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COUNTY OF SANTA BARBARA

September 10, 2024

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

Reference: Response to Santa Barbara Civil Grand Jury report titled, "Deaths in Custody in Santa Barbara County Jails"

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 (PC). Pursuant to PC Section 933 (c) and (d), responses are provided on behalf of the Board of Supervisors.

Sincerely,

Steve Lavagnino, Chair
Santa Barbara County Board of Supervisors

cc: Santa Barbara County Board of Supervisors
Sheriff-Coroner Bill Brown

Santa Barbara County Board of Supervisors
Response to the Santa Barbara County Grand Jury 2023-24 Report
“Deaths in Custody in Santa Barbara County Jails”

The Grand Jury’s report acknowledges the overwhelmingly difficult circumstances that exist when managing County jails that have effectively become the primary mental health institutions, drug treatment centers, and healthcare centers for incarcerated individuals. In its report, the Jury recommends that in light of staffing and budgetary resource constraints, creative solutions should be developed to leverage resources with other County departments including Behavioral Wellness, the Public Defender’s Office, and Public Health. As the responses below indicate, the County is committed to implementing collaborative system improvements with the goal of strengthening oversight and supportive services for incarcerated individuals, particularly those who may be medically at-risk or have behavioral health needs.

Finding 5

When the Public Health Medical Advisor position has been filled, this medical professional will be working with Wellpath staff at the jails.

The Board of Supervisors agrees.

Recommendation 5

The Public Health Medical Advisor shall help oversee and advise treatment for medically compromised individuals entering the jails, especially during the critical first week of incarceration.

This recommendation will be implemented. Public Health’s Chief Correctional Health Medical Advisor, in conjunction with the Correctional Health Quality Care Improvement Coordinator, will advise on and monitor the quality of healthcare services in the jails and will independently assess compliance, as well as adequacy and appropriateness of care for all incarcerated individuals. This will include reviewing and approving all clinical protocols, advising Wellpath and Custody staff on enhancement in workflows and clinical care especially within the first week of incarceration. In addition, the Medical Advisor will serve as co-chair on the death review committee and the Medical Advisory Committee (MAC) and will provide regular updates to Public Health’s Chief Medical Officer and department Director.

The Medical Advisor and Quality Care Improvement Coordinator are currently under recruitment by Public Health. The Quality Care Improvement Coordinator is scheduled to start work on September 30, 2024, pending successful completion of a background check. Recruitment for the Medical Advisor position has been more challenging, but Public Health

aims to have a candidate identified by November 2024. In the meantime, the Chief Medical Officer will continue to serve as the interim Public Health Medical Advisor and will onboard and orient the Quality Care Improvement Coordinator upon start.

Position duties of the Medical Advisor include: providing advice and expert opinion to the Sheriff's Office, Probation, and the contracted healthcare provider to ensure delivery of evidence-based and comprehensive healthcare services; advising on implementing best practices and National Commission on Correctional Health Care (NCCHC) standards of healthcare; evaluating existing services to identify needs and develop long-range goals and service plans; leading the MAC and participating in the Committee of Quality Improvement (CQI); reviewing and analyzing internal program reviews and external audits to identify problem areas; and working closely with the Quality Care Improvement Coordinator to implement continuous quality improvement efforts.

Finding 6

RU and DL suffered from drug addiction and died within two days of entering the jails.

The Board of Supervisors agrees, based upon the factual determination made by the Sheriff's Office as conveyed in its response to the Grand Jury (Attachment B).

Recommendation 6c

The Sheriff's Office shall work with Public Health and Behavioral Wellness to increase staffing of the Medically Assisted Treatment program at both jails.

This recommendation has been implemented. The recent contract extension negotiated with Wellpath includes additional staffing for a Substance Use Disorder Counselor position dedicated to the Medically-Assisted Treatment (MAT) program at the jails, with funding for the new position provided by the County's Opioid Settlement funding allocation. Nursing staff were also enhanced, and it was noted that these additional resources would support MAT expansion. The Board ratified this extension on June 25, 2024, with the added positions effective July 1, 2024.

Additionally, MAT expansion at the jail will be addressed through the CalAIM Justice-Involved Initiative for Medi-Cal beneficiaries. Behavioral Wellness will also launch CalAIM Behavioral Health Linkages in fall 2024 to coordinate care in the community for individuals upon release from jail.

Finding 12

The Public Defender's Office currently conducts an entry interview to establish a connection with newly incarcerated persons booked into the Northern Branch Jail, which continues until the incarcerated persons are discharged.

The Board of Supervisors agrees, in part. There are two separate programs that members of the Public Defender team are engaged with that interview some clients soon after booking: 1) Reentry Service Coordinators working with the discharge planning team, and 2) the Reentry Early Access and Diversion for You (READY) team that meets with clients at the Northern Branch Jail (NBJ) generally within the first 48 hours of booking, except for those booked Friday and Saturday.

Public Defender discharge planners do not meet with *all* newly incarcerated people in the NBJ; rather, they only meet with a portion of the public defender clients recently booked into the jail, while other discharge planners within the Sheriff's Office meet with other individuals during various stages of their incarceration.

The Public Defender's READY program also does not encompass all newly incarcerated people in the NBJ, due in part to some individuals needing stabilization, movement, or interpretation services. This is also due to READY's primary focus being on those charged with misdemeanors and low-level felonies in the NBJ. Additionally, the READY team does not engage with clients the entire time until discharge, as the discharge timeline depends on many factors such as type of charge, mental status, or findings of incompetence to stand trial (IST). In some instances, the READY team navigator is able to ensure a READY participant has the necessary connections and transportation upon release.

Recommendation 12

The Sheriff's Office shall work with the Public Defender's Office to initiate a similar program at the Main Jail.

This recommendation will be implemented. The Public Defender's Office and Sheriff's Office are working together to initiate Early Representation services at the Main Jail. A one-year pilot program is anticipated to begin in fall 2024.

While the Early Representation pilot in North County (READY program) is currently funded by a combination of Board of State and Community Corrections (BSCC) and Community Corrections Partnership (CCP) funding, there is not currently funding available for a South County program. However, because of early promising results of the North County pilot, the Public Defender's Office and the Sheriff's Office are collaborating to launch a South County program, with the hope of securing future funding to sustain and grow the program once more data is available to support this funding priority. In order to launch the pilot program in South County, the Public Defender's Office will leverage its current resources and will also modify the program from in-person meetings with clients,

to scheduled teleconference meetings, to address infrastructure challenges associated with the Main Jail facility.

Finding 14

Five of the six deaths in this report occurred within the first three days of entering the jail. The main factors for jail deaths involved issues of inconsistent and inadequate observation.

The Board of Supervisors agrees, in part. The Board agrees that five of the six deaths in this report occurred within the first three days of entering the jail. As to the cause of death factors, the Board references the Sheriff's Office response to the Grand Jury as the Sheriff's Office investigated each of the deaths.

Recommendation 14

The Sheriff's Office, working in conjunction with Wellpath, Behavioral Wellness and Public Health, shall have procedures in place to more closely monitor at-risk incarcerated persons when they enter the jail.

This recommendation has been implemented. Departments including the Sheriff's Office, Behavioral Wellness, and Public Health, as well as Wellpath, meet on a monthly basis to review procedures and collaborate on ways to more closely monitor at-risk incarcerated persons when they enter the jail. However, ultimately the Sheriff's Office is accountable for developing the appropriate Sheriff-issued documented procedures and ensuring that those procedures are consistently followed.