

NEWS > CRIME AND PUBLIC SAFETY

Sheriff will reform health care in San Diego County jails, under latest settlement in long-running lawsuit

The new agreement in the class-action lawsuit calls for improved practices and staffing in medical and dental treatment.



Cecilia Bach becomes emotional during a press conference about her late husband on Thursday, Oct. 24, 2024, in San Diego. Keith Bach died in San Diego County sheriff's custody after being denied insulin. (Ana Ramirez / The San Diego Union-Tribune)



Sheriff Kelly Martinez has agreed to a [series of reforms](#) aimed at improving medical and dental care for the roughly 4,100 people in county jails as part of a settlement in a long-running [class-action lawsuit](#).

The agreement, reached this week and approved by county supervisors Tuesday, resolves two of the remaining six claims in the case.

The deal follows earlier agreements to [improve mental health care services](#) and [make local jails compliant](#) with federal disability laws.

“We have witnessed many preventable deaths and much unnecessary suffering from people receiving substandard health care,” said Aaron Fischer, one of the attorneys representing people incarcerated in San Diego jails.

“I anticipate that this agreement, once implemented, will lead to dramatic improvements in outcomes for class members,” he said.

The San Diego County communications office did not respond to multiple requests for comment on the settlement, which also includes the payment of attorney fees to the plaintiffs’ lawyers.

The Sheriff’s Office said in a statement that it could not discuss ongoing litigation, but then said: “However, the San Diego County Sheriff’s Office continues to make great strides in improving the quality of medical care provided in our detention facilities. This settlement represents further progress on making San Diego’s jails the safest in the country.”

Under the settlement, the sheriff agreed to boost medical and dental staffing and training and expand treatment for people experiencing substance-use withdrawal.

The agreement also includes mandatory counseling when someone refuses necessary care and adds other new requirements, including individualized treatment plans, for people with chronic conditions, like diabetes, liver disease, HIV, lung disease and seizure disorders.

It also will allow outside experts to talk to incarcerated people, review records and conduct quarterly assessments to make sure the reforms are taking root.

The Sheriff's Office will also ensure that people with insulin pumps can keep them while in custody.

That change follows the 2023 death of Keith Bach after jail medical staff failed to replenish his insulin pump, instead giving him injections that were insufficient to manage his diabetes, according to a medical examiner's report. [A lawsuit filed by his family](#) says the alarm on his pump sounded for 24 hours and was still beeping when he was found dead.

Plaintiffs' attorney Gay Grunfeld said the terms of the agreement show that San Diego County wants to do better.

"At last, the sheriff and the county are committed to improvement and change," she said. "We look forward to working with them in the years ahead to ensure that this settlement is fully and effectively enforced and implemented."

Grunfeld, along with several civil rights attorneys, filed the class-action lawsuit in 2022, after years of in-custody deaths left San Diego's jail system with one of the highest mortality rates among California's largest jail systems.

Many of the deaths prompted lawsuits alleging negligence by jail staff and health care providers. Over the last two years alone, the county has paid roughly \$40 million in settlements over jail deaths.

The class-action lawsuit began in 2020 with a pro se legal filing by Darryl Dunsmore, who hand-wrote his complaint about his treatment in San Diego County jail. Dunsmore was later transferred to state prison and was paroled earlier this year.

The suit gained momentum when several civil rights lawyers joined the case and won class-action certification in 2022 — the same year a state audit found the county's jail system among the deadliest in California.

In late 2024, the plaintiffs won a settlement from the county on claims that people with disabilities were denied rights afforded them under the Americans with Disabilities Act.

In a deal approved by the federal court last summer, the sheriff agreed to upgrade jail facilities to accommodate wheelchairs and other assistive devices, provide interpreters for deaf people and expand support to incarcerated people with developmental or intellectual disabilities, among other changes.

And, earlier this year, the county and plaintiffs struck an agreement on the lawsuit's claims that the Sheriff's Office was providing improper mental health treatment inside county jails.

The claim was lodged following a series of homicides and suicides allegedly resulting from improper care for people with mental health issues.

The Dunsmore lawsuit remains open and ongoing, although many of the most serious elements of the litigation have been settled.

Four causes of action remain active — ones alleging racial discrimination, denial of access to counsel and failures to ensure adequate conditions and safety.

The plaintiffs' lawyers said they plan to proceed to trial if settlements aren't reached on the remaining claims.

The county has spent at least \$3 million on lawyers to defend the lawsuit. It also was ordered to pay some \$2 million to the plaintiffs' legal team already. The legal fees related to the medical and dental claims have yet to be paid.

In-custody deaths have steadily declined in recent years. Nineteen people died in custody in 2022, the year the audit found San Diego jails were the deadliest in the state. Thirteen deaths were recorded in 2023, nine in 2024 and 10 last year.

Three people have died in jail so far this year.