

HOW MANY MORE OF US MUST DIE BEFORE THE DEPARTMENT OF JUSTICE INTERVENES AT THE SANTA RITA JAIL?

Malik Washington
Santa Rita Jail Freedom Collective



<https://destination-freedom.org/srj-freedom-collective>

“The true sign of a leader, the measure of a leader is not based on who you beat down and belittle....It is based and measured on who you lift up.”

~U.S. Vice President, Kamala Harris
Speech at Howard University 2023



Kamala Harris was born in the Bay Area
She is an Oakland native and like many

I have watched her rise from humble beginnings

As I witness my sisters and brothers die inside this death camp (SRJ)

I have one thing to say to the Vice President of the United States

If you are one of us, then help our people

Approximately one year ago, journalist, Lisa Fernandez of KTVU Fox 2 in Oakland released an article entitled, “58 People Have Died at Santa Rita Jail Since 2014; Interfaith Group Demands Change.”

Today, on May 25, 2023, the death toll at Santa Rita Jail (“SRJ”) has jumped to 67 from 2014 at the infamous SRJ located in Dublin, California. A disturbing irony which exists here at SRJ is its close geographic proximity to another infamous Federal lock-up right across the street.



FCI Dublin, across the street from SRJ
Served as torture chamber for women Federal prisoners
The Trump Administration was complicit and culpable
in allowing the sexual abuse of women to persist at
the Federal lock-up. We have hoping that high-ranking
DOJ lawyers like Lisa Monaco will fight for the freedom
of Federal prisoner, Amy Shapiro and numerous other
Incarcerated women who were victimized at the infamous
"Rape Club":

For years, women housed at FCI Dublin were subjected to unspeakable crimes by Federal correctional employees. For over a decade, imprisoned women filed grievances and lodged numerous complaints in order to shed a strobe light on the facility know as the "Rape Club."

<https://www.motherjones.com/crime-justice/2022/12/dublin-california-women-prison-warden-sexual-abuse-rape/>

The unbelievable and unconscionable portion of this story is that no one in the Bureau of Prisons, the Department of Justice or, more specifically, the Inspector General's Office would listen until the situation was exposed in the national media.

Unlike FCI Dublin, Santa Rita Jail is not an exclusive Federal lock-up; it is actually a county jail that receives Federal funds in order to house Federal pre-trial detainees, both women and men, along side state and local prisoners, as well as ICE detainees.

SRJ receives Federal funds under the auspices of Title IX. Title IX requires Alameda County to adhere to constitutional levels of care and treatment of prisoners housed at SRJ. Wellpath Corporation currently has the contract to provide medical care for all prisoners at SRJ. Not only is Wellpath the largest for-profit medical provider for prisons and jails in the United States, it has a horrid history of depriving prisoners of constitutional levels of care.

With the help of Gale Sanders, the President of the non-profit entity, Destination Freedom, we have compiled a resource list of specific articles

which illustrate examples of Wellpath filing to provide adequate medical care to prisoners at facilities all over the country.

<https://www.prisonlegalnews.org/news/2022/mar/1/wellpath-founder-and-ceo-pleads-guilty-federal-bribery-charges/>

<https://www.prisonlegalnews.org/news/2023/jan/1/3-million-forsyth-county-no-stay-civil-case-against-wellpath-nurse-indicted-involuntary-manslaughter-nc-jail-detainee/>

<https://www.opb.org/article/2023/03/03/clark-county-correctional-health-care-provider-wellpath-faces-litigation-for-wrongful-deaths/>

https://www.coloradopolitics.com/courts/judge-refuses-to-dismiss-lawsuit-against-jeffco-jail-contractor-for-alleged-constitutional-violation/article_2c7f2100-5ad0-11ed-b80e-dbc2b3092f37.html

<https://www.denverpost.com/2022/10/19/wellpath-el-paso-jail-lawsuit-suicide-prevention/>

<https://casetext.com/case/dence-v-wellpath-llc>

<https://www.oregoninjurylawyerblog.com/once-again-an-inmate-has-died-at-a-jail-where-wellpath-the-private-medical-care-provider-was-responsible-for-treatment/>

https://journalnow.com/news/local/crime-and-courts/judge-approves-3-million-settlement-in-wrongful-death-lawsuit-over-john-nevilles-death-claims-against/article_e3b1c4cc-f31f-11ec-925e-5f55b934a8bd.html

<https://www.reuters.com/legal/government/doj-report-exposes-failures-jail-reform-measures-2021-09-09/>

<https://www.cnn.com/interactive/2019/06/us/jail-health-care-ccs-invs/>

The Prison Legal News has proven time and time again to be an invaluable resource for those conducting research into prison profiteers like Wellpath. In the time spanning March 2022 through the present day, I have observed 8 deaths at SRJ. Here is a list:

<u>Name</u>	<u>Date of Death</u>
Jose "Nick" Piña (Cardenas)	June 7, 2022
Ali Muhammad	October 24, 2022
Nelson Chia	October 28, 2022
Stephen Lofton	January 17, 2023
Charles Johnson	February 4, 2023

Elizabeth Laurel
Candace "Cody" Van Buren
_____ Magana

February 13, 2023
February 28, 2023
April 27, 2023



By Lisa Fernandez
Published May 24, 2022
Updated 5:35PM
Oakland
KTVU FOX 2

In 2023, there have been already 5 deaths at SRJ. I'd like to include a quote from the former Sheriff of Alameda County, Greg Ahern. This is from the article written by Lisa Fernandez that we referenced at the beginning of this article, "Deputies are working with behavioral health and medical staff to improve conditions, such as trying to reduce the number of suicides, natural deaths and assaults at the jail."

An observant reader could attest to the fact that former Sheriff Greg Ahern believed that there was a connection or correlation between deaths at the jail and medical care or, rather, the lack thereof. So if this was known, why wasn't Wellpath included as a part or as a defendant in the Babu case? Moreover, why has not the Alameda County Board of Supervisors re-visited the Wellpath contract?

Allow me to briefly explain what the Babu case is about. On February 7, 2022, a United States District Court Judge, Nathaniel Cousins, in San Jose, California approved and ordered that a consent decree be immediately implemented at SRJ. This case is known as Babu v. Ahern, Case No. 5:18-cv-07677-NC. The Babu Consent Decree specifically focuses on the need for Alameda County to provide treatment and care for individuals with mental health and other disabilities who are housed at SRJ.

With the implementation of the Babu Consent Decree came the appointment of “expert monitors” whose task is to oversee and provide reports on SRJ’s progress in implementation of special target areas of the Consent Decree. I’ve personally reviewed and analyzed each report generated by the “experts” thus far.

The most glaring omission in regard to the recent reports produced by the “experts” is their blatant failure to make any reference or mention to the ongoing deaths at SRJ. This in of itself raises a red flag and brings into question the sincerity or, more accurately, the credibility of the chosen “experts.”

Local community activists and journalists, such as myself, have complained that the “experts” utilized in the Babu case are not from the local community and, therefore, have no vested interest in the success or well being of the prisoners at SRJ. I raised such issues with attorney, Kara J. Janssen, Senior Class Counsel for the Class Members of the Babu Settlement/Consent Decree. Ms. Janssen works for the San Francisco based law firm, Rosen, Bien, Galvan, & Grunfeld LLP (“RBGG”). In a recent 45-minute phone call with Ms. Janssen, I asked her why has RBGG not held Wellpath accountable for their obvious medical neglect and deliberate indifference where class members at the jail are concerned. Ms. Janssen said, “Wellpath is not named as a defendant in the Babu case, therefore, we don’t have any authority to hold them to account.”

I proceeded to ask Ms. Janssen had she contacted the U.S. Department of Justice – Civil Rights Division in regard to Wellpath’s culpability in the spike in deaths at SRJ. Ms. Janssen said, “I have contacted the Department of Justice about Wellpath, and I will contact them again, but my focus is on improving mental health services for our Class Members at the jail.”

Where is the Department of Justice?

Posted on our website and attached to this article is a letter from the U.S. Department of Justice – Civil Rights Division – Special Litigation Section. The letter was authored by Steven H. Rosenbaum, the Section Chief of the Special Litigation Section in Washington D. C. The recipient of the letter was Keith H. Washington aka “Malik,” a Federal pre-trial detainee who has been housed at SRJ for over a year.

The letter is dated April 25, 2023. On April 27, 2023, a Hispanic prisoner (Eric Magana) died with the Out-Patient Housing Unit which is in the Medical Department at SRJ. Initially, a spokesperson for the Alameda County Sheriff’s Office told members of the media that the prisoner died

from “guzzling water.” We at SRJ Freedom Collective question that narrative and have been patiently awaiting release of the official cause of death.

I'd like to direct our readers' attention to a specific portion of the attached letter from the U.S. Department of Justice. In the second paragraph, we have underlined and highlighted “DOJ is not a party to the Babu Consent Decree, but is tracking Alameda County’s implementation of the Babu Consent Decree to ensure our identified violations at Santa Rita Jail are remedied.”

That provokes a question: Is the protection and preservation of human lives a priority of the DOJ as they track the implementation of the Babu Consent Decree?

Ms. Janssen raised an excellent point during our phone conversation. It has to do with why the recently deceased “John Doe” was not assigned to the AFBH (Psyche) case load. Ms. Janssen stated, “If we accept the narrative that the prisoner died of water intoxication or “guzzling water,” is that not a sign of some sort of pre-existing psychosis?”

The Alameda County Sheriff’s Office stated that at intake the prisoner who died on April 27, 2023 was not deemed to have any physical or mental health issue when he was originally booked into the jail on March 28, 2023. The prisoner was housed in the Restrictive Housing Unit on 1 Building. 1 Building or Housing Unit 1 has a notorious reputation for foul living conditions and employing Sheriff deputies who seem to enjoy watching prisoners suffer.

A prisoner who obviously has no local friends or family to advocate for him became Victim #67 of the SRJ Death Camp. As we wrap up this article, we send out a call for action to journalists, activists, and citizens of conscience. We request you do 3 things:

1. Send articulate and detailed e-mails to the Department of Justice – Civil Rights Division and inform them about Wellpath’s culpability in the deaths of our community members. Whether it be failure to provide proper care to those detoxing from opiates or ignoring serious medical conditions which lead to death, Wellpath consistently exhibits deliberate indifference and medical neglect at SRJ. The email to contact the DOJ is: alameda.spl@uisdoj.gov

(2019 CNN Report on Wellpath – accused of contributing to more than 70 deaths from 2014 to 2018 – the above link to the article has hyperlinks to documents supplied by CNN showing the complete disregard for human life

<https://www.cnn.com/interactive/2019/06/us/jail-health-care-ccs-invs/>

2. We request that Alameda County residents strongly encourage the Alameda County Board of Supervisors to re-visit the contract with Wellpath.

3. We must demand a higher level of transparency and accountability from the Alameda County Sheriff's Office. SRJ has earned the infamous distinction of being the deadliest county jail in Northern California. Consider the progressive nature as a whole of the Bay Area. Further consider the presence of institutions of higher learning. How can members of the medical community remain silent when you hear a story of a prisoner vomiting and simultaneously “guzzling water” then the death is attributed initially to water poisoning and no one even bats an eyelash.

If Vice President Kamala Harris is watching this situation here in Alameda County, I hope she is taking note of the silence from our local elected officials.

I end with a quote from Angela Y. Davis from her book, *Freedom is a Constant Struggle*, pgs. 64-65: “There are more than nine hundred streets named after Dr. Martin Luther King Jr, but there are also some 2.5 million people in US jails, prisons, youth facilities, military prisons and jails in Indian country. The population of those facilities constitute 25 percent of the world’s incarcerated population as compared to 5 percent of the planet’s population at large. Twenty-five percent of the world’s incarcerated population serves as fodder for a vast -prison-industrial complex with global dimensions that profits from strategies designed to hide social problems that have remained unaddressed since the era of slavery.”

Please continue to amplify our voice and our struggle.



Santa Rita Jail located in Dublin, California has earned the distinction of being the deadliest county jail in Northern California. Approximately one year ago, community activists and concerned family members demanded oversight of this jail. **One year later, all we have heard is crickets and the zipping of body bags**

WE ARE THE SANTA RITA JAIL FREEDOM COLLECTIVE