



San Diego County Sheriff's Department

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Kelly A. Martinez
Undersheriff

Anthony C. Ray, Sheriff

December 19, 2022

Eileen Delaney, Board Chairperson
Citizens' Law Enforcement Review Board
555 West Beech Street, Suite 505
San Diego, CA 92101-3819

POLICY RECOMMENDATION: DOCUMENT SEARCHES OF TRANSPORTATION VEHICLES

Dear Chairperson Delaney,

The Sheriff's Department welcomes and supports the Citizens' Law Enforcement Review Board's (CLERB) independent review of complaints alleging improper actions by members of this organization and in-custody deaths. We continuously strive to respond with professionalism and concern to the citizens we serve, and the CLERB process provides invaluable input.

On October 23, 2022, CLERB recommended the following policy change related to San Diego County Sheriff's Department operations:

1. Revise SDSA DSB P&P I.57 to mandate the documentation of a transportation vehicle search before and after every transport.
2. Revise SDSA Green Sheet I.57.T.1 to mandate that the driver open and clear each compartment of the transportation vehicle before, not just after, each transportation and/or movement of I/Ps and document the pre-and post-I/P transportation and movement.

The San Diego Sheriff's Department appreciates all the Citizen's Law Enforcement Review Board recommendations. We are committed to preventing the influx of dangerous drugs and controlled substances into our detention facilities. We have reviewed the applicable policies, procedures, and green sheets referenced, as well as our operational practices, to respond to you.

Regarding the recommendations provided, the pattern and practice of staff searching vehicles before and after transporting incarcerated persons (IP) is universal across the department. These expectations apply to Patrol, Investigations, Court Services Field, and Detention staff. We feel our intent and expectation are sufficiently outlined in our policies and procedures and are just one of many daily tasks and expectations, not all of which can or should be individually documented.

Keeping the Peace Since 1850

Concerning searching transport vehicles is already included in Detention P&P I.57 (last revision May 9, 2022). Section 1A states the following:

*"Deputies transporting incarcerated persons must be cognizant of the potential security risk to all persons in their custody. After accepting custody of incarcerated persons from a facility, the transporting deputy assumes the responsibility for the safety, welfare, and security of the individuals under their supervision. **The transporting deputy will ensure a search of the incarcerated person(s) and the transportation vehicle is conducted before and after every transport.** If the incarcerated person(s) is of the opposite gender, the transporting deputy will take measures to follow appropriate procedures in accordance with Detention Services Bureau Policies and Procedures (DSB P&P) section I.52."*

Page 42 of the Detention Training Manual directs all employees to familiarize themselves and be well-versed in the operational procedures of transporting an incarcerated person, including P&P Section I.57. Revising this section to mandate documentation of searches is not necessary as it is already a training standard, past practice, and staff are held accountable if they fail to complete this action.

Sheriff's Transportation Unit Green Sheet I.57.T.1 states:

"It will be the driver's responsibility to open and clear each vehicle compartment after each transportation and/or movement of incarcerated persons. The driver will be responsible for verifying their vehicle is cleared of any incarcerated persons and/or contraband."

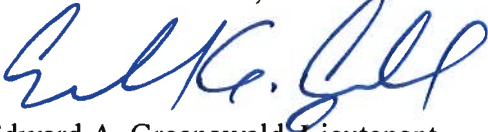
Regarding the requested revision, under recommendation number two, we will amend this section with a minor adjustment to reflect actual practice and include the word *before*. The Sheriff's Transportation Unit conducts searches before and after the movement and transfer of incarcerated persons by practice, except where they would be obviously redundant. For example, deputies transporting IPs to court will search the vehicle as it is offloaded, and the incarcerated persons are transferred into a facility. Once the vehicle and its compartments are deemed empty and there is no contraband, the vehicle is locked and left secured. When the next outgoing group is ready for transport, deputies will unlock the vehicle and the compartments in preparation for loading. The IPs awaiting transfer are then escorted into the vehicle pending departure. There is no apparent need to search the vehicle a second time before loading, as the conditions have not changed, and the vehicle remained secured in the interim.

In closing, we appreciate the time and effort of the Citizen's Law Enforcement Review Board. Thank you for your service to the Citizens of San Diego County and the policy recommendations. Our goal is to provide the "Highest quality public safety services" to everyone in San Diego County.

CLERB Recommendation
Documenting Searches of Transportation Vehicles
Page 3
December 19, 2022

Sincerely,

ANTHONY C. RAY, SHERIFF

A handwritten signature in blue ink, appearing to read "E. A. Greenawald". The signature is fluid and cursive, with the first name "E." and last name "Greenawald" clearly visible.

Edward A. Greenawald, Lieutenant
Office of the Sheriff
Division of Inspectional Services
ACR:EAG:mt