

March 14, 2019

Statement Regarding Approval of Jail Reform Class Action Settlement in *Chavez v. County*

James R. Williams, County Counsel:

“We are pleased that the federal district court has approved the settlement of the jail class action litigation. For the last three years, the County has tackled necessary jail reforms in a collaborative, deliberative, and transparent fashion resulting in improved conditions for inmates and their families, the staff, and our community. With this approval in place, the County can now move forward with implementation of the jail reforms set out in the agreement.”

Background

In 2015, the Prison Law Office, Cooley LLP, filed a class action lawsuit, *Chavez v. County of Santa Clara*, N.D. Cal. No. 1:15-cv-05277-RMI, alleging that some conditions in the county jails were unconstitutional. The parties negotiated a proposed consent decree for about three years. Today, March 14, 2019, the federal district court approved the consent decree. The key points of the court-approved consent decree include:

- For all inmates, the County will make several modifications to the intake and booking process to better identify, monitor, and address inmates’ medical, dental, and mental health conditions as well as non-mobility and cognitive disabilities.
- For all inmates, the County will improve the delivery of medical, dental, and mental health care while in custody through reduced wait times to be seen for health care concerns; revisions to the referral systems; and changes to the medication distribution and verification processes.
- For inmates with serious mental illnesses and cognitive disabilities, the County will make systemwide changes to the screening, classification, housing, and management needs unique to these inmates.
- For inmates at risk of suicide, the County will make additional efforts at suicide prevention through revised triage and screening processes for evaluating inmates with suicidal behaviors, installation of suicide resistant cells, and changes to the way the jail supervises inmates at risk of suicide.
- For inmates with dental needs, the County will improve wait times and expand services to inmates incarcerated for longer periods.

- For inmates with vision, hearing, and speech disabilities, the County will improve its identification and verification processes as well as its issuance, retention, and provision of assistive devices; accommodate these inmates in improved housing; provide for effective communication and programmatic access; and track accommodations provided to these inmates.
- For inmates who engage in violence and, therefore, their contact with inmates and staff must be reduced for the safety and security of the institution, the County will use a new, innovative phased approach, developed in consultation with experts, to house these inmates in what will be known as administrative management. This new approach will include specific admittance criteria and a high-level review for inmates who are retained for longer periods of time; notice to inmates regarding their placement; improved conditions on these units in the form of greater out-of-cell time and more meaningful out-of-cell opportunities; and an opportunity for inmates to demonstrate good behavior and return to a lesser restrictive setting.
- The Sheriff's Office has developed a new use of force policy and implemented extensive training to correctional staff on the policy as well as de-escalation and conflict resolution training.