

## **SANTA BARBARA MAIN JAIL**

### **An Outdated and Inefficient Facility**

#### **SUMMARY**

Although the construction of a new jail facility in the northern part of Santa Barbara County (County) near Santa Maria is underway, the 2016-17 Santa Barbara County Grand Jury (Jury) investigated the condition of the existing Main Jail. Because the new facility has an approved capacity of *only* 376 beds (including a dedicated wing of 80 for women and 32 for medical and mental health in a specialized housing unit)<sup>1</sup>, some or all of the existing jail component parts must continue to be utilized. The main impetus for the new facility was occasioned by various court orders that the County must reduce the Main Jail population, which has been hovering near 120 percent of its rated capacity. This problem was exacerbated by a Federal Court mandate for the states to lower prison populations, and California's solution was to send State prisoners to county jails.<sup>2</sup>

There were years of political disagreement surrounding funding for a new jail. Ultimately, the County was awarded a grant from the State (AB900) to fund 80 percent of the costs for a new jail. As part of the grant, the State required the County to provide a bed capacity of 1,015 to include all inmate populations by the year 2025.

In 2015, the Santa Barbara County General Services Department (GSD) hired a consulting engineering firm to determine the scope of work and estimate the funds required for the repair and replacement needs of the current Main Jail. The report detailed that over \$15 million would be needed over the next 10 years to correct, repair, or replace failing components of the physical plant that comprise the jail complex. There is also a threatened lawsuit regarding compliance with the Americans with Disabilities Act (ADA) that will give direction to the extent of work required.

Increasing needs throughout the County, including capital improvements, operational costs and the unfunded liability of the Santa Barbara County Employees Retirement System, will impact the availability of funds to accomplish needed work at the Main Jail. It will be difficult to find the funds needed to accomplish all the projects required to meet the current Federal and State jail standards and regulations.

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<sup>1</sup> Santa Barbara County website: [www.countyofsb.org/capitalprojects](http://www.countyofsb.org/capitalprojects)

<sup>2</sup> AB109, Public Safety Realignment Act, 2011

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### BACKGROUND

The Jury found that it is a shared opinion within Santa Barbara County government that the Main Jail is an outdated and inadequate facility. Since 1988, the County has been under a court order to reduce the daily jail population to an 819 approved bed capacity.<sup>3</sup> However, the average population frequently exceeds 1,100. When the new jail is completed, it will have a maximum authorized bed count of only 376, which includes 32 medical beds and 80 beds in the women's wing.

In addition, a threatened lawsuit against the County by Disability Rights California (DRC) and Prisoners Law Office (PLO) aims to rectify current ADA deficiencies. Compliance will reduce the number of available beds further. The Sheriff's Department is working closely with the DRC and PLO to accomplish a negotiated settlement.

In researching election records, the Jury found that the voters of the County refused to approve proposed tax increases to fund a new jail facility in 2000 and again in 2010. During this period the State Legislature enacted AB 900 (2008) and AB 94 (2011), which authorized the creation of a prison construction fund through the sale of bonds to help defray the planning and construction costs of new jails throughout the State. In order to be eligible for a grant, the County, with voter approval, purchased the land for the new County of Santa Barbara Northern Branch Jail (North Jail) in 2008. In July 2012, Santa Barbara County was granted \$80 million from the fund (AB 900) after authorizing a 10 percent matching provision. Although the Santa Barbara County Board of Supervisors (BOS) had serious concerns regarding the cost of operating the new facility, ultimately they agreed to accept the grant for construction and also implemented plans to start funding a reserve to cover the anticipated added operational costs. This funding is on track, and current county budget reports show that this reserve continues to be set aside.

In 2008, the Santa Barbara County Sheriff's Blue Ribbon Commission on Jail Overcrowding recommended construction of a smaller jail, in conjunction with plans to address crime prevention, alternatives to incarceration, and recidivism. At the Commission's suggestion the Santa Barbara County Sheriff (Sheriff) recommended that a separate Sheriff's Transition and Reentry (STAR) facility be built for these purposes in conjunction with the new 300+ bed North Jail. It was intended to help reintegrate inmates to the community. The State did not approve additional funding for this project, and the BOS declined to entertain any method to fund this concept. Since the STAR facility will not be built, updating the Main Jail to accommodate this transitioning population and meet the goals of the Blue Ribbon Commission is paramount.

A consulting engineering company, Marx-Okuba, was hired by the GSD in 2015; it completed a report that estimated over \$15 million would be needed over the next 10 years to bring the Main Jail facilities into a safe and up-to-date operational order. This estimate falls short of what the GSD believes are issues that the consulting firm did not address such as accessibility and other ADA issues. According to the GSD, several jail-related repair projects that had been planned to be completed in 2017 were deferred another year due to emergency repairs that had to be dealt

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<sup>3</sup> State of California, Board of State and Community Corrections, 2014-2016 Biennial Inspection, Santa Barbara County's Type II and Court Holding Facilities.

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with immediately. A subsequent cost estimate report by Vanir Corporation has been ordered by the BOS, and the GSD is working on its own version of a cost estimate report.

### **METHODOLOGY**

The Jury interviewed representatives of the Santa Barbara County Sheriff's Department, GSD, and members of the BOS. It also visited the Main Jail facility and reviewed past Grand Jury and other reports regarding the jail facility.

### **OBSERVATIONS**

The BOS has developed and implemented a plan to fund the North Jail operations. However, the Jury could find no concrete plan to fund the multimillion dollars needed for repairs and upgrades to the Main Jail. According to the GSD, the Main Jail is in failure mode, including but not limited to:

- roof systems
- plumbing and sewer systems that are over 60 years old
- compliance with current seismic standards
- compliance with ADA regulations
- the Medium Security Facility (aka Honor Farm), the oldest and most dilapidated building in the complex

The Sheriff's goal is to offer the same services at both Jails. This may mean closing some Main Jail beds, reconfiguring some areas, and repurposing others. For instance, Main Jail medical facilities could be consolidated, which would make for greater efficiency and better quality of care. The Sheriff envisions new classroom space in the Main Jail so that inmates are better prepared to rejoin society. This will take intense planning beforehand and the Sheriff stated his intention to begin this process in the near future with internal brainstorming. The Sheriff will determine the priority of repairs and the implementation of reconfiguration and repurposing plans. This will be the greatest challenge for the Sheriff as construction cannot begin until the North Jail opens and Main Jail inmates can be moved.

According to the Sheriff, available funds will dictate what can be accomplished. The Marx-Okuba report estimated jail and Medium Security Facility projects that need immediate attention amount to \$2.6 million (in 2015 dollars). Within the next five years, \$7.7 million will be needed, and a total of \$15 million over 10 years will be required to make the necessary repairs and replacements.

The Jury found that estimated budget shortfalls are expected to grow over the next several years, making capital improvement projects a significant challenge for the BOS. There are alternative funding sources for capital improvements such as Certificates of Participation (COP), General Obligation Bonds (GOB), tax initiatives and use of the Strategic Reserve. The debt of a COP is secured solely by a stream of revenues generated by a narrowly defined project, and in this case the Jury sees none. COPs are burdened with a higher interest rate. There is also the possibility

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of passing new tax initiatives, but those have been repeatedly voted down in the past. A GOB requires a super majority (two-thirds voter approval); past history has indicated this is a very high bar to overcome. Another possibility is pulling funds from the Strategic Reserve. However, the Strategic Reserve is currently funded at \$30.9 million, and the County Budget Director recommended that disbursements be limited to \$5 million per year for all County operations that serve essential public health, safety and welfare.

In addition, the Jury points to the fact that the BOS established a reserve fund in anticipation of increased operating costs with the new North Jail and funded it over the past couple of years. The BOS could similarly establish another reserve fund in anticipation of costs for the Main Jail repairs, replacement and repurposing projects.

### **CONCLUSION**

While an entirely brand new Santa Barbara County Main Jail facility would have been optimal, the 2016-17 Santa Barbara County Grand Jury found that funding was not available through Federal, State or County resources. The Santa Barbara County Northern Branch Jail will accommodate 376 inmates. This leaves the County with an outdated and inefficient Main Jail, still in urgent need of repair, replacement and repurposing to house its approved capacity. Many unanswered questions remain, including how to satisfy current State and Federal requirements. Meeting these will demand the ongoing input and cooperation of the Sheriff, the General Services Department and the Board of Supervisors to optimize the functioning of this aging facility with the funding available.

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### **FINDINGS AND RECOMMENDATIONS**

#### **Finding 1**

The Santa Barbara County Sheriff's Department and the Santa Barbara County General Services Department have not developed a prioritized list for repair projects at the Main Jail.

#### **Recommendation 1a**

That the Santa Barbara County Sheriff develop a prioritized list for repair projects at the Main Jail within the next six months.

#### **Recommendation 1b**

That the Santa Barbara County Board of Supervisors direct the Santa Barbara County General Services Department to provide cost estimates for these repair projects.

#### **Finding 2**

The Santa Barbara County Sheriff's Department and the Santa Barbara County General Services Department have not developed a prioritized list for replacement projects at the Main Jail.

#### **Recommendation 2a**

That the Santa Barbara County Sheriff develop a prioritized list for replacement projects at the Main Jail within the next six months.

#### **Recommendation 2b**

That the Santa Barbara County Board of Supervisors direct the Santa Barbara County General Services Department to provide cost estimates for these replacement projects.

#### **Finding 3**

The Santa Barbara County Sheriff's Department and the Santa Barbara County General Services Department have not developed a prioritized list for repurposing projects at the Main Jail.

#### **Recommendation 3a**

That the Santa Barbara County Sheriff develop a prioritized list for repurposing projects at the Main Jail within the next six months.

#### **Recommendation 3b**

That the Santa Barbara County Board of Supervisors direct the Santa Barbara County General Services Department to provide cost estimates for these repurposing projects.

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### **Finding 4**

Funding availability for Main Jail repair, replacement and repurposing will be problematic based on current budget forecasts.

### **Recommendation 4**

That the Santa Barbara County Board of Supervisors identify alternative funding resources for Main Jail repair, replacement and repurposing such as using a portion of the Strategic Reserve, new tax initiatives, General Obligation Bonds or creation of a specific reserve account or any combination of these.

## **REQUEST FOR RESPONSE**

Pursuant to *California Penal Code §933 and §933.05*, the Santa Barbara County Grand Jury requests each entity or individual named below to respond to the enumerated findings and recommendations within the specified statutory time limit:

Responses to Findings shall be either:

- Agree
- Disagree wholly
- Disagree partially with an explanation

Responses to Recommendations shall be one of the following:

- Has been implemented, with brief summary of implementation actions taken
- Will be implemented, with an implementation schedule
- Requires further analysis, with analysis completion date of no more than six months after the issuance of the report
- Will not be implemented, with an explanation of why

### **Santa Barbara County Board of Supervisors – 90 days**

Findings 1, 2, 3 and 4

Recommendations 1b, 2b, 3b and 4

### **Santa Barbara County Sheriff – 60 days**

Findings 1, 2 and 3

Recommendations 1a, 2a and 3a