



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Submitted on:
(COB Stamp)

Department Name: County Executive Office
Department No.: 012
For Agenda Of: Tuesday, July 18, 2006
Placement: Administrative
Estimate Time: NA
Continued Item: NO
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director: Michael F. Brown, County Executive Officer
Contact Info: Jim Laponis, Deputy County Executive Officer 568-3400
SUBJECT: Board of Supervisors' Response to the 2005-06 Grand Jury Report on "Santa Barbara County Detention Facilities"

County Counsel Concurrence:

As to form/legality: Yes No N/A

Auditor-Controller Concurrence:

As to form: Yes No N/A

Recommended Action(s):

That the Board of Supervisors:

- a. Adopt the responses in Attachment (1) as the Board of Supervisors' responses to the 2005-06 Grand Jury Report on "Santa Barbara County Detention Facilities", and
- b. Authorize the Chair to sign the letter included in Attachment (1) forwarding the responses to the Presiding Judge.

Summary:

The Grand Jury Report on detention facilities is mandated each year with findings and recommendations regarding detention facilities within the County per California Penal Code 919 (b). The report contains a total of 5 Findings and 3 Recommendations that affect the County. The Grand Jury Report requires responses from the Sheriff and the Board of Supervisors.

It is recommended that the Board agree or partially agree with all of the Findings and implement all of the Recommendations. Details are outlined in Attachment (1). The recommended Board actions are aligned with the Sheriff departments' responses.

Background:

The grand jury report was released on May 1, 2006. In accordance with California Penal Code 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 Courts no later than Sunday, July 30, 2006. Consideration of the recommended Board response within the administrative agenda on July 18, 2006, will allow the Board additional time, if necessary, to discuss and adopt a response. Section 933c requires that comments to Grand Jury Findings and Recommendations be made in writing.

Fiscal and Facilities Impacts:

Budgeted: Yes No

Fiscal Analysis:

Narrative: There are no fiscal or facilities impacts from the proposed recommendations.

Staffing Impact(s):

Legal Positions:
0

FTEs:
0

Special Instructions:

The response of the Board of Supervisors must be transmitted to the Presiding Judge of the Superior Court no later than Sunday, July 30, 2006. The Clerk of the Board is requested to return the signed letter to Jennie Esquer, County Executive Office, for distribution to the Superior Court. The signed letter, written responses and a 3 ½” computer disc with the response in a Microsoft Word file must be forwarded to the grand jury.

Attachments:

- (1) Letter to the Presiding Judge with Board of Supervisors Responses
- (2) Sheriff Department’s Responses
- (3) Copy of 2005-06 Grand Jury Report on “Santa Barbara County Detention Facilities”

Authored by:

John Jayasinghe, County Executive Office 568-3400

cc:

Jim Anderson, Sheriff

Tuesday, July 18, 2006

Honorable Judge Rodney Melville
Presiding Judge
Superior Court
312-M East Cook Street
Santa Maria, California 93455-5165

**Board of Supervisors' Response to the 2005-06 Civil Grand Jury Report on:
"Santa Barbara County Detention Facilities"**

Dear Judge Melville:

During its regular meeting of Tuesday, July 18, 2006, the Board of Supervisors adopted the following responses as its responses to the 2005-06 Grand Jury's report on "Santa Barbara County Detention Facilities".

The Board of Supervisors thanks the Grand Jury for its findings and recommendations on this important matter.

Finding 1

The Santa Barbara Main Jail has been cited by the California Corrections Standards Authority for being out of compliance due to overcrowding.

Response: The Board adopted the Sheriff Department's response as its response. (Agrees partially with the finding).

The Santa Barbara Main Jail was not (technically) cited by the California Corrections Standards Authority. The inspection for the Santa Barbara County adult detention facilities was conducted December 12 through December 15, 2005. The inspection report noted two areas of non-compliance within the Main Jail. Both areas related to cell usage and are a direct result of jail overcrowding.

Recommendation 1

Property should be purchased for the construction of a North County Jail.

Response: The Board adopted the Sheriff Department's response as its response. **(Recommendation has not yet been implemented, but will be implemented in the future).**

On April 12, 2005, the Board of Supervisors directed the Sheriff and the County Executive Officer to proceed with planning for a new county jail at the Laguna Sanitation District (LCSD) site. The draft Environmental Impact Report for this site is being reviewed and is expected to be finalized and released for public comment by the end of July 2006.

Appraisals for land costs have been conducted on this site and the Sheriff's Department has proceeded with architectural plans for construction of a new facility. Property acquisition negotiations are expected to take place during FY 06-07.

Finding 2

Inmates are routinely given early release or placed in alternative programs as a result of overcrowding.

Response: The Board adopted the Sheriff Department's responses as its response. (Agrees with the finding).

On September 22, 1998, the Superior Court of the State of California for the County of Santa Barbara issued a Court Order Cap limiting the number of inmate beds at the Main Jail facility as a result of a 1988 lawsuit concerning jail overcrowding at the Santa Barbara County Main Jail. The Court Order allows for early release of sentenced inmates. Since the original Order was issued, it has been amended to include additional measures to reduce overcrowding. In an effort to comply with the Court Orders and ensure public safety, the Sheriff's Department has expanded the criteria of the Alternative Sentencing Programs. The expansion of criteria for Alternative Sentencing Programs allows the Sheriff's Department to reduce jail overcrowding by providing monitoring capabilities of individuals who do not meet the criteria for early release directly to the streets.

Recommendation 2

Sources for funding of a North County Jail should be secured.

Response: The Board adopted the Sheriff Department's responses as its response. (**Recommendation has not yet been implemented, but will be implemented in the future**).

In planning for the construction of a new county jail, the Santa Barbara County Chief Executive Office and the Sheriff's Department held several meetings to discuss funding alternatives for construction and operation of a new facility. On December 13, 2005, these funding alternatives were presented to the Board of Supervisors as part of a public presentation titled County of Santa Barbara New Jail Planning Study.

The Sheriff's Department has acted upon the Board of Supervisor's directions and is working with the County Executive Office in an effort to identify funding and continue the planning process. Results of these actions will be presented to the Board of Supervisors in subsequent hearings.

Finding 3

Inmates are routinely required to sleep on the floor due to overcrowding.

Response: The Board adopted the Sheriff Department's response as its response, with an additional note of clarification.
(Agrees with the finding).

Despite the Sheriff's Department's best efforts to eliminate the condition of floor sleepers caused by jail overcrowding, inmates sleeping on the floor due to lack of bed space continues to be a daily occurrence.

It should be noted that "floor sleepers" actually use a mattress that is placed on the floor rather than on a bed.

Recommendation 3

A timeline for the purchase of land and the construction of a North County Jail should be established.

Response: The Board adopted the Sheriff Department's response as its response. (**Recommendation has been implemented**).

The Sheriff's Department has, within the Department's Strategic Plan, established goals and projected timelines for purchase of land and construction of a new county jail. However, this timeline has been delayed due to funding limitations.

Finding 4

Main Jail staff reports an increase of violence as a result of overcrowding.

Response: The Board adopted the Sheriff Department's response as its response. (Agrees with the finding).

It is increasingly difficult to manage the inmate population in the Santa Barbara County Jail facilities. All sentenced inmates who are considered to be a low risk to the community are being released early to either an alternative sentencing program or to the street. This leaves a population of largely hard core offenders. As a result, inmate-on-inmate mutual combats and assaults (242 PC) have increased by approximately 32 percent since 2003.

Finding 5

The Board of Supervisors has designated two million dollars toward the initial development of a new North County Jail.

Response: The Board agrees with the finding.

On December 13, 2005, the Board of Supervisors approved a budget revision transferring two million dollars from the VLF (Vehicle License Fee) repayment revenue to the General Fund Capital Designation in order to set aside funds for the potential purchase of land at the Laguna Sanitation District site.

Sincerely,

Joni Gray
Chair, Board of Supervisors

cc: Ted Sten, Foreperson Civil Grand Jury 2005-06

SHERIFF'S DEPARTMENT RESPONSE
SANTA BARBARA COUNTY GRAND JURY'S 2005-2006 REPORT
"SANTA BARBARA COUNTY DETENTION FACILITIES"

FINDINGS AND RECOMMENDATIONS

Finding 1: *The Santa Barbara Main Jail has been cited by the California Corrections Standards Authority for being out of compliance due to overcrowding.*

Response to Finding 1: The Sheriff's Department agrees partially with the finding.

The Santa Barbara Main Jail was not cited by the California Corrections Standards Authority. The inspection for the Santa Barbara County adult detention facilities was conducted December 12 through December 15, 2005. The inspection report noted two areas of non-compliance within the Main Jail. Both areas related to cell usage and are a direct result of jail overcrowding.

Recommendation 1: *Property should be purchased for the construction of a North County Jail.*

Response to Recommendation 1: This recommendation has not yet been implemented, but will be implemented in the future.

On April 12, 2005, the Board of Supervisors directed the Sheriff and the County Executive Officer to proceed with planning for a new county jail at the Laguna Sanitation District (LCSD) site. The draft Environmental Impact Report for this site is being reviewed and is expected to be finalized and released for public comment by the end of July 2006.

Appraisals for land costs have been conducted on this site and the Sheriff's Department has proceeded with architectural plans for construction of a new facility. Property acquisition negotiations are expected to take place during FY 06-07.

Finding 2: *"Inmates are routinely given early release or placed in alternative programs as a result of overcrowding."*

Response to Finding 2: The Sheriff's Department agrees with this finding.

On September 22, 1998, the Superior Court of the State of California for the County of Santa Barbara issued a Court Order Cap limiting the number of inmate beds at the Main Jail facility as a result of a 1988 lawsuit concerning jail overcrowding at the Santa Barbara County Main Jail. The Court Order allows for early release of sentenced inmates. Since the original Order was issued, it has been amended to include additional measures to reduce overcrowding. In an effort to comply with the Court Orders and ensure public safety, the Sheriff's Department has expanded the criteria of the Alternative Sentencing Programs. The expansion of criteria for Alternative Sentencing Programs allows the Sheriff's Department to reduce jail overcrowding by providing monitoring capabilities of individuals who do not meet the criteria for early release directly to the streets.

Recommendation 2: *"Sources for funding of a North County Jail should be secured."*

Response to Recommendation 2: This recommendation has not yet been implemented, but will be in the future.

In planning for the construction of a new county jail, the Santa Barbara County Chief Executive Office and the Sheriff's Department held several meetings to discuss funding alternatives for construction and operation of a new facility. On December 13, 2005, these funding alternatives were presented to the Board of Supervisors as part of a public presentation titled County of Santa Barbara New Jail Planning Study.

The Sheriff's Department has acted upon the Board of Supervisor's directions and is working with the County Executive Office in an effort to identify funding and continue the planning process. Results of these actions will be presented to the Board of Supervisors in subsequent hearings.

Finding 3: *"Inmates are routinely required to sleep on the floor due to overcrowding."*

Response to Finding 3: The Sheriff's Department agrees with this finding.

Despite the Sheriff's Department's best efforts to eliminate the condition of floor sleepers caused by jail overcrowding, inmates sleeping on the floor due to lack of bed space continues to be a daily occurrence.

Recommendation 3: *"A timeline for the purchase of land and the construction of a North County Jail should be established".*

Response to Recommendation 3: This recommendation has been implemented.

The Sheriff's Department has, within the Department's Strategic Plan, established goals and projected timelines for purchase of land and construction of a new county jail. However, this timeline has been delayed due to funding limitations.

Finding 4: *"Main Jail staff reports an increase of violence as a result of overcrowding"*

Response to Finding 4: The Sheriff's Department agrees with this finding.

It is increasingly difficult to manage the inmate population in the Santa Barbara County Jail facilities. All sentenced inmates who are considered to be a low risk to the community are being released early to either an alternative sentencing program or to the street. This leaves a population of largely hard core offenders. As a result, inmate-on-inmate mutual combats and assaults (242 PC) have increased by approximately 32 percent since 2003.

Finding 5: *"The Board of Supervisors has designated two million dollars toward the initial development of a new North County Jail."*

Response to Finding 5: The Sheriff's Department agrees with this finding.

On December 13, 2005, the Board of Supervisors approved a budget revision transferring two million dollars from the VLF repayment revenue to the General Fund Capital Designation in order to set aside funds for the potential purchase of land at the Laguna Sanitation District site. The two million dollars was not transferred to the project fund for the new North County Jail.

SANTA BARBARA COUNTY DETENTION FACILITIES

Where They Spend Their Time

SUMMARY

As required by State law, the Grand Jury conducted inspections of the Main Jail, the police departments, Sheriff's Stations and other detention facilities within Santa Barbara County. The Santa Barbara County Main Jail continues to be severely overcrowded, and remains in violation of State law. The need for a new jail is increasingly urgent. The Grand Jury's inspection of all other detention facilities found no obvious issues requiring corrective action.

INTRODUCTION

Under California Penal Code 919(b), the Grand Jury is mandated to inquire into the conditions and management of all detention facilities within the County. The Grand Jury is not the only agency or body that examines these facilities. They are routinely inspected by representatives of the State Board of Corrections, the State Fire Marshal, State health inspectors, and representatives of various other oversight agencies. Areas subject to inspection include:

- the physical layout of the institution
- mental health services
- religious services
- visiting privileges
- meals and nutrition
- physical and dental health services
- volunteer involvement
- educational and vocational opportunities
- programs devoted to victim and gang awareness, substance abuse, and domestic violence

The Grand Jury inspected each of the facilities listed in this report. Deputies, police officials and staff on site were interviewed. Input was received from detainees. All findings were as of the time of the visits. All results reported by the Grand Jury are based on these visits.

Santa Barbara County Detention Facilities

OBSERVATIONS AND ANALYSIS

Main Jail

The Santa Barbara County Main Jail is located at 4434 Calle Real in Santa Barbara. The County Sheriff's Department has been dealing with jail overcrowding since the 1960s. The current facility is 35 years old and in constant need of repair. The Sheriff's Department reports that the average life span of a jail is 30 years. Over half of the sentenced inmates are in Minimum Security or Alternative Programs. A "snapshot" of the Santa Barbara County Main Jail during the month of August 2005 (including male and female inmates) reveals that:

During the month of August 2005:

- More than 55% of the inmate population was from North County.
- There were an average of 36 inmates required to sleep on the floor each night. Mats are placed on the floor of the overcrowded cells in order to provide sleeping space.
- The average daily inmate population increased 7.2% from August 2004.
- The average early release days per inmate were 22 (male), 21 (female).
- There were 2,842 inmates transported between North County (Santa Maria and Lompoc) and the Santa Barbara Main Jail.
- Transportation costs between the North County and the Main Jail were \$16,131.00.
- Minimum Security and Alternative Programs, including Honor Farms, work furlough and electronic monitoring were used to reduce overcrowding.
- The Honor Farms exceeded recommended capacity by over 50%. As a result, increased security upgrades have been necessary to accommodate the mix of classifications that are held there.

At the time of the last inspection by the California Corrections Standards Authority (December 12-15, 2005) the Main Jail was found to be in noncompliance with *Title 24, Section 470A.2.4, Sobering cells* and *Title 24, Section 470A.2.8, Dormitories, 2.9*

Santa Barbara County Detention Facilities

*Dayrooms and 8227, Multiple Occupancy Cells.*¹ These areas of noncompliance are all related to overcrowding and the use of sobering cells for medical and mental health observation.

The Grand Jury finds that the Santa Barbara County Main Jail continues to be overcrowded. The facility, built in 1961, is inadequate to serve the inmate population. Due to overcrowding, some inmates are required to sleep on mats placed on the floor. Inmates are also routinely given an early release or placed on electronic monitoring in order to make room for new offenders. As a result of overcrowding and inmate classifications, staff reports that there has been an increase in assaults at the Main Jail. Increased security has been added to the Honor Farms, which are now housing higher risk inmates. Past Grand Juries have commented on the crowded conditions at the current facility, and have recommended building a new jail in North County. Given the current population growth in the County, the need for a new jail is increasingly urgent. The Board of Supervisors (BOS) has begun to address this situation, and has designated two million dollars toward the initial development of a new North County Jail. Notwithstanding, a critical overcrowding situation remains, and the Grand Jury strongly urges the BOS to continue its efforts to provide a safe and humane jail in which to incarcerate County inmates.

The Main Jail received recognition from the California State Corrections Standards Authority for “Working diligently to resolve crowding issues.”

Detention Facilities

Santa Barbara County detention facilities are under the direction of different agencies: the Santa Barbara County Sheriff’s Department, the city police departments, and the Santa Barbara County Probation Department.

The Santa Barbara County detention facilities include:

- Santa Barbara County Main Jail
- Men’s Honor Farm
- Women’s Honor Farm
- Santa Barbara Court Holding Facility
- Lompoc Police Department
- Guadalupe Police Department

¹ Facilities originally designed as sobering cells are currently being used for medical and mental health observation. At the time of the inspection there were 673 inmates, 55 over the rated capacity of 618.

Santa Barbara County Detention Facilities

- Santa Barbara Police Department
- Santa Maria Police Department

Four cities contract with the Santa Barbara County Sheriff's Department for law enforcement services: Carpinteria, Goleta, Buellton, and Solvang. Contract cities pay the Sheriff's Department to enforce the law within their city limits in lieu of establishing their own police departments. These smaller cities benefit from the expertise of a large and experienced department. Santa Barbara County Sheriff's Department also provides patrol and support service in unincorporated areas. They are deployed from the following locations:

- Santa Barbara Sheriff's Headquarters
- Coroner's Bureau
- Isla Vista Station
- Cuyama Station
- Lompoc Rucker Road Station
- Buellton Station – Buellton Police Department
- Santa Ynez Station - Solvang Police Department
- City of Carpinteria – Carpinteria Police Department
- Goleta – Goleta Police Department

Santa Barbara juvenile detention centers are under the jurisdiction of the Santa Barbara County Probation Department:

- Santa Barbara Juvenile Hall
- Susan J. Gionfriddo Juvenile Justice Center
- Los Prietos Boys' Camp and Boys' Academy

The Grand Jury commends the Board of Supervisors and the staff at the Susan J. Gionfriddo Juvenile Justice Center for the design, management, and overall development of an outstanding facility in the North County. The Center, which is located in Santa Maria, was dedicated March 3, 2005, and has the capacity for 140 juvenile offenders, and eliminates overcrowding at the Santa Barbara Juvenile Hall.

Santa Barbara County Detention Facilities

FINDINGS

Finding 1

The Santa Barbara Main Jail has been cited by the California Corrections Standards Authority for being out of compliance due to overcrowding.

Finding 2

Inmates are routinely given early release or placed in alternative programs as a result of overcrowding.

Finding 3

Inmates are routinely required to sleep on the floor due to overcrowding.

Finding 4

Main Jail staff reports an increase of violence as a result of overcrowding.

Finding 5

The Board of Supervisors has designated two million dollars toward the initial development of a new North County Jail.

RECOMMENDATIONS

Recommendation 1

Property should be purchased for the construction of a North County Jail.

Recommendation 2

Sources of funding for a North County Jail should be secured.

Recommendation 3

A timeline for the purchase of land and the construction of a North County jail should be established.

Santa Barbara County Detention Facilities

REQUEST FOR RESPONSE

In accordance with Section 933(c) of the California Penal Code, each agency and government body affected by or named in this report is requested to respond in writing to the findings and recommendations in a timely manner. The following are the affected agencies for this report, with the mandated response period for each:

Santa Barbara County Board of Supervisors – 60 days

Findings	1, 2, 3, 4, 5
Recommendations	1, 2, 3

Santa Barbara County Sheriff's Office – 60 days

Findings	1, 2, 3, 4, 5
Recommendations	1, 2, 3