

KARA J. JANSSEN - 274762  
AMY XU - 330707  
ERNEST GALVAN - 196065  
ROSEN BIEN GALVAN & GRUNFELD, LLP  
101 Mission Street, Sixth Floor  
San Francisco, California 94105-1738  
Telephone: (415) 433-6830  
Facsimile: (415) 433-7104  
Email: [kjanssen@rbgg.com](mailto:kjanssen@rbgg.com)  
[axu@rbgg.com](mailto:axu@rbgg.com)  
[egalvan@rbgg.com](mailto:egalvan@rbgg.com)

Attorneys for Plaintiffs

GREGORY B. THOMAS - 239870  
TEMITAYO O. PETERS - 309913  
BURKE, WILLIAMS & SORENSEN, LLP  
1999 Harrison Street, Suite 1650  
Oakland, CA 94612-3520  
Telephone: (510) 273-8780  
Facsimile: (510) 839-9104  
Email: [gthomas@bwslaw.com](mailto:gthomas@bwslaw.com)  
[tpeters@bwslaw.com](mailto:tpeters@bwslaw.com)

PAUL B. MELLO - 179755  
SAMANTHA D. WOLFF - 240280  
HANSON BRIDGETT, LLP  
425 Market Street, 26th Floor  
San Francisco, California 94105  
Telephone: (415) 777-3200  
Facsimile: (415) 541-9366  
Email: [pmello@hansonbridgett.com](mailto:pmello@hansonbridgett.com)  
[swolff@hansonbridgett.com](mailto:swolff@hansonbridgett.com)

Attorneys for Defendants

April 15, 2024

Re: Fourth 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 fourth 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 originally assigned to me for review and rating as the Mental Health Expert and an additional four provisions assigned during this rating period. The period for this report covers information received and reviewed through January 31, 2024 with a few exceptions that are explained. While preparing this report, I've sought feedback from the Joint Experts and provided feedback to the other Joint Experts on their individual reports.

On January 7-11, 2024, I joined the team of court-appointed Experts for an on-site tour of the SRJ. As in the previous tours, it was helpful that the Joint Expert team was joined by Defense Counsel, Class Counsel, and representatives from the Department of Justice for discussions related to the implementation of the Consent Decree with the Sheriff, County Behavioral Health, and Wellpath leadership. During this tour, I had the opportunity to assess operations as I walked-through areas of the facility, spoke with staff, and observed several meetings on the Therapeutic Housing Units, attended a Restrictive Housing Committee meeting, and attended an all-staff meeting of AFBH.

Since the first tour in early 2022, the County has provided access to information and a range of documentation. Proof of compliance data is still limited or remains unavailable. As before, these concerns are specified in the attached report.

Throughout this rating period and once again during this tour, I benefited from the openness and willingness shown by the County, AFBH and ACSO to implement the provisions of the Consent Decree. In the areas assigned to me, this rating period demonstrates the attention being paid by the County to the critical changes and improvements that must be made.

Definite improvements have been noted during this rating period which have resulted in a few changes in Provision ratings. Improvements include:

- Significant increases in AFBH staffing at all levels and continued prioritization of efforts to address remaining staff shortages,
- Expanded contract with Telecare to staff the SRJ intake area to achieve appropriate 24/7 mental health service coverage and enable AFBH staff to perform other clinical duties,
- Continued implementation and refinement of the Therapeutic Housing Unit (THU) model with dedicated teams in three housing units,
- Dedicated clinical treatment teams in Restrictive Housing (RH), Special Handling Unit, Housing Unit 21, and the newly-developed “Contraindicated Pod,”
- Continued implementation and refinement of the mental health “Level of Care” (LOC) system applied to virtually all persons incarcerated at the SRJ over the past year, with ongoing training of all staff, and confluence between the LOC and the THU models,
- Significant advances in the development of various policies and procedures in support of the THU model and the overall mental health service delivery system,
- Delivery of ACSO’s “Crisis Communication for Corrections Training” which will improve attention to and care of persons with mental health disorders at the SRJ,
- AFBH’s improved efforts to define and identify incarcerated persons with Severe Mental Illness (SMI) to comply with the Consent Decree’s provisions related to these persons, and
- AFBH’s development and implementation of several pilot training and service projects (e.g., Diagnosing SMI, Treatment Planning).

Areas of continued concern include:

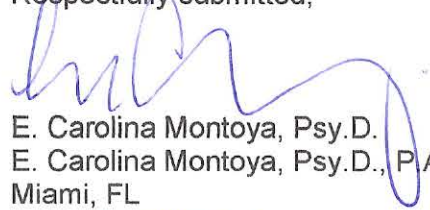
- Ongoing attention to recruit, hire, and retain sufficient behavioral health, custody and discharge planning staff to provide adequate treatment and supervision for the population served and supervised,
- Continued efforts to finalize and approve policies and procedures, with related forms and documentation requirements, for implementation and “Substantial Compliance,”
- 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 in the area of substance use and “re-entry” services.



- The County's ability to address inpatient housing needs for incarcerated persons in a mental health crisis; improvement in the processes with John George Psychiatric Hospital,
- 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 can 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.

Once again, I truly appreciate and have relied greatly upon the support and assistance received during this rating period from the 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,



E. Carolina Montoya, Psy.D.  
E. Carolina Montoya, Psy.D., P.A.  
Miami, FL  
[ecmontoya2006@yahoo.com](mailto:ecmontoya2006@yahoo.com)

Attachment