintiffs, on behalf of themselves, the proposed class and all others  
20 similarly situated, pray for judgment and the following specific relief against Defendants as  
21 follows:

22 1. An order certifying that this action may be maintained as a class action pursuant to  
23 Federal Rule of Civil Procedure 23(a) and 23(b)(2);

24 2. A finding that the conditions, acts, omissions, policies, and practices described  
25 above are in violation of the rights of Plaintiffs and the class and subclass they represent under the  
26 Eighth and Fourteenth Amendments to the United States Constitution, Article I, Sections 7 and 17  
27 of the California

28 **WHEREFORE**, Plaintiffs respectfully request the Court to:



1           1.       Certify the Class of male prisoners at Santa Rita under Rule 23, F.R. Civ P., and  
2 also the Subclass of male prisoners who have been sentenced.

3           2.       Make findings of fact reflecting the general and specific failings and inadequacies  
4 of both groups of defendants' approaches to and practice in the care of male prisoners, the pattern  
5 and practice of defendants' non-feasance and maltreatment of male prisoners, and defendants'  
6 violations of statutory, regulatory and constitutional requirements in dealing with male prisoners.

7           3.       Initiate a serious effort, perhaps with a Order to Show Cause, to require defendants  
8 to provide medical care for all prisoners who are in withdrawal from addiction to drugs,  
9 particularly opiates and fentanyl.

10          4.       Make findings of fact that lockdown and continued denial of out of cell time and  
11 denial of outdoor recreation constitutes punishment of pretrial detainees;

12 **A.   Prohibit defendants from:**

- 13           1.       punishing or threatening to punish prisoners for exercising their right to free speech,  
14 particularly regarding problems in Santa Rita Jail;  
15           2.       coercing or pressuring prisoners to not file a grievance or to withdraw a grievance;  
16           3.       requiring prisoner workers to do coroners' laundry;  
17           4.       24-hour lockdowns without a justifiable exigent circumstance, not merely staff  
18 scheduling and ease;  
19           5.       Profiteering off of prisoners;  
20           6.       interfering with, preventing or cancel duly scheduled visits, whether video or in  
21 person.

22 **And,**

23 **B. Affirmatively Order and direct defendants to:**

- 24           7.       Provide medical treatment which addresses the medical need, consistent with the  
25 standard of good medical practice in the Bay Area  
26           8.       Fully comply with all applicable state statutes and regulations, and develop a  
27 legitimate individual treatment plan for each detoxing prisoner, *and carry it out completely!*  
28

- 1 9. Fully comply with all applicable state statutes and regulations for a sufficient,  
2 healthy, balanced, nutritious diet which includes daily fresh fruits and vegetables, approved  
3 by a doctor;
- 4 10. Develop, implement and maintain a systematic program for sanitation throughout  
5 the jail, including housing units, holding cells, kitchen and all bathrooms.
- 6 11. Immediately provide no less 12 to 16 hours out of cell time daily for all pretrial  
7 detainees with weekly outdoor exercise prescribed by state regulations;
- 8 12. Stop the profiteering from phone calls, video calls and the commissary;
- 9 13. Full compliance with state laws and regulations which promote prisoner welfare and  
10 well being;
- 11 14. Enter a preliminary and permanent injunction on behalf of the broad Class of male  
12 prisoners which will counter and remedy the County defendants' broader unconstitutional  
13 practice(s) as complained of and to be shown further;
- 14 15. Award costs and fees for this action, including attorneys' fees;
- 15 16. Grant such other and further relief as this Court deems appropriate.

16 DATED: May 5, 2020

**LAW OFFICE OF YOLANDA HUANG**

17  
18 /s/ Yolanda Huang  
19 Yolanda Huang

20 **DENNIS CUNNINGHAM**

21  
22 /s/ Dennis Cunningham  
23 *Counsel for Plaintiffs*

1 **JURY TRIAL DEMAND**

2 A JURY TRIAL IS DEMANDED on behalf of Plaintiffs.

3 DATED: May 5, 2020

4 **LAW OFFICE OF YOLANDA  
HUANG**

5 /s/ Yolanda Huang  
6 Yolanda Huang

7 **DENNIS CUNNINGHAM**

8 /s/ Dennis Cunningham  
9 Dennis Cunningham

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11 *Counsel for Plaintiffs*  
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## EXHIBIT A



REQUESTS

\* A copy of THIS Document  
 Administration after the  
 Hunger Strike on October 18, 2019  
 \* Lawrence Gerson provided 1 Hour  
 video testimony as well.

- 1.) Food - Improve Palatability. More Diversity. See List.  
 (See LIST OF Food requests)
- 2.) COSTS OF Commissary TOO HIGH - MEET Federal Rates  
 • Aramark Needs to Lower Costs or Find New Supplier.
- 3.) COST OF TELEPHONE TOO ~~ARE~~ HIGH - availability +  
 Access is TOO Low. WE WANT OUR OWN Personal  
 electronics WITH access to email, texting + Phone  
 as well as Internet for Netflix, etc.  
 • Cost of Communication + Access is Punitive + Usury.
- 4.) Clothing - 2 SETS OF BLUES  
 4 SETS OF SHIRTS, underwear, Socks  
 2 Pair WORK OUT SHORTS  
 \* EXCHANGE Availability Twice a week.
- 5.) Law Library - WE Need Access (Federal Law)  
 - Internet Access could be Solution.  
 \* THIS is Federal requirement for fed inmates
- 6.) Cell Cleaning - TWICE a WEEK  
 • Clean mops + Clean mop water  
 • Clean BRUSHES + Clean TOWELS  
 • More Disinfectants  
 • Better Floor + Shower Cleaning Agents  
 • Insecticides TO Kill Blood Sucking GNATS  
 • Honor requests for Additional Supplies day today
- 7.) Mail - more reliable + on-time delivery  
 (especially newspapers)  
 - Faster Sending of ~~er~~ mail OUT



- 8.) Bedding - Exchange Blankets monthly
- Improve MAttresses - TOO Thin, TOO old, TOO DIRTY
  - Provide Pillows for goodness sake!

- 9.) Personal Disinfectants - Triple Antibiotics, Band-aids
- \* Add to commissary
  - \* make more easily available from nurse
- Athlete's foot spray
  - Hydrogen Peroxide / Disinfectants
  - Personal Sanitation Supplies
  - Barbicide for clippers

- 10.) Family + Attorney Visits
- NOT Subject TO Lockdown WITHIN 6 Hours OF VISIT.
  - Notification System for video visits -
  - Allow video visits to commence in lockdown
  - Towers should be able to easily monitor.

- 11.) Upgrade T.V.'s + Speakers - Hard to See
- Hard to Hear

- 12.) Stop Turning Phones Off - Costing Attorney fees

- 13.) Mandatory POD Times - Morning / Afternoon / Evening
- 9 to 11      2 to 4      7 to 10

- 14.) Mandatory Yard Access - 4 Times a week
- irregular

- 15.) Adhere TO TITLE 15 minimum Standards

- 16.) Stop recording Personal + Legal Phone calls for
- Pre-trial detainees. Civil rights violation.
- \* CAN'T mount defense. Perform investigations.



17.) Mandatory meal Times

- Breakfast 5:30 AM to 7:30 AM
- Lunch 11:00 AM to 1:00 PM
- Dinner 5:00 PM to 7:00 PM

18.) Policy For Inmate Intake Sanitation

- Inmates must shower and they must clean their finger nails + toe nails before receiving issuance of clothing and assignment to housing. We must control Bed Bugs, STAPH, infectious diseases due to creek dwellers + Homeless indigents being co-mingled with General population

19.) Clean The Holding Tanks With Hot mops, Bleaching and disinfecting agents at least once a day! They are filthy + Health Hazard

20.) Clean The multi-purpose rooms daily with Hot mops + disinfectants.

21.) Coordinating Clothing + Bedding exchange immediately after Pod Cleanings.

22.) Get Body Scanners + Stop The Strip Searches

- They are NOT yielding seizures
- They are uncomfortable + Demoralizing



23. Stop SHackling minimum Security prisoners during Federal Transport. Unnecessary + Demoralizing.
24. Provide Signage + Intake paper relating mutual terms + conditions of respect, Conduct + Privileges between detainees + deputies
25. Assign Key Holders by ethnicity/Affiliation to maintain order + rules. Self police to reduce manpower burden on Deputies in minimum Security environments.
26. Santa Rita Needs to evolve its systems + methods away from this Punitive JUSTICE system and demoralizing, inhumane Treatment of Citizens and Drug addicts to a modernized System + method of Restorative JUSTICE! Right now we have Garbage IN + even worse Garbage going out! This does not make our Communities any Safer! To the contrary, it makes them Less Safe! we Need to Build people up, make them Productive and restore their Health and Vitality!



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## EXHIBIT B



Cell Sanitation is at a crisis point. Detainees are only provided cleaning supplies once a week. The supplies provided are insufficient as is the time allotted to effectively clean their cells, sinks, showers, toilets and floors. Blood sucking gnats swarm the showers and cells. Detainees are contracting Lice, Bed Bugs, and flesh eating STAPH infections from the MRSA virus.

The protocols for sanitation are illogical. Detainees are only given one set of clothes for the week, to include one shower towel. This policy is in stark contrast to most other jails that provide four (4) sets or more of clothes per week.

New clothes are exchanged every Friday. Cell cleaning is scheduled every Saturday, forcing citizen detainees to clean their cells, floors, bathrooms and showers in clean clothes and then sit in their now dirty clothes for the remaining six (6) days of the week. This is indignant and punitive treatment.

Homeless detainees are exchanged out of their filthy clothes and into clean jail issued clothes without being showered or sanitized. They are then sent to filthy holding cells to sit and lay down in vomit, urine, feces, semen, food and dirt stained



Floors until they are transported to their new housing unit. They are then introduced to a dormitory cell shared by as many as 30 other detainees, comprised of regular citizens serving terms for drunk driving, drug possession, domestic violence or awaiting their court dates, etc. Upon arrival to the dorm unit, known as a 'pod', they are mandated to shower in the singular shower stall shared by all dorm mates. This spreads lice, bed bugs, and infectious diseases like MRSA; creating an obvious health hazard and public safety problem.

In the worst case detainees are exposed to heroin addicts introduced to the dorm without any medication. The heroin addicts involuntarily defecate on themselves, the floors, toilets and shower creating an enormous bio hazard. Rather than caring for the heroin addict in the infirmary, the detainees are made to tend to the addict, clean up the addict and his messes, and suffer the indignity, smell and infectious disease risks associated with these intravenous drug users. The risk of exposure to Hepatitis, C-Difficile, Pseudomonis, E-coli and other infectious diseases introduced to their shower and living environment is an illogical risk to the detainees and public health, in general.



The Jail is suffering continuous lockdowns due to insufficient resources, manpower, and apparent funding. Consequently, citizen detainees are being 'locked down' in their cells in excess of 22 hours a day. Family and Attorney visits are being cancelled due to lack of manpower to walk detainees to their visits. In many cases, families and attorneys who are traveling in excess of two (2) hours and/or flying in are being denied their visits upon arriving to the jail. They are given no notice and are having to return home. This is creating frustrations and costs that are unnecessary.

Detainees are being gouged by commissary prices, for personal food and supplies, that exceed 800% mark up over retail store prices. For example, a single pack of Top Ramen Noodle Soup costs thirteen cents (\$.13) at Safeway. It's commissary price is one dollar and thirteen cents (\$1.13).

Detainees are being gouged by excessive calling costs. The cost to place a call is twenty three cents (\$.23) per minute with a 15 minute limit, and phones are limited. This is costly and punitive to detainees, their families, and lawyers. All calls are also recorded and monitored, precluding detainees from mounting their defense with counsel or speaking candidly or intimately to their



Loved ones.

For Federal Detainees the Jail is required to have a Law Library. IT does NOT! This precludes Federal Detainees from being able to mount their Defense, creating a Liability for the Government, in that it gives those convicted an immediate appeal.

Detainees are being deprived of access to Personal electronics commonly available at other Jails. They are suffering the ability to remain connected and engaged to their families, jobs and the world, in general. For an, otherwise, ~~innocent~~ innocent Detainee this exacerbates their personal and professional hardship. costing many their relationships, jobs and income and precludes them from accessing the legal resources and intelligence to defend themselves. Detainees are requesting reinstatement of their ability to call, text, email and use the internet to carry on their lives.

For more information on the Hunger Strike and/or if you suffered under the conditions at Santa Rita and wish to bear witness please call the Law Offices of \_\_\_\_\_.



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## EXHIBIT C

## **GRIEVANCES**

**TO: Alameda County Board of Supervisors**

**District 1 – Scott Haggerty**

**District 2 - Richard Valle, President**

**District 3 – Wilma Chan**

**District 4 – Nate Miley**

**District 5 – Keith Carson, Vice-President**

**Alameda County Sheriff's Office**

**Sheriff Gregory Ahern**

**Assistant Sheriff D. Houghtelling**

**Commander Tom Madigan**

**Captain D. Hesselein**

**From: Inmates at Santa Rita Jail**

**Date: March 17, 2020**

**Re: Unbearable Conditions at Santa Rita Jail**

We are all inmates under the custody of the Alameda County Sheriff's Office: Santa Rita Jail. Our ultimate goal is to improve the overall conditions unto which all inmates of this institution are subject. We therefore, as inmates, affirm our consensus that the issues we list in this grievance, are common to all of us, and are the most significant issues we all endure. We are filing a group grievance because of the difficulty with filing grievances within Santa Rita Jail.

The Alameda County Sheriff's Office provides no information or guidance on the grievance process. There is an inmate handbook, but most inmates do not receive an inmate handbook. And the information in the handbook is very limited. There is no posted information on grievances or the grievance process, and what information inmates have is through transmission from another inmate, or experience at another facility. Blank grievances are difficult to obtain. Sheriff deputies discourage and pressure inmates not to file grievances. Even when grievances are submitted, the process is such that the jail itself often does not follow its own process, and a carbon copy of the grievance with a tracking number is not returned to the filing inmates. Even when the filing inmate receives the pink carbon with a tracking number, the jail sometimes does not respond, or responds very belatedly. We prisoners have difficulty learning what the Santa Rita grievance process is and even more difficulty correctly following the grievance process.

These practices make filing grievances so difficult, in order to raise our voices and bring attention to the awful, difficult to endure conditions at Santa Rita Jail, we have no choice but to file a group grievance about the daily, long standing, unconstitutional and inhumane conditions of confinement we are subjected to.

Santa Rita needs to evolve its systems and methods away from this punitive and demoralizing jail system with inhumane treatment of citizens and drug addicts to a modernized system and methods of restorative justice! The jail needs to end its culture of cruelty. The current system does not make our communities any safer! To the contrary, it makes them less secure! Inmates leaving the jail are not better for having been in jail. We need to build people up, make them productive and restore their health and vitality.



**1. FOOD.** The food here is awful and unhealthy. The food served consists of small repetitive, flavorless portions, day in and day out. The food is high in starch and sugar, low in nutritional value, and fresh fruits are primarily oranges and vegetables are primarily carrot nibs. The carrots are often dry and old. Protein is processed soy powder. The "juice" is colored and flavored powder. The food is cooked until there is no texture and no flavor. Then the food is either served frozen, or served after having been in the oven for hours and hours and is dry and hard. Frequently the food served is spoiled and decaying. Milk is sour. We have found vermin in our food (rat and mice feces, and whole boiled mice in the beans). Since the kitchen workers strike, portions have been so small that many of us are left hungry afterwards. The times for meals is arbitrary and random. Some of us have gotten dinner after 10 pm at night. Some of us have had to wait 12 hours between meals. The trays the food is put into are frequently dirty with the left-over caked-on food from a prior meal stuck to the bottom and that day's meal just slopped on top.

**WE DEMAND:**

- a. regular meal times;
- b. standardized meal preparation - stop placing meals in the oven for hours so that the food becomes dried to a crisp, or meals are served half frozen;
- c. clean trays and better kitchen sanitation;
- d. better quality control – no vermin in our food, no rodent shit, mold or spoilt foods;
- e. greater variety of food;
- f. variations of cold cereals such as Honey Nut Cheerios, Frosted Flakes, Raisin Bran, Fruit Loops, Frosted Mini Wheats, Cinnamon Toast Crunch, etc. ;
- g. hard boiled eggs, waffles/pancakes with syrup, yogurt;
- h. fresh fruits like bananas, blueberries, pears, plums, peaches, melons, grapes, and not just apples and oranges;
- i. fresh salads like Cobb, Caesar, Chef, Asian, Garden, Seafood, BBQ, Santa Fe, and dark leafy greens;
- j. real juice not powdered flavoring to mix with water;
- k. real desserts like Jell-O, pudding, cheesecake, ice cream, pies, cakes,
- l. real meat (and not just soy protein twisted into the shape of a sausage) like chicken on a bone and a more extensive dinner entrée menu and lunch menu; and,
- m. Give us choice in what we eat and grant us the ability to prepare the meals.

**2. SAFE AND SANITARY FOOD.** We have found razors in our food. Inmate workers have to be reliable and trustworthy. Folks from the Protective Custody population have ample reason to tamper with the food of the mainliners or a way to seek revenge. Thus, we of the mainline population deem it to be unwise to eat food that could be spit in and/or poisoned or adulterated by the PC population.

**WE DEMAND:** The PC population be only allowed to prepare food for the peers of the PC population and mainliners only prepare food for the mainliners. Under no circumstances should the PC population have access to the food served to mainliners.

**3. GROUP PUNISHMENT.** On a daily and regular basis, the deputies threaten group punishment, meaning the entire inmate group is punished for the actions of a specific individual or a small group of individuals. The actions of a single individual will result in everyone losing privileges including pod time. A guard's anger and irritation at one individual will result in

everyone suffering. A guard's irritation and anger is easily triggered by asking a question, making a request, or any form of exercise of free speech. Any effort to stand up for oneself, or to stand up for another, even if it is a Constitutional right, or rights which exist under current jail policies and procedures, leads to a guard's anger and irritation. Too many deputies treat all interactions with inmates as confrontations. So, to stifle inmates, guards punish the entire group with the goal that the group will then retaliate against the individual who tried to assert his rights. We inmates live under the constant fear and threat of retaliation, group punishment, assault, verbal and psychological abuse, neglect and more.

For example, due to HU 7's protest after Halloween about the PC population preparing the food, everyone is being punished by being forbidden to work out in boxers. We are told the new rule is that we have to exercise fully dressed. Since we are only given one set of clothing per week, that means everyone, including those new arrestees who were not even here during the protest is now forced to sweat in our clothes and then wear them for the rest of the week. There is no reason to insist that we exercise fully dressed. This is group punishment, and it is wrong.

**WE DEMAND** that group punishment end. More checks and balances need to be put in place. No deputy should punish someone just due to irritation and impatience. Deputies should stop threatening group punishment. Deputies should stop telling the group to attack or retaliate against individuals. The entire group should not suffer punishment for the action of an individual. Deputies found guilty of group punishment should be subject to discipline. Deputies need to be trained and to practice alternative dispute resolution.

**4. GRIEVANCE SYSTEM.** Blank grievances are hard to get. Even when we do get a blank grievance, the housing unit deputies pressure us to not file a grievance. Too often we are told that the issue is "not grievable". Complaints about the food are refused because Aramark is a separate company. We do not have adequate writing instruments to write a grievance, only stubby pencils and often broken pencil sharpeners. If we finally submit a written grievance, many times we do not get the return of the pink carbon copy with a tracking number. And if we do, the jail takes whatever time it chooses to respond, if there is a response at all. And generally, all grievances are denied.

The jail does not provide information on the grievance process, including the appeals process. Most of us have never been provided with an inmate handbook. There are no informational posters on the wall.

Moreover, the whole grievance process is completely bias, for its administered, investigated and reviewed by the very same agency and/or deputies an inmate likely has a grievance against. It's nearly impossible to receive a favorable or fair disposition.

The grievance process is broken. If the grievance process is for no purpose, and that there is no possibility of any real change, then say so, and everyone can stop pretending.

**WE DEMAND** genuine checks and balances. Either an outside agency be appointed to handle the grievances and inmates have an advocate, who inmates can ask for the welfare of inmates.

**5. SANITATION.** The parts of Santa Rita Jail that the inmates use are filthy. The jail makes inmates responsible for cleaning our cells but refuses to provide enough cleaning supplies,

cleaning tools and only on an irregular and infrequent basis. When supplies are provided, they are provided for too short a period of time. Some of us do not receive cleaning supplies for weeks on end. With 30 people in a cell, or a pod, that leads to inmates living in filth and squalor. Too often, homeless people off the street are simply placed into the housing units without having first had the opportunity to wash. New arrestees detoxing from drugs are simply placed into the cells and are often sick with diarrhea or vomiting, causing the cells to be filthy. As a result, disease, skin infections, and similar issues are common.

The holding cells, the multi-purpose rooms, the cells in ITR are also filthy. Holding cells and often the multi-purpose have feces, old moldy food, garbage, and they stink. Inmates are held in the multi-purpose room for long periods of time and there is no bathroom in the multi-purpose room. Inmates end up having to relieve themselves in garbage cans or in the corner. This is awful and wrong. These rooms need to be cleaned several times a day.

The "shower" in ITR is so filthy, that no one ever uses it, and no one can use it.

**WE DEMAND:** Inmates should have the ability to clean each and every cell which inmates live in and use, every day, including the multi-purpose room, dress-out cell, all holding cells, cells in ITR, PODS and housing units. Daily: Hot mop, pressure wash, bleach, pick up the garbage. Sufficient and good quality cleaning supplies and tools such as: mops, brooms, dust pans, toilet brushes, sponges, Clorox bleach, Lysol wipes, air fresheners, soap dispensers, paper towels, puncture-proof gloves, should be available at all times. Other jails including San Francisco and San Mateo have cleaning supplies always available so that inmates can clean their cells, their bathrooms and the common areas, every single day, whenever. All incoming inmates must shower and clean hands, fingernails and toe nails before receiving clothing and housing unit assignments. Jail needs to control bed bugs, lice, staph, and other infectious diseases. Stop arresting the homeless! And if they are arrested they must be clean before being placed in housing units.

**6. CLOTHING.** Santa Rita Jail is very cold and we are provided with inadequate clothing. We are cold! The only foot wear we are given are flimsy, used foam rubber flip flops, which are very slippery. You cannot run in them, you cannot exercise in them, you cannot play sports, and with the water on the bathroom floor, and most floors in the jail being slick, hard concrete floors, inmates regularly slip and fall with flip flops.

**WE DEMAND** We need adequate clothing, especially in the winter time. two (2) full sets of clothing weekly and a coat, sweater, thermals and a beanie to deal with the cold. We demand that the Sheriff's Office return rubber sole shoes to inmate population. (San Francisco allows inmates to have shoes with laces that tie.) The shoes need to be slip on or Velcro strap, or have shoelaces. They would reduce injury on the yard during recreational activities like basketball and keep one from slipping and falling on the majority of the smooth surfaces which we are forced to walk on. It would also assist with our physical exercise, for working out in flip flops is not an option. Moreover, because the cells and housing unit floors are so filthy, it is not an option to workout barefooted.

**7. PERSONAL HYGIENE.** Living in such close quarters with so many people, it is difficult to maintain personal hygiene, because the jail does not provide the means to maintain personal hygiene. All inmates have to purchase soap from the commissary, which is expensive, small in

quantity and of poor quality. The commissary also does not provide the necessary products for Black hair. Sanitation of the hair clippers is not provided

**WE DEMAND:** We demand daily access to personal disinfectants, quality hygiene products and equipment such as Wahl/Andis/Oyster Brand Hair Clippers, trimmers, T-liners.

- Bar soap. Other county jails provide – free – small bars of soap, which work better and are cheaper to use than the poor-quality liquid soaps Santa Rita force inmates to buy.
- Topical antibiotics, bandaids, athlete's foot spray
- Hydrogen peroxide/disinfectant
- Personal sanitation supplies
- Barbicide for hair clippers; Disinfectant sprays and sanitizer solutions for barber equipment
- Maintenance oils and cleaning brushes for the hair clippers;
- Hand sanitizer dispensers
- Gaskets/wet wipes/2-ply toilet paper
- 

**8. MATTRESSES AND BEDDING.** We sleep on metal or concrete. The mattresses are..too thin..too old..too dirty. Many of us have developed back pain. Back pain prevents us from being able to sleep, when we are able to sleep. The poor-quality mattresses also leads to regular and constant conflict with inmates requesting and needing two mattresses. A better-quality mattress would eliminate that issue.

**WE DEMAND:** The same mattress as the ones in Fremont City jail whose mattress are more than 6 inches thick. This is to reduce the need of inmates requiring double mattress and reduce inmates developing back problems. Exchange Blankets monthly.

**9. EXCESSIVE CHARGES AND POOR QUALITY CANTEEN.** The jail gouges inmates, most of whom are very low income, many of whom are homeless. Telephone costs and canteen costs at Santa Rita are higher than at San Francisco or San Mateo. The sheriff just raised prices of the already high costs of the canteen. And because the food served at Santa Rita Jail is so lousy, many inmates are forced to use their family's money to buy canteen in order to stay alive. A package of ramen in the store that costs \$0.20 costs \$1.13 in the Santa Rita canteen. Not only is the canteen outrageously high pricing and over-charging for dollar store items, the quality and selection is very poor. The food selection is unhealthy. It's vital for people to maintain family contact and the costs of the phone calls is a prohibitive barrier.

**WE DEMAND:** Lower prices, and greater quality and selection of goods and products in the canteen, and lower costs for telephone calls. Stop profiting off of poor inmates. Prices at commissary should match the federal rates. Telephone rates should be no more than the lower of San Mateo or San Francisco.

**9. EXCESSIVE LOCKUPS.** Santa Rita Jail locks all inmates up, every day, some in overcrowded cells, others in tiny cells, for too many hours. Some days, we are locked up all day, 24 hours. Santa Rita Jail treats all inmates as objects to be warehoused and every inmate, including all pretrial inmates who are constitutionally presumed innocent, are punished by being excessively locked up in our cells, deprived of real exercise opportunities, deprived of outdoor exercise. We all suffer from enforced idleness, lack of programs and services. We're not

animals. Our movement is already very limited as is. Having a scheduled and regular out of cell time and access to the yard would give us a small a measure of normalcy and a way to plan and/or schedule a full functional day, and a small measure of humanity.

**WE DEMAND** full daily access to the day room and outdoor big yard for all inmates including maximum classification inmates. Inmates should be allowed access to the day room 10 hours a day. Inmates need access to sunlight, every day.

**10. ENFORCED IDLENESS.** Santa Rita Jail punishes all inmates, including all pretrial inmates not only by excessively locking us up in our cells, but by the lack of activities, lack of exercise opportunities, lack of outdoor exercise, lack of programs and services. This enforced idleness and warehousing of people creates mental stress, depression, and tension, which feeds conflict between inmates and between inmates and deputies. Furthermore, instead of being to use our time in jail productively to work on problems and make us more able and ready to be responsible citizens, we leave the jail homeless, impoverished, and mentally and physically debilitated.

The jail will say, that every housing unit has a television set. However, while that is true, Santa Rita operates in all ways to make it harsh and as difficult as possible for inmates. The television sets are mounted so that it is hard to see, and almost impossible to hear.

**WE DEMAND:** comprehensive "inmate services" department.

- a. More educational programs, including career and skills classes not just barbering and baking;
- b. Enough educational classes so that everyone who wants to take a class can do so, right now there are so few classes most inmates are excluded;
- c. Legal Information & Access which respects our right to confidentiality:
  - i. Free legal clinics with actual attorneys, paralegals and law school students, so we can understand our judicial system, ask questions and become more knowledgeable;
  - ii. Law Library - Where we can do our own research and gain access to legal materials.
  - iii. Free legal assistance. For example, in San Francisco, the county provides Prison Legal Services that will perform legal research, make copies, and assist inmates. In addition, each inmate has the opportunity once every two weeks to directly engage in legal research and to personally make copies with the assistance of Prison Legal Services;
  - iv. Assistance so we can try to resolve and solve issues with our families, including divorce, child custody, and notary services;
- d. Incentive program so that inmates who take classes and engage in productive activities and develop good score ratings are housed with greater privileges and freedoms. There are no incentive programs currently in Santa Rita Jail;
- e. Recreational services hosted such as: music, board games, chess tournaments, physical fitness, competitions, sports events, trivia challenges, yoga, meditation, Tai Chi, Insanity,

Basketball teams, baseball teams, flag football teams, soccer teams, fencing, pool, table tennis, frisbee. More books and magazines. Movies, nature programs. Upgrade Television sets so you can see and hear.

f. Increased inmate services for indigent inmates including free weekly postage, five (5) free phone calls a month; writing and drawing materials including paper, pens, and coloring material. Assist inmates in expanding the inmate welfare fund by aiding inmates to seek out aid and sponsorship via charities, organizations and government funding. Indigent inmates should not be denied any liberties afforded inmates with money due to financial status. Nor should those liberties be subpar and/or mediocre. Teach inmates the basics of entrepreneurship including the development of a business plan, filing requirements, funding requirements and all things needed to establish a business.

**11. LACK OF JOB TRAINING.** Santa Rita Jail's lock-ups and enforced idleness makes people crazy. This is the source of tensions, conflicts, fights, arguments, depression, anxiety and suicidal ideation. The jail uses enforced idleness to intimidate, harass and threaten all inmates. This leads to a routine hostility between guards and inmates. Over time, Santa Rita Jail has progressively removed programs and potential productive activities so that inmates leaving Santa Rita Jail are worse off than when they arrived. The job training teaches out of date skills, and are sexist. Women receive parenting and baking. Men can take barbering. These existing job classes are inadequate for the current job market.

**WE DEMAND:** job training and job programs for inmates to participate in regardless of classification status; programs and services that give inmates real world skills and trade accreditation, accolades, certifications, experience and even jobs upon release. These programs and services should be based on hours and do not require lengthy wait periods for an inmate to be admitted. Inmates should be able to pick up where they left off if released from custody or recidivisms occurs. All work and study should be made transferable to apprenticeships and colleges. Examples of programs and services:

Plumbing, HVAC, Landscaping, Computer Science, Carpentry, Automotive Mechanic, Gardening & Botany, Software Programming, Roofing, Masonry, Welding, Culinary Arts, Architecture, Accounting, Diesel Mechanic, Renewable Energy, etc.

**12. PUNISHMENT, PUNISHMENT, PUNISHMENT.** Santa Rita Jail is wholly focused on punishment and deprivation. There are no incentives for good conduct, no incentives for self-improvement, no means for improving the human relations between guards and inmates. This leads to increased hostility, tension, and fights.

**WE DEMAND** incentive programs so we can be rehabilitated. This can include good time credits, or some form of a "forgiveness initiative" for the participation and completion of these programs which allow offenders to withdraw their pleas to certain offenses and obtain certifications of rehabilitation and pardon/leniency. We're demanding to be given options to salvage our lives and utilize our time in custody constructively to reduce recidivisms and become productive members of society.

**13. DEHUMANIZING PRACTICES.** No other county jail strip searches inmates after each legal visit, each and every court hearing and after every work shift. This regular and frequent strip searching is dehumanizing.

**WE DEMAND** Adopt best practices. – Get Body Scanners (i.e. San Mateo)

**13. SLAVE LABOR.** Santa Rita Jail creates division and hierarchy with the way it structures work. Some inmates are POD workers, giving them power and control, and also the ability to profit from their work. Inmate workers are treated like dogs, and given “food treats” for working. Kitchen workers, over Halloween, went on strike. This is an example where people feel taken advantage of, and abused. It also leads to a situation where the jail is always trying to pressure inmates to “volunteer” and the quality and caliber of the work is poor, and the jail then is poorly run. This is demonstrated by the marked decline in the quality of the food since the strike. Portion size is now irregular. Time when meals arrive is irregular. The quality of food is much worse.

**WE DEMAND** that work also be incentivized, either by providing all workers with payment and/or good time credits/and or discounts on the canteen, this would include all inmates who contribute to the jail, including cleaning inside the housing units. Give inmates valuable work experience and a sense of pride and responsibility that comes with honest work. Ultimately, this gives back to the community by encouraging inmates to actively engage in the daily activities of the jail and getting inmates prepared to return to the community and workforce as productive members in society. All inmates should have access to work!

**14. MAIL, VISITATION AND FAMILY CONTACT.** The jail treats family visits as a burden which it wished could be eliminated and has set up the visiting program to be limited, cramped, difficult and expensive. Many of us have had loved ones travel to the jail only to be told that visitation is “canceled”. Or that the inmate “refused” the visit, when in truth the technician or the deputy did not want to bother with bringing that inmate to the visit, and falsely declare that the inmate “refused” a visit. Family love and family connection are really important for inmates to keep our humanity. Cards and letters and photos are really important. Yet, when the deputies “shake down” a cell, they routinely destroy or confiscate cards, letters and photos. Instead, the jail should be encouraging our family contacts and encouraging our connection to our community. Family connections and community connections assist in preventing recidivism.

We are not animals and even if we were...animals need to be loved too. We demand an end to being devoid, desensitized and dehumanized by the lack of human contact. It's not right that we, cannot embrace our family and loved ones especially since we are not convicted. For example, Kyle Puckett was a pretrial detainee and his case was eventually dismissed. The five years he was in custody in Santa Rita Jail, he never got to hug or hold his son. We demand that we're treated as it is deemed: “Innocent until proven guilty.”

**WE DEMAND** a more compassionate and intimate visitation service. Such a service would be sensitive to the needs and hardships of the inmate's family and inmate themselves. Services would include, but not be limited to: “Family Days” that would allow all participating inmates full contact with visitation with their family and loved ones regardless of classification, save for inmates in ad seg for disciplinary purposes. We seek conjugal visit privileges, transportation services for family and loved ones with hardships and/or disabilities, meaningful visits not just 15 minutes over the phone and outside food services for visiting families and inmates.

Inmates should not be forced to “miss” video visits or in person visits due to technician and deputy failures:

- Stop placing prisoners in lockdown within 6 hours of visit
- notify prisoners they have upcoming video visits
- allow video visits to begin in lockdown
- Technicians should be set up so they are alerted to when video visits begin
- Technicians and deputies should be disciplined for declaring that inmates have “refused” visits when this is not true.

For blues – stop turning off the phones, promote family communication.

Allow prisoners easy access to call attorneys. Top recording legal phone calls. Implement the federal system to allow inmates email access.

Stop using mail as a means to manipulate inmates. Mail needs reliable and on-time delivery especially for newspapers and an expedited method of sending mail.

**15. DEPUTIES AND TECHNICIANS ABUSE OF POWER.** While the inmate guidelines say that disrespect for deputies can and often does result in discipline, there is no comparable requirement that deputies act with respect for inmates. A technician who yells “suck my dick”, is not disciplined, and the inmates who complained are threatened. We inmates are often subject to being cursed at, ignored completely, answered with “smart” demoralizing remarks, etc. by technicians. They often disregard inmate requests, fail to open calls for inmate video visits, persuade stand-in deputies on how to run programs to punish and/or get even with inmates (i.e., split tier/one pod), limit inmate free time, cutting off phones or TV unnecessarily and all other manner of psychological warfare. When inmates push the medical emergency button, the technicians often, and regularly disregard us, until the entire housing unit has to scream “Man Down!” Technicians and deputies ignore medical emergencies, and take their time, walking to the cell when someone has a medical emergency. Technicians and deputies falsely claim that inmates “refuse” family visits or legal visits to avoid having to do the work.

**WE DEMAND** that abuse of power, dereliction of duties, the display arrogance and verbal abuse, by technicians and deputies not be tolerated; that deputies and technicians also be held accountable. Respect must be given in order to be reciprocated. Inmates should have relief from this type of abuse. Provide signage and intake paper stating mutual terms and conditions of respect, standards of conduct and privileges and rights between detainees and deputies.




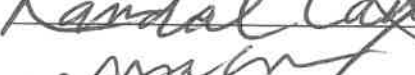
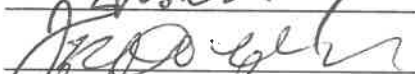




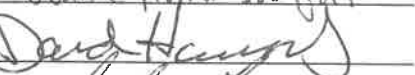






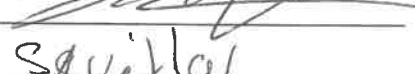





**16. COMMUNICATIONS WITH DEPUTIES AND JAIL STAFF.** Deputies and jail staff treat every question or request from an inmate at best as an imposition and annoyance, and at worst as an affront and challenge. There is no positive or healthy means for inmates to communicate or interact with jail staff.

**WE DEMAND** an Inmate Council, which every California prison has, and which Santa Clara County has instituted, to promote self-regulation, better communication and conflict resolution between inmates and staff.

**17. JEWS & MUSLIMS** need equal ability to practice their religions including: prayer rugs, Rabbis and Imams to lead services and religious counseling.









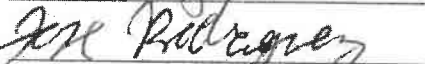



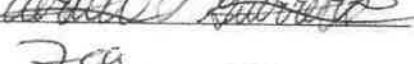




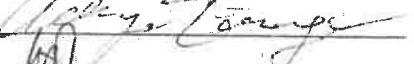



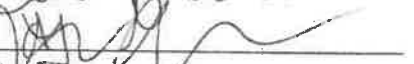



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Name (please print)	Signature	PFN
MIKE MARTIN		AS4-1915
Mark Rew		UMD054
Robert Chandler		ARS-353
RANDAL CAIRES		ALK814
JASON ARNETT		WMC575
Robert Laubaeh		BBX788
Jorge Martinez		UMD126
Angel Fuentes		BKF02-C
Benjamin Nuno		UMC229
KYLE WATKINS		BFLO30
Jaime Avina Barajas		BMK552
David Haines		BJS536
Simon Robles		BZUC935
Antwan Walker		BRN052
LORANCE ROSE		UMC372
Dejon Disbuka		AUC-786
JASON W. Wells		AUE-356
Antonio Poole		BFA980
Cavasy Brewer		BUW761
Derrick Simmons		BIB698
HENRY		UMC388
Freddi Walters		BFW507
Douglas Gladden		BHFG95
Oscar Madrigal		UMD042
TRAMAYNE BAKER		BAV746

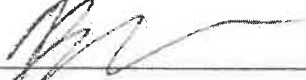
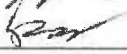

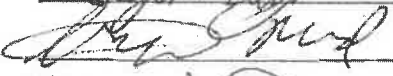
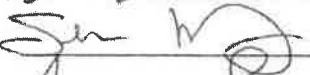
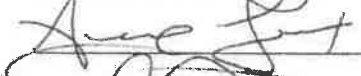

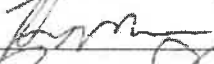
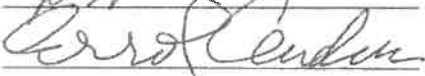
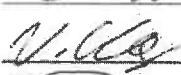

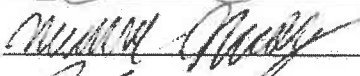




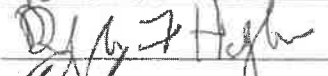
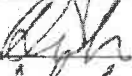


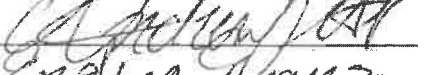



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Name (please print)	Signature	PFN
Christopher Kemp	C Kemp	WRC428
Michael Kelly	M Kelly	BKD710
Jewell Touray	J Touray	UMD 134
Raymond Carter	R Carter	BM1026
Cameron Garrett	AVR 225	BBNU52
Forrest Walker	Forrest Walker	BLU761
Candace Brewer	C Brewer	AWC-750
Debra Disbuck	Debra Disbuck	BIJ732
Brian Johnson	B Johnson	AWN874
Fortana Hill	Fortana Hill	AUR 586
EDWIN LEE	E Lee	BED609
CHRIS ANDALIS	C Andalis	BLE238
Josue Cardenas	J Cardenas	BJL460
Dionche Stewart	D Stewart	BBX207
RICHARD REYNOLDS	R Reynolds	BIU-935
SIMON ROBLES	S Robles	UGK-900
DARRELL HARGROVE	D Hargrove	CLM812
Carol Beitz-Mizel	C Beitz-Mizel	BLW488
Raven Gonzales	R Gonzales	BLH314
HERNANDEZ LUIS	H Hernandez	ULY 525
Jimmie Jones	Jimmie Jones	BFL030
Kyle Watkins	K Watkins	RmB633
DeShawn Allen	D Allen	



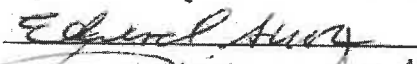
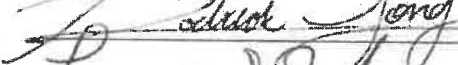



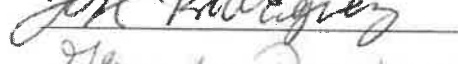







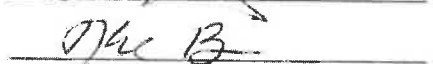
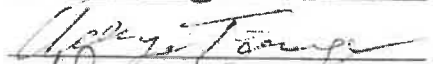

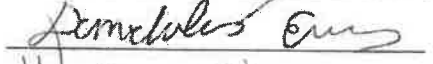


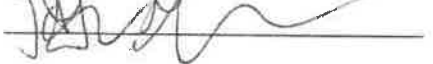

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Name (please print)	Signature	PFN
BUTTE Gucci Rhodes		UMB960
Ishmael Durmas		<del>BBR440</del>
EDWARD ALLEN		BKT309
Bradrick Long		BQU718
LEONARD JOHNSON		RJF427
Albert Williams		AYY264
Kevin BYRD		BLE480
JOSE RODRIGUEZ		BKG555
GREGORY DAWSON		BGF-431
Anthony Lopez		UMC064
Raydwan Omar Lindsay		BKC-043
Abdiel Guernero		BKK784
GIANG, HUNG		BGB188
Ikhluu G. Wilson		BFX520
MAURICE BIBBS		UGT817
William Turner		BCN-530
Kelvin Banister		BCX042
Aldonzo Thompson		BVF721
Richard Ramirez		BM0806
Dan Nicholas Evans		BME851
Wayman Bletcher		BAK57
Darvaun Barnett		BJS-526
Jayden Mc Daniels		BMT657

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Name (please print)	Signature	PFN
Bennie Walker		BLN 974
Rickey Jackson		BLE 087
Elijah Henry		BLT 848
Reall Matano		AYS 686
Shedrick Henry		AVA-752
Antoine Felix		BIQ 746
Currys Taylor		BLF 377
Kashad Albert		RJD 309
ERROL ANDERSON		AYR 629
Vernell Cloy		BJC 971
Donald Sims		BIH 383
Nathanial Dudley		BM 3814
Andre Poole		BGQ 970
Jerry Harbin		BGH 530
Michael Pruitt		BML 639
Siamak Montes de Oca		BTQ 128
Dylan Kychie		BIW 748
Dominick R. Wilson		BLX 785
Maurice A. Rayell Jr.		UMC 431
Hillard Webb		BMG 321
Andrew Peter		BTC 988
Ezahna Evans		ULZ 822
RANDALL E. SKUMPERT		UMC 341
Mynyaamani Stevenson		Bmm 664

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Name (please print)	Signature	PFN
Burke Gucci Rhodes		UMB960
Ishmael Durmas		BBR440
EDWARD ALLEN		BKT309
Bedrick Long		BQU718
LEONARD JOHNSON		AJF427
Albert Williams		AYY264
Kevin BYRD		BLE480
Jose Rodriguez		BKG555
Gregory Dawson		BGF-431
Anthony Lopez		UMC064
Raydwan Omar Lindsay		BKC-043
Abdiel Guernero		BKK784
GIANG, HUNG		BGB188
Ikhluar G. Wilson		BFX580
Maurice Bibbs		UGT817
William Turner		BCN-530
Kelvin Banister		BLX042
Aldonzo Thompson		BVF421
Richard Ramirez		BNO806
Dan Nicholas Evans		BME851
Waymon Blocker		BAB57
Darawn Barnett		BJS-526
Jayden Mc Daniels		BMI657

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Name (please print)	Signature	PFN
John W. Miller, Jr		AME-406
Alex Fernandez		BJW353
Enrique Sandoval		AXV-433
Marcel Rutherford Chen		BLQ811
Demetrice Thompson		BKM280
Gibson		BGW-649
Otis		BLI068
Anthony Dennis		BLA638
Jimmie Foster		BIS474
LARQUE STADESVILLE		RLK878
Roy Webb		UMD002
Mike Miller		AWX627
Lance Green		ULI571
Jerome Slayton		UMC576
R.M. Roderick Maggay		ULW183
Ju's Landenas		BMJ673
Richard Myers		ULW862
Tyler Dickens		BMG516
Andre Cook		UMC706
Daniel Chavez		UMA611
JOEL GARCIA-LOPEZ		BHY333
JOHN BLACKNELL		BLR401





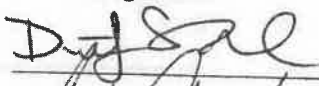
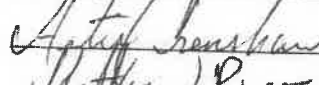
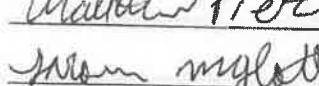
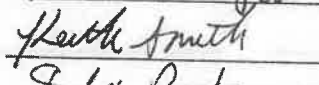
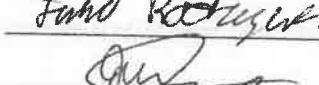


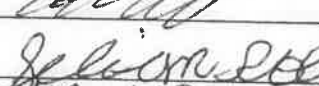

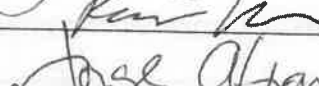
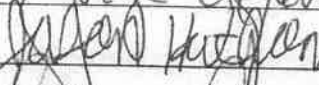

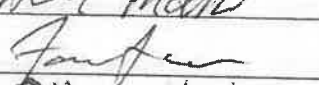
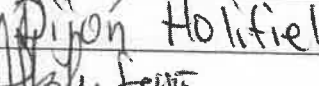
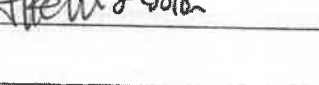





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Name (please print)	Signature	PFN
GEORGE BANKS	<i>[Signature]</i>	RR10446
Donald Smith	<i>[Signature]</i>	BAO-879
Daniel Lesley	<i>[Signature]</i>	BLG-052
TERRELL MARTINEZ	<i>[Signature]</i>	AU2551
Michael Pitre	<i>[Signature]</i>	Awb384
Chris Moss	<i>[Signature]</i>	BIT-021
John Lee	<i>[Signature]</i>	UMC 493
Aaron Burks	<i>[Signature]</i>	BEE574
Jacobi Graines	<i>[Signature]</i>	BMP-055
Ford Collins	<i>[Signature]</i>	RTL705
Jermaine Goldfrey	<i>[Signature]</i>	BAK 463
Darryl Hickman	<i>[Signature]</i>	BGWS80
Alexander McGee	<i>[Signature]</i>	BMC-167
ARTHUR JACKSON	<i>[Signature]</i>	BGU-814
Dijon Newton	<i>[Signature]</i>	BJZ557
Tetthawn George	<i>[Signature]</i>	BLR-010
Dishawn Richmond	<i>[Signature]</i>	BET-497
Marquice McClinton	<i>[Signature]</i>	BGW-930
Jacorian Frazier	<i>[Signature]</i>	BMC 837
Juan Rodriguez	<i>[Signature]</i>	ALU 772
Mario Lachet	<i>[Signature]</i>	



K-pod

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Name (please print)	Signature	PFN
• Dionta Shacketford		BAV816
Alton Mabeles / Bensham		UMD-098
Matthew Pierce		BHI-608
Laron mcglathin		BGP 265
Keith Smith		BDJ-538
Julio Rodriguez		BFH425
Juan Martinez		BKR568
Omar A. Bonilla V.		BIE 024
ARMONIE PUGH		BLE521
Eduardo Lazquez		BLU-157
Julian Robinson		BAF 955
Alofa Muli		BEV484
Raya Man		UMD 118
JORGE L. ALFARO		BDR 777
JASON HATHORN		BER424
DEARUN DUMAS		ANH397
Andre Martin		BMG482
Fauve L IFOP		BCQ661
Nijon Holifield		BgV853
Alkehm Session		BLG672

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Name (please print)	Signature	PFN
DARRELL HARGROVE	<i>Darrell Hargrove</i>	UGK-900
Christopher Kemp	<i>C. Kemp</i>	UMC-428
DE'SHAUN Franklin	<i>De'Shaun Franklin</i>	BH043
HENRY FORD	<i>Henry Ford</i>	BAC204
Jametrius Taylor	<i>Jametrius Taylor</i>	Bat908
Troy Karp	<i>Troy Karp</i>	AX461
Dejon Disturbance	<i>Dejon Disturbance</i>	AWC-756
Eddie S. Obelton	<i>Eddie S. Obelton</i>	BCE-988
Ontaye L. Turner	<i>Ontaye L. Turner</i>	BHT-504
KAMAYNE BAKER	<i>Kamayne Baker</i>	BAU716
DeAndre Torrence	<i>DeAndre Torrence</i>	ARA-725
Charles Crane	<i>Charles Crane</i>	745
Douglas Gladden	<i>Douglas Gladden</i>	BHF-695
JIMMIE JONES	<i>Jimmie Jones</i>	ULX-525
Brian Johnson	<i>Brian Johnson</i>	BIJ732
Vanderrick Wilkes	<i>Vanderrick Wilkes</i>	BEN 052
TO HIGHTHAUSER	<i>TO HIGHTHAUSER</i>	PFN UMC 928
Gabriel Benitez	<i>Gabriel Benitez</i>	BM0844
Fortana Hill	<i>Fortana Hill</i>	AWN874
WAHAB MOJADDIDI	<i>Wahab Mojaddidi</i>	BCE-398
Hector Maldon	<i>Hector Maldon</i>	BLZ700
Izayah Hayes	<i>Izayah Hayes</i>	BMJ074
LINCOLN MARTINEZ	<i>Lincoln Martinez</i>	UMC 424

Name (please print)

Signature \_\_\_\_\_

PFN

Signature  
B. B. B.

BKB833

42-20-03-00

UMD 109

~~Carlos Limón~~

UMC 249

25/7

QMB 633

M. Symour

AND.53

111. Symour  
Ann Barrett

AYR 225

James Sargent  
Dexter Sargent

BJA043

Ch. 1

3E0609

Dionche Stenot

BjL460

Amber

MC. 523

Randal Caves

42K 814

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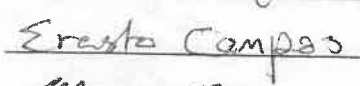

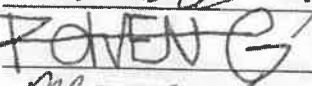

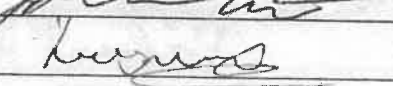


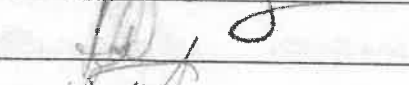

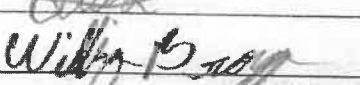

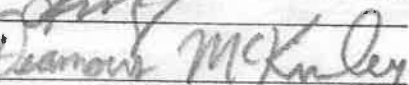





[illegible]

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Name (please print)	Signature	PFN
Daniel Gonzalez	Daniel Gonzalez	BEZ 543
Jose Quezada	[Signature]	UMC 544
Nathaniel Avila	[Signature]	UMB 879
Benjamin Pearsall	BEN PEARSA	UMC 525
David Price	[Signature]	ULY 465
Chad Sunderland	[Signature]	UMC 269
Arnulfo Estrada	ARNULFO ESTRADA	UMD 031
Alexander Mazareros	Mazareros	UMD 080
Tu minh Do	TMD	BGC 969
Billy Durslinger	[Signature]	BGE 413
Michael Swenk	[Signature]	UMB 963
Eddie Edwards	[Signature]	BHE 230
Roger Karlson	[Signature]	UMC 966
Britt Dunn	BRITT DUNN	UMB 917
Steven Wolverson	[Signature]	AYX 836
Andrew Franklin	[Signature]	BJK 919
Marcus Felder	[Signature]	UJK 034
Josue Cardenas	J.C.	BLG 238
Wayne Smith	Wayne Smith	ATP 484
Adam Nelson	Adam N	BCW 098
MUSULAH NASIR	[Signature]	BJQ 709
JOHN LONG	[Signature]	ATN 630
Raven Gonzales	[Signature]	BLW 488

WE DO NOT FORCE WITH ANY BODY SCANNERS  
WE DO NOT WANT BODY SCANNERS AT ALL!!!

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Name (please print)	Signature	PFN
ROBERT Rubitte		UMC 549
Christopher Jensen		BFX 341
Ryan Chandler		UMD 022
Marcus Smith		VLZ 152
Erasto Campos		UMC 477
Bradley Grasseschi		BjF 681
Talalelei Topu		UMD 065
Raven Gonzales		BLW 988
Matthew Shell		BMN 080
Jose Wentworth		GRG 415
humberto Norton		UMC-207
Vishal Kamleshwar		UMC-079
Eric Dennis		AVU 268
STEVEN CASEY		BHW 638
Francisco Moradiego		UMD 015
Fervel Luis		UMD 015
Damian Balens		UMD 032
William Brown		UY-814
Immanuel Simmons		010615547
Sherard King		PK-605
Deamons McKinley		AVB-702
MEHABY ETHAPES		UFN 405
Shane Crafty		UMD 091



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Name (please print)	Signature	PFN
DARRELL BUCKLEY		AVL 880
DONALD SARKIS		BLH 600
JULIUS BAHAM		BLH-110
Ernest Fobbs		UMC 417
Gerald Payne		BLU 30
Carlo Serrano		BKV 828
LAMAR JOHNSON		UMC 240
Ron Christian		RMP.540
Jemel Pettaway		BIY 352
Roderick Brisco		ULV 537
Justin Dorsey		BLZ 494
Ed Morales		AXT 400
Shane / out //		BBI 1174
Samuel Luna		AVU 922
ABAYOMI BROWN		RAFS 94
Jeffrey Chavez		Big 234
GARY CROCKETT		BLS 223

# SANITATION LAWSUIT 34 EAST

NAME: Richard Garcia

PRD: BDZ-395

COMPLAINT: Mice poop on our cake and food, our trays are always dirty from left over food, weevils in BEANS, cleaning supplies never come. ALSO, They threaten us with an extra 30 days loss of time if we do not work in kitchen.

NAME: Angelo Tollardo

PRD: BFF-171-34 EAST-E1-L

COMPLAINT: lack of cleaning supplies, Nats on our Food, Food Tray are dirty, Rat feces on food in the kitchen. Everyone getting sick in the pod letting people work while there sick, I caught hives from laundry.

NAME: MIKE ROACH

PRD: BGJ-431

COMPLAINT: PEOPLE COMING INTO JAIL KICKING FROM HEROIN ARE PLACED IN GENERAL POPULATION.

IT IS COMMON KNOWLEDGE THOSE KICKING HAVE UNCONTROLLABLE BOWEL MOVEMENTS WHICH

EXPOSE EVERYONE AND DEPUTY SHERIFFS EXPECT FEW MINUTES TO CLEAN THE PERSON UP.

NAME: EDMUND LUGS

PRD: ULX 882

COMPLAINT: WE DON'T GET CLEANING SUPPLIES FREQUENTLY ENOUGH, LEADING TO POOR AND FILTHY LIVING CONDITIONS. THERE ARE GNATS THROUGHOUT THE POD, WHICH ARE A HUGE NUISANCE. I HAVE SEEN MICE TWICE - ONCE IN THE LIVING AREAS AND OUT IN THE HALLWAY. WE ALSO GET IMPROPERLY CLASSIFIED INMATES WHO ARE PLACED IN OUR MIST, WHO THEN CREATE A BIGGER MESS (POOR HYGIENE, BEING A PACK RAT, ETC.).



NAME: VINCENT JOHN BARRON / (559) 313-9237  
PID: BMG-635 / APRIL 2019 - APRIL 2020  
COMPLAINT: SPOILED FOOD, CLEANING SUPPLIES UNATTAINABLE  
EXTREMELY IRREGULAR FEEDING TIMES  
UNHEALTHY/UNSANITARY LIVING ENVIRONMENT

NAME: Peter Craig Ford / 510-314-7704 / 510-706-3871  
PID: AVB240 / April 2018-?  
COMPLAINT: No mental treatment, pre-scheduled surgery for major heart  
loss / Timolus canceled, Very unsanitary conditions caused  
bad mono-virus and Strep throat, passed out and left  
untreated. 45LB weight loss due to lack of treatment.

NAME: VINCENT MARTIN  
PID: ALT186  
COMPLAINT: Infestation, Plying insects and other verminous lack of  
cleaning supplies never available Miss classification screening  
on inmates being housed.

NAME: MIGUEL RUBIO  
PID: BIL568

COMPLAINT:

NAME: Joshua Dalando Harris  
PID: BKC448

COMPLAINT:

ANDRE JOXIZAKS BDA 758  
UNACCEPTABLE meal times ARI  
UNSATISFACTORY living conditions

Name James Traylor  
PFN BAF 220  
complaint: Dirty ~~trays~~ trays.

Name Sims Damian  
PFN BBC 657  
complaint: everything Dirty.

Enilio Escobar  
PFN: UMA 598  
complaint: Dirty trays

OSCAR COFRE  
PFN: BSR 435  
UNSATISFACTORY living conditions

CARLOS GARCIA  
PFN BBC 193  
DIRTY KITCHEN FOR YEARS EVENING conditions

NAME: MICHAEL LARINA

PEN: BMC401

NAME: JULIO CESAR INOCENCIO H

PEN: BLU727

NAME: JESUS SALAZAR

PEN: BMJ150

NAME: Donald Lee Marler

PEN: BLC996

NAME: John Warner

PEN: AUB712

NAME: AKRAM HUSSARI

PEN: BMH501

NAME:

PEN:

NAME:

PEN:

NAME:

PEN: