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For Immediate Release

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## **SDPD Officer Not Criminally Liable in Accidental Meth Overdose Death**

The District Attorney's office has determined the San Diego police officer transporting Ms. Aleah Jenkins, 24, is not criminally liable in connection with her drug overdose death. The San Diego County Medical Examiner has ruled Jenkins' death an accident and found she died from having extremely high levels of methamphetamine in her system. Jenkins was in San Diego Police custody and in the process of being transported to jail when she lost consciousness. She later died at USCD hospital on December 6, 2018.

On November 27, Jenkins was the rear seat passenger in a vehicle stopped for expired registration, along with two male occupants who both had prior criminal convictions for narcotics sales. Jenkins was arrested for an outstanding methamphetamine possession warrant. An occupant of the vehicle later told detectives that one of them handed Jenkins a bag of drugs as they were being pulled over by police and asked her to conceal the contents in her vagina. The occupant also said Jenkins received the bag, but it was unclear whether she actually inserted the drugs into her body or swallowed them.

While in the back seat of a police car at the scene, Jenkins vomited, but claimed it was sickness from being pregnant. Doctors later determined she was not pregnant. She repeatedly denied ingesting drugs or hiding any on her body. Jenkins made moaning noises but was responsive to the officer's questions. The officer pulled over and checked that she was still responsive. When they arrived at headquarters, Jenkins' identity was confirmed and her booking paperwork was processed. Before leaving for jail, the officer brought Jenkins a drink of water but found her unconscious. He began CPR until paramedics arrived. A partially-opened plastic bag containing 6.21 grams of methamphetamine had fallen out from underneath Jenkins as she was being removed from the patrol vehicle. Jenkins was transported to UCSD Medical Center.

A medic in the ambulance found a bag containing an unknown substance inside, along with a glass vial, in Jenkins' underwear. At the hospital, a nurse found another glass vial containing 1.26 grams of methamphetamine in Jenkins' underwear. Toxicological testing revealed 17 milligrams per liter of

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methamphetamine in her blood, an extremely high level that is estimated to be as much as 17 times a lethal dose. Jenkins remained in the critical care unit until her death.

The autopsy determined the cause of death to be hypoxic-ischemic encephalopathy due to resuscitated cardiopulmonary arrest while in custody and acute methamphetamine toxicity. The Deputy Medical Examiner determined the manner of death for Ms. Jenkins is “accident.”

According to California law, criminal negligence requires extreme circumstances and actions that show a disregard of human life or an indifference to those consequences. It requires more than ordinary carelessness, inattention, or mistake in judgment. After a thorough review and based on the autopsy and totality of the evidence, the District Attorney’s analysis determined that there is no evidence that the officer acted, or failed to act, in a manner that rises to the requisite level needed to confer criminal liability.

As part of its finding, the DA’s Office released an hour and a half of body-worn camera video evidence of the incident to the media, as well as a detailed letter of its review and decision on criminal liability.

The DA’s detailed analysis and links to download videos can be found at: <http://bit.ly/2F9fRac>.

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