Email
Correspondence
To the Blue Ribbon Commission,

I am writing this email in regards to the improvements being made at the Santa Clara County Main Jail. I would like to start off by thanking you all for your efforts towards creating a safer environment for our loved ones behind bars. I am currently married to a man in this facility who sits on the fifth floor. He shared with me that members of the Blue Ribbon Commission visited the jail offering their help. The men appreciate the help very much. What is not so appreciated is the lack of correctional officers’ cooperation with the efforts of the BRC. Inmates are not receiving “program” as much as they used to. And, when they do receive program, it is usually for 20 minutes. I understand that inmates are not allowed to have free time all day; however, it seems that Santa Clara County Main Jail correctional officers are putting their inmates on lockdown as a form of punishment due to the help they are receiving from the BRC. Maybe there is nothing that the BRC can do about this situation but I just wanted to share this concern with you. Again, I am very grateful for the changes that have been made thus far. Your members are the voice of men in jail and their loved ones.

Best Regards,
My son, [Name], was deemed fully eligible for all programs by the courts. He has spent the last two years at Elmwood fighting for his chance. He has successfully completed every program Elmwood has to offer. [Name] is currently the top man in industries laser room, which was featured on KTVU news promoting programs. He was told he is permanently denied treatment programs that the courts said yes to. Why is he the only being denied a chance at treatment? He filed a grievance on the issue with no clear response given and no higher level to review the grievance. He needs help and drug treatment. We cannot allow inmates to be set free without the skills to make it on the outside.

Thank you for your consideration.

Best regards,
Thank you for your email. I have followed your son’s case plan and I am glad he is doing well in Industries.

Since your son is an adult, I cannot discuss his housing, treatment or decisions in regards to those matters, but I will tell you I made the final decision regarding his case plan and have advised your son of that decision in writing. This would qualify as a higher level review of his grievance. The courts do not direct the programs, they just advise us if they approve the adjudicated person to participate in programs they are eligible for. We determine eligibility and appropriateness on an individual basis for each inmate.

Your son has the option of leaving Industries and participating in the other in-custody treatment programs available including RCP.

Thank you,

Captain A. McHugh  
Support Services Division Commander  
Office of the Sheriff  
Santa Clara County  
Direct 408-808-4151/Cellular 408-499-7505  
Fax 408-808-3656

My son, [redacted], was deemed fully eligible for all programs by the courts. He has spent the last two years at Elmwood fighting for his chance. He has successfully completed every program Elmwood has to offer. Rocci is currently the top man in industries laser room, which was featured on KTVU news promoting programs. He was told he is permanently denied treatment programs that the courts said yes to. Why is he the only being denied a chance at treatment? He filed a grievance on the issue with no clear response given and no higher level to review the grievance. He needs help and drug treatment. We cannot allow inmates to be set free without the skills to make it on the outside.

Thank you for your consideration.

Best regards,
US Mail Correspondence
Good afternoon/morning,

The Clerk of the Board’s Office received the attached correspondence. This document is being forwarded to you for appropriate action. The original document will be on file in the Clerk of the Board’s Records Unit for a maximum of 2 years from the date received.

Thank you,
Jessica Schmidt
Office Specialist III- Confidential Clerk
Clerk of the Board
70. W Hedding St 10th Floor
San Jose, CA 95110
"COVER SUMMARY LETTER"

My name is [redacted] and I'm currently incarcerated in Santa Clara Department of Corrections. My criminal history - grand theft, possession of firearm, felony evading, taking vehicle without owner consent and forgery. I was sentenced 5 years with half. My release date is May 20, 2016 and I will have no tail. Please note that during my 15 years of incarceration, I have not received any rule infraction or discipline until my stay at Santa Clara County. I've been to D.V.I., Folsom C.C.F.; Corcoran; Pelican Bay and San Quentin State Prison, along with Butte, San Joaquin, Stanislaus, Alameda and San Francisco County Jail.

In 2004, I was beat by 7 San Francisco Police Officers after a high speed chase. I was handcuffed and face down. I had two nasal reconstruction surgeries. Filed 42 U.S.C civil right excessive force complaint. In 2008, I injured my lower back working in San Quentin, and I was struck by a vehicle in 2013 as a pedestrian crossing the street in the crosswalk. This was a hit and run and I suffered lower back pain. On 11-5-13, I was booked into Santa Clara County Jail, and during booking, I informed R.N. Edward Jackson of a lower back injury and it was noted in my medical record. (United States District Court San Francisco Division Case # [redacted].)
Pursuant to policy and procedure - Santa Clara Valley Medical
Adult Custody Health Services - Inmate access to health care states:

"If you have a chronic medical problem and/or
are taking medication at the time of booking,
you will automatically be made a doctor's appointment."

No appointment was made, even after the fact that I filed
medical records, grievance, and letter of intent to sue in
December 2013. I was assigned to work in Elmwood Kitchen and
Laundry, after signing a medical clearance form stating that
I have a lower back injury. It was ignored and on 1-5-14
I re-injured my lower back. I was seen by medical on
1-6-14, released my medical records to Internal Affairs, Linda
Kowallis on 1-8-14. Medical complaints I filed with I.A. and
did not see a doctor until 1-29-14.

In January 2014, I was infracted for helping an Inmate
who had asked me because he could not speak English. Correctional
Officer Zamora instructed us to come back after 6AM count. We came
back to the officer station, and 96 Cruz told me to go back to
my housing unit. Then he threw me into a 2x4 cell with another
Inmate. And the cell had feces and urine. I was in the cell for
4 hours. The infraction was for unauthorized attendance, yet 96 Zamora
did authorize me to come back after Count. Possession of contraband,
I had gloves and cleaning supplies which was given to me by 96 Saunders
because one Inmate had Staph in Barracks 5, the same time that
H1N1 outbreak in Elmwood. If I would not have told the
Inmate to seek medical attention, he would have died in two days.
A doctor from Valley Medical was called in to treat the Inmate Staph infection.

[Medical can verify - December/January 2013-2014, Staph was located on the back of Inmate Head]
I was released on 2-5-14, and applied to Social Security
benefits. Doctor's appointment was scheduled yet I was re-arrested
on 4-29-14 for Porsonal AGAIN I informed R.N. Eddyward Jackson
That I suffer from Lowerback pain from the annoying I sustained
weakings in Elwood Laundry on 1-5-14. Workmans Comp. Claim was
filed. Also A 42.U.S.C § 1983 Civil Rights Complaint was filed
was an R.C.P member, I was infracted for calling Internal
Affairs regarding medical complaint and Medical Records release to
Linda Kowells, Sergeant Billotte told me to no longer call I.A
and I explained to him that I'm engaged in Civil Litigation I
released my protected Health care records to I.A and have
not received any correspondence regarding medical complaints.

I disregrarded his order and called Internal Affairs
which I was infracted, found guilty, placed in Disciplinary
Isolation from Lieutenant Taylor. During my isolation, I
was not afforded the 3 1/2 hours of out-of-cell time, mandated by California Code of Regulations Title 15, and the
Inmate Orientation and Rulebook, page 29, 35 and 40. I filed a
Writ of Habeas Corpus and a Federal Civil Rights Complaint, Case #
[REDACTED] and U.S.D.C [REDACTED] on 7-7-14
My life was threatened while on Court Transportation Bus. L.T
Davis and Borgninger got onto the bus right outside the Sally
Port and said we will beat your ass, Bitch, we are old school
say something new Punks. I reported this to Mental Health on
8-19-14. I suffer from P.T.S.D. Anxiety and on anti-anxiety and
pain medications.
MY 3RD INFRACTION WAS ON 9-16-14, WHILE STANDING IN
PILL CALL LINE. AN INSPECTION TEAM, ESCORTED BY LT TAYLOR AND
96 GRIMMA. I ASKED WHAT DEPARTMENT THEY WERE FROM AND
Said THE HEALTH DEPARTMENT. 96 GRIMMA GOT IN MY FACE AND
WAS YELLING AT ME. THEN I WAS TRANSFERRED TO THE MAIN TAIL
SOUTH, 2-16 WEST. KNOWN AS THE SNAKE PIT. ON 9-29-15, I RECEIVED
5 DAYS LOSS OF GOOD TIME CREDIT BY LT [REDACTED] AFTER THE
FILING OF A GRIEVANCE FOR HIS MISTREATMENT ON 7-7-14. I APPEALED TO
CAPTAIN HOTT AND CHIEF OF CORRECTIONS JOHN HIROKAWA, BUT WAS DENIED.

While housed in 2-16 West, the conditions are over-crowded, cold
showers and mold. I filed a WRIT OF HABEAS regarding conditions of
confinement. I signed up for the substance abuse classes in 7-B
North and was moved in December 2014. On 12-30-14, I filed a grievance
and sent the "Actual Grievance Form" via "Legal Mail". The grievance was
which was in regards to trustee positions in 7-B where only
Hispanic when 96 [REDACTED] worked. The Grievance response was to not
send "Grievance Forms" via "Legal Mail". The reason why I sent it by
that method, see Santa Clara D.O.C Policy and Procedure - Section 14.05-3
(II)(B) which states that:

If the Grievance pertains to a particular employee,
The Inmate may submit the Grievance to another employee.

However, I was instructed not to send "Grievance Forms" via "Legal Mail"
On 1-9-15, Writ of Habeas was denied for failure to exhaust
Administrative Remedies. I was also granted Civil Pro. Per. Privileges.
Judge Julia Allocciamento directed me to write an appeal letter
To the Division Commander in order to exhaust my Administrative
Requirement in order to re-submit the denied Grievance.
ON 1-18-15, I SENT AN "APPEAL LETTER" TO DIVISION COMMANDER HOYT, VIA "PRO-PAE, INDIGENT, LEGAL MAIL". THE LETTER WAS FOR COURT PROCEEDINGS, AND ON 1-27-15, DEPUTY CRAWFORD ISSUED ME A MAJOR RULE INFRACTION FOR SENDING AN "APPEAL LETTER" FOR ADMINISTRATIVE EXHAUSTION REQUIREMENTS. LIEUTENANT BORGZINNOR FOUND ME GUILTY FOR DISOBEYING A DIRECT ORDER FROM STAFF AND PRESENTING FALSE INFORMATION OR LYING. I WAS GIVEN 10 DAYS DISCIPLINARY ISOLATION.

I APPEALED TO DIVISION COMMANDER HOYT VIA "APPEAL LETTER".

I WAS DENIED AND ISSUED ANOTHER INFRACTION FROM DEPUTY HOGAN. ONCE AGAIN, I WAS PUNISHED FOR SEEKING ADMINISTRATIVE REDRESS FOR JUDICIAL REVIEW. MY APPEAL TO CAPTAIN HOYT AND CHIEF OF CORRECTIONS WAS IGNORED AND DENIED.

I FILED A 42 U.S.C. § 1983 CIVIL RIGHTS COMPLAINT FOR VIOLATING MY 1ST AMENDMENT RIGHT TO PETITION GOVERNMENT FOR REDRESS OF GRIEVANCE, RETALIATION, AND ACCESS TO THE COURTS. PLEASE NOTE THAT LT. MEYERS FINDS ME NOT GUILTY FOR SENDING AN "APPEAL LETTER" VIA "PRO-PAE, CONFIDENTIAL, INDIGENT, LEGAL MAIL" AND DIVISION COMMANDER HOYT CONCURRED. ALL OF MY COMMUNICATION TO DIVISION COMMANDER HOYT IS FOR COURT REVIEW AND I HAVE NOT RECEIVED ANOTHER INFRACTION FOR SENDING "APPEAL LETTER". PURSUANT TO SANTA CLARA D.O.C. POLICY AND PROCEDURE SECTION 1.57; 14.01; 14.03; 14.05; 14.09; 17.13 AND SANTA CLARA D.O.C. INMATE ORIENTATION AND RULEBOOK, INMATE SEEKING ADMINISTRATIVE OR JUDICIAL REVIEW WILL NOT BE RETALIATED AGAINST FOR MAKING COMPLAINTS ABOUT CONDITIONS OF CONFINEMENT OR TREATMENT FROM STAFF.

I AM CONTINUING TO EXERCISE MY RIGHTS ONLY TO BE NEGATIVELY MET WITH RESISTANCE, RETALIATORY RESPONSES, DISCRIMINATION BASED ON RACE, THREATEN
with physical harm, placed in punitive housing, denied residential placement in C.A.T. Custody Alternative Supervision Unit for my civil litigation activities, lied to by staff, and failure of supervisors to investigate my grievances and complaints. This has lead to my increased mental-health P.T.S.D. anxiety attacks, which I suffer three times a week. % is discriminate and does not follow sanitation procedures. He only uses Hispanic Trustees which I filed a grievance regarding those issues. He fails to supply the units in 3rd East with brooms, mops, and cleaning supplies on a daily basis, pursuant to policy and procedure, throws away extra food and is hostile towards me for bringing them issues to his attention.

On 9-23-15 and 10-12-15, my life was threatened with physical harm from % . Grievance was filed yet was denied as unfounded. I have witnesses, all documents to support these claims I've mentioned in this summary brief. I'm seeking an investigation and legal help. I've exhausted all administrative remedies. Filed claims against the County. Filed writs and civil rights complaints. I'm seeking monetary damages, mental health help and advocacy, medical relief for back pain, disability assistance, housing, and vocational training in order to become a productive member of society; a parent to my children and a husband to my wife.

The above is true and correct to the best of my knowledge, signed under penalty of perjury on this day of 12-15-15.

[Signature]

12-15-15
Santa Clara D.O.C. Main Jail
150 West Hedding St.
San Jose, CA 95110-1718

Inmate [Redacted] who is incarcerated in Santa Clara Department of Corrections - Main Jail continues to experience retaliatory and inappropriate conduct from [Redacted]. These officers violate policy and procedure which states that employees may not use profane, demeaning, insulting, or threatening language. On 9-23-15, 10-11-15 and 1-3-16, [Redacted] did not treat inmates with respect by using profane language while addressing inmates. Inmates have a right to expect that they will be treated respectfully, impartially and fairly by all personnel.

Example, [Redacted] told me that he would beat my "ass," that my paperwork wont do "shit" to him, "Jail House Lawyer suicidal and I'm a "faggot/maggot," [Redacted] told Elmwood Transfers to roll your "shit" up. Grievances have been filed for these incidents yet nothing ever happens and the grievances are rejected. Nothing has changed from the murder of Michael Tyree and as a Mental Health inmate, I'm afraid of the staff of correctional officer retaliation for reporting these issues, also cleaning supplies are not provided on a daily basis.

I declare under penalty of perjury, the foregoing is true and correct, signed on this day of 1-5-16.

[Signature]
1-5-16
TO: Division Commander Hoyt

From: [Redacted]

Date: 12-22-15

RE: Mental Health Interview - Appeal

On 12-22-15 I filed a grievance for officers misconduct, threatening and demeaning language towards me, after my meeting which Capt. Hoyt and County Counsel. I requested to see mental health and did have interview at 9AM to 9AM. However the meeting was only 5 minutes I was shackled and chained to the floor. I asked when will I be returned to my unit, I was ignored. Then while Cabarga was escorting me back to 945, Capt. Officer [Redacted] called me a faggot/maggot (12 times).

This is a violation of Code of Conduct - Misconduct and Offensive and Inhumane Treatment by Staff, Retaliation for filing a Grievance which is protected conduct for inmates. The adverse action from Staff, and the conduct of the shift that neglected their attitude toward mental health inmates. These are the elements of 1st amendment retaliation for seeking redress of grievance and access to courts.

The above is true and correct to the best of my knowledge, signed under penalty of perjury on this day of 12-22-15

[Signature]

C.C. Captain Hoyt
County Counsel
U.S. Court [Judicial Notice]
15-CR-0720 (ASG)(PA)

12-22-15
This is an appeal of a Grievance which goes back to 10/20/15 and the use of profane language while addressing inmates. Also, on 12/22/15, I filed a Grievance and sent you a letter regarding 10/20/15 exhibiting aggressive and hostile attitudes towards me which triggered my anxiety. Then, as I was being escorted to speak with mental health, 10/20/15 commented what jailhouse lawyer suicidal and faggot/maggot X2. Grievance filed. However, there seems to be a pattern, custom, policy and practice of this department to deny and reject my Grievances. I should not be surprised when you and your staff lie even when three deputies killed Mr. Tyree and lied about it.

The foregoing is true and correct to the best of my knowledge, sworn under penalty of perjury on this day of 1-12-16.

[Signature]

[Name]

[Address]

1-12-16
INMATE'S NAME: [redacted]

DETAILS OF GRIEVANCE. PRINT! BE SPECIFIC!: Pursuant to Santa Clara Inmate Orientation and Education, state employees may not use profane, demeaning, insulting or threatening language, and did not violate these requirements when Simmons told complainant to roll up your shirt, "And leave breakfast," and told an inmate to stop being "Motherhood." Inmates have a right to be treated respectfully, humanely and fairly by all personnel (case 45.5) investigation (PC 47)

WHAT SOLUTION ARE YOU RECOMMENDING?

Your Signature: [redacted] Date: 1/4/16 Time: 11 AM

*************** RECEIVED FROM INMATE ON: Day: Monday Date: 1/4/16 Time: 1508 Officer: MARTIN Team: A

RESPONDING OFFICER'S STATEMENT (Please print): Referto level II

THE ABOVE FALSE ACCUSATION DID NOT OCCUR AND AGAIN I HAVE NEVER HAD AN INTERACTION OR CONVERSATION WITH THIS INMATE. I DO NOT RECALL USING THIS TERM AT ANY TIME OR IN ANY WAY DISCRIMINATE ANY INMATE.

[ ] Resolved [ ] Refer to Level II

OFFICER'S NAME: [redacted] Team: C Date: 01/05/2016

SUPERVISOR'S ACTION: [redacted]

[ ] Resolved [ ] Refer to Level III

SUPERVISOR'S NAME: [redacted] Team: C Date: 1/5/15

SHIFT LIEUTENANT REVIEW: [ ] Concur [ ] Reversed

SIGNATURE: Date: / / Time: 

SUPPORT SERVICE RESPONSE: Unit Assigned: Date Assigned: / / 

Date Due: / /

Response by: Title: Date: / / Time: 

FACILITY COMMANDER/DESIGNEE REVIEW: [X] Concur [ ] Reversed

OFFICERS DENY ALLEGATIONS BUT WILL BE REMEMBERED NOT TO USE PROFANITY

SIGNATURE: Date: / / Time: 

RESPONSE RETURNED TO INMATE: Date: / / Time: By: 

Distribution: White-Administration Canary-Inmate (Final Disposition) Pink-Inmate (Initial Receipt)
MAIN JAIL
MAIN JAIL SOUTH [ ]
NORTH COUNTY JAIL [ ]

SANTA CLARA COUNTY DEPARTMENT OF CORRECTION
INMATE GRIEVANCE FORM

INMATE'S NAME: [REDACTED]
BOOKING NUMBER: [REDACTED]
HOUSING UNIT: 34S EAST

DETAILS OF GRIEVANCE. PRINT! BE SPECIFIC!:

On 12-22-15 I requested to see mental health
regarding an incident with [REDACTED] and
exhibiting hostile and aggressive attitude
just before that sparked an anxiety attack. The issue is that they keep me in the
locked room for 2 hours, chained up. This after I met with Captain Hunt and
and County Counsel regarding civil rights litigation. This is how I'm being treated by Correctional
Staff for seeking mental health help. [REDACTED] was a hassKey/management.

WHAT SOLUTION ARE YOU RECOMMENDING?:

Sign actuary reactions from shift towards inmates

Your Signature: [REDACTED]
Date: 12-22-15
Time: 8 AM/PM

RESPONDING OFFICER'S STATEMENT (Please print):

[REDACTED] to speak with mental health

The above false accusations did not occur. I have never had a
CONVERSATION OR INTERACTION WITH INMATE SHAWNCEY BLAKE.

[ ] Resolved [ ] Refer to Level II

Officer's Name: [REDACTED]
Date: 12-22-15
Team: A

SUPERVISOR'S ACTION:

[ ] I have reviewed logs & spoke to Capt Hunt

[ ] Capt stated you had no such meeting with you. Log and daily
you were seen by Mental Health within time req. meeting with C.C

[ ] Resolved [ ] Refer to Level III

Supervisor's Name: [REDACTED]
Date: 12-22-15
Team: A

SHIFT LIEUTENANT REVIEW: [ ] Concur [ ] Reversed

SIGNATURE:

Date: 12-22-15

SUPPORT SERVICE RESPONSE: Unit Assigned: _________ Date Assigned: _________
Date Due: _________

Response by: _________
Title: _________ Date: _________ Time: _________

FACILITY COMMANDER/DESIGNEE REVIEW: [ ] Concur [ ] Reversed

SIGNATURE:

Date: 12-22-15

RESPONSE RETURNED TO INMATE: Date: 12-22-15 Time: 8 AM/PM

Distribution: White-Administration Canary-Inmate (Final Disposition) Pink-Inmate (Initial Receipt)

[ ] [ ] [ ]
COUNTY JAIL
GENERATED MAIL

SANTA CLARA D.O.C.-MAIN JAIL
150 WEST HEDDING ST.
SAN JOSE, CA 95110

SANTA CLARA CO. BOARD OF SUPERVISORS
ATTN: BLUE RIBBON COMMISSION
70 WEST HEDDING ST, 10th FLOOR, EAST WING
SAN JOSE, CA 95110

<LEGAL MAIL>  <CONFIDENTIAL>  <LEGAL MAIL>