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Re: Third Expert Non-Confidential Monitoring Report on the Consent Decree
Babu et al. v. County of Alameda et al.
Case No. 5:18-CV-07677

Dear Counsel,

This letter serves to introduce the attached which is my third monitoring report on the status of the Alameda County Sheriff's Office (ACSO) and Adult Forensic Behavioral Health's (AFBH) implementation of the Consent Decree within Santa Rita Jail (SRJ). This report will address the provisions that were assigned to me for review and rating as the Mental Health Expert. The rating period for this report covers information received and reviewed through June 30, 2023. While preparing this report, I've sought feedback from the Joint Experts and provided feedback to the other Joint Experts on their individual reports.

On June 12-14, 2023, I joined the team of court-appointed Experts for an on-site tour of the SRJ. As in the last tour, it was very helpful that the Joint Expert team was joined by Defense Counsel, Class Counsel, and representatives from the Department of Justice for discussions related to the implementation of the Consent Decree with the Sheriff, County Behavioral Health, and Wellpath leadership. During the tour, I had the opportunity to assess operations as I walked- through areas of the facility, spoke with staff, and observed several meetings on the Therapeutic Housing Units, and once again attended a Restricted Housing Committee meeting.

Since early 2022 when the first tour took place, the County continues to provide access to a range of documentation which will be referenced in the attached report and has also provided specific documents as requested. Proof of compliance data continues to be limited and or remains unavailable. As before, these concerns are specified in the attached report.

I continue to be impressed by the openness and willingness shown by the County, AFBH and ACSO to implement the provisions of the Consent Decree. In the areas assigned to me, this rating period demonstrates the attention being paid by the County to the critical changes and improvements that must be made. Examples include:

- Prioritization of efforts to address AFBH's significant staffing shortages including retention incentives for current staff, continued hiring incentives for applicants and aggressive recruiting efforts.
- Expanded contract with Telecare to staff the SRJ intake area to ensure appropriate 24/7 mental health service coverage and enable AFBH staff to perform other clinical duties.
- Continued implementation of the Therapeutic Housing Unit (THU) model with dedicated teams in three housing units and a dedicated clinical team for persons in Restricted Housing Unit (RHU) 1.
- Continued implementation of the mental health "Level of Care" (LOC) system including assessing nearly all incarcerated persons, training of all relevant staff, and confluence between the LOC and the THU models.
- Significant advances in the development of various policies and procedures in support of the THU model and the overall mental health service delivery system.
- Increasing formal meeting opportunities between AFBH and ACSO to support information exchange, policy development and joint procedures.
- ACSO has made considerable modifications to its draft Crisis Communication Training allowing for an anticipated inaugural training to occur within the next few months.
- AFBH's efforts to define and identify incarcerated persons with Severe Mental Illness (SMI) to comply with the Consent Decree's provisions related to this group of persons.

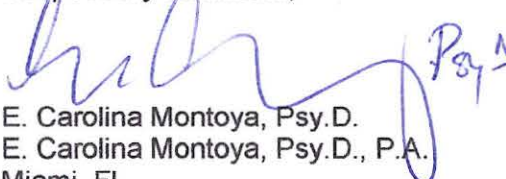
As noted, many changes are evident and a commitment to implementing sustainable improvements at SRJ is recognized. As a result, there were numerous changes in the provision ratings with many provisions now in "partial compliance" and a reduction in provisions with a past rating of "non-compliance." Areas of continued concern that need to be addressed include:

- Ongoing, aggressive efforts to recruit, hire, and retain sufficient behavioral health, custody and discharge planning staff to provide adequate treatment and supervision for the population served and supervised.
- Continued efforts to develop and approve policies and procedures with related forms and documentation requirements for implementation.
- The need to continue establishing the behavioral health continuum of care beginning at intake through discharge with adequate staffing and available housing at the appropriate levels of care.
- The need to continue developing meaningful therapeutic housing units, with a true collaboration of clinical and custody personnel, which includes effective in-custody programming reinforced by reentry and discharge supports.
- The need to have community-based resources available within the SRJ providing much-needed services in the area of substance use and "re-entry" services.

- The County's ability to address inpatient housing needs for incarcerated persons in a mental health crisis; improvement in the processes with John George Psychiatric Hospital.
- Adequate and timely physical plant renovations to support clinical activity and the development of a therapeutic environment.
- Adequate information technology and software solutions to assist tracking, monitoring and evaluating services and that those systems can be designed to "communicate" with each other.
- The ability for AFBH and ACSO to conduct meaningful reviews of both individual critical incidents and overall trends in all provision areas to address issues and situations that contribute to negative outcomes and non-compliance with the Consent Decree.

As I've stated in the past, I truly appreciate the support and assistance received during this rating period from the ACSO, AFBH, Wellpath, defense and class counsel. I look forward to the continued collaboration, engagement, and willingness by all parties to implement new ideas and strategies. The improvements in operations and movement towards Consent Decree compliance shown during this rating period demonstrates the shared interest in making changes and seeking sustainable reforms.

Respectfully submitted,



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Attachment