



February 7th, 2023

Board of State and Community Corrections
2590 Venture Oaks Way
Sacramento, CA 95833

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Dear Members of the Board of State and Community Corrections,

We write to request that the BSCC increase oversight of the Riverside County Sheriff's Department (RSD) in the face of its failure to protect incarcerated individuals. In 2022, 18 individuals died while incarcerated in Riverside County jails, the highest number for the County in the last 15 years. By comparison, San Diego County had 19 in-custody deaths in 2022, despite an average daily jail population of 500 more people than Riverside County. Impacted families and local organizations have called attention to the high number of deaths. However, RSD continuously refuses to take accountability for these lost lives. The department fails to meet basic standards of transparency and reporting. We urge the BSCC to provide immediate and necessary oversight of the Riverside County Jail System.

Drugs and fentanyl are entering the county jail system.

Of the eighteen deaths in Riverside County custody in 2022, five have been attributed to fentanyl overdoses. Although the county spends hundreds of millions of dollars¹ on "drug detection" technologies, many drugs (often laced with fentanyl) are still being snuck into the five county jails. Correctional officers continue to bring drugs in without consequence. Meanwhile, officials mistakenly blame families² and incarcerated people for drugs getting inside. Correctional staff subject families to intensive screening in order to see their loved ones. In 2022,

¹ Joe Nelson, "[California jails are trying to keep fentanyl out, but inmates are still dying.](#)" Mercury News, September 2022. "Bianco said the county has spent millions of dollars on technology designed to detect any prohibited items that an inmate is trying to sneak into the jails."

² Ibid. "There are inmates that purposely get arrested just to smuggle drugs into jail. It is either for money, money on the outside, money or favor on the inside," Bianco said. "It's part of that culture of power inside the jails, and drugs are a part of it."

RSD saw hundreds of overdoses across its five facilities, and this problem will continue if no changes are made.

RSD inadequate emergency response fails to prevent deaths.

Riverside County should not have allowed eighteen individuals to die in custody in just one year. This failure raises serious concerns about the department's emergency response and safety protocols. Riverside county's jail system fails to provide incarcerated individuals with adequate care and safety. The BSCC must focus on RSD's failures to meet California's Adult Titles 15 and 24 Regulations for safety checks and emergency responses.

RSD limits access to adequate medical and mental health care, which may cause preventable deaths

Riverside County jails have a long term and documented systemic issue with providing humane and adequate medical and mental health care. In 2013, Prison Law Office entered into a consent decree with the County (*Gray v Riverside*)³, which was intended to provide ongoing oversight from the county on these issues. However, the annual number of deaths in Riverside custody has only increased in recent years, with 2020 being the second deadliest year for people held in Riverside County custody deaths, behind 2022. Community-based organizations like Starting Over, Inc. are still getting reports of people in Riverside custody not receiving the medical and mental health care they need. Some people inside report that RSD gives them insulin inconsistently or in incorrect doses, putting them at risk of suffering a diabetic coma. RSD does not give people breathing machines and they have suffered strokes. When one incarcerated person requested mental health care, he was given puzzle books as treatment. This degree of medical neglect may be leading to preventable suicides and other deaths that the Coroner is labeling as “naturally” occurring.

RSD fails to provide thorough information about deaths in custody to families or DOJ

Several of the families of those who died in custody last year were notified days⁴ after their loved one passed away; some were in the dark about their loved ones' death for as long as 6 days after their passing.⁵ Others have still not received the toxicology reports from the Coroner. While the Department claims that these deaths were caused by overdoses, many families have yet to see the evidence of this cause of death. In addition, the Coroner's office is overseen by the Sheriff, meaning community members can't trust the objectivity of the in-custody death reviews

³ Prison Law Office, "[Gray V. Riverside.](#)"

⁴ Christopher Damien, "[ACLU joins calls for outside investigation of deaths in Riverside County jails.](#)" Desert Sun, September 21, 2022. "Matus and Hugo Solis, the brother of a man who died in jail on Sept. 3, both were not notified by the department until about a week after their respective relatives died."

⁵ Ibid. "Becky Shorty's son, Abel Chacon, died last month at the county's jail in Murrieta, where more than half of this year's deaths have occurred. Shorty is troubled by the lack of information she has been provided by the department about the circumstances surrounding her son's death. 'We still don't know the cause of his death and we already buried him,' Shorty said. 'I'm angry, I'm mad. We still don't have answers. Why do we have to wait?'"

conducted by the Coroner. Families are not the only ones in the dark about their loved ones passing; the Riverside Sheriff's Department has delayed and withheld proper notification about in-custody deaths⁶ to the California Department of Justice, as is required per CA Government Code 12525. Furthermore, the information that was reported also classified deceased individuals as "sentenced"⁷ when the vast majority of the 18 individuals who died in custody were awaiting trial. In 2022, 89% of people in Riverside County custody were pre-trial⁸ and legally innocent.

The BSCC Must Take Action to Provide Oversight of Riverside County Jails

Unfortunately, this is not the first time that Riverside County jails have been under scrutiny. RSD has a long track record of rampant abuse and inhumane conditions inside their jail facilities. In 2013, the Prison Law Office sued RSD for the abysmal conditions and lack of access to medical and mental health care in their jails. As part of the settlement agreement, RSD was forced to implement changes to ensure proper access to healthcare. In 2020, the Prison Law Office filed a motion⁹ to reopen their case due to negligence by RSD to protect incarcerated people from COVID-19. In 2021, the ACLU and Starting Over Inc. sent a request for an investigation¹⁰ to the California Department of Justice highlighting RSD's mismanagement of the jails and their department. Civilian Grand Jury investigations across the years have also urged for changes to RSD operations by providing a series of recommendations that the county largely failed to implement. In sum, we write to BSCC after exhausting all other routes to obtain basic standards of accountability and humane treatment for incarcerated people in Riverside County.

The BSCC is the agency responsible for ensuring that jail conditions are safe and humane for our community members inside local facilities. It is therefore this agency's responsibility to hold RSD accountable for the lives lost in their custody and to ensure that preventative measures are put in place. We ask the BSCC to take the following steps:

1. The BSCC must work with impacted families and individuals inside to conduct thorough unannounced facilities inspections and a review of RSD's policies that are systematically endangering the lives of incarcerated people. This should be done in a fashion that ensures participating families and individuals are protected from potential retaliation from RSD staff, which is a recurring concern for impacted community members.

⁶ Christopher Damien, "[Riverside sheriff failed to report inmate deaths to state on time; names of dead made public](#)," Desert Sun, September 16, 2022. "Given the 10-day reporting requirement, the second May 26 death was about six weeks overdue and a death on June 20 was about three weeks overdue. A July 11 death was reported right at the legal deadline."

⁷ Ibid. "Beyond reporting the deaths late, the sheriff's department gave inaccurate information to the Department of Justice, saying 12 of the 13 had been sentenced in their cases at the time they died. In fact, none had. Vasquez, who was 20 years old, had been in jail a mere six days, and all the others were waiting for trial."

⁸ Board of State and Community Corrections, "[Board of State and Community Corrections Jail Profile Survey Through Q3 2022](#)," Page 70, December 2022.

⁹ Prison Law Office, "[People Incarcerated in Riverside County Jails Seek Federal Court Action to Address COVID-19](#)," April 2020.

¹⁰ ACLU of Southern California, "[Request for an Investigation into Riverside County Sheriff's Department](#)," September 16th, 2021.

- a. The inspection team must assess how drugs are entering Riverside facilities and ensure that RSD staff are held to the same level of scrutiny for bringing in contraband as visitors and incarcerated people.
 - b. The inspection team must assess the Department on the following criteria:
 - i. Frequency and thoroughness of safety checks.
 - ii. Existence of and adherence to protocol for fixing a broken emergency call button in a cell.
 - iii. Average response time when an emergency button is pressed.
 - iv. Existence of and adherence to trainings in Narcan administration and other emergency response techniques.
 - v. Existence of and adherence to protocols for regular distribution of necessary medications and treatments to ensure the wellbeing of incarcerated people.
2. The BSCC must examine Riverside County's in-custody death reviews and notification protocols to assess whether they meet the BSCC's minimum standards and other legal requirements.
 3. The BSCC must withhold future funding from RSD until a correction plan has been implemented. Departments demonstrating a lack of concern for the wellbeing of those in their custody should not continue to receive funding from this agency until corrective action is taken.

Sincerely,

Starting Over Inc.
Riverside All of Us or None
ACLU Southern California