

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Santa Barbara, CA 93101
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Agenda Number:

Prepared on: 5/24/02
Department: County Administrator
Budget Unit: 012
Agenda Date: June 4, 2002
Placement: Departmental
Estimate Time: 10 minutes
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Michael F. Brown, County Administrator

STAFF: James Laponis, 568-3400; Ken Masuda, 568-3411

SUBJECT: Board of Supervisors' Response to the 2001-02 Grand Jury Report on "Criminal Justice Detention Facilities."

Recommendation:

That the Board of Supervisors:

1. Adopt the responses in Attachment (1) as the Board of Supervisors' Response to the 2001-02 Grand Jury Report on "Criminal Justice Detention Facilities" and
2. Authorize the Chair to sign Attachment (1) and forward these responses to the Presiding Judge of the Superior Court.

Alignment with Board Strategic Plan:

[{Double-click here}](#) The recommendations are primarily aligned with Goal #7: A County Government that is Accessible, Open, and Citizen-Friendly.

Executive Summary and Discussion:

This Grand Jury report required responses from the Sheriff's Department, Probation Department, District Attorney, Alcohol Drug & Mental Health Services, Public Works, and the Board of Supervisors.

The report contains a total of 26 findings and recommendations. Of these, 19 findings and recommendations are directed to County departments and/or the Board of Supervisors, and the remaining findings and recommendations are directed to the City Councils of Carpinteria, and Guadalupe, and the County Office of Education. Per California Penal Code Section 933.05c, the Board is not required to respond to nonbudgetary or nonpersonnel matters addressed to an elected officer by the grand jury. Specifically:

If a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decisionmaking authority.

For this reason, certain responses to the Grand Jury from the Sheriff and District Attorney, while included in attachments, are not included as responses of the Board of Supervisors. Thus, the Board of Supervisors responses are limited to 16 findings and recommendations. Examples of department responses not included as Board responses are Finding 2 and Recommendation 2 regarding detention of minors in adult facilities and Recommendation 9(b) regarding sentencing recommendations by the District Attorney. Details regarding recommended Board responses to Grand Jury findings and recommendations are included in Attachment (2), the proposed Board response to the Superior Court. Responses from all county departments to the Grand Jury are included as attachments (2) through (6) to this letter.

The Grand Jury report was released on March 19, 2002. In accordance with Section 933(b), the governing body of the agency (Board of Supervisors) must respond within 90 days after issuance of the Grand Jury report. Consequently, the Board of Supervisors' responses must be finalized and transmitted to the Presiding Judge of the Superior Court no later than Monday, June 17, 2002.

Mandates and Service Levels:

Section 933.05 of the California Penal code provides explicit guidelines for responses from agencies affected by the findings and recommendations contained in grand jury reports. These responses, in themselves, do not change existing programs or their service levels.

Fiscal and Facilities Impacts:

Many of the Grand Jury's recommendations include calls for additional staff, facilities or other resources that have potential fiscal and facilities impacts. The department responses indicate that either the recommendations will be addressed within the current budget, will be done within available resources next fiscal year, or have not or will not be implemented for various reasons. No response attempts to commit the county to any financial outlay not yet approved or included in the proposed Fiscal Year 2002-03 budget.

Special Instructions:

The response of the Board of Supervisors must be transmitted to the Presiding Judge of the Superior Court no later than June 17, 2002. Please return the signed letter to Jennie Esquer, County Administrator's Office, for distribution to the Superior Court. The signed letter, written responses, and a 3 1/2" computer disc with the response in a Microsoft Word file must be forwarded to the grand jury.

Attachments:

- (1) Board of Supervisors' Response and Letter to the Presiding Judge
- (2) Sheriff's Responses

- (3) Probation Department's Responses
- (4) Alcohol, Drug & Mental Health Services' Response
- (5) Public Works' Response
- (6) District Attorney's Responses
- (7) Copy of 2001-02 Grand Jury Report on "Criminal Justice Detention Facilities"

CC: Dr. Jim Broderick, Alcohol, Drug, & Mental Health Services Department Director
Phil Demery, Public Works Director
Sue Gionfriddo, Chief Probation Officer
Tom Sneddon, District Attorney
Jim Thomas, Sheriff
Zandra Cholmondeley, County Administrator's Office
John Jayasinghe, County Administrator's Office
Jim Laponis, Deputy County Administrator
Ken Masuda, County Administrator's Office
Shirley Moore, County Administrator's Office
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