

Fifth Detainee Dies in 2023 at California's Santa Rita Jail

by Jo Ellen Nott

A homeless man who lived behind a Kohl's Department Store in Livermore, California, became the fifth detainee to die this year in Alameda County's Santa Rita Jail (SRJ). Eric Magana, 26, committed suicide by "consuming a profuse amount of water" in his cell on April 27, 2023.

Just a month earlier, Magana had been picked up on unspecified charges, when he told cops he threw a rock at a jewelry store because he was just "trying to survive." Magana also said "he was worried about his life because he [didn't] have any money, food or work." Then he apologized for anything bad he had done.

That apparently included an "extensive assaultive history on staff" at the jail, which was noted when Magana was booked on March 28, 2023, and placed in a single-man cell in SRJ's Restrictive Housing Unit (RHU). Magana admitted to using drugs the day before his arrest, but the Alameda County Sheriff's Office (ACSO) said that "there was no cause for concern found during the medical and mental health intake process."

Acute water intoxication flushes the body of sodium until levels become lethally low, a condition known as hyponatremia. Depressingly, it is not unheard-of in California lockups. [See: *PLN*, Oct. 2022, p.1; and June 2023, p.33.] A complaint filed by the survivors of Tamario Smith against Santa Cruz County is pending in federal court for the Northern District of California over his death from water intoxication, blaming the county jail and its privately contracted healthcare provided, Wellpath, for deliberate indifference to Smith's risk of suicide. *See: Smith v. Cty. of Santa Cruz*, USDC (N.D. Cal.), Case No. 5:21-cv-00421.

Before Magana's death, ACSO reported four more SRJ deaths for 2023.

Candice "Cody" Vanburen, 33, died on March 1, 2023, at a hospital where she had been transported from SRJ after she was found unresponsive in her cell the day before – reportedly from a fentanyl overdose. Vanburen, who was non-binary, admitted drug use during intake screening, but deputies of recently elected Sheriff Yesenia Sanchez said that was "no cause for concern" and placed him in a cell alone. Vanburen was at SRJ to begin post-release supervision after serving two years for felony vehicle theft at Valley State Prison in Chowchilla.

Elizabeth Laurel, 39, was found unresponsive in her cell and later pronounced dead on February 13, 2023. She had been brought to SRJ by San Leandro Police two days earlier on a felony warrant for drug trafficking and suspicion of drug possession. She also was placed in a cell alone, where she was "on withdrawal protocols for various substances, including opioids and alcohol," according to ACSO Lt. Tya Modeste.

Charles Johnson, 45, died on February 4, 2023, at a hospital where he had been transported two days earlier from SRJ following a medical emergency. The county medical examiner said that a "preliminary investigation revealed no obvious signs of trauma or foul play" and Johnson's "medical and mental health intake information did not present any red flags." He was at the jail six days after Oakland Police arrested him for violating a protective order.

Stephen Lofton, 39, died of a suspected suicide on January 17, 2023. He had been arrested four days earlier by Hayward Police on suspicion of carjacking and drug possession. The father of three struggled with addiction and homelessness, his mother said.

Charges Filed Against Jail Guards, Long-Term Probation Officer

On March 26, 2023, newly elected county District Attorney (DA) Pamela Price filed charges against SRJ guards Sheri Baughman, 49, and Amanda Bracamontes, 30. The pair are accused of faking logbook entries to show every-30-minute checks they never made on detainee Vinetta

Martin, 32, a mentally ill woman who fatally hanged herself with a bedsheet while held in solitary confinement in April 2021.

Both were cleared of wrongdoing by outgoing DA Nancy O'Malley in December 2022. Price then ordered investigators to examine the guards' body-camera footage, which revealed the discrepancy with the logbook.

Price also announced charges against a veteran probation officer, Nicole Perales, 50, who is accused of having oral sex with an unnamed 15-year-old detainee nearly two decades ago, between August 2004 and August 2005. If convicted of abusing her "position of trust," Perales could face up to four years in prison.

Detainee Hunger Strike Draws Attention to Wider Jail Problems

A detained mixed martial arts master started a hunger strike in April 2023 to protest conditions at SRJ. After he swallowed a staple that was in his cream of wheat, Jazz Svarda, 34, reached down his throat to remove it and began the strike, which an undetermined number of fellow detainees joined to protest the dismal quality of food served at the lockup by private institutional food contractor Aramark. The protest lasted for two weeks until the young husband and father called it off, fearful that if he fell ill, he would not be adequately cared for by Wellpath medical staff.

Oakland civil rights attorney Yolanda Huang is well acquainted with these grievances. She sued then-Sheriff Greg Ahern and Aramark in 2019 after an earlier prisoner hunger strike.

"Garbage getting into the food is a longstanding issue," Huang said. "They are serving food that's not only inedible but unconstitutional. It's a chronic problem."

On May 9, 2023, the federal court for the Northern District of California denied class certification to Plaintiffs on claims alleging inadequate food and medical care. But it granted provisional class certification on a claim alleging inadequate sanitation, provided that Huang "obtain qualified co-counsel to appear in this action and litigate it with her." Quoting *Cullen v. New York State Civ. Serv. Comm'n*, 435 F. Supp. 546, 560 (E.D.N.Y. 1977), the Court questioned Huang's "ability as a 'single practitioner [to] effectively litigate an action that involves thousands of [detainees]" at SRJ. See: *Gonzalez v. Ahern*, 2023 U.S. Dist. LEXIS 81134 (N.D. Cal.).

Aramark has faced numerous lawsuits over poor food quality, but most accomplished no more than forcing the firm to fire a handful of allegedly errant employees. [See: *PLN*, Dec. 2015, p.1.] Yet food quality can't help but suffer when Aramark contracts to for ridiculously low costs – an agreement signed in January 2023 to feed Missouri's 23,000 state prisoners amounts to \$1.77 for each prisoner meal.

SRJ is also under a consent decree in a class-action suit filed to improve mental health care, which a 2021 Justice Department investigation found "likely violates the Eighth and Fourteenth Amendments, as well as the Americans with Disabilities Act [42 U.S.C. ch. 126, §12101 et seq.]." Under the agreement, ACSO is required to change policies and procedures, hire new staff and build a new "therapeutic housing unit" at SRJ. [See: *PLN*, May 2022, p.22.]

Additional sources: *Danville SanRamon*, *KRON*, *KTVU*, *Lookout Santa Cruz*, *NBC News*, *Pleasanton Weekly*, *St. Louis Post-Dispatch*