



San Diego County Sheriff's Department

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Kelly A. Martinez
Undersheriff

Anthony C. Ray, Sheriff

December 26, 2022

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

CLERB CASE NUMBER: #22-011

Dear Chairperson Delany,

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 20, 2022, CLERB recommended the following policy change related to San Diego County Sheriff's Department Detention Policy and Procedure Section I.63 to include the following changes:

1. To mandate that all high-level incarcerated persons will be housed in cells that have "food flaps."
2. To mandate that only one cell door is open at a time while deputies conduct daily facility operations, e.g., meal/medication distribution, cell searches, etc., in the housing modules.

The San Diego Sheriff's Department is dedicated to providing a safe environment in our detention facilities. Openings in cell doors, known as cuffing ports, rather than "food flaps," are primarily used to provide a safe manner to place handcuffs on incarcerated persons, if needed, prior to them exiting their cells. This cuffing port is also used secondarily to provide incarcerated persons meals, medication, and other required materials.

The Vista Detention Facility, constructed in phases over the 1970s and 1980s, has been working on adding cuffing ports to the remaining doors that do not have them. The cuffing ports were ordered in early 2022 but were delayed due to the supply chain issues plaguing the nation. Once they have been received, and arrangements can be made to house the incarcerated persons at another location while construction is in progress, they will be installed in any remaining doors that do not have cuffing ports. The retrofit will almost certainly be completed in Spring 2023.

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December 26, 2022

The recommendation to mandate that only one cell be opened while conducting daily operations at a time is not feasible. Title 15 mandates related to phone access, dayroom time, shower access, etc., require whole tiers or modules to be open at the same time. Requiring only one cell to be open at a time would negate our ability to fulfill our Title 15 requirements and mandates. There are exceptions to this in specialized housing. However, those modules house significantly reduced populations which can be managed with individualized time out of the cell.

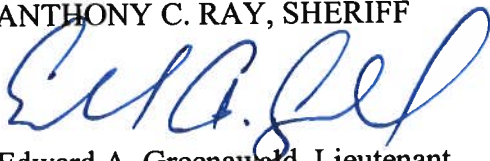
Additionally, deputies and other staff in detention facilities are mandated to conduct a number of activities daily. Whether serving food, monitoring medication pass, addressing medical emergencies, completing safety checks, conducting welfare checks, doing count procedures, picking up garbage, escorting incarcerated persons to sick call or visits, etc., the deputies on each floor have to complete each of these tasks. At times that means that more than one incarcerated person may be contacted or escorted out of their cell at a time.

Our goal is always to provide a safe environment for our incarcerated population and our staff. Risks are minimized as much as possible. However, mandating that only one door in a module be opened at one time is not a feasible option for the Department.

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,

ANTHONY C. RAY, SHERIFF



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