



ROSEN BIEN  
GALVAN & GRUNFELD LLP

P.O. Box 390  
San Francisco, California 94104-0390  
T: (415) 433-6830 • F: (415) 433-7104  
www.rbgg.com  
Megan Rich

July 10, 2023

CONFIDENTIAL – LEGAL MAIL

Keith Washington, UME239  
Santa Rita County Jail  
5325 Broder Boulevard  
Dublin, CA 94568-3309

Re: *Babu, et al., v. County of Alameda, et al.; 5:18-cv-07677*  
Our File No. 1378-03

Dear Mr. Washington:

This is in response to your multiple voicemails that we have received in the month of June 2023. This is also in response to Declaration 514 that you filed on June 8, 2023. In your Declaration and within your voicemails, you report that the *Babu* case has resulted in you receiving more out-of-cell time and more consistent bi-weekly sessions with AFBH. We are very happy to hear this. You also report that you still have concerns regarding the AFBH staffing shortages, the lack of confidential spaces for AFBH sessions, and the lack of continuity of care from AFBH. As we have expressed to you in our previous letter dated June 8, 2023, the renovations for confidential spaces for AFBH will take time to complete. We have been informed individuals may choose to be seen confidentially in the booths typically used for visiting as an interim measure. You reported that you have filed two grievances requesting to be put in a booth during AFBH sessions. Please let us know when you receive responses to those grievances and if you are refused that option. Thank you for also letting us know those grievance numbers so that we may request a response. We, as well as the Experts, are continuing to monitor and push for the speedy construction of additional spaces for these meetings. We can confirm, however, that during mental health encounters, deputies' cameras should be turned off, although the cameras remain in buffering mode and will have a light visible.

We are also in communication with the Jail to monitor their ideas on ways to mitigate the AFBH staffing shortages. Again, this will take time to remedy, but we share your concerns and will continue advocating that the Jail prioritize this issue.

**CONFIDENTIAL – LEGAL MAIL**

Keith Washington, UME239

July 10, 2023

Page 2

\* You also reiterated your concerns that the Jail is retaliating against you by contacting the US Marshals to have you transferred to another facility and by Deputy Clinton threatening to move you and Mr. Misch to a different pod. As we expressed in our June 8, 2023 letter to you, while we are concerned to hear about this retaliation, we have no control over whether the U.S. Marshal's Office houses you at Santa Rita Jail or at another facility. Please do let us know, however, if Deputy Clinton moves you and Mr. Misch to a different pod as a form of retaliation for advocating for yourself and for filing grievances.

\* You also reported that we have not sent you a copy of the Defendants' response to our advocacy that we wrote on your behalf. Unfortunately, we are unable to share this response with you as it is marked confidential under the Protective Order. Defendants have marked too many documents as confidential which prevents us from sharing important issues with our clients, and we are actively working on negotiating this issue.

However, we would like to let you know that you can access your own records pertaining to specific incidents you experienced at the Jail. You can access these documents, and your own files generally, by requesting them directly from the Jail and ACSO. Per ACSO Policy 11.58, enclosed, incarcerated individuals are able to request copies of their own files by sending a message request. You may be entitled to the footage under California's Public Record Act (California Public Records Act, Gov't Code §§ 6250 *et seq*). We have enclosed sample language for a request from the ACLU of Southern California to the extent it is helpful. Please keep us updated on these issues. Additionally, copies of incident reports and/or crime reports may also be obtained by completing the enclosed form and mailing it to:

Alameda County Sheriff's Office  
2000 - 150th Avenue  
San Leandro, CA 94578

Requests may also be submitted online at the following website:  
<https://www.alamedacountysheriff.org/services/request-a-polic-report>.

If you would like access to your mental health records, you can make your request through Alameda County Behavioral Health. I am enclosing instructions and forms from their website that I hope you will find helpful. Please let us know if Behavioral Health refuses to provide you with a copy of your mental health records.

///

**CONFIDENTIAL – LEGAL MAIL**

Keith Washington, UME239

July 10, 2023

Page 3

Take care.

Sincerely,

ROSEN BIEN  
GALVAN & GRUNFELD LLP

*/s/ Megan Rich*

By: Megan Rich  
Paralegal Clerk

MR:mr

Enclosures: ACSO Policy 11.58, ACLU PRA Sample Incident Request, ACBH Records  
Request Instructions/Forms (May 2022)