



San Diego County Sheriff's Department

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Kelly A. Martinez, Sheriff

March 6, 2023

Eileen Delaney, Board Chairperson
Citizens' Law Enforcement Review Board
555 West Beech Street, Suite 220
San Diego, CA 92101-3819

CLERB POLICY RECOMMENDATION: DIGITAL SCANNING OF NON-LEGAL MAIL

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 September 27, 2022, CLERB recommended the following policy change related to San Diego County Sheriff's Department operations:

1. Digitally scan all non-legal mail and ideally deliver to the incarcerated person addressed [sic] the mail via an electronic and non-physical method, e.g., kiosk, computer terminal, etc.

The San Diego Sheriff's Department appreciates all recommendations made by the Citizen's Law Enforcement Review Board. We are committed to preventing the influx of dangerous drugs and controlled substances into our detention facilities.

Although CLERB's recommendation parallels our desire to eliminate the risk of illicit substances entering our facilities, it fails to consider the adverse effects of removing an incarcerated person's ability to receive and hold an item from a loved one. Both the Vera Institute of Justice and the Brennan Center for Justice advocate for incarcerated populations. Both groups cite studies published in the Journal of Family Psychology which demonstrated that maintaining contact with family, including physical mail and photographs, can have profound effects on improved mental health while in custody, as well as reduced rates of substance abuse and recidivism, and higher rates of successfully reentering society during their first post-release year.

Along with considering digital mail delivery, we have been working on significant infrastructure improvements, including installing Wi-Fi and a new telecommunications system for our incarcerated population. These improvements support technology-based programs of this type and increase the safety and security of our incarcerated population and the efficiency and effectiveness of staff operations.

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Unfortunately, this modernization takes significant time, financing, and resources, which can slow evaluation and implementation.

Additionally, the CLERB's recommendation addresses only a portion of mail delivery, as it does not include legal mail or items passed off as such, which have become increasingly plentiful. Currently, the Sheriff's Mail Processing Center (MPC) manually screens, triages and delivers all incoming mail through a centralized location. This process includes regular mail and legal/confidential mail (unopened). These specially trained deputies identify suspicious letters and packages containing narcotics, hazardous materials, and other contraband before the items reach a detention facility for distribution. MPC is equipped with several essential tools to help identify illegal substances in all incoming mail. As a result of their efforts, seventy-one criminal cases were written in 2022, and nine (13%) of those involved legal mail. In 2023, MPC deputies initiated nine criminal cases, with two (22%) involving legal mail.

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.

Sincerely,

KELLY A. MARTINEZ, SHERIFF



Edward A. Greenawald, Lieutenant
Office of the Sheriff
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