

SANTA BARBARA COUNTY BOARD AGENDA LETTER



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

Agenda Number:

Prepared on: Thursday, June 16, 2005
Department: County Executive Office
Department Number: 012
Agenda Date: Tuesday, June 28, 2005
Placement: Departmental
Estimated Time: 15 minutes
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Michael F. Brown, County Executive Officer

STAFF: Jim Laponis, Deputy County Executive Officer, (805) 568-3404
John Jayasinghe, Administrative Analyst, (805) 568-2246

SUBJECT: Board of Supervisors' Response to the 2004-05 Grand Jury Report "A Sobering Thought"

Recommendation:

That the Board of Supervisors:

- A. Adopt the responses in Attachment (1) as the Board of Supervisors' responses to the 2004-05 Grand Jury Report "A Sobering Thought", and
- B. Authorize the Chair to execute the letter included in Attachment (1) forwarding the responses to the Presiding Judge.

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with Goal #7: A County Government that is Accessible, Open, and Citizen-Friendly.

Executive Summary and Discussion:

The Grand Jury Report requires a response from one County department, the Sheriff.

This Grand Jury report regards the value of "Sobering Centers" as holding facilities for people detained for being intoxicated in public. The report released on April 7, 2005, contains one finding and one recommendation. 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 Courts no later than Wednesday, July 6, 2005.

It is recommended that the Board disagree with the Finding and not implement the Recommendation. Details are outlined in Attachment (1). The recommended board actions are aligned with the Sheriff Departments responses.

Mandates and Service Levels:

The Grand Jury Report was released on April 7, 2005. 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 Wednesday, July 6, 2005. Section 933c requires that comments to Grand Jury Findings and Recommendations be made in writing.

Fiscal and Facilities Impacts:

None from the recommended action.

Special Instructions:

The response of the Board of Supervisors must be transmitted to the Presiding Judge of the Superior Court no later than Wednesday, July 6, 2005. 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 1/2" 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 Departments Responses
- (3) Copy of 2004-05 Grand Jury Report on "A Sobering Thought"

CC: Jim Anderson, Sheriff
Charles Foley, Grand Jury Foreperson 2004-05

June 28, 2005

The Honorable Clifford R. Anderson, III
Santa Barbara County Superior Court
P.O. Box 21107
Santa Barbara, California 93121-1107

Santa Barbara County Grand Jury
Charles Foley, Foreperson
1100 Anacapa Street
Santa Barbara, CA 93101

**Board of Supervisors' Response to the 2004-05 Grand Jury Report on:
*"A Sobering Thought"***

Dear Judge Anderson:

During its regular meeting on Tuesday, June 28, 2005, the Board of Supervisors adopted the following responses as their responses to the 2004-05 Grand Jury's report "A Sobering Thought". The Board of Supervisors thanks the Grand Jury for its efforts on this important matter.

FINDING 1: *The Sobering Center has four major benefits:*

- *Saves Booking Fees and other jail-related costs*
- *Reduces overcrowding in the County jail*
- *Improves public safety by promptly returning police officers to patrol duties*
- *Provides a humane alternative for those temporarily under the influence of alcohol.*

Response: Although a sobering center may save booking fees for some jurisdictions, the Board agrees with the Sheriff Department's response; that is, it disagrees with the finding, with respect to the communities for which the Sheriff provides law enforcement services.

There is no cost savings for the County in the reduction of booking fees, as the Sheriff's Department does not pay booking fees for those arrested by Sheriff's deputies in unincorporated areas of the County or for those arrested in cities where the Sheriff provides services by contract.

The Board agrees that the jail is overcrowded; however, inmates that would normally qualify for a sobering center would not add to the overcrowding conditions, as these inmates remain in a holding cell until sober and thereafter are released on a "promise to appear" or without charges, per 849(b) of the Penal Code.

RECOMMENDATION 1: *Other Santa Barbara County communities should establish similar sobering centers.*

Response: The Board agrees with the Sheriff Department's response; that is, the recommendation will not be implemented within the unincorporated areas of Santa Barbara County, or within the cities wherein there exists a contract for law enforcement services with the Santa Barbara County Sheriff's Department.

The question on whether other jurisdictions should establish sobering centers is a matter for consideration by those jurisdictions.

Sincerely,

Susan Rose
Chair, Board of Supervisors

cc: Charles Foley, Grand Jury Foreperson 2004-05
Jim Anderson, Sheriff

SHERIFF'S DEPARTMENT RESPONSE
SANTA BARBARA COUNTY 2004-2005 GRAND JURY

FINDINGS AND RECOMMENDATIONS

SPECIAL REPORT: A SOBERING THOUGHT

FINDING 1

The Sobering Center has four major benefits:

- *Saves Booking Fees and other jail-related costs*
- *Reduces overcrowding in the County jail*
- *Improves public safety by promptly returning police officers to patrol duties*
- *Provides a humane alternative for those temporarily under the influence of alcohol.*

Response to Finding 1

The Sheriff's Department disagrees with this finding with respect to the communities for which we provide law enforcement services.

There is no cost savings to be found in the induction of booking fees, as the Sheriff's Department does not pay booking fees for those arrested by Sheriff's deputies in unincorporated areas of the county or for those arrested in our contract cities. Other jail related expenses would be minimal as the only cost savings would be the expense of the paperwork involved with the booking, other costs are already absorbed in the normal day-to-day operations of a jail.

While it is true that the jail is overcrowded, inmates that would normally qualify for a sobering center would not add to the overcrowding conditions, as these inmates remain in a holding cell until sober and thereafter released on a "Promise to Appear" or without charges, per 849(b) of the Penal Code.

The intake process, for the arresting officer, is not much longer than the process would be for taking a detainee to a sobering center. The jail prides itself in the "turn-around" time it takes to get a patrol officer back to their patrol duties.

While we realize there are other arrangements that may accommodate human comforts, we take exception with the implication that the jail somehow provides a less than humane setting for those temporarily under the influence of alcohol. On the contrary, those arrestees brought into the jail found to be under the influence receive a pre-booking examination by jail medical personnel prior to admission. If there are any medical concerns identified with an arrestee, the arrestee is transported to a hospital, examined and treated by competent medical staff for any immediate medical needs, and returned to the jail for admission. If the medical problem is of a serious nature, the arrestee is released on a "Promise to Appear" and transported to a hospital for admission.

RECOMMENDATION 1

Other Santa Barbara County communities should establish similar sobering centers.

Response to Recommendation 1

This recommendation will not be implemented within the unincorporated areas of Santa Barbara County, or within the cities wherein there exists a contract for law enforcement services with the Santa Barbara County Sheriff's Department.

As aforementioned, the Sheriff's Department will not find a significant cost savings in this recommendation, and implementation will not reduce jail overcrowding given the particulars of this recommendation, namely those held until sober do not count toward overcrowding as they are released prior to a housing assignment. Again, it is our belief that Sheriff's patrol deputies promptly and expeditiously return to their duties under our current arrangements and the opening of a sobering center would not enhance the overall timeliness of their actions. Finally, the Sheriff's Department offers a safe and secure holding facility as directed and regulated by the Board of Corrections. We believe the conditions and treatment available to everyone received into our facilities adheres to the standard of excellence prescribed by this regulating authority.

A Sobering Thought

The Santa Barbara Community Sobering Center An Alternative to Jail

The Santa Barbara Community Sobering Center is located in a storefront on Haley Street in downtown Santa Barbara. It is used by the City of Santa Barbara Police Department as an alternative holding facility for people detained for being intoxicated in public and driving under the influence of alcohol within city limits. In the year 2004, 1400 people were placed in the facility instead of being booked into the County jail.

Detainees must stay for at least four hours and are housed in one of two rooms on mats on the floor. The facility has no locks and serves no food. There is only one bathroom.

The Sobering Center is administered by Threshold to Recovery, a not-for-profit organization. The City of Santa Barbara Police Department has contracted with this organization for the past ten years. In 2004, the Center's operating budget was \$197,600. Revenues come from the City contract, grants and donations. The Center's paid staff consists of seven people, all of whom are recovering alcoholics. They function as a team, staffing the Center 24 hours a day, 365 days a year. They are committed to their work and consider it a service to their community.

This is not a recovery program; rather, it is an alternative to jail. Detainees are allowed to sober up in the Center, but do not avoid citation—or prosecution if warranted. Detainees are placed in the Center by police officers and, under certain circumstances, by Cottage Hospital staff. There are also a small number of walk-ins who use the Center. By placing someone who is under the influence of alcohol in the Sobering Center, the Santa Barbara Police Department saves the \$175 booking fee to the County. In 2004, the City saved \$245,000 in booking fees. After deducting the cost of the contract to administer the Sobering Center, the City realized a net savings of \$47,400. The Center also helps keep down the population in an overcrowded jail and improves public safety by allowing police officers to return quickly to their patrol duties.

The County jail is overcrowded. The number of drug and alcohol arrests only serves to exacerbate that condition. The Grand Jury found the Sobering Center to be innovative, successful and cost effective. Other communities in the county would benefit from a similar program.

Finding 1

The Sobering Center has four major benefits:

- Saves booking fees and other jail-related costs
- Reduces overcrowding in the County jail
- Improves public safety by promptly returning police officers to patrol duties

- Provides a humane alternative for those temporarily under the influence of alcohol

Recommendation 1

Other Santa Barbara County communities should establish similar sobering centers.

Affected Agencies

Santa Barbara County Sheriff Department

City of:

- Buellton
- Carpinteria
- Goleta
- Guadalupe
- Lompoc
- Solvang
- Santa Maria