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SETTLEMENT REACHED IN SAN BERNARDINO JAIL CLASS ACTION

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San Bernardino, California (March XX, 2018) –A settlement has been reached in a class action case filed against San Bernardino County regarding the constitutionality of the conditions of confinement in the county jails. Under the settlement county officials have agreed to make improvements in certain areas of jail operations that affect the health and well-being of those who are incarcerated in the county's jails.

Under the settlement:

- jail officials will substantially increase the amount of time that most inmates are permitted to be out of their cells;
- jail deputies will be required to follow a revised policy regulating the use of force;
- individuals with disabilities will receive reasonable accommodations that will offer them equal access to activities and programs;
- access to healthcare will be expanded;
- experts and the Prison Law Office will monitor the County's compliance with the settlement, which can be enforced in federal court, if necessary.

A copy of the Consent Decree is available at: www.prisonlaw.com.

The settlement is the result of a lengthy investigation undertaken by the Prison Law Office into conditions in the jails and several years of negotiations with the Sheriff and his staff. "Sheriff John McMahon has been transparent about the conditions in the jails and has negotiated in good faith," said Donald Specter, Executive Director of the Prison Law Office. "We believe that this settlement will allow people incarcerated in the jail to receive essential health care and accommodations for their disabilities," said Specter. "The revised use of force policy will emphasize de-escalation techniques that will reduce the need for deputies to use force, making the jail a safer place for the staff and the individuals who are incarcerated," Specter added.

The County denies that existing conditions in the jails are unlawful. Even so, Sheriff McMahon noted, “Since prison realignment brought about by AB109, all counties in California have been faced with many significant challenges. In San Bernardino County, we are now tasked with housing inmates with longer sentences who previously would have served their sentences in state prison. This has caused us to have to adapt: we have increased the medical and mental health services we provide to the inmate population, we have given inmates greater access to services and programs, and we have hired additional deputies and medical personnel, and will continue our recruiting efforts, so that we can ensure the safety and well-being of inmates and staff.”

The County has devoted significant resources over the last several years to ensure conditions in the jails meet all relevant constitutional, statutory and regulatory standards. As part of that ongoing effort, the County chose to work cooperatively with the Prison Law Office for several years to address the claims alleged in the lawsuit. “We have appreciated the willingness of the Prison Law Office to work constructively with the County. We look forward to continuing cooperative discussions, and are glad the case has been resolved amicably,” said Sheriff McMahon.

The federal court is scheduled to decide whether to give preliminary approval to the settlement at a hearing on April 16, 2018.