



Northern

Branch



Jail

Past, Present, & Future

Preliminary Report

Bill Brown
Sheriff – Coroner

Office of the Sheriff



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April 16, 2015

County of Santa Barbara
Board of Supervisors
105 E. Anapamu Street, 4th Floor
Santa Barbara, CA 93101

Dear Chair and Members of the Board:

I had hoped to be able to personally meet with each of you to discuss the Northern Branch Jail Project prior to the April 21 Board meeting, when your approval will be sought to put the project out to bid. Unfortunately, due to several unalterable prior commitments, I am out of town until that date. Instead, I am forwarding the enclosed information which I believe will be helpful in understanding where we are in terms of the project.

The attached report provides a historical review and timeline pertaining to the Northern Branch Jail, as well as a detailed, staged operational plan for custody operations before, during and after construction of both the AB900 and SB1022 elements of the facility.

You have expressed considerable frustration because the numbers we have previously presented you with have changed several times. This flux has been due primarily to three changes in the overall environment that did not exist and were not on the horizon when we began this endeavor. These include the implementation of the Public Employees' Pension Reform Act (PEPRA), the transfer of responsibility for longer-term inmates due to Criminal Justice Realignment (AB109), and the impacts of Prop 47, which reduced penalties for certain drug and theft-related crimes.

At the April 6 budget hearing it became abundantly clear that we needed to do a better job of explaining our operational cost projections to you. We have re-examined and adjusted our plan to include adjustments for reduced prisoner populations and staffed capacity. As a result of recent reductions in our jail's average daily population, a full Board presentation on this topic will be presented to you some time next month.

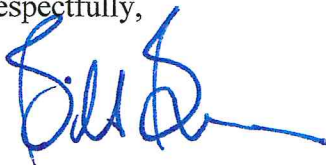
As we move closer to making the Northern Branch Jail a reality, I have no doubt that some may ask you to scuttle this project due to its ongoing costs. Please remember that to not build this jail would result in continued strain and deterioration of our existing antiquated facility, maintaining a human warehouse-like atmosphere for the County's inmates, a continued inability to provide the programming and treatment necessary to give offenders the tools they need for a successful reentry to the community, and an ongoing dangerous environment for the dedicated custody staff who work in the facility around the clock, 365 days a year.

If you have never toured our jail, or have not done so recently, I would invite you to do so as soon as possible. I believe that seeing first-hand the environment we are striving to replace would be beneficial for you as we proceed with this project.

Lastly, I want to thank you. Although we have all been frustrated by some of the developments impacting the jail, you have nevertheless continued to provide the men and women of the Sheriff's Office with strong support for this important endeavor. You are the first Board of Supervisors that has tackled this decades-old problem in any meaningful way, and for that you are to be commended.

If you have any questions or concerns prior to the April 21 meeting, please feel free to contact me directly at (805) 315-7023.

Respectfully,



BILL BROWN
Sheriff – Coroner

Enclosure

c: CEO Mona Miyasato
Budget Director Tom Alvarez
Budget Analyst John Jayasinghe

Section I: Brief History of Board Actions

The Northern Branch Jail (AB900 Project) is a conditional award from the Board of State and Community Corrections (BSCC) to construct 376 total jail beds, of which 32 are Special Use beds for medical or mental health purposes. The proposed facility would provide the necessary infrastructure needed to operate in a location remote from the existing main jail. Its location would provide inmate beds in a close proximity to their court of origin and to their homes and families, and limit long commute times during court proceedings. Our award was based upon receipt of a competitive score against other competing counties.

The STAR Complex (SB1022 Project) would be an added wing to the Northern Branch Jail and is based upon an additional conditional grant from the BSCC for construction of 228 new beds as an addition to the Northern Branch Jail project. The request included 64 Sensitive Needs beds, and 64 Sheriff's Treatment Program (STP) beds, plus another 100 transitional and reentry programming beds. The proposed project includes shared inmate education and treatment spaces, and would provide a step-down model of programming in an effort to reduce recidivism.

Table 1: History of Board Actions and Estimated Increases to the Budget at the time of those actions

Date	Ref. #	Project	Projected Increase to Jail Budget	Details	Brought to Board by
Dec. 6, 2011	11-849	AB900	\$17,522,028	The Board authorized the Sheriff to submit a AB900 Phase II Application for construction of the 376 bed (344 rated-32 Special Use medical/mental health beds) Northern Branch Jail.	Sheriff
Oct. 2, 2012	12-752	AB900	\$17,345,362	The Board accepted the AB900 Phase II Conditional Award of \$80,000,000. Operations cost was more thoroughly analyzed following the December 2011 estimate in the original application. Included additional Sheriff and General Service FTE's (Full Time Equivalent) in operations plan.	Sheriff
Apr. 16, 2013	13-267	AB900	\$17,345,362	The Board received a report from the CEO on the Future Funding Plan for Northern Branch Jail Operations. Several versions of the Jail Operations Cash Flow were presented.	CEO
Oct. 8, 2013	13-760	SB1022	\$1,411,400	Authorized the Sheriff to submit SB1022 Application for construction of 228 bed Sheriff's Treatment and Re-entry (STAR) facility, as an addition to the Northern Branch Jail (NBJ) project.	Sheriff
		AB900	\$16,244,600	In the Board letter and during the hearing, it was presented that the increase in operations cost for AB900 had dropped by \$1,100,700, to \$16,244,600. The increase included savings from PEPRA (Public Employees' Pension Reform Act), more cost elements moved from the Main Jail to the AB900 facility upon opening, increase in medical costs, and an increase in service and supplies cost due to an error in the prior calculation.	
		Combined AB900/SB1022	\$17,656,000	This estimate reflects the additional Jail operations cost to the county combined, when both the AB900 and SB1022 facilities are completed, as reflected in the October 2013 Board hearing to authorize the SB1022 Application submission. Taking into account savings from PEPRA and increases in miscellaneous costs, the increase in operations cost to accomplish both AB900 and SB1022 was increased \$310,700 compared to the April 2013 hearing.	
Apr. 15, 2014	14-296	AB900	\$15,862,994	The Board approved the AB900 Preliminary Staffing Plan, Operating Cost Analysis, and adopted a Resolution to submit documents to the BSCC.	Sheriff, General Services
July 8, 2014	14-573	SB1022	\$2,092,100	The Board accepted the SB1022 conditional award of \$38,976,000. A re-analysis of the SB1022 staffing plan and its relationship to the AB900 plan recommended additional Sergeants positions, which caused the increase in projected operations costs of the SB1022 project.	Sheriff
		Combined AB900/SB1022	\$17,955,094	The combined Operations cost estimate for both AB900 and SB1022 Phases of the Northern Branch Jail project. ¹	

¹ The combined Operations cost estimate for both AB900 and SB1022 Phases of the Northern Branch Jail project adjusted to represent the downward projected operating cost of AB900, and the increase to staffing for the SB1022 project.

Section II: Cost of Current Custodial Operations

The Santa Barbara County Sheriff's Office budget for Custody Operations is projected to be approximately \$47 million dollars in fiscal year 2015/16. This estimate combines multiple operating areas of Custody Operations to include: operating custody facilities in Santa Barbara and Santa Maria, transportation of inmates to court, and alternative sentencing which includes the Day Reporting Center (DRC)². This figure accounts for salary and benefits, services and supplies and other charges associated with running Custody Operations. Table 2 illustrates the level of funding required to operate the Custody system during previous budget years.

The assumed staffing for future transportation and Alternative Sentencing are forecasted to remain relatively constant with the distribution of services to support the Northern Branch Jail and Main Jail in Santa Barbara through FY 2019/2020. For the remainder of this document, the projected cost analysis will focus on operating cost to staff, feed, and house inmate populations in the Northern Branch Jail and Santa Barbara Main Jail campuses excluding transportation and Alternative Sentencing costs.

Table 2: Historical Costs for Custody Operations

Fiscal Year	SB MJ/SM Jail	Alternative Sentencing Transportation	ADP	Total
FY 11/12	\$35,348,000	\$6,615,000	915	\$41,963,000
FY 12/13	\$38,562,000	\$7,261,000	1002	\$45,823,000
FY 13/14	\$40,577,000	\$7,536,000	1005	\$48,113,000
FY 14/15(est)	\$42,956,000	\$7,843,000		\$50,439,000

Section III: Transitional Cost Models

Table 3: Transitional Costs projected over five Fiscal Years

	FY 2015-16		FY 2016-17		FY 2017-18		FY2018-19		FY2019-20	
	Cost	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost	FTE
Custody Operations, Main Jail	38,862,794	220.4	39,400,567	220.4	40,294,323	220.4	33,333,719	177.4	32,179,886	177.4
NBJ Hiring Prep	1,171,514	9.3	4,000,749	35.8	8,116,592	72.5				
Custody Operations, NBJ							21,884,092	124.0	28,706,335	153.0
Total	40,034,309	229.7	43,401,316	256.2	48,410,915	292.9	55,217,811	301.4	60,886,221	330.4

The FY2015-16 recommended budget for the Custody Operations segment of the Sheriff's Office requests \$38.8 million with a staffing level of 220.40 FTE. This request is lower than previous years expenses due to an anticipated reduction in overtime costs and savings realized in medical services for the inmates. Fiscal years 2016-17 and 2017-18 anticipate increases in costs related to non-personnel items and are assumed to be 2% - 3% per year. The NBJ Hiring Prep line assumes that staff for the Northern Branch Jail and STAR facility will be hired in advance of the opening of the facilities to allow for training and familiarization with Custody procedures.

² Day Reporting Center is fully funded by State reimbursement

The AB900 portion of the Northern Branch Jail is assumed to be open as of July 1, 2018. At that time certain units of the Main Jail would be shut down as staff and inmates are shifted to the new facility. This shift includes services as well. In FY 2019-20, the STAR facility will open with yet another shift of staff, services, and inmates to safely staff and operate³ the Northern Branch Jail. No adjustment has been made to these staffing costs related to negotiated agreements between the unions representing the employees and the County.

If the Northern Branch Jail project were not underway, the cost to operate the existing Main Jail in FY2019-20 would be \$42,144,187. The \$60,886,221 cost for services represents an increase of \$18.7 million for Sheriff's Operations alone, exclusive of General Service's facility maintenance costs. This figure represents our best estimate for operating costs five years from now. There are factors that may well serve to drive this number lower (e.g. lower retirement rates and inflationary costs) and factors that may drive this up (e.g. negotiated salary increases). In order to provide the Board with a more complete picture, we are working with the County Budget Office to develop as accurate an estimate as possible. We will present the results of that analysis to the Board in the near future.

Section IV: Main Jail Options Post Northern Branch Opening

Table 4: Potential Systems Contraction

	Modules to be closed									
	Step 1 - West Module		Step 2 - South Module		Step 3 - East Module		Step 4 - NorthWest Module			
	Savings	Net of closure	Savings	Net of closure	Savings	Net of closure	Savings	Net of closure		
Northern Branch Jail										
Costs	28,706,335	28,706,335		28,706,335		28,706,335		28,706,335		28,706,335
Staff	153	153		153		153		153		153
Rated beds	572	572		572		572		572		572
Main Jail										
Costs	32,179,886	1,399,839	30,780,047	666,282	30,113,765	1,399,839	28,713,927	1,845,285	26,868,642	
Staff	177	10	167	5	162	10	152	15	137	
Rated Beds	595	166	429	60	369	166	203	75	128	
Cumulative Totals										
Costs	60,886,221		59,486,382		58,820,100		57,420,262		55,574,977	
Staff	330		320		315		305		290	
Rated Beds	1,167		1,001		941		775		700	

The Northern Branch Jail (AB900 & SB1022 projects), as proposed, will create a total of 1,167 rated beds system wide (i.e. inclusive of the Main Jail). Together, at full capacity, these two facilities require 330 staff, both sworn and civilian, and will cost an estimated \$60.8 million in FY2019-20 dollars.

³ Required facility opening standard, as stated by the BSCC on page 8; in 2011 Local Jail Construction Financing Program AB900 – Phase II – Application Form

Should inmate populations continue to decline, costs could be reduced by closing modules of the Main Jail sequentially, as follows:

- Step 1: Close the West Module, which has 166 beds and requires a total of 10 FTE to operate. This would generate \$1.3 million in annual savings and reduce the number of rated beds to 1,001. Savings consist of reducing the number of new Custody Deputies to be hired, and dropping the inmate meal cost by the number of beds reduced.
- Step 2: Close the South Module, reducing capacity by 60 beds and 5 FTE. This would generate another \$666,000 in annual savings and again reduce the need to hire additional staff.
- Step 3: Close the East Module, 166 beds and 10 FTE. Like the West Module, annual savings would be \$1.3 million due to reduced staff and services to inmates.
- Step 4 would be to close the Northwest Module. This would result in the loss of 75 beds and, due to its configuration, 15 FTE. Annual savings from this closure would total \$1.8 million.

With four modules closed, staff will be reduced by 40 Custody Deputies and the Main Jail bed count would be reduced to 128 beds. Total cost to run the entire Custody system in this reduced capacity would be \$55,485,530. The savings estimates do not include other potential reductions, such as medical and general administrative costs. In addition, some unintended consequences due to the closure of the modules may be experienced, such as complying with updated state standards should it become necessary to reopen a module.

Section V: Additional Issues

Long-term funding concept

The proposed Northern Branch Jail has always been intended to address several issues, one of which is chronic overcrowding. Other considerations include the decaying infrastructure of the Main Jail Campus⁴, the utilization of the outdated linear modules for housing inmates, and the inability to bring appropriate programming to inmates in order to reduce recidivism.

One of the most significant challenges associated with the construction of the Northern Branch Jail is estimating future inmate populations. Future staffing requirements are

⁴ The facility in the south county is referred to as the Main Jail. This campus also includes the Medium Security Facility, which used to be known as the Honor Farm. There is also a small facility in Santa Maria, which will be fully closed with the opening of the Northern Branch Jail.

based on inmate population, which in turn will determine the future usage of the Main Jail Campus. Strategic planning for the use of the new facility should be based on a projected working life of at least thirty years into the future, with continuous reevaluation at three to five year increments.

Over the life of this project, a number of factors will cause a rise and fall in inmate population. Many of these factors cannot be anticipated. As an example, neither AB109 nor Proposition 47 was foreseen by any long-range forecasts, yet both of these have had significant impacts on jail inmate population.

For several months there has been a decline in inmate population, although in March of this year there was an upturn. The causal factors of these population changes are not yet completely clear. There are currently as many theories as answers and only additional evaluation, over time, will provide the necessary meaningful data. Without such data, we are limited in our ability to discern the long-term implications and sustainability of these changes. However, should the population continue to decline, the tiered module closures described in Section IV will allow an appropriate response for that possibility.

Conversely, while it is hoped that the current decrease in inmate population will continue, the county must retain the capacity to respond to an increase in inmate population, should that occur. The most likely cause of that eventuality would be an increase in crime rates, which are currently near 40 year lows. The purpose of this section is to describe a business model that will permit the county to respond to changes in inmate population over time, without unnecessarily stressing the county's financial resources.

The proposed business model is based on the following concepts:

1. The establishment of a baseline funding model based on a specific rated bed capacity. It is our recommendation that this population number be set at 1034 rated beds which is the AB900 grant required capacity for rated inmate beds.⁵ The baseline number need not be finalized until closer to FY17/18, and could be adjusted downward in subsequent years if appropriate.
2. An evaluation of the baseline rated bed number and the attendant operational costs should be made at periodic intervals in concert with the county Budget Director.
3. Should the inmate population fall to levels sufficient to justify module closures, with the subsequent reduction in staffing and other associated costs, the funds could be placed into a contingency fund designed to absorb future increases. This fund would be utilized to respond to an increase in inmate population and any other unanticipated operational variances, should they occur.

⁵ County Counsel opinion from April 15, 2015

4. The Sheriff's Office will devise a plan to create a pool of reserve resources (i.e. Extra Help deputies) that can be drawn on to provide a surge capacity to deal with unanticipated resource needs.

Repurposing the Main Jail

The suggestion has been put forward that the current Main Jail property could be remodeled or repurposed⁶. For the purpose of this report, the term *repurposing* is assumed to refer to an alternative use for the current property other than serving as a custodial facility. *Remodeling* is assumed to mean a redesign and significant reconstruction of the current facility in order to retain its current purpose.

While there have been no official estimates brought forward on a remodeling proposal, there is broad consensus that to undertake such an effort would be prohibitively expensive. First, neither of the facilities is up to current building codes. The costs of remodeling these facilities would run into the millions of dollars. Such costs, unlike the proposed new facility, would not have 90% state funding attached to them. In all likelihood, it would be less expensive to demolish the current facility and construct an entirely new facility rather than to remodel the Main Jail.

Furthermore, such an effort would require the inmate population to be housed elsewhere for an extended period of time while the construction was underway. Such construction would be focused on replacing the current linear design with a modular concept that is currently considered best practice. The site of the MSF (Medium Security Facility) would be the most appropriate candidate for such an effort, due to its physical proximity to the Main Jail.

Lastly, before such an effort would be undertaken, there should be several years' worth of data to help make a data-driven decision as to the likely ADP (average daily population) for the foreseeable future. A formal strategic planning process would be required in order to determine the best use of the property. Such an effort would require a commitment of funds and staff time in order to assist the Board in arriving at a final decision.

Future Impacting Forces

One of the difficulties in making educated projections about future inmate populations is being able to identify societal and cultural trends that shape public attitudes towards incarceration. In addition, there are expectations, both legal and societal, as to how people who are in custody should be treated. Such factors include the requirement for

⁶ Refers to the Main Jail as well as the Medium Security Facility

ever more sophisticated technology, additional programming capacity and alternative sentencing arrangements.

For example, one of the primary reasons for building the Northern Branch Jail facility is to ensure that there will be an adequate environment for rehabilitative programming. The demand for such programming was not a significant consideration 20 years ago, but is currently at the forefront of custodial considerations.

Litigation over inmate rights is another significant issue. The Main Jail was recently the subject of an inspection by the PLO (Prison Law Office) and the DRC (Disability Rights California). These groups have filed lawsuits against several California counties subsequent to such an inspection. The focus on appropriate housing and treatment for mentally ill and disabled inmates is at the forefront of their concerns, along with overcrowding and ensuring appropriate staffing ratios in order to ensure the safety of inmates.

One of the most significant challenges facing any custodial facility is the issue of properly evaluating and caring for the mentally ill inmate. A major focus of the Northern Branch Jail involves addressing this issue directly. Under the present physical conditions at the Main Jail, the Sheriff's Office faces significant challenges in providing the appropriate level of care to all who need it.

Staffing requirements and staffing costs are always subject to review and change. Defining the best staffing ratios, identifying appropriate capacity to respond to surge requirements without overstaffing the facility and future negotiated labor contracts are among the factors that will influence future operational costs. It should be noted that the fiscal analysis does not take into account any impact of the retirement of existing legacy employees (and their replacement with less expensive PEPRAs employees) between now and the opening of the new facilities in 2018 and 2019.

Conclusion

The operation of custodial facilities is one of the most critical and challenging endeavors facing county government. The issues around the decision to build and operate a new facility are reflective of those challenges. Hopefully this report will help inform and shape your discussions.

Appendix A

Glossary of Terms

AB109 Inmate – convicted low-level offenders without current serious or violent offenses who are sentenced to stay in County Jail instead of State Prison to serve their sentence.

ADP – Average Daily Population – is the average number of inmates housed daily in a jail facility or facilities in a jurisdiction.

ASB - Alternative Sentencing Bureau - was created to assist in the mitigation efforts to reduce jail overcrowding by offering community-based programs for inmates where sentences may be served in-lieu of physical incarceration. With the advent of AB109, the program has been expanded to include the placement of inmates who are unable to post bail pursuant to Penal Code §1203.018, those inmates placed on electronic monitoring in-lieu of being released on their own recognizance (pursuant to 2005 court order) and those who subject to involuntary commitments pursuant to Penal Code §1203.016.

BSCC – Board of State and Community Corrections – is an independent statutory agency that provides leadership to the adult and juvenile criminal justice systems, expertise on Public Safety Realignment issues, a data and information clearinghouse, and technical assistance on a wide range of community corrections issues. (Penal Code Sec. 6024-6025). In addition, the BSCC promulgates regulations for adult and juvenile detention facilities, conducts regular inspections of those facilities, develops standards for the selection and training of local corrections and probation officers, and administers significant public safety-related grant funding.

DRC – Day Reporting Center - provides intense services to former inmates following incarceration, to address the behaviors and factors that lead to reoffending. A parolee re-offense leads to parole violations that ultimately usually spending more time in jail. The treatment that a particular inmate at a DRC would participate in is included in their individualized treatment plan.

JMS – Jail Management System – a term used to describe the computer program/system that is used for management of inmate records and accounting of inmates. Such systems are the primary source of data that can be analyzed to determine rates of recidivism, program effectiveness, etc.

MSF – Medium Security Facility a housing facility located at the Santa Barbara Main Jail Campus. It was established in 1961 and is used for the incarceration of both sentenced and pre-adjudicated inmates. The Medium Security Facility houses male and female inmates in separate areas of the facility. The MSF has a Rated Capacity of 160 Inmates (120 Male and 40 Female).

Post-Adjudication (Sentenced) – Court status of an individual **after** an authoritative decision; a judicial judgment or decree, especially the judicial determination of the punishment to be inflicted on a convicted criminal.

Pre-Adjudication (Un-sentenced) – Court status of an individual **prior** to an authoritative decision; a judicial judgment or decree, especially the judicial determination of the punishment to be inflicted on a convicted criminal.

Rated Capacity (Rated beds) – the number of inmate occupants for which a facility’s single- and double occupancy cells, or dormitories, except those dedicated for medical or disciplinary isolation housing, were planned and designed in conformity to the standards and requirements contained in Title 15, California Code of Regulations (CCR)

Sensitive Needs – As retitled by the Department of Corrections and Rehabilitation from the previously used “Protective Custody”. This can include the following populations; gang dropouts, high profile “notoriety”, sex offenders, mental health and ambulatory elderly inmates.

Special Use Beds – are beds that are not part of the Rated Capacity and are not rated by the Board of State and Community Corrections. These beds are dedicated for a special purpose, in most cases for medical or disciplinary housing.

S.T.A.R – Sheriff’s Treatment and Re-entry Complex – (SB1022 Project) is based upon an application to the BSCC for construction of 228 new beds as an addition to the Northern Branch Jail project. The request included 64 Sensitive Needs beds, 64 Sheriff’s Treatment Program (STP) beds, and another 100 transitional and reentry programming beds.

Transportation Unit - The primary responsibility of a Transportation Unit is to perform duties exclusively or initially relating to custodial assignments with responsibilities to maintain the operations of County jail facilities, including the custody, care, supervision, security, movement, and transportation of inmates.

Un-Rated Capacity (Non-Rated Beds) –the number of inmate occupants for which a facility’s single- and double occupancy cells, or dormitories, except those dedicated for medical or disciplinary isolation housing, **exceed** what was planned and designed in conformity to the standards and requirements contained in Title 15, California Code of Regulations (CCR)