



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

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First District

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Second District

TERRA LAWSON-REMER
Third District

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Fourth District

JIM DESMOND
Fifth District

DATE: October 11, 2022

07

TO: Board of Supervisors

SUBJECT

UPDATE OF THE PROGRESS ON ENACTING EMERGENCY MEASURES IN SAN DIEGO COUNTY JAILS TO PREVENT FURTHER DEATHS (DISTRICTS: ALL)

OVERVIEW

On August 16, 2022 (23) the Board of Supervisors (Board) directed a series of actions focused on supporting the Sheriff's Department in fulfilling the County's duty of providing sufficient care for incarcerated persons. The approved actions included emergency measures designed to keep individuals safe from drug overdoses in San Diego County jails. Among the measures were the expeditious roll out of staffing incentives, exploration of innovative strategies to promote security and wellness, and the acquisition of the latest body scanner technology and other investments to support the Sheriff's efforts to intercept and interdict dangerous drugs, especially fentanyl, from entering the jail system.

Today's requested action is for the Board to receive the Sheriff's Department's update on the progress regarding efforts to implement emergency measures designated to keep individuals safe from overdoses.

RECOMMENDATION(S)

SHERIFF

1. Receive the Sheriff's update on progress regarding efforts to implement emergency measures designed to keep individuals safe from overdoses.

EQUITY IMPACT STATEMENT

The Sheriff's Department prioritizes the health and safety of those in custody, which requires proactive and continuous screening of individuals coming into jail facilities to ensure the safety of incarcerated persons, detention facility staff, and visitors. The Sheriff's Department is employing the integration of technology in County facilities to increase the level of care and safeguard the health and wellbeing of all incarcerated persons. Technology will be pursued to enhance screening capabilities at the time of intake and in housing units to prevent drugs and contraband from being introduced into the facilities. The requested action to pursue innovative strategies will ensure we consider diverse methods of providing a secure and humane environment for incarcerated persons and keeps all who live or work in the facilities safe.

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SUSTAINABILITY IMPACT STATEMENT

The proposed action to implement additional measures to protect incarcerated persons and improve staffing contribute to the County of San Diego's Sustainability Goal to provide just and equitable access. Medication Assisted Treatment (MAT) is among the programs that Sheriff's Department has implemented that deliver evidence-based care and advance equity in treatment access and quality. MAT provides a safe and controlled level of medication to help individuals overcome the use of opioids. After beginning MAT in the detention setting, clinical personnel provide linkages to a continuum of care in the community upon the patients' release from custody in coordination with Behavioral Health Services. The goal of MAT is full recovery, including the ability to live a self-directed life.

FISCAL IMPACT

While there is no fiscal impact for today's recommendation, the fiscal impact associated with amendments to the Compensation Ordinance approved by the Board of Supervisors on August 16, 2022 (11) and August 30, 2022 (16) will result in estimated costs and revenue of \$11.7 million for the Sheriff's Department in the current fiscal year. These costs will be absorbed by existing funding. Ongoing costs will be included in future Operational Plans. There will be no change in net General Fund costs and no additional staff years.

There will be future fiscal impacts for the purchase of additional body scanners. This request would result in an estimated cost of approximately \$1.0 million in one-time costs. Funding for the costs will need to be identified; the Sheriff's Department will monitor its budget and return to the Board with mid-year action to adjust the budget as necessary and/or incorporate future budgets as funding becomes available. If necessary, staff will return to the Board for consideration and approval of any other future fiscal impacts that may result from the recommendations. Upon potential return by staff, funding for future costs will need to be identified by the department and will proceed once identified. At this time, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The Sheriff has instituted several improvements and investments in jail operations with the goal of eliminating in-custody deaths. These include more thorough security checks, critical incident review, wellness checks, and concerted efforts in recruiting and retention.

This past year, new procedures have been established to ensure staff accountability in performing quality security checks of incarcerated individuals. Supervisors in the jail are now required to conduct compliance reviews of safety checks completed by deputies. These compliance reviews verify that effective security checks are made at appropriate times and that during each check the

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staff member spends enough time observing incarcerated persons for any obvious signs of medical distress, trauma, or criminal activity. The policy for this practice is under review and will be codified in the Detentions Policy and Procedures Manual.

A new addition to the management of critical incidents in detention facilities was the assignment of a Lieutenant to serve as the in-custody death investigation coordinator. The Lieutenant reports directly to the Office of the Sheriff, investigates and coordinates all available information, and provides a critical assessment of any in-custody death within the first three days. This assessment is designed to identify gaps in training, procedures, and the identification of administrative or criminal violations by staff. This allows the department to act quickly if any gaps are identified.

A comprehensive review of jail operations identified an opportunity to engage with incarcerated persons who are at-risk or unable to care for themselves. The resultant wellness check program was developed and implemented in June 2022. Wellness checks are defined as supplemental care and engagement with particularly vulnerable incarcerated populations. These checks include individuals who are diagnosed with mental illness, behavioral issues or have demonstrated that they are unable to follow general population norms of behavior. Individuals who are housed in Psychiatric Stabilization Units (PSU), Outpatient Step Down Housing Units (OP Step Down) and in the Administrative Separation (AD Sep) Units are the focus of the program. A multi-disciplinary team, composed of mental health staff, nurses, correctional counselors, and deputies, conduct these health and welfare assessments. These assessments are conducted at least once weekly and at the larger men's facilities, twice weekly. The Sheriff's Department Wellness Program augments existing security checks.

Wellness checks focus on the physical and mental health, hygiene, nutrition, and overall cleanliness of an incarcerated person who may not be able to properly care for themselves, even while incarcerated. Included in this welfare review is cell sanitation and cleaning, trash collection and immediate needs assessment. While housing modules are regularly cleaned, some of the most vulnerable incarcerated persons tend to hoard food and other items and refuse to leave their cells for cleaning. This more holistic approach and increased engagement, better informs detentions staff of the needs of this population and identifies health related concerns more quickly, which allows for more immediate care response, and supports vulnerable individuals.

Historically, there has been a treatment gap that existed between substance abuse disorders and access to care. Beginning July 1, 2022, the department started urine screening at intake. These urine tests are requested of an individual at the time of booking based on their responses to the intake screening questions. However, it is important to note that not all individuals who meet the criteria for drug screening agree to provide a urine sample. Out of the 13,364 bookings conducted from July 1 through September 26, there were 2,998 persons identified as meeting the criteria for urine screening. Out of those 2,998 persons, 78.6% (2,356) tested positive for at least one controlled substance. The above mentioned results are demonstrative of the impact drugs have on the incarcerated population and how many come into Sheriff's custody with illicit drugs in their system.

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The results of this urine screening are the first step in the Medication Assisted Treatment (MAT) program. The MAT program is the use of medication in combination with counseling and behavioral therapies for the treatment of substance use disorders. MAT programs provide a safe and controlled level of medication to help individuals overcome the use of opioids. Opioid overdose is one of the growing threats in San Diego communities and in county detention facilities. In August, the department began a scoring system within MAT to enhance treatment and ease the effects of opiate and alcohol withdrawal. A scoring system enables Sheriff's medical personnel to prescribe addiction medications based on individualized needs.

In 2021, the Sheriff's Department added an extra measure to countering overdoses in the jails by having all deputies in the jails carry Naloxone. Naloxone can rapidly reverse the effects of opioids in the body so that a person can breathe normally again. In June 2022, the department made Naloxone readily available to people in custody as part of its ongoing efforts and comprehensive plan to increase safety and healthcare in the jails. The Secured Naloxone kits are placed in the common areas of the jail housing units and visitation areas. There are photo instructions in each box, which contains two doses of Naloxone. If a Naloxone box is opened by an incarcerated person, an audible alarm will sound, and deputies and medical staff will respond to provide additional medical aid if needed.

Fentanyl has become more widely available and used in San Diego communities. Fentanyl is highly addictive, easily trafficked, and heavily marketed as an illicit drug. These same patterns hold true in the detentions facilities, and smuggling and dealing fentanyl in the facilities is highly lucrative. The Sheriff's Department has a full time Detentions Investigative Unit (DIU) that works proactively to interdict drug smuggling and use in the jails. Among the techniques these detectives employ is to identify patterns and individuals who have a high likelihood of smuggling. Canines are deployed across facilities to detect narcotics while conducting searches both within the facility and along its perimeter, to include visitor parking lots. In addition, the department's Mail Processing Center (MPC) works closely with the Sheriff's DIU to intercept narcotics smuggling through the mail. In 2021, there were 54 pieces of mail found to have an illicit substance. This year through September 28, 2022, there have been 197 intercepted pieces of mail, a marked increase from 2021. These pieces of mail intercepted in 2022 include 153 Suboxone strips and 54 narcotics-soaked postcard and letters.

The department continually develops and conducts enhanced training on body scanner equipment specific to image interpretation to prevent smuggling attempts into the jails. The department will augment its current fleet of body scanners at detention facilities. Updated body scanners enhance the Sheriff's efforts to intercept and interdict dangerous drugs from entering and being distributed throughout the facilities. The Sheriff's Department is moving forward with procuring the latest technology body scanners in a continuing effort to eliminate the introduction of illegal narcotics into jail facilities. Currently, a Contract Request (CR) has been submitted to the County's Department of Purchasing and Contracting (DPC) to start the process to purchase scanners. The initial purchase will be placed at San Diego Central Jail to augment the existing scanner. The department plans to deploy these at every facility over the next 12 months.

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In addition to the presence of drugs within the jails, staffing is an issue inhibiting full implementation of these programs across the system. The Sheriff's Department is facing understaffing issues in detentions, particularly in hard-to-recruit classifications. Low staffing levels impinge on the Sheriff's ability to support efforts related to drug interdiction, medical response, health care monitoring, and other ongoing operations. We are facing the same challenges as other public safety agencies across the country who struggle to fill vacancies and retain tenured employees. Recently, we have begun making progress across multiple fronts in recruiting, hiring efficiency, retention, and employee wellness. We are implementing the recently approved staffing incentives to hire the highest quality employees in the impacted classifications. The following are some of the staffing programs that have been implemented by the Board:

- **5% Night Shift Premium/Shift Differential for Sworn Personnel (5% of base salary for staff assigned to Night Shift)**
 - This premium adds compensation for those working their regularly scheduled night shifts, as well as those who cover vacancies on regular night shifts.
- **\$20,000 New Hire Lateral Incentive Pay for Sworn Personnel**
 - This significantly upgrades the lateral incentive to help attract experienced law enforcement professionals.
- **\$1,000 Employee Referral Reward Program**
 - Full-Time County employees can receive \$1,000, 3 months after hire, if they are named as the referring employee by a newly hired person in the following classifications: Sheriff's Emergency Services Dispatcher or Trainee, Sheriff's Detentions Nurse or Supervising Nurse, Sheriff's Detentions LVN, Sheriff's Mental Health Clinician or Chief Mental Health Clinician, and Deputy Sheriff or Deputy Sheriff – Detentions/Court Services.
 - Maximum of five (5) referral reward payments per fiscal year (see Comp Ordinance 2.1.17)
- **The Department updated the Certified Nurse Assistant Classification**
 - Medical Services Division collaborated with the Department of Human Resources to update the CNA classification to provide support to valued nursing teams while providing a more attractive career path for future nurses.
- **Increased the Work Locations Premium for Personnel listed below**
 - Stock Clerks, Sr. Cooks, Sr. Laundry Workers, Sheriff's Range Guards, and Sr. Custodians will now receive a \$.50 an hour premium for working in a locked facility.
- **Up to \$15,000 Relocation Allowance for Sworn Personnel**
 - This helps us recruit the best available candidates to fill vacant positions in DS or SM classifications by reimbursing for approved moving expenses to San Diego County. (See Comp Ordinance 2.1.4)
- **Vacation Credit for Sworn Personnel**
 - Lateral Deputies whether Deputy Sheriff or Deputy Sheriff – Detentions/Court Services, will be given 42.5 hours of vacation time when they start with the Department in recognition of time worked with another public safety agency.
- **10% Sheriff's Detentions Premium for MSD Personnel**

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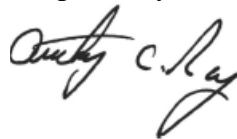
- Sheriff's Detentions Nurses and Supervisors, Detentions LVNs, Mental Health Clinicians and Chief Mental Health Clinicians will receive a 10% Sheriff's Detentions Classification premium. (See Comp Ordinance 1.14.6)

In addition to the most recent Board approved incentives and premiums, the department recently implemented hiring and recruiting changes which are innovative and responsive. One of these changes is that the department allows for variable entry criteria to increase interest, especially among college graduates who can start at a higher pay step. The department also took out the drug related questions as part of the initial online application, thus allowing for more applicants to enter the hiring process; those drug related questions are now asked in the in-person portion of the hiring process. Focused effort has been put towards making both the Sheriff.Gov and JoinSDSheriff.Net websites more accessible with engaging and user-friendly interfaces. Increased ease of website navigation is a cornerstone for online recruiting. With the goal of creating an even more personal and accessible experience for the applicant, the department is developing a web-based application to allow an applicant the ability to track their status through the application and hiring process. To mitigate loss of candidates in the hiring process, conditional offers have been provided earlier in the process to lock-in applicants.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

The actions taken to enact emergency measures to prevent future deaths in jails supports the Equity and Justice Strategic Initiatives in the County of San Diego's 2022-2027 Strategic Plan by taking steps to increase the safety and well-being for individuals who are currently in custody in San Diego County jails.

Respectfully submitted,



ANTHONY C. RAY
Sheriff

ATTACHMENT(S)

N/A