

YUBA COUNTY JAIL (ycj)
DETAINEE STRIKE DEMANDS

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Background:

The Yuba County jail in Marysville, CA is a dangerous place and shortcomings have been noted for decades. ***The County has been under a court order to improve condition for 40 years.*** In May 1979, the Court entered a consent decree covering certain aspects of the Jail's operations, including medical and mental health care, staffing, grievances, and exercise and recreation, and providing for the monitoring of the Jail conditions.

There have been at least 41 suicide attempts at the jail since 2014. There is a serious concern for the proper treatment and safety of inmates as well as staff. A UC Berkeley literature grad student committed suicide in the jail in January 2017 while locked in a rubber "safety" cell. A supplemental civil rights class action lawsuit was filed against the County in November 2016. The class action lawsuit noted "a man who for weeks was not allowed to have the care he needed and who could only hobble in pain in the area immediately near his bed, a woman suffering from major depression who skips meals and services because of her untreated despondent state and a man in a wheelchair who faced numerous architectural barriers detained at the jail whose wheelchair sustained damage and who fell repeatedly in the shower." In October 2014, a man attempted to hang himself in the shower, using a sheet. Other inmates found the man. Because there was no emergency call button, inmates had to scream for several minutes to get the guards attention. When the guards arrived, they weren't carrying the proper masks to conduct CPR. The inmates worked to revive the man. A few months later, the inmate who had been attempting CPR on his friend attempted to hang himself in the very same way. An HIV positive detainee had not been treated for hepatitis C in six months. Without treatment, the two can be a deadly combination. Jail medical staff seemed to dismiss his worsening condition. One detainee with hemorrhoids asked for care in May 2018. He finally received an appointment in September 2018 for a colonoscopy. The appointment was forgotten. He filed a grievance. A follow-up appointment was scheduled for November. This appointment too was forgotten. He filed another grievance. A surgery appointment was scheduled for January. To date, the surgery has not been scheduled.

ICE officials say Yuba County does a poor job of monitoring its own jail. In recent audits, ICE found that the facility did not properly investigate sexual assaults or guards use of force. Jail officials did not medically screen inmates after such incidents, and failed to inform ICE about what occurred, the audits found County officials did not respond to writing to ICE audits (KQED, 8-2-17).

Existing conditions:

- Woefully inadequate medical, mental health, and dental treatment services for new, existing, or emergency conditions
- Long waits to see health professionals. Medical slips are not answered within 24 hours. One detainee submitted a dental request on November 30, 2018 and as of January 21, 2019, the detainee still has not seen a dentist.
- In-house substance abuse support groups were suspended
- Grave safety and health issues result from county inmates who come in sick, and in some cases are withdrawing from meth and/or the influence of narcotics.
- Mental health supports are mainly centered on prescription medication
- There are no non-emergency or on-going mental health services available to inmates/detainees
- Segregation of the mentally ill is provided in unsanitary rubber rooms which may be covered in blood and feces
- There is a critical need for improved oversight and accountability for the segregation of detainees/inmates with mental health conditions
- Insufficient attorney visitation rooms
- High costs to place phone calls outside of the facility
- Insufficient exercise and recreation facilities
- Deficient inmate programs, staff support, and laundry spaces
- Of the average 407 inmates that occupy the YCJ, only 15-20 are able to receive programming per day (BSCC, 6-18-15)
- Dysfunctional grievance processes
- Outdated facilities
- ICE does not fully use contracting tools to hold the medical facility contractor accountable for failing to meet performance standards
- Moldy and mildewed shower stalls
- Hot water for drinking and cooking (e.g., soups) is dirty. The containers are not washed on a regular basis
- The Jail fails to provide rubber gloves that meet health and safety standards to detainees to clean showers, toilets, and contaminated cells
- Inoperable phones.
- Detainees requesting use of a phone before 3 pm should have access to a phone within two hours. This never happens.
- ICE and Grand Jury inspections to not lead to sustained compliance or systemic improvements
- Detention of detainees is a barrier to legal representation
- Communication barriers make it difficult for detainees to contact potential counsel
- Medical staff does not participate in fire drills
- Detainees are treated as if they were serving criminal sentences and are subject to the same punitive conditions as the county inmates, e.g., 19-hour per day lockdowns
- A copy of the Consent Decree had not been provided to the Grand Jury for an undetermined number of years and was not provided to the 2014-15 Grand Jury until the Grand Jury discovered the omission through a news reports. This is a violation of the Consent Decree.

- Ongoing maintenance is an ongoing problem, cells have broken lights, toilets don't flush, temperature control in cells is uneven, e.g., no hot water in shower for three days, extremely cold temperatures in cells lasting eight days.
- Translators are not provided. Write-ups for infractions are given in English. Detainees who do not sign write-ups because they do not speak English are automatically found guilty and a punishment is imposed.
- Commissary items are often expired.
- Religious services are not offered
- Grievances are not confidential which discourages reporting.
- Exercise is offered on the roof area at 5:30 am. If detainees do not wake up at this time and miss the exercise time, the log book reflects that detainees did not use the area. They are not given a wake-up call.
- Use of toilets are denied when detainees are outside their cells during the five hour per day Program Time.

Demands

- Immigration detainees and county inmates must be housed separately.
- Ensure that ICE and Grand Jury inspections lead to sustained compliance or systemic improvements
- Immediately improve medical, mental health, and dental treatment services for new, existing, or emergency conditions
- Follow ICE guidelines for timely medical care.
- Medical requests must be answered within 24 hours.
- Ensure that the staffing levels for medical and mental health providers as set forth in Exhibit C of the Amended Consent Decree are regularly and consistently being met
- Hygiene issues must be addressed.
Provide gloves that meet health and safety standards.
Eliminate bugs and mold in the showers
Provide clean clothes
- Expand and provide constructive programming to detainees
- Expand canteen and package items allowed. Ensure items are not expired.
- Allow radios
- Allow more TV channels
- Improve translation services, and availability of translators.
- Address maintenance issues in a timely manner. If the temperature falls too low as per ICE guidelines, it must be fixed. Fix toilets, plugged sinks, hot water in the showers.

SUPPORTING ARTICLES

Family of man who died in jail will get \$1 million settlement

https://www.appeal-democrat.com/family-of-man-who-died-in-jail-will-get-million/article_9b5f2810-dc97-11e8-8322-a7f66f81d00e.html

Family of UC Berkeley alumnus Bertram Hiscock settles lawsuit against Yuba, Sutter counties for \$1M
<http://www.dailycal.org/2018/10/31/family-of-uc-berkeley-alumnus-bertram-hiscock-settles-lawsuit-against-yuba-sutter-counties-for-1m/>

UC Davis law clinic takes up the cause of Yuba County prisoners
<https://www.sacbee.com/news/local/article26510335.html>

Yuba County Jail Settlement Talks Continue in Wake of Tragic Suicide
<https://rbgg.com/yuba-county-jail-settlement-talks-continue-wake-tragic-suicide/>

Lawyers: 41 Suicide Attempts At Yuba County Jail Point To Inmate Mistreatment
<http://sacramento.cbslocal.com/2016/10/25/lawsuit-41-suicide-attempts-at-yuba-county-jail-point-to-inmate-mistreatment/>

Office of Detention Oversight Compliance Inspection
Enforcement and Removal Operations ERO San Francisco Office Yuba County Jail Marysville, California
March 14-16, 2017
https://www.ice.gov/doclib/foia/odo-compliance-inspections/yubaCountyJailMarysvilleCaMar_14-16_2017.pdf

Contract with ICE Puts Yuba County at Center of Immigration Debate
<https://www.kqed.org/forum/2010101860975/contract-with-ice-puts-yuba-county-at-center-of-immigration-debate>

Jailing Immigrants Means Money and Jobs for Poor Areas. Is This Deal Humane?
<https://www.kqed.org/news/11597341/these-immigrants-and-their-county-jailer-need-each-other-to-survive-will-they-make-it>

Inmates pursuing civil rights suit against Yuba County
https://www.appeal-democrat.com/news/inmates-pursuing-civil-rights-suit-against-yuba-county/article_b24ebdc6-ad26-11e6-b17a-b77e728025ce.html

Yuba County Grand Jury Final Report 2014-2015
<http://www.co.yuba.ca.us/departments/grand%20jury/Documents/GJR2014.pdf>