

# Public Comment

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To: Santa Barbara County Supervisors

From: Laurence Severance  
Santa Barbara resident

Re: February 3, 2026 Agenda item D-1

For FY 2026-2027, the County is facing a projected shortfall of **\$23 million** if all current service levels are maintained across all department services and funds. Over the next 5 years, the County is facing a cumulative **\$66.4 million deficit**.

A sales tax is one way to address the deficit. Increase income. Sales tax projections, if adopted, could provide up to \$16.7 million to help close the gap - - not enough.

Reductions in spending present alternative means to address budget gaps to avoid severe cut-backs to, or necessary prioritization of, critical safety-net services. In these difficult times, both strategies need to be considered now.

As you consider taxes, also consider how savings can be achieved by reducing capital investment in jail beds. That projected capital expense is the elephant in the room. Close the budget gap by also limiting planned construction of additional jail beds at the Northern Branch Jail to 1 Housing Unit (about 256 beds). Defer building an additional ½ Housing Unit that is not needed now, and that may not be needed in the future.

The projected cost to construct ½ jail Housing Unit is estimated at \$44 million. Construction financing and operational costs will increase the total cost for that ½ Housing Unit to \$146 million over 20 years. It currently costs the County about \$394 per person, per day, for each person held in jail. That cost will only go up. Supervisors, do you commit millions of dollars to build jail beds than we do not now need, while cutting essential services? I predict you will not have public support.

My ask, shared by many in our community who are concerned that incarceration costs are overshadowing other critical concerns, is for a timely re-examination: that several of you join in asking the CEO's office and/or Finance staff to provide you updates on two vetted alternatives to consider: find out, for yourselves and the public, what savings would be achieved if capital expenses for ½ Housing Unit were deferred? It's my understanding that a simple majority of you could request this analysis now, as you decide about a tax ballot measure. Capital expenses, financing, and operational costs are all in play.

There are good reasons to project that our County jail population can be reduced by policy changes that favor diversion and community-based alternatives to incarceration. Below are evidence-based ways, identified by our County's Community Corrections Partnership analysis and elsewhere, that excessive jail costs may be deferred or avoided altogether:

1) The Public Defender's North County READY program (early representation) currently reduces the average daily jail population (ADP) by 14; the CCP workgroup is

recommending legal staff for the South County jail projected to further reduce ADP by an additional 10. READY clients spent 27% fewer days in jail than those who did not receive early representation. Cost impact of the READY program: \$110k spent for a “holistic social worker” in this program saves \$250k in imputed jail costs.

2) There are currently about 40 people in jail with Court Orders for release to treatment, who nevertheless are held in jail for lack of available treatment beds. These folks, all of whom will all return to our communities, need treatment, not more jail. Efforts are underway to increase available treatment beds. Defer construction of some jail beds now; wait to see if more community treatment beds will reduce needed jail beds.

3) Low-risk offenders do not need to be in jail to protect public safety but are nevertheless held there. A July 1, 2025 “snapshot” that the CCP used to study diversion looked at the status of 744 in jail on that date:

- **111 were classified as “low risk” to reoffend or fail to appear for Court;**
- 69 were assessed as “medium risk”;
- 306 were assessed as “high risk”;
- **258 were not assessed.**

The “snapshot” also found 82% of those in jail were neither convicted nor sentenced. We are currently jailing a whole lot of “low risk” people who don’t need to be there to protect public safety. Most of them are accused, but not convicted.

Is there a good alternative? Yes, and compelling data. A meta-analysis of 116 studies found “...**custodial sanctions [jail or prison] have no effect on reoffending or slightly increase it when compared with the effects of noncustodial sanctions such as probation.** This finding is robust regardless of variations in methodological rigor, types of sanctions examined, and sociodemographic characteristics of samples. **Incarceration cannot be justified on the grounds it affords public safety by decreasing recidivism...**”<sup>1</sup>

We can apply these findings now, in our County. **Probation** and/or community supervision, when needed, **is as effective as jail, but far less expensive**, to achieve accountability. You can reduce the County deficit by limiting new jail bed to 1 Housing Unit, not letting “low risk” offenders linger in jail, and implementing other identified, evidence-based diversion strategies at far less cost. Follow up about the Sheriff Office’s use of Alternative Sentencing: (electronic monitoring); Has it increased 10% since that goal was set this past year?

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<sup>1</sup> Petrich, D. M., et al. (2021) Custodial sanctions and reoffending: A meta-analytic review. *Crime and Justice* (50). <https://doi.org/10.1086/715100>

You are not mandated to build 1½ jail Housing Units. You actually have a choice. A Court Order in the pending Murray case required unsanitary, inhumane conditions to be improved in our jails. Plaintiffs' counsel in the Murray case plainly stated in a letter to the Board of Supervisors in May, 2023, that there is no mandate to build jail beds:

[T]he *Murray* Stipulated Judgment does not require the County to build a certain number of additional jail beds or to engage in any particular form of facility construction. It requires that the County meet minimum conditions for the people it chooses to incarcerate.

While the County determines the manner in which it complies with its legal obligations, **the Stipulated Judgment specifically calls for consideration of jail population reduction measures to meet those obligations. The County .... has “recognize[d] that if Jail population-related stressors are reduced, particularly as to people with disabilities, [the County] will be better able to ensure implementation of the Remedial Plan.”** Stipulated Judgment at 4 (¶ 13). [Emphasis added]

There is no Court mandate requiring new jail beds, nor is there a cognizable risk from palintiffs' counsel. Improving health care for jail residents by releasing “low risks” and those eligible for community-based treatment, instead of building new jail beds, will not provide cause for plaintiffs' counsel to bring the case back to Court.

**My respectful ask is that at least three Supervisors, while considering taxes as a way to close the County's budget gap, today also consider reductions in spending by asking the CEO's and/or Finance office to prepare updated estimates of cost-savings if you defer capital spending for ½ jail Housing Unit.** You have requested a cost-analysis for continuing to use 108 beds in the South County Jail that would obviate the need for the ½ Housing Unit at present. Where is that analysis – it needs to be considered as part of your budget strategizing.

Please, in this time of crisis and fiscal challenge, provide yourselves and the public with an updated cost-comparison for 1 vs. 1½ jail Housing Units. In addition to cost savings, there are other powerful reasons to defer. You've asked for and received diversion strategies in December, 2025 from the CCP's collaboration of County criminal justice departments. Put those strategies to work at far less cost than jail beds. See if a projected need for future jail beds isn't off-set by the evidence-based diversion strategies you asked for and have been provided.

Respectfully submitted,

  
Laurence Severance, Ph.D., J.D.

Encl. Copy of 5/11/2023 letter re: Murray remedies



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May 11, 2023

Santa Barbara County Board of Supervisors  
Clerk of the Board  
[sbcob@countyofsb.org](mailto:sbcob@countyofsb.org)

Re: *Murray v. County of Santa Barbara* Class Counsel Comment Letter  
May 16, 2023 BOS Meeting Agenda Item on Santa Barbara County Jail

Dear Santa Barbara County Board of Supervisors:

As class counsel in *Murray v. County of Santa Barbara*, we write to provide information regarding the *Murray* lawsuit in advance of the Board of Supervisors meeting on plans for the Santa Barbara County Jail system (“Santa Barbara Main Jail Renovation Project - Direction on Design of Renovations at the Main Jail (Second District) and Possible Construction at the Northern Branch Jail (Fifth District)”), to be held on May 16, 2023.

**I. *Murray* Case Background**

The federal court-ordered *Murray* Stipulated Judgment requires certain minimum conditions in Santa Barbara County Jail facilities (“the Jails”), consistent with the requirements of the U.S. Constitution, the Americans with Disabilities Act, and relevant state statutes. The Remedial Plan sets forth detailed requirements for the provision of medical care and mental health care, the treatment of people with disabilities, environmental health and safety conditions, and the use of restrictive housing (also known as solitary confinement). These requirements are set forth in the Remedial Plan attached to the [Stipulated Judgment](#), which is publicly available on the [Disability Rights California \*Murray\* case page](#) with other case documents, including compliance reports by independent Remedial Plan monitoring experts.

While much work remains to complete implementation of the Stipulated Judgment and Remedial Plan, *Murray* class counsel recognizes the significant progress that has been made to date. We are now at a critical moment for the County in charting a path forward to make success possible – that is, achieving full compliance and bringing the *Murray* case to resolution.

**II. Jail Facility Remediation Needs, Staffing Shortages, and Incarcerated Population Stressors**

As County leadership considers plans for the Santa Barbara County Jails, it is important to note that, while remediation of physical plant deficiencies is essential, the *Murray* Stipulated Judgment does not require the County to build a certain number of additional jail beds or to engage in any particular form of facility construction. It requires that the County meet minimum conditions for the people it chooses to incarcerate.

While the County determines the manner in which it complies with its legal obligations, the Stipulated Judgment specifically calls for consideration of jail population reduction measures to meet those obligations. The County has “agree[d] that population-related stressors pose operational challenges to [the County’s] ability to comply with this Remedial Plan,” and has “recognize[d] that if Jail population-related stressors are reduced, particularly as to people with disabilities, [the County] will be better able to ensure implementation of the Remedial Plan.” Stipulated Judgment at 4 (¶ 13).

Significant and sensible reduction of the incarcerated population is critical to achieving compliance with the Stipulated Judgment and resolution of the *Murray* case.<sup>1</sup>

For example, the Stipulated Judgment requires appropriate staffing to deliver adequate health care services to people incarcerated in the Jails. The County has faced continued challenges in recruiting and retaining sufficient health care and custody staff – posing a major barrier in delivering timely and adequate care to the current jail population. While California’s workforce shortages are real, they are not an excuse for failure to meet constitutional, legal, and court-ordered requirements. And the higher the jail population, the greater the staffing needs to deliver necessary health care services.

A County jail facilities plan that maintains (or increases) the jail system’s operational bed capacity will be both expensive and self-defeating. Large jail facilities can be filled, but the reality is that Santa Barbara County will very likely be unable to provide the staffing or legally required treatment and services in a jail system with the current (or higher) population. If the County is unable to provide the necessary staffing and services to implement the *Murray* Stipulated Judgment, class counsel will proceed with a federal court enforcement action.

Class counsel strongly supports funding alternatives to incarceration, including through expansion of community-based services<sup>2</sup> and health centers for people with mental health and other disabilities. These alternatives are cost-effective, and people have improved outcomes when they receive services in the community rather than in jail. There is in fact a growing body of evidence that initiatives aimed at both decreasing the incarcerated population and increasing community-based alternatives serve to reduce jail operating expenses and capital costs for jail construction and improve conditions and care for those who are incarcerated consistent with legal and constitutional requirements and enhance public safety.<sup>3</sup>

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<sup>1</sup> Class counsel has previously encouraged the County to pursue evidence-based jail population reduction measures, including in [correspondence](#) during the COVID-19 pandemic.

<sup>2</sup> Examples of effective community-based services include Full Service Partnership (FSP) and Assertive Community Treatment (ACT) programs. FSP programs include rehabilitative mental health services, intensive case management services, crisis services, and substance use disorder treatment, among other services and supports. 9 Cal. Code. Regs. §§ 3620, 3620.05. [ACT](#) is an evidence-based practice that utilizes a multidisciplinary team approach to provide a wide range of community-based intensive services to people living with severe mental health disabilities.

<sup>3</sup> The “[A Way Forward](#)” report by the Bazelon Center for Mental Health Law and the ACLU of Southern California (July 2014) provides significant discussion on this topic. This year, the San Diego Association of Governments (SANDAG) completed a [detailed report](#) with data-driven

As discussed in the [Santa Barbara County: Criminal Justice Overview and Jail Projections](#), by MW Consulting (June 2022), the County's incarcerated population has been trending downward, with several promising opportunities for further reductions. The County's jail population today stands at approximately 750 people. The MW Consulting report estimates that with Santa Barbara County's successful implementation of recommended policy initiatives, the long-term jail population would be reduced to around 600 people on a given day.

*Murray* class counsel urges Santa Barbara County leadership to continue and expand its commitment to substantially reduce the population and bed capacity of the Jails, consistent with meeting the obligations in, and achieving full compliance with, the *Murray* Stipulated Judgment.

### **III. Interim Physical Plant Remediation Measures at the Main Jail**

We understand that the County is considering a smaller jail footprint at the Main Jail in Santa Barbara, if and when additional beds are activated at the Northern Branch Jail in Santa Maria.

On this matter, we emphasize that physical plant and operational deficiencies at the Main Jail cannot be allowed to remain for several more years as construction is completed at the Northern Branch Jail. The County must allocate adequate resources for interim measures at the Main Jail, to address several serious, harmful, and ongoing deficiencies identified by the *Murray* Remedial Plan monitoring experts. Such issues include access to out-of-cell and outdoor recreation time, provision of timely medical and mental health care in confidential settings, remediation of deficient environmental health conditions, and removal of suicide-related hazards (e.g., attachment points in intake and restrictive housing units). The County must take up and address these issues in the near-term, concurrent with long-term compliance efforts.

We acknowledge and appreciate the efforts of staff across the County, including the Sheriff's Office's team involved in *Murray* implementation. Their efforts have led to meaningful progress on several fronts, even as the ongoing physical plant and staffing deficiencies present significant barriers to full implementation. All County agencies and stakeholders must provide input and play a role in charting a path forward on this important matter.

*Murray* class counsel will continue to advocate for the rights and well-being of those people who are incarcerated as this process unfolds. We thank you for your attention and consideration.

Sincerely yours,



Aaron Fischer  
Law Office of Aaron J. Fischer



Joshua Toll  
Stacy Foster  
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Sarah Gregory  
Michelle Kotval  
Disability Rights California

Cc: Santa Barbara County Counsel  
*Murray* Remedial Plan Expert Monitoring Team

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analysis on policy interventions that would cost-effectively, safely, and permanently reduce the County's jail population.