

## **NOTICE OF SECOND AMENDED CONSENT DECREE**

*Hedrick v. Grant*, E.D. Cal. No. 2:76-cv-00162-JAM-EFB, is a federal class action about the conditions in the Yuba County Jail (“the Jail”).

All current and future people incarcerated in the Jail are members of a class that was certified by the Court in 1976.

In 1979, the district court entered an order called a consent decree to improve certain aspects of the Jail’s operations (“Consent Decree”). In August 2018, the class—represented by the lawyers listed below—and the County of Yuba reached an agreement on a proposed Amended Consent Decree. The Amended Consent Decree kept many and modified some of the provisions of the Consent Decree and added a number of new provisions. The Amended Consent Decree was planned to end on January 31, 2023.

After extensive meet and confer efforts, the parties have agreed to a Second Amended Consent Decree (“SACD”). The primary purpose of the SACD is to extend the term of certain provisions of the ACD related to suicide prevention and the treatment of incarcerated people with mental illness and those experiencing drug and alcohol withdrawal.

**This notice explains the proposed Second Amended Consent Decree, where you can find the Second Amended Consent Decree, and how you can tell the Court whether you think the Second Amended Consent Decree is fair.**

The provisions of the Second Amended Consent Decree require the County to, among other things: maintain an increased number of licensed mental health staff 7 days per week; have registered nurses at intake health screenings; provide timely access to inpatient medical and mental health care; continue policies for the use of telepsychiatry; triage all sick call slips relating to mental health within 24 hours; limit placement in safety cells to 24 consecutive hours and 36 hours in any 120-hour period; require that persons held in step-down cells or a combination of safety and step-down cells for 120 consecutive hours be

transferred either to a less-restrictive setting in the Jail or to an inpatient mental health facility or hospital emergency room for assessment and care; conduct suicide risk assessments on certain people placed in Segregated Housing; conduct daily health care rounds on all people in Segregated Housing; and increase the amount of out-of-cell time for people in Segregated Housing. The Second Amended Consent Decree also requires the appointment of a third-party Monitor to assess Defendants' compliance with the Second Amended Consent Decree.

The Second Amended Consent Decree omits several provisions of the Amended Consent Decree, including provisions relating to:

(1) increased number of medical staff, including registered nurses on site 24 hours per day; (2) general population recreation and equipment; (3) providing reasonable accommodations to people with disabilities; (4) making changes to the physical structure of the Jail to improve accessibility; and other provisions.

Copies of the Second Amended Consent Decree are available in the Jail Law Library, and will be made available to you upon request. You can also write to Plaintiffs' counsel to request a copy of the Second Amended Consent Decree.

The Court will keep jurisdiction to enforce the Second Amended Consent Decree. The Court will hold a hearing on the fairness of the Amended Consent Decree at 11:00 a.m. on May 17, 2023, at the United States Courthouse in Sacramento, Courtroom 8.

The lawsuit addresses policies that apply to the class as a whole. Because the lawsuit does not seek relief for any specific class member, there is no right to opt-out of the class. This action does not seek money damages and none will be awarded.

The Second Amended Consent Decree continues in place a process that allows Plaintiffs' counsel to ask the Court to have Defendants pay for their attorneys' fees and expenses. The Second Amended Consent Decree limits the attorneys' fees and expenses to \$75,000 per year for

monitoring conducted by Plaintiffs' counsel, excluding litigation in the district court or future appeals, if any. The Court will decide the amount of these fees and expenses if the parties dispute them.

Incarcerated persons in the Jail can write to the Court about whether the settlement is fair and whether they object to the ongoing payment of attorneys' fees and costs. Comments **MUST** include at the top of the page the case name and case number: *Hedrick v. Grant*, No. 2:76-cv-00162-JAM-EFB. Comments **MUST** be postmarked no later than April 14, 2023, and sent to:

Clerk of the Court  
United States District Court  
Eastern District of California  
501 I Street  
Sacramento, CA 95814

**For more information, you may contact attorneys for the Plaintiff class:**

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