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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ASHOK BABU, and others,
Plaintiffs,
v.
SHERIFF GREGORY AHERN, and others,
Defendants.

Case No. 18-cv-007677 NC

**ORDER AFTER APRIL 2 STATUS
HEARING RE: SANTA RITA JAIL
COVID-19 RESPONSE**

April 2, 2020, 9:00 a.m. telephonic

This order is a status report after the April 2 hearing concerning the Santa Rita Jail COVID-19 response. The Court earlier considered information reported in the March 27 joint status report (ECF 81) and at a March 30 hearing. The Santa Rita Jail, through a coordinated effort, has reduced its inmate population by approximately 600 people since March 1. On April 4, the first inmate at SRJ tested positive for COVID-19. He has been housed in the SRJ's Outpatient Housing Unit since April 1. The housing unit that he was previously housed in (7E) is one of the units now on quarantine.

The Court summarizes the current status and next action steps as follows:

1. Defendants must continue to take the actions described and provide Plaintiffs' class counsel with the updates set forth in the status report ECF 81 at items 1-21.
2. Wellpath, the contracted provider for medical care at SRJ, produced the March 29 version of the SRJ Master Outbreak Control Plan. This production is not subject to

1 protective order.

2 3. Wellpath produced to plaintiffs' class counsel and Alameda County counsel
3 only the current "procedures and instructions for Wellpath's initial risk assessment for
4 arrestees entering SRJ." ECF 81-1 ¶c. This production is regulated by the protective order
5 in this case, ECF 30. The parties are to continue to meet and confer through April 9 as to
6 whether the documents produced should be properly characterized as confidential. At the
7 April 2 hearing, plaintiffs objected to these documents being characterized as confidential.

8 4. Defendants are to provide daily updates to the Court, Plaintiffs' class counsel
9 and other justice stakeholders as to the SRJ COVID-19 response status, including updated
10 information on pod quarantines, aggregate information on testing and test results, updates
11 on intake medical screening procedures, policies for visits by counsel and guests, and
12 communication with class members by phone and video. The Court recommends a daily
13 public report akin to the BOP web page and defendants reported April 2 that they planned a
14 web-based platform on the Sheriff's site to go live next week. The Court will follow up on
15 this topic on April 10. The Court also provided to the parties the email addresses for the
16 United States Marshal, U.S. Attorney, Probation, Pretrial Services, Federal Public Defender,
17 and CJA Supervising Attorney. Until defendants have a public notice web page that is
18 operational, they must provide daily email updates to plaintiffs' class counsel, the federal
19 partners, the Alameda County District Attorney and Public Defender, and to Alameda
20 County Probation. This information is public.

21 5. Parties are to continue meet and confer process as to costs and cost waivers for
22 phone and video calls from and to class members. With increased pod quarantines, the need
23 for phone and video connections at SRJ will increase.

24 6. Parties and Wellpath to continue meet and confer on current intake screening
25 procedures.

26 7. Wellpath has provided a point of contact (Jen Diaz) for attorney requests for
27 SRJ medical records.

28 A further status hearing is set on April 10 at 9:00 a.m. and will be by telephone only.

1 A transcript will be created. All participants, as well as the public, may participate by
2 calling 888.684.8852, and entering access code 1557087. A joint update is requested to be
3 filed April 9.

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IT IS SO ORDERED.

Date: April 4, 2020



Nathanael M. Cousins
United States Magistrate Judge