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BY EMAIL ONLY

August 7, 2023

Sheriff Jim Cooper  
Sacramento Sheriff's Office

Re: *Mays v. County of Sacramento*, E.D. Cal. Case 2:18-cv-02081-TLN-KJN  
In-Custody Deaths Jail and the SSO's Failure to Screen Staff to Prevent the Flow of  
Drugs into the Jails

Dear Sheriff Cooper,

The Sacramento County Jail is in crisis. Drugs are widely available inside the facilities, and people are dying as a result. Despite the serious risk of harm to people in the Jail, the Sacramento Sheriff's Office (SSO) is failing to make appropriate and sensible interdiction efforts to stop drugs from entering the jails.

The SSO currently has no policy requiring custody staff to be screened in any way when they enter the jails. The SSO's failure to screen staff is unacceptable, and we demand that the SSO immediately develop a policy to screen custody staff and their bags when they enter the facilities as part of its drug interdiction protocols.

As you know, on April 5, 2023, Delion Johnson, a 35-year old man, died in the booking loop of the Main Jail after an overdose.<sup>1</sup> In the last month alone, two more people have died in custody at Main Jail, both of whom were housed in the designated drug withdrawal unit at the time of their deaths.<sup>2</sup> Sadly, these deaths do not even tell the full story. According to the County's own data, Narcan, the life-saving emergency treatment for opioid overdose, has been administered at the Jail around 30 times since February 1, 2023. People in custody are overdosing on drugs at staggering rates.

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<sup>1</sup> See Theresa Clift, *Family of Man Who Died in Sacramento Downtown Jail in April Sues County, Sheriff's Office*, THE SACRAMENTO BEE, July 7, 2023, <https://www.sacbee.com/news/local/article277100963.html>.

<sup>2</sup> See Alex Muegge, *Inmate, 43, Dies in Sacramento Jail Six Days After Booking. Man was in Detoxification Cell*, THE SACRAMENTO BEE, July 9, 2023, <https://www.sacbee.com/news/local/crime/article277148828.html>; Angela Rodriguez, *Man Dies at Sacramento Jail a Day After Booking. He's Fourth Inmate Found Dead in 2023*, THE SACRAMENTO BEE, July 22, 2023, <https://www.sacbee.com/news/local/crime/article277562328.html>.

On August 2, 2023, class counsel, the *Mays* court-appointed Medical Experts, and leadership from the Jail met to discuss the County's plan to address the unacceptable number of overdoses and substance use-related deaths. All parties at the meeting, including custody staff and Adult Correctional Health staff, acknowledged that drugs are widely available at the jails. An SSO representative stated that additional screening measures have been implemented to slow the introduction of drugs into the jails, but all the measures he described are targeted at increasing searches of the incarcerated population. While health care staff are reportedly subject to screening, custody staff are not subject to any security measures aimed at detecting drugs being brought into the jails.

By SSO policy, deputies are not required to walk through a scanner or any screening technology. They are not required to have their bags or their person searched. They are not required to have clear bags to prevent them from concealing contraband. There are zero security measures in place to prevent custody staff from bringing contraband, including drugs, into the jails. Even after the recent deaths, it appears that the SSO has no plan to implement a staff screening policy.

This situation must change. In a system where drugs are widely available, people are frequently overdosing and dying, and the system is repeatedly failing to provide adequate withdrawal care, it is indefensible to allow custody staff to walk into the jails with no screening protocols. We understand that screening staff is not the entire solution to the substance use-related issues at the jails.<sup>3</sup> But the people who are most frequently walking in and out of the jails must be subject to common sense screening measures to prevent the introduction of drugs to the jails.

We demand that, by August 14, 2023, the SSO develop and implement a policy to routinely search custody staff upon entering Sacramento County Main Jail and Rio Cosumnes Correctional Center. The policy should include a requirement that SSO leadership staff regularly audit the screening process to ensure that it is being followed. We request that SSO leadership document the findings of those audits.

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<sup>3</sup> Class counsel has advocated for the SSO and Adult Correctional Health (ACH) to take several additional steps to reduce substance use-related overdoses and deaths at the jails. For example, we demanded that the SSO and ACH expand its Medication-Assisted Treatment (MAT) program. We understand that the SSO and ACH have secured funding and plan to significantly expand its MAT program on September 1, 2023. We applaud the County's efforts to provide treatment to more people with substance use disorders. Additionally, class counsel has advocated for the SSO to make Narcan available to the incarcerated population in the housing units, to provide training to people in the jails on how to use Narcan in an emergency situation, and to place "amnesty boxes" in the housing units. ("Amnesty boxes" are dropboxes where people can place illicit substances without being punished.) The SSO has not yet agreed to take any of those steps. Class counsel also has demanded changes to the SSO's intake processes to better and more promptly identify people experiencing symptoms of withdrawal, and raised issues with ACH's poor compliance with monitoring protocols in the withdrawal unit.

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We look forward to your response.

Sincerely,

Patrick Booth  
Margot Mendelson  
Prison Law Office

Aaron Fischer  
Law Office of Aaron J. Fischer

cc: Rick Heyer, County Counsel  
Eric Jones  
Captain Vanessa Vaden  
Captain Dan Donelli  
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