

Assembly California Legislature



AKILAH WEBER, M.D.
ASSEMBLY MEMBER, SEVENTY-NINTH DISTRICT

May 7, 2021

REVISED/RECEIVED
05/28/2021

The Honorable Rudy Salas, Chair
Joint Legislative Audit Committee
Legislative Office Building, Room 104
Sacramento, CA 95814

Joint Legislative Audit Committee Review: Request for audit

Dear Chairman Salas,

We respectfully request the Joint Legislative Audit Committee (JLAC) authorize an audit of the San Diego County Sheriff's Department. Specifically, we'd like to know why so many inmates have died while in the Department's custody and what steps are being taken ensure proper protocol.

Local advocates and media have called attention to the dangerous conditions and large number of suicides and other deaths in San Diego County jail facilities. There is an extensive public record documenting the tragic loss of lives, systemic failures, and inadequacy of oversight. Families of those who have died have filed lawsuits alleging that the County and jail staff acted with deliberate indifference to inmates' serious mental health, medical, and related needs. The settlements from these lawsuits have cost San Diego County taxpayers millions of dollars. Further, San Diego Union Tribune conducted a compelling six month investigation into San Diego County's jail mortality rate, the highest among California's largest county jail systems. The grim history shows no sign of waning.

According to a 2018 report from Disability Rights California, from 2014 to 2016, the 17 inmate suicide deaths in San Diego County far outpaced other large California county jail systems. For example, the Orange County Jail system had one suicide and the Riverside and Sacramento County Jail systems each had three suicides during this three year period. Even the Los Angeles County Jail system, which has an inmate population more than three times larger than the San Diego County Jail population and a history of significant problems related to inadequate suicide prevention and treatment of people with mental health needs, had eight suicide deaths during this three-year period, less than half as many as San Diego County. San Diego County's jail inmate suicide rate has also vastly exceeded (by a factor of 5) the annual inmate suicide rate in California's State prison system (21.8 per 100,000 from 2013 to 2016).

Due to these shocking details, we respectfully ask that the JLAC approve this request to include the following determinations:



- Audit should cover the last 15 years.
- What was the cause of death in custody and what the Department did to ensure inmate safety?
- What were the allegations that led to lawsuits and subsequent settlements?
- What was the race and age of the inmates who have died while in custody?
- What is Department protocol to ensure the safety of their inmates:
 - In case of suicide, were department protocols followed to ensure inmate safety
 - In case of murder, were department protocols followed to ensure inmate safety
 - In case of “in custody/in transit death”, were department protocols followed to ensure inmate safety
- What steps has the department taken to improve inmate safety and when were those steps implemented?
- What is the average amount awarded in wrongful death settlements in San Diego County and how do those settlement awards compare to other counties in California?
- Is there a disproportionate number of Black Indigenous People of Color included in the total number of inmate deaths?
- In the year that County of San Diego’s Citizens’ Law Enforcement Review Board (CLERB) could not complete their work, how many cases in total were under review for that year?
- What is CLERB doing to ensure that the Sheriff’s department is reviewing/revising protocol to ensure inmate safety?
- Does CLERB have enough staff and resources available to complete the work that they’ve been tasked with?
- The San Diego Sheriff’s Department oversees all detention facilities in the county of San Diego. In other counties, certain localities operate their own jail facilities separate from county and Sheriff Department facilities. With this context, when considering San Diego County facilities managed by the Sheriff’s Department, how does the in-custody death rate in San Diego County compare to other counties in California where?
- Has the in-custody death rate in San Diego County increased over the period reviewed (15 years)? How does that compare to historical rates in other counties?
- What policies have the Sheriff’s Department implemented as a result of past settlement agreements and grand jury recommendations? What policies have not been instituted by

the department? Have any policies been suspended, revoked or amended by the Department in a manner that is inconsistent with past settlement agreements or grand jury recommendations?

- Does the Sheriff's Department have policies in place that delay or otherwise impair the delivery of care for inmate populations? Do any of those policies impact the ability of medical personnel to make decisions and take action that are in the best medical interest of inmates?

Thank you for your consideration of this request. If you have any questions or require further information, please contact Victoria Harris at 916-319-2079.

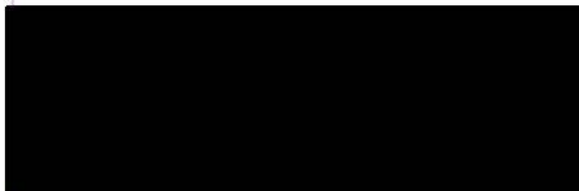
Sincerely,



HON. AKILAH WEBER, M.D.
Assemblymember, 79th District



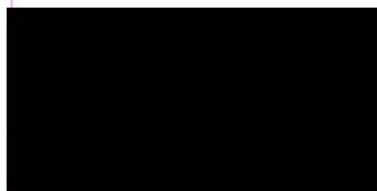
HON. TONI ATKINS
Senate President pro Tempore
Senator, 39th District



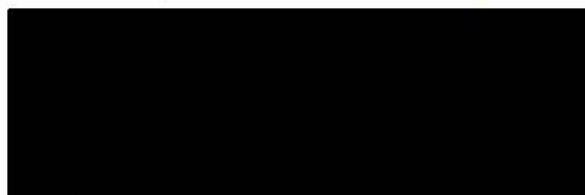
HON. BRIAN MAIENSCHIN
Assemblymember, 77th District



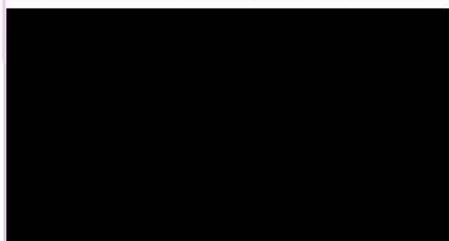
HON. CHRISTOPHER WARD
Assemblymember, 78th District



HON. LORENA GONZALEZ
Assemblymember, 80th District



HON. TASHA BOERNER-HORVATH
Assemblymember, 76th District



HON. BEN HUESO Senator,
40th District