

**From:** [Gale Sanders](#)  
**To:** [Gale Sanders](#)  
**Subject:** How Many More Deaths Will It Take?  
**Date:** Wednesday, May 24, 2023 8:32:59 PM  
**Attachments:** [How Many More Deaths Will It Take.pdf](#)  
[Protective Order - Docket 30.pdf](#)

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For months, Mr. Washington and I have been pouring over the details of the entire Babu case. I have personally monitored the implementation of the Consent Decree at the Santa Rita Jail (“SRJ”). I am mortified by the continuous string of deaths at the jail. Recently, Mr. Washington requested that I do a cursory Internet search into the history of Wellpath, formerly known as Correct Care Solutions, the medical provider at SRJ. It took only minutes for me to discover a remarkable report produced in 2019 by CNN reporters, Melanie Hicken and Blake Ellis. Their expose shed light on the horrid history of Wellpath and detailed lawsuits brought against the for-profit medical provider. All over the United States, I read about case accounts which told stories of deliberate indifference, medical neglect, substandard medical services, and inhumane treatment of individuals, all of which led to wrongful deaths or injury of prisoners inside our jails and prisons. The first question that came to my mind was: If class counsel, Rosen, Bien, Galvan & Grunfeld (“RBGG”) held the interest of their imprisoned plaintiffs (clients) as a priority in this litigation effort, then how or why would RBGG ignore this shocking and damning evidence against the healthcare provider at the jail? RBGG was in the position to protect the class members from these rogue actors but instead of protecting them, they mislead the court and surreptitiously evaded the scrutiny of the informed and compassionate objectors from this community.

**But there’s more! After meticulous study of the Babu case, Mr. Washington and I continue to encounter a recurrent theme emanating from the Objectors of the Consent Decree.** That theme is: *a call for the Alameda County Board of Supervisors to fund community-based mental health treatment programs rather than funding more jail staff or deputies who don’t possess the mental health care skill sets.* Ultimately, this request from the Objectors was blatantly ignored by all parties. Once again, after doing some research, Mr. Washington and I found that even the Department of Justice echoed this call from the Objectors of the Babu Consent Decree. Moreover, the DOJ even supplied data and analysis which bolstered the Objectors’ position. In April 2021, approximately 10 months before the implementation of the Consent Decree, the U.S. DOJ Civil Rights Division produced a report entitled, “Investigation of Alameda County, John George Psychiatric Hospital and Santa Rita Jail.” Here are two outstanding quotes from page 19 and page 20 of that report:

“The Alameda County Board of Supervisors Mental Health Board recognized in 2015 that Santa Rita Jail has become a warehouse for people with mental illness. The Board further explained that since there is no where to place individuals with mental health disabilities the languish in jail often isolated in jail cells. We need to develop a system so that this population can be diverted out of the criminal justice system and into treatment.” That was from page 19 from the report, and it is clear, concise, and easy to comprehend.

Here is the quote from page 20 of the report:

“The Mental Health Board’s Criminal Justice Subcommittee has reported to the Board of Supervisors that according to national data, it costs two to three times more for a

person with serious mental illness to be incarcerated compared to being housed and receiving treatment in the community.”

Now, the words of civil rights attorney, Yolanda Huang, are resonating like an ear-drum piercing alarm: “SHAM AND SWEETHEART DEAL.” And yet another provocative question presents itself: If Nate Miley and the remainder of the Alameda County Board of Supervisors could have saved taxpayers some money while also providing a more holistic and community-based solution rather than funding a carceral solution, why didn’t they do it? Why did they approve a payout of all of these millions of dollars for the Alameda County Sheriff’s Office while blatantly ignoring the wisdom, wishes, and outcries for help of an entire community and expertise of the DOJ? **Now this most certainly looks like collusion.**

**But there’s more! RBGG along with Defendants’ counsel agreed to the appointment of four “so-called” expert monitors: James Austin, Ph.D., Sabot Consulting, Terri McDonald Consulting, and E.C. Montoya**

The “expert” monitors have been tasked with creating reports that describe conditions inside the jail as they relate to the implementation of Consent Decree. What baffles my mind and makes no sense is that after nine deaths since the implementation of the Consent Decree and two rounds of reports from four different “experts,” there are absolutely no details nor mention of any of the deaths that took place during this time period. They, too, have been paid by Alameda County.

Now, some questions should have surfaced by these “expert” monitors: Who is liable? How did they die? Was anyone disciplined or asked to resign? Where is the transparency or accountability? What more could have been done to protect the lives of these individuals?

What kind of fools do these “experts” think we are? If no one will stand up for their humanity, we will.

And the final straw was the creation of a Stipulated Protective Order, Docket 30 in the Babu Case. Attached is a copy of this Stipulated Order. This order effectively binds the expert monitors, RBGG, the DOJ, and all other parties into a pact of silence. No records of deaths, use of force, or other incidents that puts inmates into the hospital, or allows them to go without treatment for possibly days or not at all because they may be “faking it.” None of this information can be released to any other agency, media outlet, or inmate counsel. More to come on this top in the future.

Because this message needs to be said, it has emerged with more love and respect for human life than anger.

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