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Date June 1, 2026

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

Dear Counsel,

This cover letter accompanies my Eighth Monitoring Report regarding the County's implementation of the Consent Decree at Santa Rita Jail. The report addresses the provisions assigned to me and reflects information gathered during the July through December 2025 monitoring period. The findings are based on site visits,¹ interviews with staff and Class Members, review of records and operational data, and consultation with the Joint Experts.

During this monitoring period, the Alameda County Sheriff's Office (ACSO), Adult Forensic Behavioral Health (AFBH), and other County departments continued to provide access to facilities, records, and personnel necessary to conduct the review. Staff across the jail system remained engaged in the monitoring process and continued working toward implementation of the Consent Decree.

¹ December 8 – 11, 2025.

The July through December 2025 review period reflects continued progress in several areas, although implementation remains uneven across the provisions assigned to this expert. Some systems that were previously in early stages of development are now functioning more consistently. At the same time, a number of provisions remain in partial compliance because the County has not yet developed reliable internal monitoring systems capable of demonstrating compliance.

Several developments during this reporting period demonstrate meaningful progress. The Behavioral Health Access Team (BHAT) program expanded its activity levels, increasing clinical escorts and group participation while maintaining stable refusal rates. Improvements were also observed in the documentation and oversight of restraint chair placements, including shorter average durations and more consistent involvement of medical and mental health staff. Intake processing remains significantly improved compared to earlier monitoring periods, and the grievance system continues to function with stronger management oversight and review of grievance trends.

The County also continued to move forward with several facility improvements intended to support programming and out-of-cell opportunities. Construction and renovation projects expanded available programming space and created additional areas for clinical and group activities within housing units. Shortly after the end of this review period, several newly constructed recreation yards were approved for use. These improvements should assist the County in meeting the increased out-of-cell requirements that will become applicable in the next monitoring period.

Despite these improvements, the most significant barrier to demonstrating substantial compliance across several provisions remains the absence of reliable internal reporting systems. This issue is most evident in provisions related to out-of-cell time, structured programming, and therapeutic housing unit activity levels. Programming opportunities and services have expanded during the past year; however, the County's current tracking systems do not consistently capture structured activities or produce reports that allow supervisors to independently evaluate compliance.

Similarly, while the County's use-of-force review process continues to mature and managerial review has improved, timely identification of policy violations at the supervisory level remains an area that requires continued attention. These concerns do not reflect the absence of policy or training, but rather the need for stronger documentation and more consistent supervisory review practices.

The following provisions achieved Substantial Compliance during this reporting period:

- 202 Creation of Behavioral Health Access Team
- 203 Creation of Emergency Health Care Access Team and Clinic Deputy Escorts
- 417 Documenting Exceptions to Out-of-Cell Activities
- 500 Update to Use of Force Policies and Training
- 502 Mental Health Staff Role in Pre-Planned Use of Force Incidents
- 505 Utilization of Special Restraints and Discontinuation of the WRAP Device

506 Medical and Mental Health Staff Role When Specialized Restraints Are Used

The following provisions maintained Substantial Compliance during this rating period with on-going monitoring recommended:

- 712 Alert System to Address Delays in Intake Processing
- 750 Modesty Garments and Safety Cells
- 763 Supervisor Review of Security Checks

The following provisions are recommended for discontinuation of monitoring this review period based on sustained compliance:

- 600 Access to Grievances and Grievance Trend Analysis
- 1200 Development of Consent Decree Implementation Plan

The following provisions are no longer subject to monitoring:

- 415 Access to Bathroom Facilities During Out-of-Cell Activities
- 504 On-Going Refinement of Use of Force Policies and Training
- 749 Cleaning of Safety Cells
- 754 Emergency Response Equipment and Access to Cut Down Tools
- 761 Training in Security Checks and Emergency Response to Suicide Attempts

As the attached report will show, the following represents a breakdown of ratings for the forty-three (43) provisions assigned to this expert:

Rating	Current	Prior
Discontinue Monitoring	5	3
Substantial Compliance – Discontinue Monitoring Recommendation	2	1
Substantial Compliance	10	6
Partial Compliance	22	29
Non-Compliance	0	0
Implementation Not Yet Required	4	4

Several provisions appear capable of reaching substantial compliance in the next monitoring period if the County continues to focus on improving documentation systems, expanding structured programming opportunities, and strengthening internal compliance review. These efforts will become particularly important as the County prepares to implement the enhanced

out-of-cell requirements associated with Provisions 402 through 407 following completion of the recreation yard projects. The provisions include:

411/412	Restricted Housing Out-of-cell time
419	Notification to Mental Health on refused out-of-cell activity.
420	Reconfigure Yard Space
421	Maximize Outdoor Recreation
503	Use of Force Reviews and Expansion of Fixed Cameras ¹
507	Updates to Special Restraint Policy.
751	Working call buttons in living areas.
760	Clinician Role in Establishing Property Restrictions
800	Establishment of Incarcerated Person Advisory / Ombudsperson Program.

Focus for Next Period as repeated from Seventh Monitoring Report cover letter:²

- Broaden access to therapeutic groups and programming across all units.
- Improve completeness and consistency of program-participation data.
- Deliver the required out-of-cell hours in all Units, focusing on structured activities.
- Ensure supervisors use formal corrective action for serious force violations.
- Apply de-escalation consistently and avoid non-emergent unplanned cell entries.
- Establish a clearly defined less-restrictive therapeutic housing option for women.
- Standardize yard and dayroom rotation for fairness across housing units.
- Address remaining staffing vacancies and evaluate overall custody staffing needs.
- Resource the compliance team and administrative support more adequately.
- Develop IT tools to support real-time internal monitoring.

The County has continued to demonstrate commitment to implementing the Consent Decree and has made measurable progress in several complex areas. Achieving substantial compliance going forward will depend largely on the County's ability to develop internal monitoring systems that allow leadership to measure performance, identify deficiencies, and take corrective action as necessary.

Respectfully Submitted,



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¹Assumes Fixed Camera expansion is rated under provision 414.

² Page 2.

Attachment