

# Email Correspondence

---

**From:** Bosquez, Blanca  
**Sent:** Wednesday, March 02, 2016 1:55 PM  
**To:** CustodyOpCommission  
**Subject:** Out of Cell time

**FYI**

---

**From:** Bosquez, Blanca  
**Sent:** Wednesday, March 02, 2016 1:53 PM  
**To:** 'john.hirokawa@sheriff.sccgov.org' <john.hirokawa@sheriff.sccgov.org>  
**Cc:** 'CustodyOpCommission@cob.sccgov.org' <CustodyOpCommission@cob.sccgov.org>; Jones, Kate <Kate.Jones@ohr.sccgov.org>; Charisse Domingo (charisse@siliconvalleydebug.org) <charisse@siliconvalleydebug.org>; 'gail@siliconvalleydebug.org' <gail@siliconvalleydebug.org>; andrew@siliconvalleydebug.org; Cecilia Chavez <cecilia@siliconvalleydebug.org>; [REDACTED]  
**Subject:** Out of Cell time

Good evening Undersheriff Hirokawa,

My name is Blanca Bosquez, I represent ACJP also known as Debug, as you know by now we advocate for the community.

The reason for this email is that I am concerned regarding the out of cell time for inmates.

I find myself advocating for my significant other [REDACTED]. [REDACTED] finds himself incarcerated at the Elmwood facility M5 Pod B.

[REDACTED] and I have been keeping a daily log on, out of cell time that the inmates at M5 (Pod B) are being given.

M5 is not on a lockdown status at this time, and has not been since [REDACTED]'s stay at Elmwood facilities. However, for some reason or another, the CO's have been keeping the inmates in a lockdown status since [REDACTED] has been there.

I know that this has been going on long before [REDACTED] incarceration. In addition, not only in M5 but throughout the whole Elmwood facility, some more so than others have.

I am quite familiar with **The Blue Ribbon Commission**; I am one of the family members that interviewed. I have read the report, I want to point out on page 50 of the report it states that inmates reported cancellations of appointments and activities due to short-staffing or a minimum, to short-staffing being used as the **excuse** for cancellation of scheduled activities and it also affecting inmates out of cell time.

That is exactly what it is an "**excuse**," there should be no excuses! Inmates need to have enough time out of their cells for hygiene purposes, proper showers, exercise to be able to maintain a healthy state of mind, also enough time to be able to reach out to a loved one. Giving an inmate 30 minutes to 45

minutes throughout the day is not ample to do 1/3 of these things. If anything, it is just enough time to drive someone crazy.

There is no excuse in the world to confine an individual, hindering their abilities to properly care for themselves, not to mention depriving and restricting them of their quality time with their loved ones. This process hinders anybody to have a healthy state of mind. This is inhumane, not only mentally but also physically.

I am taking this opportunity to speak on this issue now, since I am advocating for [REDACTED], and all other inmates housed in Elmwood facilities. I plan to attend the Blue Ribbon committee on March 5, 2016 and address this issue and many more.

I understand the report of programs and out of cell time for each area of the jail and Elmwood, has been requested.

It is my understanding is that out of cell time is now defined in two ways – “structured,” which is what we would probably think of as “programs,” and “unstructured” (showers, exercise, phone calls).

Therefore, with that said I have questions.

1. Is this time “structured” or “unstructured?”
2. Is there sufficient time for both “structured” or “unstructured” when inmates are given out of cell time?
3. What is being given at a 30 to a 45-minute time span a day?

Most of us know a phone call is 15 minute. If the inmate wants to make another call, not giving them time to exercise, shower, take care of their hygiene, then this becomes a problem ot only for this inmate but for others that share their living area. This is stressful when an individual has to decide what is more important. This is cruel and unusual punishment, inmates are being housed temporarily until sentenced or released, not to be punished.

I would greatly appreciate if you could have your staff look into this matter as soon as possible.

Thank you in advance,

Blanca Bosquez  
[bosquez@siliconvalleydebug.org](mailto:bosquez@siliconvalleydebug.org)

408-707-8704

# US Mail Correspondence

---

**From:** Amy Le <[REDACTED]>  
**Sent:** Thursday, February 25, 2016 8:51 PM  
**To:** CustodyOpCommission  
**Subject:** Inmate [REDACTED] Letter To Commissioner  
**Attachments:** 2016-2-25 [REDACTED] 4A.pdf

Hello,

Please see attached is a letter from Inmate [REDACTED] at the Main Jail, module 4A, that he would like to share with the Commissioners.

Commissioner Le

PLEASE FORWARD TO M.J. ADMINISTRATION: PETITIONER WAS LIED TO BY A-TEAM

Main Jail [x]  
Main Jail South [ ]  
North County Jail [ ]

SANTA CLARA COUNTY DEPARTMENT OF CORRECTION  
**INMATE GRIEVANCE FORM**

Elmwood [ ]  
CCW [ ]  
WRC [ ]  
FIXED SEL. EXHIBIT: A

INMATE'S NAME: [REDACTED]	BOOKING NUMBER: [REDACTED]	HOUSING UNIT: 4-A-102
---------------------------	----------------------------	-----------------------

DETAILS OF GRIEVANCE. PRINT! BE SPECIFIC!: PETITIONER IS BRINGING THIS CAUSE OF ACTION PURSUANT TO 42 U.S.C. § 1983 UNDER THE COLOR OF STATE & FEDERAL LAW TO BE LAWFULLY BE COMPENSATED FOR THE CROSS-DIFFERENTIAL/UNCONSTITUTIONAL CONDITIONS OF CONFINEMENT PETITIONER IS BEING FORCED TO PHYSICALLY, MENTALLY AND EMOTIONALLY ENDURE AS A RESULT OF THIS CURRENT 4-A-TEAM VIOLATING MY STATE & FEDERAL RIGHT TO 110 HOURS A WEEK OF OUT-OF-CELL PROGRAM THAT COVERS ALL CA JAILS & PRISONS.

WHAT SOLUTION ARE YOU RECOMMENDING?: A IMMEDIATE STOPPAGE WITH FULL RIGHTS RESTORED.

Your Signature: [REDACTED] Date: 2 / 12 / 16 Time: 3:00 AM/PM

(Do NOT write below this line. Use additional sheets if necessary)

Received from Inmate on:  
Day: FRIDAY Date: 2 / 12 / 16 Time: 1600 Officer: VALLETO #10857 Team: B

RESPONDING OFFICER'S STATEMENT (Please print): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Resolved  Refer to Level II

Officer's Name: \_\_\_\_\_ Team: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

SUPERVISOR'S ACTION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Resolved  Refer to Level III

Supervisor's Name: \_\_\_\_\_ Team: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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:  Concur  Reversed \_\_\_\_\_

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

Elmwood [ ]  
CCW [ ]  
WRC [ ]

PLEASE FORWARD TO M. J. N. ADMINISTRATOR  
#43 Exhibit-A

INMATE NAME: [REDACTED]	BOOKING NUMBER: [REDACTED]	HOUSING UNIT: 4-A-102
-------------------------	----------------------------	-----------------------

DETAILS OF GRIEVANCE. PRINT! BE SPECIFIC!: RESPECTFULLY REQUESTING A INVESTIGATION INTO THE UNCONSTITUTIONAL-COUNTY-JAIL POLICY. IN WHICH, THE MAIN JAIL NORTH, IN PARTICULAR, 4-A SECTION, IS CURRENTLY BEING DEPRIVED OF UNDER THE COLOR OF FEDERAL AND STATE LAW. PLEASE TAKE NOTICE, PETITIONER ALLEGES A PATTERN OF CIVIL-RIGHTS VIOLATIONS IN REGARD TO MY FEDERAL & STATE RIGHT TO RECEIVE 10-HOURS A WEEK NOT BEING MET.

WHAT SOLUTION ARE YOU RECOMMENDING?: A IMMEDIATE STOPPAGE, WITH RIGHTS RESTORED!

Your Signature: [REDACTED] Date: 1/19/16 Time: 3:40 AM (PM)  
(Additional sheets if necessary)

Received from Inmate on:  
Day: TUES Date: 1/19/16 Time: 1600 Officer: CUELLA #10856 Team: A

RESPONDING OFFICER'S STATEMENT (Please print): FORWARDED TO SGT. LIDDLE PER HIS INSTRUCTIONS.

[ ] Resolved  Refer to Level II

Officer's Name: CUELLA #10856 Team: A Date: 1/19/16

SUPERVISOR'S ACTION: I REVIEWED THE "OUT TIME" LOG FOR YOU. DURING THE PAST 7 DAY PERIOD, YOU HAVE HAD A TOTAL OF 2 (TWO) HOURS OUT OF YOUR CEL. I WILL LOOK AT THE SCHEDULE AND TRY TO FIND A REMEDY.

[ ] Resolved  Refer to Level III

Supervisor's Name: Sgt. Liddle X10208 Team: A Date: 1/25/16

SHIFT LIEUTENANT REVIEW: [ ] Concur [ ] Reversed

SIGNATURE: \_\_\_\_\_ Date: \_\_\_/\_\_\_/\_\_\_ Time: \_\_\_\_\_

SUPPORT SERVICE RESPONSE: Unit Assigned: A Team Sgt Date Assigned: 1/19/16  
Date Due: 2/3/16

Response by: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_/\_\_\_/\_\_\_ Time: \_\_\_\_\_

FACILITY COMMANDER/DESIGNEE REVIEW:  Concur [ ] Reversed

SIGNATURE: [Signature] Date: 1/29/16 Time: 0920

RESPONSE RETURNED TO INMATE: Date: 01/29/16 Time: \_\_\_\_\_ By: MAH

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

DEAR COMMISSION: THIS IS A COPY OF THE ORIGINAL, I'VE MAILED TO SEVERAL OTHER OUTLETS:

GREETINGS! MY NAME IS [REDACTED] I'M CURRENTLY INCARCERATED, IN THE COUNTY OF SANTA CLARA, MAIN JAIL NORTH, 4<sup>th</sup> FLOOR, 105.

MY POINT, IN WRITING THIS LETTER IS FOR ANY SOCIAL-ACTIVIST ORGANIZATIONS, AND MEDIA OUTLETS, THAT ARE DEDICATED TO PROTECTING THE HUMAN-RIGHTS OF PRISONERS. PLEASE STEP FORWARD, WITH IMPUNITY, IN EXPOSING A CULTURE OF CORRUPTION, ABUSES, AND NEGLECT, THIS COUNTY-JAIL, IS ATTEMPTING TO COVER-UP. IN LIGHT OF THE RECENT BRUTAL MURDER, OF A PRISONER, COUNTY-JAIL, CORRECTIONS DEPUTIES, HAS BEEN ACCUSED OF COMMITTING.

PLEASE TAKE NOTICE, OF THE DOG-AND-PONY-SHOW, THAT'S CURRENTLY BEING SERVED-UP, IN THE AFTERMATH OF RECENT-EVENTS. FIRST OFF, A COMMISSION WAS FORMED, (PAID BY THE COUNTY), TO SUPPOSEDLY INVESTIGATE ANY PAST OR FUTURE CLAIMS OF ABUSES, BY COUNTY-JAIL-OFFICIALS. MOSCONE, EMBLIDGE & OTIS, LLP-COMMISSION:

THIS COMMISSION, HEAD APPOINTEE, IS A FORMER COUNTY-EMPLOYEE, I.E., (JUDGE FOR SANTA CLARA COUNTY), WHO HAS THE TASK OF OVERSEEING THE FINAL-FINDINGS, (PAID BY THE COUNTY). NOW, IN LIGHT OF THESE (2) FACTUAL REVELATIONS.

HOW IS IT REMOTELY POSSIBLE FOR ANY SUBSEQUENT INTERVIEWS BY MOSCONE, EMBLIDGE AND OTIS, STAFFERS, OR, REPORT(S) FINDINGS, FROM THE COMMISSION'S HEAD-APPOINTEE BE DEEMED JUST OR EVEN FAIR, FOR THE SAKE OF THE PRISONERS? WHEN THE SAME COUNTY, IS FUNDING THE REPORTING-PARTIES INVESTIGATION, AGAINST ANOTHER COUNTY-MUNICIPALITY? THIS GIVES NEW-MEANING TO THE TERM "PROFESSIONAL-COURTESY".

BOTTOM LINE: CONTROL THE PURSE STRINGS, CONTROL YOUR OUTCOME OF ALL DETAILS OF NEGATIVE BLOWBACK. NOW, IF ANY EXAMINER(S), OF THIS CURRENT SITUATION IS STILL LEERY. THIS JAIL, ISN'T ATTEMPTING, TO KEEP IT'S DIRTY LAUNDRY IN-HOUSE, AND THIS IS AN ADMINISTRATIVE PRIORITY, OF THE HIGHEST-ORDER, THAT THEY DON'T WANT THE PUBLIC, TO GET A GLIMPSE OF, FROM PAID SOURCES, WORKING FEVERISHLY TO COVER IT UP FOR THEM.

\* THEN PLEASE NOTE FOR THE RECORD THAT, IN THE WAKE OF THESE EVENTS. IF SHERIFF SMITH, OR ANY OTHER, COUNTY-OFFICIALS, WERE SERIOUS ABOUT CLEANING UP THIS MESS OF ALLEGED ABUSES, NEGLECTS, AND CULTURE OF CORRUPTION. THAT'S STILL, BEING PLAYED OUT BY DEPUTIES AND NURSES, ON A DAILY-BASIS. HOW COME THE F. B. I. OR THE DEPARTMENT OF JUSTICE, WASN'T IMMEDIATELY-CONTACTED AND URGED BY SHERIFF SMITH, OR COUNTY-OFFICIALS. TO INITIATE AND OPEN A THOROUGH IN-



AS NOTED ABOVE, THE BLUE RIBBON COMMISSION, PAID STAFFERS, WHO CONDUCTED THE MAJORITY OF THE INTERVIEWS, OF BEHALF, OF MOSCONE, EMBLIDGE, AND OTIS, FOR THE COUNTY, AND THE FORMER COUNTY-EMPLOYEE, WHO HEADS THE COMMISSION. IS DANCING AROUND THE ELEPHANT IN THE ROOM. INSTEAD, OF FACING THE REALITIES<sup>OF</sup> WHAT'S NEEDED, TO KEEP THE JAIL SAFE & SECURE.

Simply put, these parties, HAS BEEN PAID-OFF, NOT TO ADDRESS THE REAL-PROBLEM(S), WHICH, IS STRUCTURAL-CORRUPTION. THAT GOES FAR BEYOND THE FIRST LINE OF DEPUTIES, AND INTO, MIDDLE/UPPER MANAGEMENT OF JAIL OPERATIONS. IT'S NOT A COINCIDENCE THAT, THE ONLY SIGHTINGS OF THE COMMISSION'S HEAD APPOINTEE, IS WHEN A CAMERA IS THROWN IN HER FACE ON THE ISSUES AT HAND. NOT ONCE, HAS SHE, PUT HER BOOTS ON THE GROUND INSIDE THE FACILITY, TO MAKE THE TYPE OF LASTING IMPACT THAT SENDS A MESSAGE. NOBODY, IN THIS INVESTIGATION, IS GOING TO GET A FREE-PASS, BASED ON HER ZERO-TOLERANCE FOR CORRUPTION, ON HOW PRISONERS GET TREATED, FOR JUST BASIC HUMAN-RIGHTS.

IN CLOSING, IT MUST BE NOTED. THE JAIL'S MODUS-OPERANDI IS TO PORTRAY ITSELF, AS A PROFESSIONAL COUNTY-STATE-AGENCY. THAT PROTECTS, CITIZENS FROM DANGEROUS CRIMINALS, WHICH REQUIRES AN EVER-INCREASING SHARE, OF TAXPAYER DOLLARS, TO KEEP SOCIETY SAFE, FROM A GROWING PRISON-POPULATION. POINT TAKEN! HOWEVER, WE ARE AT THE POINT NOW, WERE WE NEED A SENATE CRIMINAL JUSTICE COMMITTEE, TO POLICE PUBLIC SAFETY PROFESSIONALS, WHO'S USING THEIR POLITICALLY-CONNECTED-POWERS. TO AVOID, CRIMINAL-PROSECUTIONS CHARGES FOR ABUSING, NEGLECTING, AND EVEN MURDERING. THE ALLEGED DANGEROUS-CRIMINALS, WHO THE CITIZENS OF CA, TAXPAYER DOLLARS PAYS FOR TO KEEP SOCIETY SAFE FROM.

AGAIN, TAKE NOTICE! A IN-DEPTH INVESTIGATION IS NEEDED FROM OUTSIDE-SOURCES, NOT, A LAW-FIRM OF PAID-STAFFERS, AND A FORMER-COUNTY-EMPLOYEE, WHO'S BEING PAID BY THE SAME COUNTY, WHO SHE ONCE WORKED FOR JUDICIALLY. HERE'S THE CONNECTION, THIS THING IS REALLY-BAD, AND THIS JAIL, ON ALL LEVELS, IS PLAGUED BY A DEEPLY ENTRENCHED, MULTI-GENERATIONAL-CULTURE-OF-CORRUPTION, RETALIATION, BRUTALITY, SECRECY, AND MURDER. NOT, EVERYBODY IN THE SYSTEM IS BAD, BUT HOW MANY BAD-APPLES, DOES IT TAKE TO RUIN A WHOLE BASKET?

BONUS MATERIAL: THE ENCLOSED FOLLOWING DOCUMENTS, IS ADDITIONAL EVIDENCE OF THIS JAIL, UNCONSTITUTIONAL/ILLEGAL-JAIL-POLICY, OF ONLY ALLOWING 4-A, GENERAL-POPULATION, PRE-trial detainees, CIVIL-COMMITMENTS, AND C'DCR-PRISONERS. A BARE MINIMUM OF (3)-HOURS A WEEK OF OUT-OF-CELL PROGRAM. THIS ILLEGAL JAIL-POLICY FALLS WAY SHORT OF THE (10) HOURS A WEEK STANDARD, THAT GOVERNS ALL CA'S JAILS AND PRISONS. THESE UNCONSTITUTIONAL CONDITIONS OF CONFINEMENT, (PATTERN), HAS BEEN ON-GOING SINCE (2012), AND THIS IS THE "ONLY" C.P. SECTION OF THE M. J. N., RECEIVING THIS FORM OF ABYSMAL PROGRAM-SCHEDULE. Respectfully, James Evans, Jr

Investigation? As to whether, these conditions, in her jail-system, that subsequently lead to a brutal death, of a prisoner, on her watch, violates constitutional-standards OR, statutory requirements, such as those set-forth, in the Civil-Rights of Institutionalized Person Act.

This failure, by all means sheds important info on why this county appointed a former-judge, who's "also receiving a retirement-pension", from the county, to oversee, the investigation, against former county-friends-officials, who once provided security-duties for her, when she was an active judge. If this doesn't present a conflict of interests, then the commission might as well, just throw the investigation in the trash can.

Right now, this current investigation, is a slap in prisoners faces, such as myself, who has first-hand experience the horrendous victimizations of abuses, neglectful mistreatments, and culture of corruption. That goes on in this jail every-day, by every administrative-shift.

Myself, and other prisoners, we seek, we need, we demand, some impartial investigative oversights from "outsiders. To look into, and truly drill down all identifiable issues for reform. This also, should include even working closely with members of the legislature, concerning ongoing, or closed cases, where abuse, corruption, or neglect is evident.

This is really a crisis-situation, and myself, and other prisoners, are repulsed to think that a former employee of the county, who is investigating the county, that's paying for this investigation, could not have the best-interests, of the county at heart. There was a clear message behind that move, and it had a chilling effect on myself, and other prisoners mental, emotional, and physical well-being.

Stop! Stop! Stop! Wake up society! We're talking about deputies accused of killing a prisoner, and public-officials, working feverishly to cover it up. Something has to be done, especially, in light of the fact. I personally contacted Sheriff Smith, and facility-Captain Hoyt, about these high incidents of abuses, neglect, and culture of corruption issues, being committed by deputies, 4 and 6 months apart, before a prisoner was brutally killed. The Dept of Justice, and/or the local F.B.I. must look into the problems at this jail, that's currently being covered-up, and blow the cover off, the cover-up, with widespread publicity, and political fall out.