

CONTRABAND IN THE MAIN JAIL

SUMMARY

Pursuant to *California Penal Code* § 919(b) the Santa Barbara County Grand Jury (Jury) is vested with express authority to examine into the condition and management of the prisons in the county. Included within the broad scope of this statutory power is the ability of the Jury, in the exercise of its discretion to determine how effectively the Sheriff's Department is performing in preventing the introduction of contraband items into the jails. Contraband can take many forms, ranging from knives, guns and other items which can be weaponized, such as wood or metal objects, to cellular phones, currency, cigarette lighters, matches, tobacco, drugs and alcohol. Accordingly, the 2018-2019 Jury undertook to assess how successful the Sheriff's Department has been both in intercepting contraband at the Santa Barbara County Main Jail (Jail) and in discovering and confiscating illegal articles if they later are found within the facility itself.

BACKGROUND

The Jury's determination to explore the contraband issue was prompted in large part by its belief that many arrestees who enter or re-enter the Jail are addicted to drugs and/or alcohol. This disturbing situation creates a built-in, captive marketplace for persons who are more than willing for a variety of motives to serve the drug addictive needs of many in the jail population.

In November 2009, a Jail inmate died from a heroin overdose.¹ Presumably, that inmate obtained the drug which led to fatal results from someone else since he had been booked into the facility two weeks before he died. Although there does not appear to have been a drug overdose death in custody since then, the continued introduction and presence of dangerous substances in the Jail, despite ongoing preventative efforts to control it, poses a constant risk of a fatal repetition.

METHODOLOGY

The primary investigative activity undertaken by the Jury consisted of personal interviews with several senior Sheriff's Department custody officials responsible for, or involved in, monitoring the day-to-day efforts taken within the Jail both to prevent contraband from entering the premise and to identify and implement additional steps that can be used to discover contraband once it enters the Jail clandestinely. In addition, the Jury reviewed pertinent Jail statistics concerning efforts to combat contraband.

¹ 2009-2010 Santa Barbara County Grand Jury Final Report, "Deaths in Custody"

OBSERVATIONS

Contraband finds its way into the nation's jails in many ways. Typically, it is secreted somewhere on the person of inmates or visitors where it cannot be detected, mailed to inmates, including in the glue on stamps, or introduced by outside vendors or their employees. So too, unauthorized items of contraband can be fashioned within the facilities themselves from wood, metal or other readily available materials which are benign as originally intended but can be weaponized as well.

Contraband items also can be smuggled undetected into a correctional facility by custody staff members. However, as far as the interviewees were aware, within recent memory there have been no reported incidents which involved attempts to introduce contraband other than by arrestees themselves or their visitors, including attempted mail contacts. In that respect, as well, an Agreement for Services contract entered into between the County and an independent contractor at the Jail, reviewed by the Jury, expressly included a protocol requiring the training of contractor employees in matters of security and prescribing measures prohibiting unescorted entry.

Nevertheless, by whatever means it enters, contraband continues to find its way into the Jail. In August 2018, a substantial variety of illegal drugs and other contraband items were found on an incarcerated inmate's person in a housing unit, including heroin, methamphetamines and prescription medications. That contraband had an estimated value of \$15,000 to \$20,000. Also, in the previous month a female arrestee temporarily detained in a holding cell in Lompoc was found to have hidden heroin and methamphetamines in a plastic bag in a body cavity. Clearly, but not unexpectedly, these incidents demonstrate that there is a continuing contraband problem which obviously commands constant law enforcement vigilance.

In a further effort to gauge the current extent of the problem, the Jury obtained statistical data from the Sheriff's Department which logs, on a monthly basis, the total number of discovered instances in which controlled dangerous substances or alcohol were attempted to be brought into the Jail, or later found there. Examination of this data revealed that for the 12-month period from January 1, 2018 through December 31, 2018, the number of such drug related incidents totaled 214. Ninety-six of these incidents involved actual possession of controlled substances, alcohol, or drugs within the Jail itself, as opposed to intercepting persons attempting to bring them for use, barter or sale. Statistics as to how many items of contraband still manage to be introduced into the Jail completely undetected despite existing preventative efforts obviously are difficult to estimate.

The Jury also examined randomized sample incident reports from the past few years which described a variety of circumstances in which contraband was discovered. Most involved finding the contraband through unannounced cell searches, perimeter searches, personal observation, odor detection, information provided by

other inmates, and by screening all mail received at the Jail intended for distribution to inmates. Examples of items found include postcards doused in methamphetamines, a syringe hidden in a pipe, and heroin found at a perimeter fence.² In addition, the Jury also reviewed recent minutes of the Medical Advisory (MAC) and Continuous Quality Improvement (CQI) committees which are composed of senior custody, health, contracted medical provider, Wellpath, and other relevant departmental representatives. The CQI minutes revealed that, in January 2019, there were two confirmed instances of drug overdoses. Both inmates were transported to Cottage Hospital for treatment, where they remained for multiple days. In one instance, Naloxone branded as NARCAN, which is indicated for use in an opioid overdose situation was administered to the inmate. However, since it is an opioid antagonist, and the inmate had ingested LSD and Ecstasy, which are not opioids, it was ineffective. The second inmate had self-administered two prescription medications later identified as a potentially fatal mixture of phenobarbital and Klonopin. Fortunately, both hospitalized inmates survived.

Prompted by the particular circumstances of the two overdose incidents, the “Critical Clinical Events” section of the CQI minutes pointedly observed that discussion needs to be had on better pat-down of new arrestees, especially since one inmate still had over 30 pills on his person. The Jury concluded that the need to offer this corrective suggestion indicates that more drug detection training, not to mention enhanced scrutiny by custody personnel generally, should be given priority attention, especially at the intake stage where pat-down of arrestees takes place. While one drug-sniffing dog, Krypto, presently is being utilized for drug detection by the Sheriff’s Department, competing demands county wide for his unique abilities has made it impossible to station the animal at the Jail’s arrestee intake area on any sort of a regular, no less permanent basis.

Although some correctional facilities nation-wide employ full body x-ray scanners identical or similar to those used at airports to discover contraband, the Jail does not. The Jury was advised by a senior custody officer that this was likely due to the high cost of purchasing such items. However, the Jury believes that their possible purchase should continue to be explored by the Sheriff’s Department and could be well worth the initial investment, given the potential beneficial results.

Finally, the Jury was advised that the purchase of one full-body x-ray scanner for use at the Northern Branch Jail is planned. The Jury posits that the additional purchase of one or more such scanners would be helpful in meaningfully fostering staff and inmate safety and getting ahead of the curve in contraband deterrence efforts at the new facility.

² Main Jail Incident Report Nos. 17-9248, 16-17442, 16-2067, 15-16049, 13-2029

CONCLUSION

In July 2009, the Sheriff, in response to a 2008-2009 Grand Jury Report, conceded that dealing with contraband in a jail environment is very challenging. As a result, the jail staff conducts hundreds of inmate searches daily and random cell searches as often as possible. Now, over nine years later, this challenging situation has remained the same. Indeed, one experienced custody officer the Jury interviewed candidly observed that in the last few years the contraband problem actually worsened.

As long as many persons in our jail population continue to engage in addictive behaviors, efforts to introduce contraband to satisfy their dependence on drugs will continue to occur. Therefore, the task faced by law enforcement is to marshal all available resources to interrupt the flow of contraband into places where it should not be.

FINDINGS

Finding 1

Pat-down searches of arrestees have proven to be inadequate to intercept all of the contraband introduced into the Jail.

Recommendation 1

That the Sheriff require all custody officers be trained specifically to pat-down arrestees more effectively at intake.

Finding 2

Currently there are no full-body x-ray scanners in use at the Main Jail to detect contraband secreted on the person of arrestees, inmates or visitors, and only one is planned to be purchased for use at the Northern Branch Jail to be opened later this year.

Recommendation 2

That the Sheriff purchase one or more full body x-ray scanners to be used at the Main Jail, and one more full body x-ray scanners to be used at the Northern Branch Jail, in order to scan all arrestees and visitors.

Finding 3

There is only one drug-sniffing dog and he is used only periodically at the Main Jail to detect contraband.

Recommendation 3

That the Sheriff purchase one more specially trained drug sniffing dog for posting at the Main Jail and one to be assigned to the Northern Branch Jail to assist in locating contraband at intake or elsewhere within these facilities.

REQUEST FOR RESPONSE

Pursuant to *California Penal Code §933 and §933.05* the Grand Jury requests the entity named below to respond to the enumerated Findings and Recommendations within the specified statutory time limit:

Responses to Findings shall be either:

- Agree
- Disagree Wholly, with an explanation
- Disagree Partially, with an explanation

Responses to Recommendations shall be one of the following:

Has been implemented, with a brief summary of the implemented actions

Will be implemented, with an implementation schedule

Requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a completion date that is not more than six (6) months after the issuance of this report

Will not be implemented because it is not warranted or is not reasonable, with an explanation.

Santa Barbara County Sheriff/Coroner – 60 Days

Findings 1, 2, 3

Recommendations 1, 2, 3

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