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Re: Fifth 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 letter serves to introduce my fifth 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 the Santa Rita Jail (SRJ). This report addresses the provisions assigned to me for review and rating as the Mental Health Expert and covers information received and reviewed between February 1st and August 31st, 2024. This report also reflects the findings of the most recent Joint Expert tour of the Santa Rita Jail which took place between August 12-14, 2024, and feedback from the Joint Experts.

This report reflects significant improvements and advancements towards compliance with the Consent Decree. Since the first tour in early 2022, the County has been moving towards the development of a mental health services system of care which was lacking in the SRJ. Developing a system of this magnitude requires serious planning and deliberate implementation. In addition, implementation involves the presence and work of trained and knowledgeable clinicians to obtain the desired results.

In this reporting period, numerous policies have been formally approved, a very important step towards compliance. With approved policies, developing proof-of-practice documentation can now be the focus of attention. While still limited, focus will be on developing proof-of-practice

reports, audits and additional documentation to substantiate efforts towards compliance. Staffing patterns, although not much improved, have remained stable.

In the areas assigned to me, this rating period continued to demonstrate the attention being paid by the County to the critical changes and improvements that must be made. As a result, there have been several provisions which are now rated "Substantial Compliance." Definite improvements have been noted during this rating period and include:

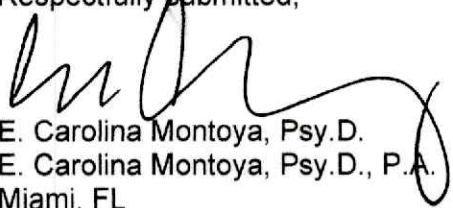
- Approval of policies and formal implementation efforts across the spectrum of Consent Decree provisions,
- Continued efforts to address staff shortages through hiring incentives and recruitment efforts,
- Maintained efforts to expand contracts with service providers (Telecare and Lifelong) to support AFBH efforts,
- Continued implementation and refinement of the Therapeutic Housing Unit (THU) model with dedicated teams in three THUs,
- Dedicated clinical treatment teams in Restrictive Housing (RH), HU 8, and the "Contraindicated Pod,"
- Continued implementation and refinement of the mental health Level of Care (LOC) system applied to virtually all persons incarcerated at the SRJ, with ongoing training of all staff, and confluence between the LOC and the THU models,
- Addition of ACSO Deputies to the Behavioral Health Access Team (BHAT) in support of therapeutic activities, and
- AFBH's development and implementation of several pilot training and service projects (e.g., Treatment Planning).

Areas of continued concern include:

- Ongoing attention 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,
- The need to continue developing the behavioral health continuum of care beginning at intake through release 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 for substance use and "re-entry" services,
- 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 be designed to "communicate" with each other, and
- 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.

In preparing this report, as in the past, I benefited from the openness and willingness of AFBH and ACSO to address the provisions of the Consent Decree. Once again, I truly appreciate the support and assistance received during this rating period from 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 notable improvements in operations and movement towards Consent Decree compliance shown during this rating period demonstrate the shared interest in making changes and seeking sustainable reforms.

Respectfully submitted,



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