

NOTICE OF AMENDED CONSENT DECREE

Hedrick v. Grant, E.D. Cal. No. 2:76-cv-00162-JAM-EFB, is a federal class action about the conditions in the Yuba County Jail (“the Jail”).

All current and future inmates in the Jail are members of a class that was certified by the Court in 1976.

In 1979, the district court entered an order called a consent decree to improve certain aspects of the Jail’s operations (“Consent Decree”). In August 2018, the class—represented by the lawyers listed below—and the County of Yuba reached an agreement on a proposed Amended Consent Decree. The Amended Consent Decree keeps many and modifies some of the provisions of the Consent Decree and adds a number of new provisions.

This notice explains the proposed Amended Consent Decree, where you can find the Amended Consent Decree, and how you can tell the Court whether you think the Amended Consent Decree is fair.

The provisions of the Amended Consent Decree require the County to, among other things: adopt a regular exercise schedule for all housing units; offer exercise daily on both the Exercise Roof and Exercise Yard from 5 a.m. to 11 p.m.; increase the number of medical staff, including registered nurses on site 24 hours per day and licensed mental health staff 7 days per week; have registered nurses at intake health screenings for new inmates; provide timely access to inpatient medical and mental health care; adopt policies for the use of telepsychiatry; address all sick call slips within 24 hours; provide reasonable accommodations to inmates with disabilities; make a number of changes over the next 4 years to the physical structure of the Jail to improve accessibility; limit placement of inmates in safety cells to 24 consecutive hours and 36 hours in any 120-hour period; create a “step-down” cell for inmates at risk of suicide; conduct suicide risk assessments on certain inmates placed in Segregated Housing; conduct daily health care rounds on all

inmates in Segregated Housing; and increase the amount of out-of-cell time for inmates in Segregated Housing.

The Amended Consent Decree has two provisions that are less favorable to the class than the Consent Decree: (a) the Amended Consent Decree requires the County to provide all inmates outdoor exercise a minimum of 1 hour, 5 days a week and inmates in Segregated Housing outdoor exercise for a minimum of 1 hour, 7 days a week, while the Consent Decree required the County to provide inmates 8 hours of exercise a week (although inmates claimed they received less exercise and the Jail faced difficulties due to operational constraints and population growth) and (b) the Amended Consent Decree terminates in 4 years unless Plaintiffs' attorneys prove that the County is not in substantial compliance, while the Consent Decree did not have an end date.

Copies of the Amended Consent Decree are available in the Jail Law Library, and will be made available to you upon request. You can also write to Plaintiffs' counsel to request a copy of the Amended Consent Decree or Plaintiffs' motion for attorneys' fees and costs.

The Court will keep jurisdiction to enforce the Amended Consent Decree. The Court will hold a hearing on the fairness of the Amended Consent Decree at 10:00 a.m. on January 23, 2019, at the United States Courthouse in Sacramento, Courtroom No. 8.

The lawsuit addresses policies that apply to the class as a whole. Because the lawsuit does not seek relief for any specific class member, there is no right to opt-out of the class. This action does not seek money damages and none will be awarded.

Plaintiffs' counsel will ask the Court to have Defendants pay for their attorneys' fees and expenses. The Amended Consent Decree limits the attorneys' fees and expenses to \$1.1 million for work from May 15, 2014 to June 30, 2018 and permits Plaintiffs' counsel to recover attorneys' fees and expenses for work between July 1, 2018 and final approval of the Amended Consent Decree. In the future, the Amended

Consent Decree limits the attorneys' fees and expenses to \$115,000 per year for monitoring conducted by Plaintiffs' counsel, excluding litigation in the district court or future appeals, if any. The Court will decide the amount of these fees and expenses.

Inmates in the Jail can write to the Court about whether the settlement is fair and whether they object to the award of attorneys' fees. Comments **MUST** include at the top of the page the case name and case number: *Hedrick v. Grant*, No. 2:76-cv-00162-JAM-EFB. Comments **MUST** be postmarked no later than December 30, 2018 and sent to:

Clerk of the Court
United States District Court
Eastern District of California
501 I Street
Sacramento, CA 95814

For more information, you may contact attorneys for the Plaintiff class:

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