



**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

Department Name: County Executive Office
Department No.: 012
For Agenda Of: February 9, 2021
Placement: Departmental
Estimated Time: 30 minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s) Mona Miyasato, County Executive Officer

DocuSigned by:
Mona Miyasato
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Contact Info:

SUBJECT: KPMG Criminal Justice Interagency Review

County Counsel Concurrence

As to form: N/A

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

It is recommended that the Board of Supervisors:

- a) Receive and file a report on KPMG’s Operational and Performance Review – Criminal Justice Interagency Opportunities;
- b) Provide direction as appropriate; and
- c) Find that the proposed actions do not constitute a “Project” within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378(b)(2), as it consists of general policy and procedure making.

Summary Text:

In 2020, KPMG completed reviews of all criminal justice departments – Public Defender, Probation, District Attorney, and Sheriff. The reviews identified areas of success and improvement within each department, as well as common interagency challenges. Given the themes arising in each report, the Board requested KPMG review of these interagency issues to strengthen performance across the entire system.

This report outlines those recommended actions. None of the issues are new, and individual departments have addressed these challenges in the past and are addressing them currently. The Community Corrections Partnership and collaborative justice initiatives initiated in the last several years have made great progress in interagency coordination; however, the County has not had a documented, integrated, actionable approach with shared, desired outcomes to ensure interagency progress in key areas. To

effectively address these multi-departmental area will require interagency collaboration, resources and County leadership support.

For that reason, KPMG's recommendations largely task the County Executive Office with coordinating many of these actions among the involved departments. The recommendations and actions of this review will be evaluated over the upcoming months by the CEO's office with the stakeholder agencies to develop timelines and specific actions as appropriate.

Discussion

The six recommendations are as discussed below with commentary on status,

#	Recommendations
1	Enhance cross-departmental data sharing and reporting to provide a data-driven assessment of the performance of the County's criminal justice system
2	Expand use of diversion programs and alternatives to incarceration to reduce jail crowding
3	Streamline the discovery process across departments to identify opportunities to streamline workload, optimize processes, and enhance the use of technology
4.1	Collaborate with County Courts to implement leading practices related to continuance management to reduce avoidable Court and County costs
4.2	Enhance collaboration with County Courts to maximize the efficiency of scheduling practices and address <i>ad hoc</i> challenges as they arise
5	Collaborate with other County departments to procure translation services (Spanish and Mixtec)

#1. Data Sharing

Action 1: The CEO's Office should lead and manage the process of increasing the level of data sharing between criminal justice departments to enable system-wide performance management. The Probation Department has spearheaded a Master Naming Index to allow data sharing among the justice departments. To date, Probation, Sheriff and Courts are using the program. It is recommended that this go further, and the CEO's Office lead an initiative to 1) further invest in interagency data sharing, 2) deploy this interagency data to establish and track KPIs related to the performance of the criminal justice system countywide, and 3) utilize this data to guide strategic decision-making regarding the most efficient and effective uses of County criminal justice resources.

Action 2: Develop system-wide performance metrics to monitor County-wide criminal justice efforts. To transition to a more proactive approach to managing the performance of the criminal justice system across agencies, the County should build upon the Community Corrections Partnership interagency's multi-departmental performance metrics, developing KPIs that monitor the overarching performance of the county's criminal justice system and its alignment to the strategic priorities outlined by the Board, CEO's Office, and criminal justice department heads.

Action 3: Establish a staffing and operating model to support enhanced data and reporting. The CEO's Office should collaborate with Information and Communications Technology (ICT) to help ensure that each criminal justice department has the personnel necessary to carry out data tracking, sharing, and

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reporting tasks. To achieve this enhanced analytics capability, the CEO's Office should consider expanding staffing at the department level to include data analyst staff, who would liaise and collaborate with a data scientist position within the CEO's Office to develop and maintain interagency performance reports.

Action 4: Strengthen structures for collaboration to deploy proactive, data-driven problem solving to address interagency challenges. The County should convene a recurring interagency working group to review the cross-system performance data described above and to identify joint solutions led by a designee from the CEO's Office. Current interagency challenges that should be addressed include: 1) the development of analytical insights and strategies related to superutilizers, and implementation of pilot programs to best address the needs of justice-involved people with complex needs; 2) the design and execution of diversion strategies, as detailed in Recommendation 2.

Status: All of the county criminal justice agencies, the Department of Behavioral Wellness and the Superior Courts have signed a memorandum of agreement to operate the Integrated Justice Information System (IJIS). The IJIS is operational and is being utilized for a variety of business practices as well as for evaluation and research purposes. The capacity for data integration and analysis has been greatly expanded and will be capable of addressing the proposed elements as each agency moves toward full implementation. The Master Name Index is an element of the project and provides a foundation for integrated data across platforms and information management systems.

#2 Jail Diversion Strategies

Action 1: The CEO's Office should lead an interagency effort to develop opportunities to implement, expand, and improve rehabilitative programs and alternatives to incarceration.

Managing the size of the County's jail population will require cooperation across all of the County's criminal justice agencies. To achieve this, the working group should include representatives from agencies including the District Attorney, Probation Department, Public Defender, and Superior Courts, as well as key partner agencies such as Behavioral Wellness.

Action 2: Inventory and assess existing diversion opportunities within the County, and develop a plan to implement new or expanded diversion programs at four key intervention points (pre-arrest diversion; post-arrest diversion; pre-sentence diversion; and post-sentence diversion)

Status: A wide variety of diversion options have been implemented, including several that were launched through grant funding over the last several years. However, a number of them do not currently have sustainable funding identified. Additional planning should address sustainability and expansion for those currently underway before additional diversion efforts are launched. The Community Corrections Partnership and its working group are regularly assessing and considering options as funding becomes available.

#3. Streamline discovery process

From FY14 to FY18, the total volume of discovery processed by the District Attorney's Office grew by roughly 100 percent, and the growth rate of audio, cell phone extracts, transcripts, and videos increased by nearly 200 percent. Looking forward, the volume of digital discovery received by the County is likely to continue to increase. To prepare to meet the challenge posed by increasing volumes of digital

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discovery, the County should launch an interagency effort to assess and improve the discovery process across the criminal justice agencies:

Action 1: Map current processes for sharing discovery across the full range of stakeholders. This should include the documentation of current policies and processes for sharing evidence across stakeholders including the District Attorney's Office, Public Defender's Office, Sheriff's Office, and County Courts.

Action 2: Develop an assessment of the workload consumed by processing discovery at each County department. At present, the District Attorney's Office tracks the volume of discovery items processed on an annual basis. To inform an interagency initiative to streamline the discovery process, this volume tracking should be expanded to include other in-scope agencies, such as the Sheriff's Office and Office of the Public Defender. In addition, this discovery tracking process should be expanded to quantify the amount of staff time and workload consumed by processing discovery. Time tracking can be conducted on a continuous basis or in a time-limited pilot. This workload tracking will enable the County to develop a data-driven staffing plan to manage current and expected workload associated with discovery, and highlight which steps in the discovery process currently present the heaviest workload burden.

Action 3: Deploy the above process mapping and workload analysis to identify opportunities to streamline processes for sharing discovery across agencies. Opportunities may include enhancing communication and collaboration processes for sharing evidence, establishing clear expectations for cycle times, shifting work to specialized, nonsworn staff, or upgrading technology to facilitate low-burden information sharing across criminal justice departments.

Status: Some preliminary mapping has occurred within the Sheriff's Office related to operational processing of discovery and within the District Attorney's Office related to interagency and technology based storage of discovery. A strategic plan needs to be developed and a technology solution assessment needs to occur.

#4.1 Collaborate with County Courts on continuance management

In interviews, leadership and staff at the District Attorney's and Public Defender's Offices cited continuances as a challenge to their department's operations, noting that continuances can result in increases in staff workload due to multiple court appearances and preparation, increased case timelines, and increased jail bed days

Action 1: Implement training on the statutory requirements related to granting continuances. The Commission's report notes that training programs can help increase awareness of techniques to manage continuances and reinforce a local culture that limits excessive continuances.

Action 2: Collaborate with the Courts to align court practices related to continuance management. This may include adopting a firm continuance policy and codifying it in the form of a resolution signed by all County justice partners and judges.

Action 3: Implement data tracking related to continuances, led by the courts. As recommended by the National Center for State Courts, this data tracking may include the length of delay, the requesting party, and the reasons for the delay.¹

Action 4: Create a local court working group to monitor continuance data referenced above and recommend corrective measures as needed. It may be most efficient for this working group to be structured as a subgroup of the interagency problem solving body described in Recommendation 1.

Status: Through the partnership with the Center for Court Innovation, a research project is currently under development. It is focused on collecting data and information from practicing prosecution and defense attorneys, specific to case processing and court continuances. It is anticipated that the results of this work could drive action items and recommendations that would be grounded in data and a better understanding of how attorneys play a crucial role in the strategies under consideration.

#4.2 Enhance collaboration with County Courts to maximize the efficiency of scheduling practices and address ad hoc challenges as they arise

In interviews, District Attorney and Public Defender leadership identified two key scheduling challenges related to the administration of Santa Barbara's County Courts. First, Santa Barbara's courts schedule non-continuous trials, meaning proceedings that take multiple days may extend out over two or more weeks. These non-continuous trials negatively impact a range of criminal justice system operations.

Action 1: Designate one individual in the CEO's Office to serve as the primary point of contact for issues related to the County Courts. As detailed in Recommendation 1, this designee from the CEO's Office should participate in the County's recurring interagency problem-solving meetings, as well as the continuance-focused subgroup described in the previous recommendation. These meetings will provide an opportunity for the criminal justice departments to report challenges related to the Court up to the CEO's Office's designee.

Action 2: Establish a quarterly meeting between the designee from the CEO's Office and a representative from the Court to discuss operational challenges related to the Court and the County criminal justice departments. Additional participants can be invited as needed.

#5. Collaborate with other County Departments to procure translation services (Spanish and Mixtec)

Staff at each criminal justice department are responsible for delivering services to County residents with limited English proficiency. Yet across departments, staff report challenges securing appropriate translation support to deliver these services effectively.

Action 1: The CEO's Office should develop a strategy to pool resources for translation services. Language and cultural translation services are a collective need, and there may be efficiency opportunities from cross-agency models to expand these services.

Action 2: Develop a plan to expand Spanish and Mixteco supportive services in Santa Barbara County. The Public Defender's Office has already begun the process of coordinating with a non-profit based in Ventura County to establish a series of courses; however, there are challenges to that as the

¹ <https://www.thurstoncountywa.gov/sc/scdocuments/nscs-report-20170601.pdf>

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dialects of Mixteco spoken in Ventura County are not the same as the ones spoken in Santa Barbara County.

Background:

The County contracted with KPMG in May 2019, following a competitive process, to conduct these operational and performance reviews as part of the Renew '22 initiative. The current contract cost is \$1,477,439 for reviews of nine departments. Completed reviews include the County Executive Office, General Services, Human Resources, Planning and Development, Cannabis Permitting Process and Public Defender, Probation, District Attorney and Sheriff. The review of Public Health is near completion.

In October 2020, the Board approved Amendment No. 4 to the contract with KPMG to review the next set of departments, and perform a focused review of the cannabis tax revenue assessment and collection process. The three additional departments included in this amendment are Fire, Social Services and Behavioral Wellness. The proposed cost of the work associated with this amendment is \$806,881 and the work is expected to be completed by December 31, 2021.

Performance Measure:

Performance measures will be developed in conjunction with the report recommendations and included in the FY 2022-23 budget to track progress and cost/benefit of the operational and performance reviews.

Fiscal and Facilities Impacts:

While some recommendations can be achieved with existing staff and resources, many will require outside expertise, software acquisition, and/or additional staffing resources. Staff will evaluate these requests through the annual budget process.

Attachments:

- a) KPMG report: Improving Performance to Better Serve our County Residents – Criminal Justice Interagency Opportunities
- b) Presentation