



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: Sheriff  
Department No.:  
For Agenda Of: June 15, 2010  
Placement: Set Hearing  
Estimated Time: 1 hour on June 22, 2010  
Continued Item: No  
If Yes, date from:  
Vote Required: 4/5

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**TO:** Board of Supervisors

**FROM:** Department Director(s) Bill Brown, Sheriff   
Contact Info: Ken Shemwell, Undersheriff 681.4100  
Terri Nisich, Assistant CEO 568.3404

**SUBJECT:** Consideration of Public Safety Enhancements, Jail Construction, Operation and Existing Jail Refurbishment ½ Cent Transactions (Sales) and Use Tax Ballot Measure

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- A. Set a hearing for June 22, 2010 to consider recommendations regarding placing a Public Safety Enhancement / Jail Construction, Operation and Existing Jail Refurbishment Measure on the November 2, 2010 ballot, as follows:
- 1) Set hearing for June 22, 2010 to consider the introduction (first reading) of an Ordinance Imposing a Santa Barbara County ½ Cent Transactions (Sales) and Use Tax Measure for Front-line Public Safety Enhancements and Jail Construction, Operation and Existing Jail Refurbishment to be administered by the State Board of Equalization;
  - 2) Consider a Resolution Calling and Providing For a Special Election to be Held on November 2, 2010 to Submit to the Qualified Electors of the County of Santa Barbara a Measure on Whether to Approve an Ordinance Imposing a Santa Barbara County ½ Cent Transactions (Sales) and Use Tax Measure for Front-line Public Safety Enhancements and Jail Construction, Operation and Existing Jail Refurbishment and Directing giving notice of a special tax election to determine whether to impose a special Transactions (Sales) and Use Tax to increase front-line public safety services (law enforcement and fire protection),

construct and operate a new 304-bed jail facility, refurbish the existing jail and provide for preventative treatment and alternative-to-custody programs to reduce recidivism and the number of future inmates;

- 3) Adopt a Resolution requesting That the Election for the special sales tax Be Consolidated with the November 2, 2010 Election;
- 4) Consider directing the Auditor-Controller to review the Ordinance/Measure and determine whether the substance thereof, if adopted, would affect the revenues or expenditures of the County, and to prepare a fiscal impact statement pursuant to Elections Code Section 9160(c); and
- 5) Consider adopting and authorizing the filing of the attached Argument in Favor of Measure.

B. Set a hearing for July 6, 2010 as follows:

- 1) Set a hearing for July 6, 2010 to consider the adoption (second reading) of an Ordinance Imposing a Santa Barbara County ½ Cent Transactions (Sales) and Use Tax Measure for Front-line Public Safety Enhancements and Jail Construction, Operation and Existing Jail Refurbishment to be administered by the State Board of Equalization;
- 2) Adopt a Resolution Calling and Providing For a Special Election to be Held on November 2, 2010 to Submit to the Qualified Electors of the County of Santa Barbara a Measure on Whether to Approve an Ordinance Imposing a Santa Barbara County ½ Cent Transactions (Sales) and Use Tax Measure for Front-line Public Safety Enhancements and Jail Construction, Operation and Existing Jail Refurbishment, and Directing That the Election Be Consolidated with the November 2, 2010 Election;
- 3) Direct the Auditor-Controller to review the Ordinance/Measure and determine whether the substance thereof, if adopted, would affect the revenues or expenditures of the County, and to prepare a fiscal impact statement pursuant to Elections Code Section 9160(c); and
- 4) Adopt and authorize the filing of the attached Argument in Favor of Measure Public Safety Enhancements and Jail Construction, Operation and Existing Jail Refurbishment Ballot Measure.

**Summary Text:**

Since the early 1980's, Santa Barbara County has been under a court ordered jail population capacity limit requiring the Sheriff to release offenders or not place some offenders in jail at all. Multiple Grand Jury reports regarding jail overcrowding have been released expressing concerns pertaining to the continued jail overcrowding issue and delay in reaching a permanent solution.

The County Jail is rated to house 818 inmates, but consistently operates at 120% of capacity. Industry standards suggest that a jail should be populated at 85% of rated capacity in order to handle surges in arrests and changes in the types of inmates incarcerated (i.e. gender, risk level, gang affiliation etc.) Over the last several years the Sheriff's Office has aggressively pursued a variety of alternatives to the construction and operation of a new County Jail, including programs aimed at the reduction of

recidivism. Unfortunately, the County now faces a situation where the reduction of criminal activity and alternatives to incarceration alone cannot solve the jail overcrowding problem. Over the last several years the Sheriff's Office has pursued a variety of alternatives to ultimately construct and operate a new jail facility, while simultaneously addressing those programs that reduce repeat criminal activity and the corresponding increase of inmates. Further, given the present State Budget dilemma and the proposed release of State prisoners to the local jurisdictions, local jail overcrowding may become significantly worse in the near future.

This item and the strategy to be set forth before the Board is the culmination of a review of the Findings and Recommendations of the Blue Ribbon Commission on Jail Overcrowding, in-depth fiscal analysis of feasible funding options, community wide polling on feasibility of various jail and service funding options, and multiple discussions at the State level regarding AB 900 funding.

An item will be placed on the June 22, 2010 Board of Supervisors Agenda providing summary and background and all components required for consideration of a ballot measure for the November 2, 2010 election.

**Attachments:** All attachments to be provided for June 22, 2010 hearing:

Resolution

Ordinance

Argument in Favor

**Authored by:**

Ken Shemwell, Undersheriff

Terri Nisich, Assistant CEO