Sheila de la Guerra Public Comment- Group 2 #

From: Cheryl Smith <csmith5376@gmail.com>
Sent: Monday, December 15, 2025 4:37 PM
To: sbcob
Subject: Public Comment for BOS Meeting 12-16-2025
Attachments: BOS 20251216 Budget.pdf

LATE DIST

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

See attachment for my public comment specific to Item D-3 on the Agenda.

Regards,

Cheryl Smith

817.714.4428 | csmith5376@gmail.com

To: Chair Capps and Santa Barbara County Supervisors

From: Cheryl Smith

Subject: BOS Meeting 12-16-2026, Item D-3

Date: December 15, 2025

1) I want to share a personal story that reflects a key RDA finding. Forty-seven percent of people in our jail with Serious Mental Illness have been incarcerated ten or more times.

My 41-year-old son has schizophrenia. He has been booked into the Santa Barbara County Jail **more than 20 times in the last three years**.

His illness includes **anosognosia**—a neurological inability, not a refusal, to recognize illness. That lack of insight drives repeated arrests and blocks voluntary treatment.

Too often, the disabling **negative symptoms** of schizophrenia are overlooked. As a result, he is placed in general population and allowed to waive counsel. Those outcomes are incompatible with his diagnosis.

This is not an individual failure. It is a **system-level gap**, driven by the lack of appropriate treatment capacity.

My son will cost the County regardless. The question is whether we pay for incarceration—or invest in treatment that creates safety and stability.

2) I also wish to state publicly that I endorse the **Requested Board Action** submitted by the **Criminal Justice Work Group**, comprised of **CLUE Santa Barbara** and the **League of Women Voters of Santa Barbara**.

3) I also endorse the **Behavioral Health Jail Diversion Recommendations** submitted by **NAMI Santa Barbara** and **Families ACT!**.

4) Finally, consistent with the County's **Budget Balancing Framework**, which prioritizes critical safety-net services, **Mental Health Co-Response teams**—pairing law enforcement officers with clinicians—must be preserved in 2026.

Given state mandates and ongoing jail settlement pressures, advancing these diversion and treatment strategies is practical, fiscally responsible, and aligned with public safety.

Thank you.

Sheila de la Guerra

From: Gail Osherenko <gail.osherenko@gmail.com>
Sent: Monday, December 15, 2025 8:55 PM
To: sbcob
Subject: Submission for item D 3 on 12.16.2025
Attachments: Focus on Key Budget Areas.12.15.2025.pdf

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

So sorry I mistakenly sent our submission for Tuesday's Board meeting to the SB City Clerk. I also sent it to each of the Board members.
If you could also please add it to the D 3 item for 12.16.2025 Board agenda, I would be most appreciative.
Gail Osherenko
805 886 1182

---------- Forwarded message ---------
From: **Gail Osherenko** <gail.osherenko@gmail.com>
Date: Mon, Dec 15, 2025 at 11:32 AM
Subject: Submission for item D 3
To: <Clerk@santabarbaraca.gov>
Cc: Laura Capps <lcapps@countyofsb.org>, Joan Hartmann <jhartmann@countyofsb.org>, <Nelson@bos.countyofsb.org>, <steve.lavagnino@countyofsb.org>, Roy Lee <roylee@countyofsb.org>, Larry Severance <LaurenceSeverance@gmail.com>

Clerk,
Please submit the attached document for the Board of Supervisors' hearing
December 16, 2025. It contains fundamental information for the Board regarding
Departmental item 3 Recommendations regarding Fiscal Year Forecast for 2026-2031.

Thank you,
Gail Osherenko & Larry Severance

FOCUS ON KEY BUDGET AREAS TO RE-BALANCE COUNTY CRIMINAL JUSTICE SPENDING FOR RESILIENCE

By Laurence J. Severance, Ph.D., J.D. and Gail Osherenko, J.D.[1]

EXECUTIVE SUMMARY

During the past 10 years, Santa Barbara County's overall crime rates have steadily declined. It's average daily jail population (ADP) has declined by about 200. Despite lower crime rates and a reduced jail population, the Sheriff's Custodial Operations staff has *increased* by 90 Full Time Equivalents (FTEs), and its budget has nearly doubled. Recidivism has not fallen. Our County now annually spends more to house people in jail than for Countywide law enforcement.

The Sheriff's Office is failing to fiscally manage its jail operations. In 2020, County consultant KPMG recommended self-assessment and improved fiscal efficiencies. Instead of producing savings, the Sheriff's Office has pushed up staffing and costs, resulting in cost overruns nearly every year, including a current FY $4.4 M cost-overrun.

About 70% of jail residents are impoverished. Many primarily suffer from mental health and/or substance use disorders that can't be effectively treated while in jail. Robust data show that community supervision (Probation) coupled with treatment opportunities can stabilize people and reduce recidivism, outcomes we are currently failing to achieve.

Our jail capacity, including 1 additional planned housing unit, will meet foreseeable needs to protect our communities from violent offenders who present physical threats to public safety. Most others currently in jail need treatment, not incarceration.

Here are five key strategic budget re-alignment recommendations, strategic not palliative, that will result in reduced costs of incarceration, improved criminal justice grounded in fundamental fairness, a freeing up of over-spending on incarceration, and choices to redeploy funds to essential community-based alternatives to sustainably reduce recidivism.

1) **Reduce the Sheriff's Custodial Operations budget to align staffing with the existing reduced ADP.**

2) **Improve criminal justice efficiencies.** Increase Public Defender staffing to

[1] Members of Clergy & Laity United for Economic Justice -Santa Barbara and League of Women Voters of Santa Barbara's Criminal Justice Workgroup.

address serious State guideline shortfalls and bolster fair representation. In particular, increase funding for the READY program and key staff positions shown to improve justice outcomes (reduced jail ADP) with net cost-savings for the County. Also, ask General Services for cost estimate to renovate NBJ so that Public Defense attorneys are able to double the number of READY clients they meet with before arraignment.

3) **Probation provides more bang for the buck**. Increase diversions and alternative sentencing. Fund Probation Dept. community supervision instead of jail. Meta-data studies robustly support this key resource shift.

4) **Immediately rectify jail holds.** Fund treatment beds for jail residents who are already Court-approved for release to community-based treatment, but remain jailed for lack of treatment beds. Likewise, increase community-based mental health/drug treatment *for low-risk justice involved individuals* who need treatment.

5) **Defer construction of ½ jail Housing Unit at Northern Branch Jail to provide needed County cash flow for the next few years without compromising public health and safety. This will also help contain Custodial Operations overruns.**

FACTS & ANALYSIS

The broadest measures of success in public safety are reduced crime rates, and reduced recidivism (returns to jail). Crime rates have dropped, but not recidivism. We jail violent offenders, but also others needing treatment, not jail.

A. Santa Barbara County's overall crime rates have steadily declined over the past 10 years. Here is what Sheriff Brown reported for 2024[2]:

> **The Sheriff's Office is pleased to report that our County continues to have low levels of reported crime and that overall it remains a very safe place to live.** In 2024 we saw a continued decrease in Part 1 crimes in the unincorporated areas, as well as in the contract cities of Carpinteria and Buellton. These overall Part 1 crimes, which include both violent and property crimes, decreased from 2,225 in 2023 to 2,187 in 2024, a reduction of 2%. **This continues the trend that we saw last year with an extraordinary 16.9% reduction that occurred from 2022 to 2023. Furthermore, our county's overall reported Part 1 crime total was the lowest it has been for more than 10 years.** I am proud of the many

[2] Santa Barbara County Sheriff's Office Releases 2024 Crime Stats – Santa Barbara County Sheriff's Office [Emphasis added].

contributions the men and women of the Sheriff's Office made during 2024 that helped keep the peace and that made our communities safer.

B. Over the past 10 years, our average daily jail population (ADP) has declined by more than 200, yet Custodial Operations staffing has increased by 90 FTEs, and costs have almost doubled. The table in footnote 2 shows 10-year trends for the Sheriff's Overall budget; Custodial Operations budget and FTEs; Average daily jail population (ADP); and County-wide Law Enforcement budget and FTE's.[3] Since FY 2021-22, the Sheriff's Office annually spends more to staff jails than for County-wide Law Enforcement.

During the 3-year period FYs 2014-16, the jail ADP was 957, Custodial Operations averaged about 257 FTE, and budgets for Custodial Operations averaged $47.4. million or about $136.00 per day per jail resident.

Compare the most recent three fiscal years: 2022-24. Jail ADP was 750, yet Custodial staffing rose to 347 FTE, at an average annual cost of $83.14 million, or about $303 per day per jail resident.

Remarkably, this trend of over-staffing is accelerating! For current FY 2025-26, the Sheriff's annual Custodial Operations budget is $107.78 million.

1. County criminal justice spending skews heavily toward the Sheriff's Office. Our County FY 2025-2026 budget for criminal justice (Sheriff's Office, Probation Department, District Attorney, Public Defender, and Court Special Services), skews heavily toward the Sheriff's Office:

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[3]

Fiscal year:	Sheriff's Overall budget	Custodial Ops.	(FTE)	**ADP jail pop.**	Countywide Law Enforcement	(FTE)
FY 2014-15	$122,731,327	$ 46,173,485	**(251.06)**	**966**	$ 59,464,538	(308.60)
FY 2015-16	$124,657,785	$ 46,350,183	**(252.06)**	**887**	$ 60,434,487	(309.85)
FY 2016-17	$129.866,209	$ 49,703.366	**(267.60)**	**1,017**	$ 61,977,205	(311.85)
FY 2017-18	$138,183,131	$ 54,338,846	(265.75)	970	$ 64,603.380	(314.85)
FY 2018-19	$146,894,900	$ 62,602,000	(315.41)	952	$ 65,009,700	(314.92)
FY 2019-20	$153,322,173	$ 66,964,000	(336.62)	924	$ 67,375,400	(314.25)
FY 2020-21	$165,297,700	$ 68,114,545	(298.17)	629	$ 69,989,300	(317.25)
FY 2021-22	$176,875,400	$ 77,703,900	(338.62)	631	$ 75,238,900	(321.28)
FY 2022-23	$182,212,400	$ 80,824,900	**(338.62)**	**750**	$ 76,553,200	(318.28)
FY 2023-24	$199,940,300	$ 90,894,900	**(350.12)**	**750**	$ 81,965,500	(318.45)
FY 2024-25	$207,184,000	$ 95,155,500	**(353.50)**	**750**	$ 84,509,100	(317.45)
FY 2025-26: (rec.'ed)	$224,723,100	$107,780,000	(350.50)	745.3 (7/1/25)	$ 87,360,700	(313.45)

Sheriff's Office	$224,723,100	(59.67%).
Probation Dept.	$ 76,096,000	(20.21%);
District Attorney	$ 38,003,200	(10.10%);
Public Defender	$ 26,098,400	(6.93%);
Court Special Serv.	$ 11,660,746	(3.10%).

The Sheriff's overall operational budget accounts for more than 60% of FY2025-26 County spending for criminal justice, including the $4.4 million current cost overrun that is now the subject of a County audit [4] What is treated like a rounding error for the Sheriff's Office Custodial Operations could literally become a life-line of essential funding for the Public Defender and other criminal justice improvements.

2. The Sheriff's Office has failed to efficiently manage its jail operations, and has failed to deliver reasonably expected savings. A 2020 comprehensive KMPG study of County criminal justice departments examined the Sheriff's Custodial Operations and found "variable costs account for roughly 15 – 25 percent of the overall Custody Operations budget…". As the ADP fell from 957 to about 750, an approximate 22% decrease, the KPMG analysis coupled with management efficiencies pointed to a potential, roughly equivalent 22% drop in staffing costs. However, KPMG noted "cost avoidance… will only be realized in full if population reductions enable the closing of units or reduction in staff." [5]

To the latter point, entire units of the South County jail have since been closed (solitary confinement cells, medium security barracks, as well as other areas of the Main Jail). The Northern Branch Jail, now in operation for more than two years, is designed for lower staff-to-resident ratios. Many of these changes occurred to fulfill requirements of a Stipulated Judgment and Order entered in Murray et al. v. Santa Barbara County and Santa Barbara County Sheriff's Office, U.S. District Court (Central Dist., CA), Case no. CV 17-8805-GW-JPRx.

Key indicators of poor budget management are the Sheriff's chronic annual Custodial Operations cost-overruns, and lack of savings which should have occurred with a significant decrease in our jail population. We are identifying here a key systemic 10-year budget management problem that supersedes the quality and conscientiousness of custodial staff. None of this discussion, nor the hard questions being asked, are intended to diminish appreciation for the difficult and dedicated work of custodial staff and leaders, for whom we have great respect.

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[4] Sheriff's Office Will Undergo Audit After Exceeding Overtime Budget by $4.4M | Local News | Noozhawk.

[5] KPMG *Countywide operational performance review*, October 2020, p. 57.

In 2020, County consultant KPMG recommended that the Sheriff's Office engage in self-assessments and set a timeline for doing so. KPMG offered cost-saving projections, setting up reasonable expectations. Why, instead, has the Sheriff's Custody staffing and budget expanded in the face of a significant decrease in ADP?

The Sheriff's Office's preferred law enforcement policies and practices appear to elevate arrests that prop up the current staffing levels. Santa Barbara County's 2024 adult arrest rate of 3,214.1 per 100,000 population is 33% higher than the statewide average of 2,440 adults per 100,000 population.[6] If our County adult arrest rates were in line with state averages, on average about 774 fewer arrests would occur with an expected similar reduction in the number of people booked into our jails.

Is it possible this reflects overzealous policing? One indication is whether robust arrest rates translate into actual criminal charges. As it turns out, they do not.

Excessive arrests keep law enforcement and custodial staff busy, but at significant expense and with little impact on public safety. At present, our District Attorney's office rejects 33% of all misdemeanor referrals and 23% of all felony referrals from law enforcement as insufficient to support the filing of a criminal charge.[7] While this may be explained in part by differing criteria for arrests (probable cause) vs. conviction (proof beyond a reasonable doubt), it is nevertheless the case that our county law enforcement arrests significantly exceed those elsewhere in our State.

3. Our County jails house a population of relatively poor people whose primary needs are treatment of mental health and/or substance use disorders. Robust evidence shows that jail does *not* improve recidivism relative to Probation for this population. Ninety percent of those in our jails fall below our poverty line and cannot afford bail; 65% are neither convicted nor sentenced. Among 732 jail residents in January 2025, about 60% (over 400 people) had documented mental health histories; 11% of those were diagnosed with serious mental illness (SMI)[8]; 200 also struggle with substance use disorders.

On a sample day in September 2025, 47 people in jail *were court-approved for diversion* programs and/or treatment beds, yet remained jailed because of insufficient community resources to accommodate their releases.

In comparison to probation, jailing people does **not** add value to public safety by reducing recidivism:

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[6] Statewide data compiled, county by county, by Department of Health Care Services (DHCS), examining behavioral Wellness "penetration rates" for serving those with mental health diagnoses.

[7] Data presented by D.A. Savrnoch at a November 13, 2025, Zoom meeting with CLUE-SB's/LWV-SB's Criminal Justice Workgroup

[8] NAMI argues that inadequate diagnoses in the jail lead to underreporting of the SMI population.

> Beginning in the 1970s, the United States began an experiment in mass imprisonment. Supporters argued that harsh punishments such as imprisonment reduce crime by deterring inmates from reoffending. Skeptics argued that imprisonment may have a criminogenic effect. The skeptics were right..... Based on a ...meta-analysis of 116 studies, **the current analysis shows that custodial sanctions 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. **All sophisticated assessments of the research have independently reached the same conclusion. The null effect of custodial compared with noncustodial sanctions is considered a "criminological fact." Incarceration cannot be justified on the grounds it affords public safety by decreasing recidivism. Prisons are unlikely to reduce reoffending unless they can be transformed into people-changing institutions on the basis of available evidence on what works organizationally to reform offenders.**[9]

Jailing alleged non-violent, low-level offenders with mental health and/or substance use disorders neither helps them nor improves public safety.

BUDGET RECOMMENDATIONS

The following five key strategic budget re-alignment recommendations can result in reduced costs of incarceration, improved criminal justice grounded in fundamental fairness, and a redeployment of over-spending on incarceration to fund essential community-based alternatives to sustainably reduce recidivism.

1) **Reduce the Sheriff's Custodial Operations budget. Re-balance and reduce staffing to efficiently manage the 10-year, 200 person reduction in jail ADP.**

2) **Improve systemic criminal justice efficiencies.** Increase Public Defender staffing to address serious State guideline shortfalls and bolster fair representation. In particular, increase funding for the READY program and key staff positions shown to improve justice outcomes (reduced jail ADP by 24 beds), net cost-savings for the County's overall budget because decrease in caseloads will lead to earlier dispositions of cases;

3) **Probation provides more value than incarceration**. Increase diversions and fund Probation Dept. community supervision instead of Jail. Meta-data studies robustly support this key resource shift.

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[9] Petrich, D. M., et al. (2021) Custodial sanctions and reoffending: A meta-analytic review. *Crime and Justice* (50). https://doi.org/10.1086/715100 [Emphasis added].

4) **Redirect County resources to increase programs/beds for justice involved Individuals; immediately rectify jail holds.** Fund mental health and substance use disorder treatment beds for jail residents who are already Court-approved for release to community-based treatment, but remain jailed for want of treatment beds. Likewise, increase community-based mental health/drug treatment *for justice involved individuals* who do not present a risk to public safety.

5) **Defer construction of ½ jail Housing Unit at Northern Branch Jail to provide needed County cash flow for the next few years without compromising public health and safety.** The NW wing of the South County Jail presents a much less expensive alternative to moving forward now with a new .5 housing unit in the Northern Branch Jail. The NW wing currently provides 108 beds including two "behavioral health units" (BHUs). In April, 2025, the projected cost for the ½ Housing Unit alone was approximately $44 million. If reductions in ADP continue and expand, by 2029 the County will not need more than 752 beds (632 in North County and 120 in South County).

The Sheriff's talk of future crime surges is blunt speculation about a future that may never materialize. Forward thinkers now suggest that artificial intelligence may provide improved tools to safely monitor those charged with crimes in our community instead of in jail. A pause in building some new jail beds now is an act of prudence.

CONCLUSION. There are urgent reasons to impose fiscal responsibility and embrace resilient budget re-balancing now. County Supervisors have already pulled back current funding in the 2025-26 budget for unfilled positions in the Social Services and Public Health Departments and asked all County Departments to identify 5-10% cuts for the following year's budget. Additionally, Federal cutbacks are creating a sense of urgency.

We respectfully call for a comprehensive re-balancing of spending priorities both across criminal justice departments and across other essential County services, deferring some jail expansion, and reining in the extraordinary costs of Custodial Operations.

Our County's Behavioral Wellness Department has a pending application to add 32 crisis residential treatment beds in Santa Maria, with a focus on those currently in jail. The Board has already approved a Behavioral Wellness contract for 15 more treatment beds in Santa Cruz County. The Champion Center is also awaiting the outcome of pending its pending Proposition 1 application to build residential mental health beds. Let's defer building ½ jail Housing Unit to allow time for this and similar initiatives to come to fruition.

Crime rates have fallen. For at least the next few years, our jail capacity is adequate to house violent offenders who need to be removed from our communities to protect public safety. A top unfulfilled public safety goal now is to reduce recidivism, especially among non-violent, low-level offenders. For this large group, protracted time in jail is not the answer and more jail beds won't help.