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**BOARD OF SUPERVISORS**

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**COUNTY OF SANTA BARBARA**

December 5, 2023

Honorable Pauline Maxwell  
Presiding Judge  
Santa Barbara Superior Court  
1100 Anacapa Street  
Santa Barbara CA 93101

Reference: Response to Santa Barbara Civil Grand Jury report titled, "Death on Electronic Monitored Home Release"

Judge Maxwell:

Please find attached the Santa Barbara County Board of Supervisors (Board) response to the above referenced Civil Grand Jury Report. As directed by the Grand Jury, all responses are provided in accordance with Section 933.05 of the California Penal Code.

The Board appreciates the work conducted by the County Executive Office and Probation Department for their assistance in responding to this matter.

Sincerely,

Das Williams, Chair  
Santa Barbara County Board of Supervisors

cc: Santa Barbara County Board of Supervisors  
Bill Brown, Sheriff  
Holly Benton, Chief Probation Officer

**Santa Barbara County Board of Supervisors  
Response to the Santa Barbara County Grand Jury 2022-23 Report  
“Death on Electronic Monitored Home Release”**

**Finding 2**

**That if the Sheriff’s Office had known of NM’s mental health history, it indicated it would have more closely monitored him to ensure meaningful participating in effective substance abuse and mental health clinical programs.**

**The Board of Supervisors agrees.**

**Recommendation 2a**

**That the Santa Barbara County Sheriff’s Office and the Santa Barbara County Probation Department promptly request that Santa Barbara County Counsel prepare a legal opinion as to whether, consistent with Federal law, Wellpath or any successor may provide critical inmate mental health information to Sheriff’s Office personnel who need to know that information for inmate housing, programing, and Electronic Monitored Home Release program decisions.**

**This recommendation has been implemented.**

**Recommendation 2b**

**That if Santa Barbara County Counsel determines that Wellpath does have legal authority to provide inmate mental health information to Sheriff’s Office personnel and Santa Barbara County Probation Department, then the County and the Santa Barbara County Sheriff’s Office shall amend the existing agreement with Wellpath to require such sharing to the full extent of the law.**

All parties agree that sharing of protected health information in a correctional setting is allowed when the information is necessary for the health and safety of inmates, individuals or custody staff. Extra privacy protections exist for substance abuse records. The current contract terms allow for information sharing as allowable under the statutes and regulations. Therefore, **this recommendation will not be implemented as it is not warranted.**