



PRISON LAW OFFICE



August 28, 2023

VIA EMAIL

Ann Edwards
County Executive Officer
edwardsann@saccounty.net

Eric Jones
Deputy County Executive for Public
Safety and Justice
joneser@saccounty.gov

Dear Ann and Eric,

As class counsel in the *Mays v. Sacramento* litigation, we write to urge the County to take action to address its chronic noncompliance with the *Mays* Consent Decree. In particular, the County must ensure consistent leadership within the Sacramento Sheriff's Office (SSO) by funding a permanent, high-level position within the SSO to oversee compliance with the Consent Decree.

As you know, the *Mays* Consent Decree has been in effect for well over three years. While there have been areas of progress, monitoring reports demonstrate ongoing and substantial noncompliance with the requirements of the Remedial Plan. This chronic noncompliance harms the people in the Sacramento County Jails and also stands to extend the duration of the federal court oversight over the Sacramento County Jails. Absent meaningful progress, class counsel is prepared to seek receivership over aspects of the jail administration.

The County's failure to achieve compliance with the Consent Decree reflects significant structural deficiencies in the SSO. The constant rotation of staff, even high-level officers, between patrol and corrections and other units means that no one in the SSO takes sustained ownership over Consent Decree compliance. New jail leaders scarcely have time to gain an understanding of the Consent Decree and its implications for jail practices and conditions before they are rotated out of the jail. Even the most skilled compliance lieutenants lack sufficient time on the job to make meaningful progress before they are replaced by staff with little knowledge of the Consent Decree. The SSO recently lost a particularly capable compliance lieutenant who was rotated out to patrol and therefore unable to complete important ongoing initiatives that would move the County towards compliance with the Consent Decree.

In our experience in numerous carceral systems, this structure is a recipe for failure. The SSO must create one or more permanent positions to lead Consent Decree implementation and oversee the major changes needed. Other counties have done this with success. The SSO needs stable leadership to set expectations, engage in long-range planning, report on progress and setbacks, and hold staff accountable to the County's legal obligations. Some counties under consent decree or court order have done this successfully by establishing a high-level civilian position to oversee compliance. Establishing a captain-level position dedicated to consent decree implementation may also be an effective approach.

We urge the County and the Board of Supervisors to act with urgency to fund one or more positions to lead and oversee implementation of the *Mays* Consent Decree. Please report back to us within 30 days.

Sincerely,

Margot Mendelson
Patrick Booth
Prison Law Office

Aaron J. Fischer
Law Office of Aaron J. Fischer

Jennifer Stark
Disability Rights California

cc: Rick Heyer, Deputy County Counsel
Sacramento County Board of Supervisors
Mays court-appointed experts