

Attachment A

Report on Sheriff-Coroner Overtime Usage and Costs

Background

The Sheriff has been challenged for several years to fill vacant sworn positions due to a variety of internal and external factors. Those vacant posts are then staffed through use of voluntary or mandatory overtime as required to maintain minimum safe staffing levels. While salary savings from the vacancies often help offset overtime costs, wages calculated at 1.5 times the normal hourly rate and staffing fatigue from mandatory overtime have resulted in budget overruns, retention issues, and low morale.

The table below provides a five-year history of actual overtime cost and hours across the department. The department has incurred budget overruns in four of the five years primarily as the result of overtime costs.

Overtime	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Custody	\$ 4,723,090	\$ 4,587,767	\$ 4,075,700	\$ 3,048,912	\$ 6,342,191
Law Enforcement	\$ 6,419,488	\$ 4,452,518	\$ 4,818,109	\$ 4,515,354	\$ 5,146,931
Courts, Admin	\$ 874,718	\$ 1,150,927	\$ 948,629	\$ 496,546	\$ 910,708
Total OT Cost	\$ 12,017,296	\$ 10,191,212	\$ 9,842,437	\$ 8,060,812	\$ 12,399,829
Total OT Hours	208,678	180,718	156,756	130,159	200,374
Year-End NFI	(\$ 5,338,793)	(\$ 1,057,573)	(\$ 4,387,957)	\$ 0	(\$ 2,683,156)*

*FY 2021-22 negative variance was resolved at year-end through revenue transfers from ARPA (reimbursement of \$2.2 million for pandemic direct response costs) and set-aside Proposition 172 funds (\$438,000 to close remaining gap).

Factors that have historically led to the overtime costs include:

- the need to backfill for required training of new hires and mandatory annual advanced trainings for existing sworn staff;
- vacation and sick time and other leaves of absence;
- occurrence of emergency and seasonal events requiring additional staffing; and
- the number of position vacancies due to retirements and other separations.

The department maintains that these factors contributing to lost time combine toward the need for a relief factor as supported by internal and external staffing analyses, discussed further below.

In comparison to actual overtime costs, budgeted costs are \$4.1 million in the current fiscal year and were \$4.2 million in FY 2017-18. Budgeted overtime amounts have not historically been tied to actual expenditures, and currently there is limited data tracking to determine the impact of various drivers on overtime (e.g., the amount of overtime incurred due to position vacancies—over which there is more control—versus lost time—over which there is limited control). In the coming months, the CEO's Office will work with the department on a methodology for establishing a baseline amount of overtime that can reasonably be expected within a fiscal year, assuming funded positions are filled. The baseline overtime

budget would exclude the overtime impact of position vacancies but would include backfilling for lost time that is not currently funded through shift relief.

Santa Maria Experiment and Set-Aside Funding:

Under the direction of then-Undersheriff Barney Melekian in mid-FY 2017-18, the Sheriff-Coroner Office ran an experiment to establish whether staffing to the relief factor would mitigate the need for regular use of overtime to maintain minimum safe staffing within a patrol bureau in Santa Maria. In practice, each patrol squad at the Santa Maria station was artificially staffed at or slightly above (rounded up) the calculated relief factor. The experiment resulted in a 95% decrease in overtime that was incurred at the Santa Maria station. The absolute elimination of overtime is not possible, as some portion is caused by late calls for service and/or court hearings that require a deputy to work on a scheduled day off, or more than 80 hours in a pay period. Position vacancies and external factors such as the occurrence of emergency events could also impact results if this scenario was applied more broadly across the department.

After hearing the results of the pilot program at the Santa Maria substation in FY 2018-19, the Board set aside \$1.75 million—later increased to \$2 million—in one-time funding tied to filling positions, with the idea that if the Sheriff could lower the vacancy rate of their Patrol and Custody Deputy positions and keep units at or near full capacity, in the long-term overtime should decline below then-current levels, and funding would be released for additional positions. Due to difficulties filling positions and bringing down vacancies for any extended period of time, this funding was not released until this last fiscal year-end, when \$438,000 was used to resolve the department’s budget gap related to overtime costs.

2019 Justice Planners Review:

In 2019, Justice Planners was contracted to update a 2015 study that provided recommended staffing levels for the Main Jail and Northern Branch Jail (NBJ). This update incorporated new information that was not known at the time of the original report in 2015 and addressed three primary goals of calculating a customized relief factor for various sworn and non-sworn position types, identifying opportunities for use of the Sheriff Service Technician (SST) non-sworn, entry-level position to supplement sworn resources, and determining appropriate staffing levels at the Main Jail once the NBJ was opened. The report’s staffing recommendations are shown in the Discussion below and the full report is available [on the County website](#).

MW Consulting Jail Trends and Population Forecast:

Earlier this year, the Board discussed options for the Main Jail Rehabilitation Project and a declining number of inmates due to COVID-related actions, and the County Executive Office engaged MW Consulting to evaluate jail trends and produce a jail population forecast. The report indicated that the long-term jail population is projected to remain between 800 and 900 beds, which may be reduced with changes in policy and practice by the criminal justice partner departments. The jail population drives the operational requirements in the jails and therefore directly impacts overtime usage in the Custody Branch. A September 30, 2022 snapshot of the total jail population shows 740 housed in the Main Jail and the Northern Branch Jail, of which 662 (89.3%) are charged with felonies and 76 (10.3%) are charged with misdemeanors. A total of 585 (79.1%) are unsentenced and 48 (8.6%) are awaiting transfer to State prisons or hospitals.

Issues Contributing to Overtime Usage

Recruitment and Retention:

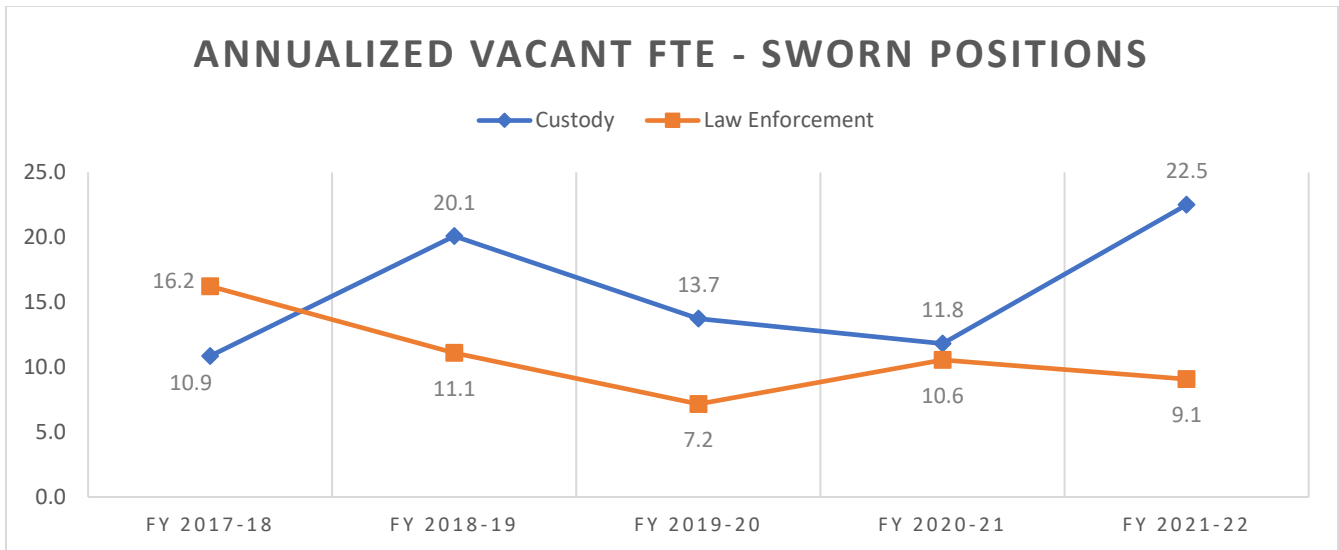
Recruitment challenges have significantly contributed to overtime usage. Over the past three years, Sheriff Deputy Trainee and Custody Deputy applicants have decreased by 73% and 48%, respectively, with traditional methods of recruiting proving less effective. Similar to other law enforcement agencies across the country, the department has struggled to fill sworn positions in particular, given the lower total number of applicants, combined with the small percentage of applicants (historically 10-15% on average) who successfully complete the background and hiring process, as well as external and often uncontrollable factors that impact the candidate pool and existing staff. Currently, the department has 26 Custody Deputy vacancies and 21 Sheriff Deputy vacancies.

Filling vacancies for sworn positions in particular has required the department's Human Resources bureau to explore and incorporate new and innovative ways to attract applicants. These strategies include:

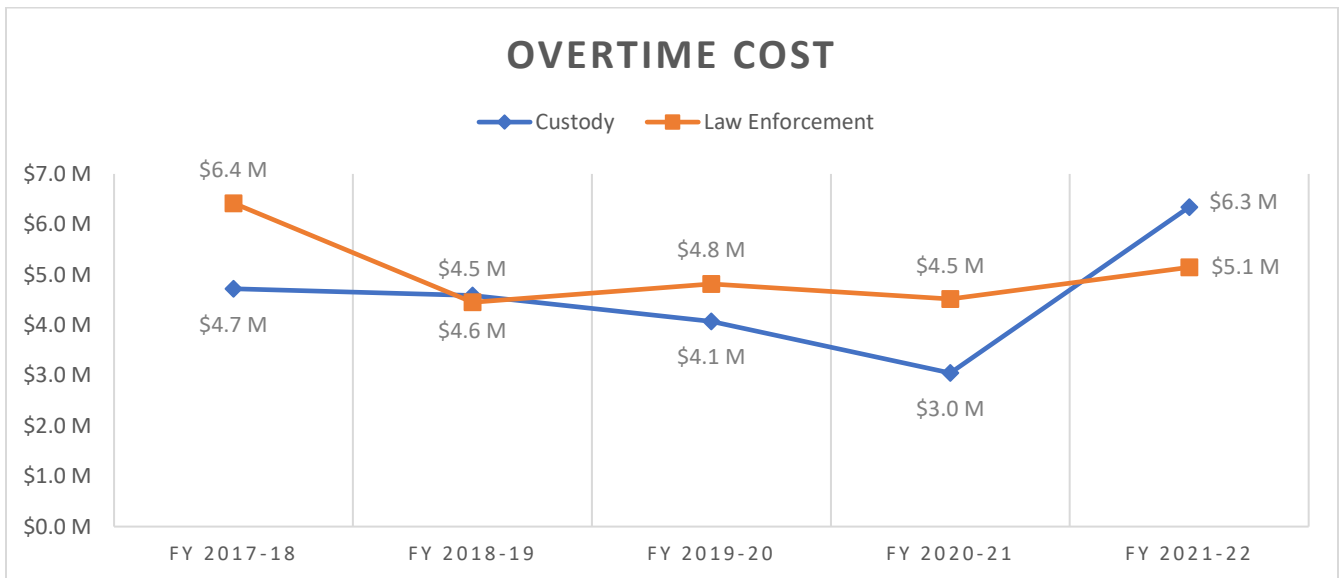
- implementation of the web-based eSOPH application, currently underway, which will significantly streamline the hiring process by decreasing investigator time to conduct background investigations through use of automation;
- streamlining the written testing process by adding a proctored, secure online examination option and restructuring the oral interview process to expand candidate reach and improve efficiency;
- engaging a marketing firm to run a large social media recruiting campaign to reach and attract more potential applicants;
- hosting the first-ever First Responder Career Fair;
- running radio advertisements and assessing other new ad mediums;
- evaluating digital platforms to increase communication via text message with applicants in various stages of the hiring process; and
- increasing presence at local community events to build relationships and encourage community members to seek employment with the department.

External factors contributing to recruitment challenges include salary increases and signing or retention incentives at neighboring jurisdictions, legislative changes and the broader political climate, and public sentiment regarding law enforcement. County policy allows the department to offer hiring incentives for recruitment, and salary equity increases for Sheriff and Custody Deputies were included in the most recent negotiated labor agreements. Due to budgetary constraints, the department has not previously utilized the County's New Hire Incentive Program, which allows for housing/relocation costs, education loan repayment, or other hiring incentives up to \$20,000 per individual. The CEO's Office has recommended the department begin using this benefit where appropriate to aid recruiting efforts, and these expenditures would be eligible for year-end reimbursement from the set-aside funding contemplated in this report.

The chart below shows the difference between the department's funded sworn positions, and actual, regular hours worked over the past five years. These figures do not include extra help or overtime hours worked, but vacation and sick time and other leaves of absence (components of "lost time") are included. This means that the staffing impact to the department is greater than just the number of vacancies shown below; lost time must also be accounted for with safety positions, by applying a relief factor.



In comparison, the chart below shows the change in overtime cost over the same time period. Generally, position vacancies and overtime expenditures are positively correlated, although other factors contributing to overtime usage, discussed throughout this report, can cause overtime costs to rise or fall independently of changes in position vacancies.



Although the cost of overtime hours may be offset by salary and benefit savings, use of mandatory overtime, in particular, strains existing staff and contributes to retention issues. In the Custody Branch, mandatory overtime usage increased from \$3.2 million in FY 2019-20 to \$4.7 million in FY 2021-22, due to the impact of higher than usual retirement separations and position vacancies, as well as the opening of the Northern Branch Jail and pandemic impacts in the jails.

As of the first quarter in FY 2022-23, mandatory overtime in the Custody Branch has already reached \$2.7 million and is on pace to far exceed last year's total. To help alleviate the strain of mandatory overtime on Custody Deputies, the department has implemented the following:

- Sheriff management staff were recently authorized to work overtime shifts while receiving Sergeant pay;
- Overtime shifts are being offered to other sworn personnel at the County, such as Investigators within the District Attorney's Office; and
- The department has requested to implement a temporary over-hire program for SSTs, to mitigate the increase in Custody Deputy vacancies; this action is currently underway to convert three vacant positions to SSTs.

Over the past five years, an average of 21 separations per year, or 54% of the department's total separations, were due to retirement; whereas in FY 2021-22, there were 27 retirements, or 63% of that year's total separations—significantly higher than nearly all recent years, and double the number in the prior year. The lower number in FY 2020-21 may be partially attributable to uncertainty around the earlier stages of the pandemic, with the subsequent increase in FY 2021-22 potentially driven by prolonged pandemic impacts on working conditions and contributing to higher vacancies.

Academy/Training Costs:

Of the past five years of overtime costs shown above, an average of \$3.1 million per year can be traced to costs necessary to fill behind deputies in academy and field or custody training. This consists of approximately 50,000 training hours for Sheriff and Custody Deputies, on average, per year. The trainee positions are not able to staff a post until 10 months (Sheriff Deputy) or 8 months (Custody Deputy) after hire due to academy and custody or field training time required.

Currently, there are three new Sheriff Deputy Trainees in the academy and four on field training; there are seven new Custody deputies in the academy and three in training. The next round of academies will begin in October and January, with several trainees already hired and others currently in the hiring process.

Mitigating Overtime Usage

Relief Factor and Custody Staffing Analyses:

Training hours and other lost time (e.g. vacation, sick) combine into the calculation of relief factors that inform the custody staffing analyses below, with the goal of ensuring proper coverage of the required security posts. Relief is typically calculated for security posts that must be staffed during certain shift work hours to maintain safe, critical operations; it is typically not calculated for civilian posts and positions except when certain non-sworn staff are assigned to shifts with high liability, high exposure duties where applying relief is recommended.

Following the up-staffing of the Santa Maria patrol station, as well as the addition of Custody positions in the years preceding the Northern Branch Jail opening, decreased overtime costs were observed in both scenarios (with mandatory overtime substantially declining in the Custody Branch). These scenarios support the department's position of increasing the relief factor leading to decreased overtime usage. Similar to the results of the Santa Maria experiment, it is estimated that staffing the department at full relief factor, while also maintaining a low vacancy rate, would result in 80-90% reduction of overtime. However, while staffing for a relief factor would potentially reduce overtime costs, adding relief factor positions would result in an overall net cost to the County and would be challenging for the department to achieve given the recruitment and retention issues currently faced.

The table below compares the currently funded FTEs in the Custody Branch with the staffing recommendations provided in the 2019 Justice Planners staffing study, as well as a detailed staffing analysis completed by Chief Custody Deputy Vincent Wasilewski, modeled on industry standards by the National Institute of Corrections (NIC) and incorporating California Board of State and Community Corrections (BSCC) Standards and Training for Corrections (STC) rules and regulations. The staffing numbers recommended by Chief Wasilewski are current as of September 2022—accounting for changes with current housing unit closures, relief factor calculations, and staffing needs based upon the current jail population and ongoing pandemic-related factors.

Jail Staffing Comparison to Current Status

Custody Staffing	Current Status	Justice Planners Report		SBSO Request	
	2022	2019	+/-	2022	+/-
Chief	1	1	-	1	-
Commander	3	3	-	3	-
Lieutenant	9	9	-	9	-
Sergeant	19	25	6	19	-
CD II	35	38	3	35	-
CD	176	173	(3)	194	18
Subtotal Sworn	243	249	6	261	18
SST	10	13	3	25	15
Other Non-Sworn	92	110	18	115	23
Subtotal Non-Sworn	102	123	21	140	38
Total	345	372	27	401	56
Assumed ADP	740*	844		800-900	
Other Assumptions	NBJ open; MSF/D-Barracks and Basement closed	NBJ open; MSF/D-Barracks and Basement closed; relief factor updated		NBJ open; MSF/D-Barracks and Basement closed; relief factor updated	

*Actual system-wide total jail population as of September 30, 2022.

The Justice Planners report indicated that upon completion of the Main Jail renovation, three housing units—the Medium Security Facility (MSF), D-Barracks, and the Male Basement Dorms 1 and 2—are scheduled to permanently close. It was determined that the Male Basement Dorms would close during the renovations and would not reopen, while the MSF and/or D-Barracks may need to remain operational through the renovation process to accommodate inmates displaced during construction, depending on inmate population numbers at that time.

Currently in the Main Jail, the Basement Dorms and MSF/D-Barracks are closed, resulting in a “savings” of approximately 29 FTE in a scenario that includes full relief factor. However, the Sheriff anticipates that the MSF and/or D-Barracks may need to reopen once the renovation is underway. These housing unit closures are part of the Rolling Housing Reduction Plan presented to the Board in June 2021, designed to align jail housing with variances in the jail population. While closures have mitigated some use of overtime, continuous reevaluation is needed to ensure that sufficient beds are available to accommodate the current population.

The department has indicated the need to maintain at least 1,000 rated beds system-wide, given the findings of the Wilson jail population report projecting the long-term jail population will remain between 800 and 900 beds under the status quo scenario, and incorporating the NIC standard 15% vacancy rate, which is necessary to absorb population surges and to house inmates properly according to their classification, in order to prevent safety incidents. The department has also noted that the types of inmates and the seriousness of offenses have shifted drastically in the wake of realignment and other criminal justice reform efforts, with approximately 90% of inmates in custody for felony violations over the past five years.

While the highest priority at this time is reduction of overtime within the Custody Branch due to significantly increased position vacancies and use of mandatory overtime, the Sheriff has also indicated the need for additional staffing in the Law Enforcement (LE) Branch to incorporate an accurate shift relief factor. The primary driver of unbudgeted overtime in the LE Branch is due to the need to maintain minimum safe staffing for patrol services across four bureaus of coastal patrol, headquarters/Goleta, central stations, and northern stations, as well as the community of Isla Vista. The table below aggregates the positions requested by the Sheriff across each branch.

Sheriff Staffing Requests Including Law Enforcement and Dispatch

Branch	Description	FTE	Ongoing Cost	One-Time Cost
Law Enforcement	Deputy Sheriff	35	\$ 6,980,562	\$ 1,435,778
Custody Operations	Sworn Staff	18	2,883,374	693,837
	Administration	21	2,203,859	61,080
	Professional Services	17	1,946,170	58,568
Dispatch	AOP for PRAs	1	106,416	24,423
Total Requested Positions		92	\$ 14,120,381	\$ 2,273,686

For the LE Branch, 13 of the 35 Deputy Sheriff positions indicated above are within the boundaries of the contract cities, and these additions would need to be negotiated with the cities during the upcoming contract renewal cycle.

KPMG Recommendations:

Completed in October 2020, KPMG’s Operational Performance Review of the Sheriff included 16 recommendations, divided into three categories: Overall Office, Law Enforcement Operations, and Custody Operations. Several of the recommendations pertain to overtime usage and overall operational efficiency, and the department has implemented recommendations and made some progress across multiple areas with more work to be done.

- Recommendation: Adopt demand-based, workload-driven processes to optimize staffing and service levels.
 - Status: The department has instituted critical minimum staffing countywide. The recently hired Data Unit has been learning and documenting current systems; moving forward they will be able to better inform staffing decisions using a heat mapping system of calls for service. KPMG estimated that further optimizing scheduling with a dynamic demand- and workload-based staffing model could potentially achieve an estimated 10% reduction in resource supply hours while maintaining service levels. The department has indicated

challenges with fully implementing the model recommended by KPMG, due to constraints with labor agreements and other shift scheduling considerations.

- Recommendation: Restructure staffing model and assess barriers to filling funded positions and drivers of attrition.
 - Status: The department is working with County HR to assess compensation packages in comparison to peer agencies and developing a strategy to address recruiting and retention challenges and needs. Sheriff's HR Bureau is expanding their recruitment efforts as discussed above. The department is collaborating with local colleges, universities, and Vandenburg Space Force Base to form a recruiting pipeline, and has established a promotion pipeline through the SST positions as discussed below. They are continuing to explore and expand civilianization of positions where feasible to combat recruitment challenges.
- Recommendation: Develop and codify consistent, data-driven policies to govern the use of overtime by tracking and enforcing overtime usage and approvals.
 - Status: The department has indicated the implementation of a time clock system is currently on hold pending the Countywide Workday/ERP project, which contains a human capital management and payroll component.
- Recommendation: Assess drivers of Custody Operations Branch overtime to better reflect demand for service.
 - Status: To minimize staffing requirements given the current jail population, multiple housing units in the Main Jail have been closed as discussed in the section above. Overtime is primarily driven by position vacancies, relief factor, and other issues as discussed throughout this report. The CEO's Office will work with the department to gain additional insight into the specific impact of each of the various cost drivers.

Sheriff Service Technicians (SSTs):

In FY 2018-19, the Sheriff's Office created the entry-level, non-sworn SST position, which assists law enforcement and custody deputies with certain duties that do not require physical contact within inmates or physically taking enforcement actions. The 2019 Justice Planners staffing study found that SSTs could be used for a variety of work assignments, including ordering supplies, patrolling restricted parking zones, interviewing victims and witnesses, collecting evidence at crime scenes, and meeting with community members to resolve neighborhood issues. In the jail system, the study found that several posts currently staffed with sworn Custody Deputies could be filled with SSTs without compromising staff, facility, or inmate safety. KPMG's review of the Custody Operations Branch included recommendation #6.4 to "Realign custody staffing mix and increase utilization of SSTs." In response to KPMG recommendations, the Sheriff formed a committee and conducted staff interviews and work shadowing to develop a comprehensive list of activities that could be performed by SSTs.

The department currently has 10 SST positions funded in the budget. During the FY 2022-23 budget development cycle, the Sheriff submitted an expansion request for six additional SSTs to staff the Main Control room at the North Branch Jail at an annual cost of \$648,000. The department has since indicated that a total of 15 SSTs beyond the 10 currently budgeted could be utilized in lieu of sworn staff; this total has increased from the numbers previously indicated in the 2019 Justice Planners staffing study due to an increase in relief factor (which was anticipated to occur over time for this newly created position), and staffing additional posts, including the need to resume visitation and other supportive services as pandemic requirements are relaxed. In recent months, two SSTs originally assigned to the Law Enforcement Branch were reallocated to the Custody Branch to mitigate the current staffing shortages at the jails. Additionally,

as mentioned earlier, the department recently requested to over-hire several SSTs beyond the currently funded number of positions, to be funded through deputy vacancies, in order to provide some staffing relief in the short-term.

The addition of SSTs at the Northern Branch Jail would help mitigate overtime usage by freeing more Custody Deputies to staff other security posts within the jails. Each added SST would result in a corresponding reduction of Custody Deputy overtime commensurate with the amount of Net Annual Work Hours for an SST (1,550 hours per FTE), estimated at \$102,350 of overtime saved from each added position, at a cost of approximately \$108,000, while also improving working conditions by decreasing the amount of mandatory overtime required.

In addition to more cost-effectively distributing duties among sworn and non-sworn staff and optimizing limited deputy resources for use in more security-related positions, the addition of SSTs aligns with staffing study findings and KPMG recommendations, as well as a Renew '22 initiative of civilianizing positions. This also supports KPMG's Overall Office recommendation #1.2 to "Restructure [the department's] staffing model and assess barriers to filling funded positions and drivers of attrition." The department has indicated that new funding in the Custody Branch would be prioritized for SST positions, as there are a number of vacancies remaining with sworn positions yet to be filled. SST positions are often more easily filled than sworn positions, with quicker and less stringent hiring and training requirements; additionally, this role provides a recruiting and professional development pipeline from which individuals often enter the organization and are later promoted into higher-level positions after gaining familiarity with the role and the organization. As of September 2022, 10 individuals have been promoted from SSTs to another role within the department, typically in a sworn capacity.