

NOTICE OF ADA SETTLEMENT AGREEMENT

Darryl Dunsmore et al. v. San Diego County Sheriff's Department, et al.;
S.D. Cal. No. 3:20-cv-00406-AJB-DDL

The *Dunsmore* case is a federal class action about the conditions in the San Diego County Jail. This notice discusses the settlement of the ADA claim in that case (“**ADA Settlement Agreement**”).

Plaintiffs filed this lawsuit seeking certain changes at the Jail related to 9 different claims for relief, including a claim under the Americans with Disabilities Act (“ADA”). In 2023, the district court certified a subclass called the Incarcerated People with Disabilities Subclass. The Subclass includes anyone who is held at the Jail and has a disability.

Defendants are the County of San Diego and the Sheriff’s Office. They have agreed to settle Plaintiffs’ ADA claim in the case. The ADA Settlement Agreement relates only to this one claim about conditions for people with disabilities. Plaintiffs’ other seven claims in the case are still being litigated in court.

This notice explains the ADA Settlement Agreement, where you can find the ADA Settlement Agreement, and how you can tell the Court whether you think the ADA Settlement Agreement is fair.

The ADA Settlement Agreement requires the County and Sheriff’s Office to make certain changes at the Jail, including: (1) have an ADA Unit; (2) track people with disabilities and the accommodations they need; (3) provide reasonable accommodations to people with disabilities, including those with intellectual and mental health disabilities; (4) make physical changes to jail facilities to provide more accessible housing; (5) update ADA policies and training for staff; (6) provide equal access to programs and services for people with disabilities; (7) provide canes, walkers, wheelchairs, and other medical devices that people need; and (8) provide reasonable accommodations during transport. The ADA Settlement Agreement also requires the County to hire two neutral experts who will confirm whether the County is complying with the ADA Settlement Agreement.

Copies of the ADA Settlement Agreement will be made available to you upon request to the ADA Unit, which can be contacted by using the

incarcerated person request form or calling (858) 974-5841. You can also write to Plaintiffs' counsel at the address below to ask for a copy of the ADA Settlement Agreement.

The Court will have jurisdiction to enforce the ADA Settlement Agreement. The Court will hold a hearing on the fairness of the ADA Settlement Agreement at 2:00 p.m. on **July 31, 2025**, at the United States Courthouse in San Diego, Courtroom 4A.

The ADA Settlement Agreement does not involve monetary damages and none will be awarded.

The ADA Settlement Agreement allows Plaintiffs' counsel to ask the Court to have Defendants pay for their attorneys' fees and costs in obtaining the ADA Settlement Agreement. Plaintiffs' counsel filed a motion on February 3, 2025 that can be found on the Court's docket or requested from Plaintiffs' counsel. The Court will decide the amount of the fees and expenses.

Any person in the Jail with a disability can write to the Court about whether the settlement is fair and whether they object to the settlement or to Class Counsel's request for reasonable attorneys' fees and costs. Comments **MUST** include at the top of the page the case name and number: *Dunsmore v. San Diego County Sheriff's Dept.*, No. 3:20-cv-00406-AJB-DDL. Comments **MUST** be postmarked no later than **April 21, 2025**, and sent to:

Clerk of the Court
United States District Court - Southern District of California
333 West Broadway, Suite 420
San Diego, CA 92101

For more information about the ADA Settlement Agreement or the *Dunsmore case*, you may contact attorneys for the Plaintiff Class and the Subclass via LEGAL MAIL:

Rosen Bien Galvan & Grunfeld LLP
Post Office Box 390
San Francisco, CA 94104-0390
Or by phone at: **(415) 433-6830**