



San Diego County Sheriff's Department

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Kelly A. Martinez, Sheriff

November 29, 2023

Eileen Delaney, Board Chairperson
Citizens' Law Enforcement Review Board
555 West Beech Street, Suite 220
San Diego, CA 92101-2938

CLERB POLICY RECOMMENDATION: SEARCH OR SCAN ALL PERSONS ENTERING DETENTION FACILITIES

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 to that end.

On January 18, 2023, CLERB submitted a request for reconsideration of a *policy recommendation response* submitted by the San Diego County Sheriff's Department (SDSD) on December 28, 2022. This response from SDSD was the result of a CLERB recommendation to Sheriff Anthony Ray on October 2, 2022. CLERB resubmitted the same recommendation in January of 2023 to newly elected Sheriff Kelly Martinez. The original recommendation and request for reconsideration is as follows:

1. Physically search or body scan all persons entering a SDSD-operated detention facility to include all SDSD employees, County employees, contractors, and those persons conducting county-related business.
 - a. "All persons" also includes social and professional visitors and incarcerated persons (I/Ps) upon booking and transferring between facilities or re-entering facilities after having departed it for court, medical treatment etc.

At this time, there has been no change in the Sheriff's Department's policy on utilizing body scan technology for all individuals, including employees, entering detention facilities. We are actively exploring processes, technology, practical application, and operational efficiencies related to locating potential contraband that could be brought in via staff, contractors, and visitors to our facilities. We are sensitive to protecting the security of our facilities and our staff by not revealing publicly too much of our methods regarding all screening processes. We do have practices in place that actively work to identify and address any employee and/or staff misconduct in this area.

Here is some information about what we know and what we have implemented to counter harm caused by drug smuggling into SDSD detention facilities:

Keeping the Peace Since 1850

We know that addiction is a strong driver and that there is a powerful motivation to traffic drugs in detention facilities. Our investigations have shown that drug smuggling is driven by organized criminal enterprises and a high-profit margin. The following [report](#) from SANDAG June 2023, shows that 77% of adult males and 75% of adult females tested positive for at least one substance (i.e., marijuana, cocaine/crack, methamphetamine, PCP, or opiates). Substance use disorder drives the drug market in facilities, and we are determined to interdict, and disrupt that market.

We know that we must have a holistic and multi-pronged approach to removing illicit drugs from our detention facilities. That begins with interdiction, interception, prevention, prosecution, harm reduction, and substance use disorder treatment.

We have developed a strategy to plug the gaps in our security that might allow drugs to enter our facilities. This includes searches, investigations, intelligence gathering, body scanners, and drug-detecting K-9s, among other measures. We include everyone who enters and/or conducts business in our detention facilities in one or various of these methods, including all staff.

This comprehensive strategy has reduced drugs entering our facilities to almost zero. SDSD has made significant drug seizures at facility points of entry, in facility parking lots, in mail entering the facilities, and other areas. Possessing drugs in a detention facility is a felony. Dealing drugs in a detention facility or furnishing drugs that result in death are also felonies. We have worked with the District Attorney and successfully prosecuted a number of these cases this year.

We have also increased our harm reduction efforts. This begins at intake with proper screening for drugs when people come into our custody. Urine screening at intake, thorough questioning, and other methods help us to provide supportive care immediately upon booking.

We have enhanced and expanded Medication-Assisted Treatment (MAT) in our detention facilities and now have over 500 individuals in the various phases of the program. When we began, we had fewer than a handful. This has helped with withdrawal symptoms, reduced the demand for illicit drugs, and we hope it will help with the transition to the community and lessen incidents of re-offending.

We supply not only deputies with Naloxone, but it is now available directly to people in custody. This has proven to be lifesaving in instances where drugs did enter the facility or if someone entered custody with fentanyl already in their system. We use Naloxone for medical aids that may turn out to not be drug overdoses. This is because we don't always know the cause, and since Naloxone does not cause harm, we encourage its use. Having said that, we have reduced the incidents of Naloxone being administered by 50 incidents across seven facilities this year over last year, and 52 incidents less than in 2021.

Resources are being used creatively and efficiently to combat overdoses and drug smuggling in ways that are intentionally leveraging our resources based on best practices, guided by evidence and

actionable intelligence. This is a comprehensive and efficient model that our employees and the citizens of San Diego County can be proud of.

We hope the information provided shows you our dedication to caring for those in our custody. We believe we have demonstrated a substantial improvement and will continue in our efforts to combat contraband smuggling in our detention facilities.

Please also see the below press releases regarding facility improvements:

Update on the State Jail Audit Report

<https://www.sdsheriff.gov/home/showpublisheddocument/6249/638102360112530000>

County Jail Improvements:

<https://www.sdsheriff.gov/Home/Components/News/News/1723/514?npage=2>

Press Releases on efforts to stop drugs from entering our jails:

<https://www.sdsheriff.gov/Home/Components/News/News/1958/514?npage=2>

<https://www.sdsheriff.gov/Home/Components/News/News/2217/514?npage=2>

<https://www.sdsheriff.gov/Home/Components/News/News/2262/514>

Deputy saves woman from overdose:

<https://www.sdsheriff.gov/Home/Components/News/News/1952/514?npage=2>

State of the Jails Press Release:

<https://www.sdsheriff.gov/Home/Components/News/News/2078/514>

In closing, we appreciate the time and effort of the Citizens' 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



David Perkins, Lieutenant
Office of the Sheriff
Division of Inspectional Services
KAM:DP