

CALL TO ACTION TO SUPPORT CÉSAR!

Short link to this page: tinyurl.com/cesar-county-letter

On February 12th, César's family and housemates sent a [letter](#) to Sacramento County Supervisor Phil Serna with demands for getting César off restriction at the County Main Jail.

Please read the [letter](#), [share it](#), and send an email to Phil Serna supporting our demands, ideally by end of Wednesday, February 14th! (instructions below)

[UPDATE AS OF FEBRUARY 14TH @12:00 PM] Two of César's friends attended the County Board of Supervisors [Meeting](#) at 11am to make public comments directly about our letter. Phil Serna responded to our comments and said he had received the numerous emails of support for our letter (we've sent in at least a dozen) and that they have sent it to the attention of the sheriff's department. **Our letter was successful in getting Phil Serna and the sheriff's department's attention!** (You can watch the public comment [here](#) and Phil's response [here](#).)

This effort is being César's sister Erica and César's housemate Alyssa.

Instructions:

Fill out the [template message](#) below. Please personalize it so it doesn't sound like a form email.

Send email TO: Supervisor Phil Serna <SupervisorSerna@Saccounty.gov>

CC:

Chief of Staff- Lisa Nava <Naval@saccounty.gov>,

Secretary- Monica Lozano <lozanoma@saccounty.gov>,

Special Assistant- Aaron Chong <ChongA@saccounty.gov>,

Erica Frederiksen <EFrederiksen@cde.ca.gov>,

Alyssa Lee <alyssa.dabichi.lee@gmail.com>,

César Aguirre <cesarjulianimo@gmail.com>

Template Message:

Sample Subject Lines:

- Important issue re. County Main Jail - César Aguirre
- Regarding inhumane treatment at County Main Jail
- Support for César Aguirre at County Main Jail

Dear Supervisor Phil Serna:

My name is [YOUR NAME], and I'm a Sacramento County resident. [IF YOU LIVE IN DISTRICT 1, PLEASE INCLUDE THAT - look up your district [here](#).] I write in regards to César Aguirre (X-Ref: 3876643) who is currently incarcerated at the Sacramento County Main Jail. [Please make slight tweaks to personalize this so that the email greetings each look different.]

[DESCRIBE YOUR RELATIONSHIP TO CESAR OR YOUR PERSONAL STAKE IN THE ISSUE. Ex:]

- I have known César since XXX through XXX. [Describe César's character]
- [Your reaction to hearing about the County Main Jail's horrific treatment.]
- [Something like "I would like to know how you plan to take action to ensure this doesn't happen again."]

I would like to add my support for César's family's [letter](#) to you about this serious issue and for their requests for the following actions:

Call on Sheriff Jim Cooper to immediately implement the following:

- Enforce daily check-ins by health care staff and regular updates to César's sister.
- Provide access to tablet to receive mail or ensure receipt of paper mail, as is protected under the First Amendment of the Constitution.
- Reinstate César's access to commissary and all commissary orders and care packages.
- Reinstate Cesar's access to daily phone calls and social visitations.
- Provide at least 17 hours per week of out-of-cell time.

[CLOSING STATEMENT - Example: I hope you take action on this matter immediately.]

Sincerely,

[YOUR NAME]

↓↓↓ LETTER STARTS BELOW ↓↓↓

February 12, 2024

Dear Supervisor Phil Serna:

As Sacramento County residents, we write to you to express our serious concern about the inhumane treatment of our loved one, César Julian Aguirre (they/them), in the Sacramento County Main Jail. César has been in jail custody since January 11, 2024. César has been subjected to cruel and unsanitary conditions in solitary confinement, deprived of their constitutionally protected right to receive mail, and denied visits and phone calls with loved ones. We are concerned by these disturbing jail conditions, the lack of compliance with the Mays Consent Decree¹, and the revocation of César's rights and privileges.

Since January 11, 2024, we have experienced the following challenges with the Main Jail:

- Evening of January 16: César requested mental health support; as a result, César was placed in solitary confinement for over 9 hours. It took 6 hours before César was able to speak to a nurse. César's mental health was severely and visibly impacted from that evening. César described the solitary confinement cell conditions as follows:

There was no bed - it was a mat on the ground. They wouldn't give me a second blanket when I was really cold. The toilet was a hole in the ground. There was a camera above me. I had a tunic that was extremely difficult to put on and take off. I had to really struggle to not be naked whenever I needed to use the toilet. Every surface was concrete. There was fecal matter everywhere. I'd have to be careful to not let my mat touch it. I didn't want to get sick. Every time a guard came by, I asked for a blanket calmly but loudly. I mentioned human rights. I mentioned food. They were very limited in giving me water.

- January 21: When family and friends attempted to visit César, the jail officer told us that César was not allowed visits without providing explanation. We had to call several phone numbers to learn that we were restricted from visiting, sending mail or packages, or getting phone calls until January 25. We asked jail staff for confirmation of César's well-being but they refused.
- January 29: We found out that César was held in disciplinary detention January 19-25, during which César experienced a concussion, memory loss, and a black eye. César was in a severe mental health crisis due to being suddenly deprived of all contact with loved ones, restrained in the psych ward, and continually interrogated by jail staff. César did not understand what was happening. The jail's medical records state that César had a traumatic head injury, was not of sound judgment, and was experiencing hallucinations. During that week, César was not seen consistently by a mental health professional, and nobody explained the situation or restriction to them.
- The jail has put César on full restriction from January 26 until March 4 (39 days). César is denied social visits. César's phone calls have been severely limited. César is not allowed commissary or food packages even though they are malnourished and being prescribed

¹ <https://www.disabilityrightsca.org/cases/mays-v-county-of-sacramento>

nutritional supplements by the jail's medical team. According to the jail's medical records, César had lost 10 pounds in one week.

- We had 8 books sent to César on January 17 & 21. Only 2 books have been released to César. The jail's restriction of César's books burdens César's First Amendment Constitutional Right to receive information and serves no penological purpose.
- César has not received any paper mail we have sent. All paper mail is scanned at a facility in Missouri and sent to a tablet, which has been revoked from César. This is a violation of César's First Amendment right.²

César's rights and privileges were revoked at a moment when they most needed help. They were undergoing a mental health crisis and unable to understand what was happening. Instead of providing mental health support, the jail put César's life at risk by taking away César's communication with loved ones and sources of support for the rest of their sentence.

The grossly inhumane treatment of César at a county facility was a shock to hear. The long-term harms of solitary confinement have been documented since the 1890s.³ It is deplorable for our county to condone these cruel practices and non-transparent conditions, at taxpayer expense.

Supervisor Serna, we request that you call on Sheriff Jim Cooper to immediately implement the following:

- Enforce daily check-ins by health care staff and regular updates to César's sister.
- Provide access to tablet to receive mail or ensure receipt of paper mail, as is protected under the First Amendment of the Constitution.
- Reinstate César's access to commissary and all commissary orders and care packages.
- Reinstate Cesar's access to daily phone calls and social visitations.
- Provide at least 17 hours per week of out-of-cell time.

These actions are critical to support César's physical, emotional, and mental health.

César was born and raised in Sacramento. All of their family live in Sacramento County. César has been a reliable caregiver to their mother, who has a progressive degenerative neurological disease. Cesar's father suffers from chronic back pain so they support their father with physical chores. César also regularly helps take care of their nieces and provides enriching experiences for them. César's incarceration has been a hardship to their entire family.

César has positively impacted our community through service and advocacy with dozens of local groups. César is a Board member of the Sacramento Community Land Trust, a member of Alliance of Californians for Community Empowerment, and a champion for bicycle and pedestrian safety with Sacramento Area Bicycle Advocates. We've known César to bundle up and bike out to homeless encampments on winter nights to hand out hot coffee and blankets. We launched a GoFundMe for

² <https://www.aclu.org/know-your-rights/prisoners-rights/i-want-to-send-and-receive-mail-in-prison> "The Supreme Court has repeatedly recognized that restrictions on the delivery of mail burden an inmate's ability to exercise [their] First Amendment rights." *Morrison v. Hall*, 261 F.3d 896, 906 (9th Cir. 2001).

³ <https://www.scientificamerican.com/article/solitary-confinement-cruel-ineffective-unusual/>. Solitary confinement risks such serious harm that it can violate the Eighth Amendment's prohibition on cruel and unusual punishment. *Porter v. Clarke*, 923 F.3d 348, 357 (4th Cir. 2019).

César's recovery and raised \$11,040 from over 250 donations in just one week. This is a testament to how many people trust and support César and are following their situation.

César is currently serving a 90-day sentence for misdemeanor vandalism. Their charge was for participating in dismantling the statue of Junipero Serra in Capitol Park - a symbol of racism and genocide. The statue's removal has now been ratified by state law.⁴ Many lawmakers and dignitaries were present at the unveiling of the replacement this past November.⁵ The jail's cruel and unusual treatment given the mild nature of César's charges opens the county to legal liability, alongside the many documented violations of the Mays Consent Decree and other concerning jail conditions since 2020.⁶

We believe Sacramento County can be better than this. Sacramento should be a model to the state in human rights and a truly just and rehabilitative system. We appreciate your attention to this serious issue and look forward to your response.

Sincerely,

Erica Frederiksen, César's sister
Christian Aguirre, César's brother
Cesario Aguirre, César's father
Alyssa Lee, César's housemate
Troy Sankey, César's housemate

⁴ "California to replace toppled statue with memorial to tribes." September 24, 2021.

<https://apnews.com/article/religion-california-san-francisco-sacramento-gavin-newsom-d6dd0f163797de25cb38ab8419504afb>

⁵ "Know that we're still here today": Symbol of Native American history cemented in Sacramento's Capitol Park." November 7, 2023.

<https://www.cbsnews.com/sacramento/news/symbol-of-native-american-history-cemented-in-sacramento-capitol-park/>

⁶ "10 days of hell in Sacramento jail: Lawsuit says inmate died after pleas for help ignored." January 9, 2024.

<https://www.sacbee.com/news/local/article284027243.html>

"Sacramento Sheriff Jim Cooper is mismanaging the jail and impairing care for inmates." October 20, 2023.

<https://www.sacbee.com/opinion/op-ed/article280720760.html>

"As cold weather sweeps Sacramento, inmates complain about 'frigid conditions'." February 27, 2023.

<https://www.sacbee.com/news/local/article272614943.html>

"No way out: Why a mentally disabled man was jailed 9 years awaiting a murder trial that never happened." December 15, 2022.

<https://www.cbs8.com/article/news/local/california/calmatters/no-way-out-why-a-mentally-disabled-man-was-jailed-9-years-awaiting-a-murder-trial-that-never-happened/509-f2f220a6-78a6-4aa0-90f3-4a83b8447a11>

"Sacramento jail failing in health care for inmates, with report citing 'filthy' areas." October 26, 2022.

<https://www.sacbee.com/news/local/article267801057.html>