

SHEDDING LIGHT ON INJUSTICE AND ABUSE
OF POWER INSIDE SANTA RITA COUNTY JAIL

“He who treads softly goes far.”
- A Chinese Proverb

Greetings Free World Allies and Friends:

We are prisoners who are housed inside Santa Rita Jail, which is located in Dublin, California and operated by the Alameda County Sheriff's Office.

We would like to share some information which details fairly recent occurrences and events inside Santa Rita Jail (“SRJ”). We have come to the conclusion that the media as well as the public-at-large need reliable sources inside the jail. We are seeking help in regard to shedding a strobe light on injustice.

Many in the Bay Area are aware that SRJ is currently under a Consent Decree. A few years ago, the San Francisco based law firm, Rosen Bien Galvan & Grunfeld, LLP (“RBGG”) filed a class-action lawsuit on behalf of prisoners housed at SRJ.

Be advised that because of the fact that we are currently housed inside SRJ, we are considered members of the Class. Some of us objected to the Consent Decree. Some of us are currently in close contact with lawyers and paralegals at RBGG.

Improving access to mental health services for prisoners housed at SRJ is one key component of the Consent Decree. There have been approximately 53 suicides at SRJ in the span of 10 to 12 years. SRJ has the distinction of being one of the deadliest county jails in the State of California.

What is remarkable is that the East Bay Times recently reported that “47 Alameda County Sheriff Deputies – most of whom worked at the County's Santa Rita Jail – were told to turn in their firearms and move to desk duty after an internal audit revealed that each was hired despite falling short of psychological testing standards established by the California Commission on Peace Officer Standards and Training.”

With this in mind, we raise another issue of contention which was covered by the Consent Decree and that is...the use of excessive force by Alameda County Sheriff Deputies against detainees housed at SRJ. A local

activist once told one of our fellow prisoners that, "Hurt people, hurt people!" We prisoners find truth in this statement.

THE ASSAULT OF PRISONER, DAVID MISCH

On the morning of June 15, 2022, prisoner Keith Washington witnessed two Alameda County Sheriff Deputies assault an elderly detainee here at SRJ.

The prisoner who was assaulted is named David Misch. Mr. Misch is a 62-year-old white male, who is currently housed in the Restrictive Housing Unit at SRJ. Mr. Misch has been housed at SRJ for approximately four and a half years (4-1/2), during which time he reports seeing nine (9) dead bodies removed from his housing unit – all were victims of suicide.

While housed at SRJ, Mr. Misch has kept very detailed and quite meticulous records regarding time outside his cell known as "pod time," as well as recording information about the delivery and content of his Kosher/Halal meals here at SRJ.

ARAMARK is the corporation which has the contract to provide meals to all prisoners housed at SRJ. Mr. Misch has written well over 100 grievances against ARAMARK and the Alameda County Sheriff's Office in regard to the atrocious meals courtesy of ARAMARK.

Mr. Misch has been actively involved with civil litigation while housed at SRJ. He participated in hearings where U.S. District Court Judge Nathaniel Cousins heard objections from prisoners related to the Babu v. Ahern Consent Decree. See, Babu v. Alameda County Sheriff's Office, et al., Case No. 5:18-cv-7677-NC

Mr. Misch has also worked closely with a Berkeley-based attorney, Yolanda Huang in a lawsuit that addresses poor conditions at SRJ with a special emphasis on the sub-par nutrition and inadequate meals provided by ARAMARK. See, Gonzalez v. Ahern, et al., Case No. 3:19-cv-07423-JSC.

As a result of being involved with civil litigation which opposes the Alameda County Sheriff's Office, Mr. Misch has been TARGETED by sheriff deputies here at SRJ.

Retaliating for accessing the courts is illegal, however, it has become a policy and pattern of practice embraced by the rank and file at SRJ. These unconstitutional behaviors have been sanctioned and condoned by Alameda County Sheriff, Gregory Ahern, and is one of the reasons he is on his way out!

On or around June 10, 2022, lawyers from RBGG conducted their first “monitoring tour” per an order issued by U.S. District Court Judge Nathaniel Cousins. At the time, both prisoners, David Misch and Keith Washington, were housed in Building 2-East (E-Pod) in the Restrictive Housing Unit here at SRJ. Mr. Misch spoke with attorney, Amy Shiu of RBGG, and Mr. Washington spoke with attorney, Kara J. Janssen, also of RBGG. They were the only prisoners on that pod who spoke with members of the monitoring tour.

Five days later at approximately 8:00 a.m., June 15, 2022, Sheriff Deputy Duran (Badge #2610) and Sheriff Deputy Lopez did assault Mr. Misch inside his cell on E-Pod. The reason the deputies gave for attacking Mr. Misch was that he allegedly refused to give them a couple empty milk cartons. While the deputies were inside Mr. Misch’s cell, Mr. Washington, who had observed them enter the cell, heard Mr. Misch yelling “I can’t breathe! You are going to break my shoulder!”

Mr. Washington reports that he then heard Mr. Misch say in a muffled tone, “Malik, call Yolanda! Call Yolanda Huang!” It is relevant to mention that Mr. Misch was housed only two cells away from Mr. Washington.

Mr. Washington immediately called attorney Yolanda Huang and gave her his permission to record their call. Mr. Washington was on the phone with attorney Yolanda Huang while Deputies Duran and Lopez were still inside Mr. Misch’s cell assaulting him.

Later that day, Mr. Misch showed Mr. Washington dark purple bruises on his upper arm and his lower back. Mr. Misch reported that while in the cell with Deputies Duran and Lopez, Deputy Lopez had attempted to twist his neck in an un-natural angle.

Mr. Washington wrote an 8-page Affidavit which detailed the incident and he sent it to RBGG. RBGG never filed the Affidavit with the Court, but a preliminary analysis of video related to this incident determined the excessive use of force to be unnecessary!

PLEASE HELP AMPLIFY OUR VOICES AND OUR STRUGGLE!

In Solidarity
Santa Rita Jail Freedom Collective