



**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:** CEO  
**Department No.:** 012  
**For Agenda Of:** December 5, 2023  
**Placement:** Departmental  
**Estimated Time:** 45 min.  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department Director(s) Contact Info: Mona Miyasato, County Executive Officer, (805) 568-3404  
Tanja Heitman, Assistant CEO, (805) 568-3412

DocuSigned by:  
*Mona Miyasato*  
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**SUBJECT:** Response to 2023 Grand Jury Reports

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- a) Consider and adopt the responses in Attachment A as the Board of Supervisors’ response to the 2023 Grand Jury report entitled "A Death in Custody – Lessons Learned”;
- b) Consider and adopt the responses in Attachment B as the Board of Supervisors’ response to the 2023 Grand Jury report entitled "Every Death in Custody is a Failure”;
- c) Consider and adopt the responses in Attachment C as the Board of Supervisors’ response to the 2023 Grand Jury report entitled “A Vicious Cycle - Incarceration of the Severely Mentally Ill”;
- d) Consider and adopt the responses in Attachment D as the Board of Supervisors’ response to the 2023 Grand Jury report entitled “Death on Electronic Monitored Home Release”;
- e) Authorize the Chair to sign the letters included in Attachments A, B, C, and D, and forward the letters and responses to the Presiding Judge of Santa Barbara County Superior Court; and
- f) Determine pursuant to CEQA Guidelines 15378(b)(5) that the above actions are not a project subject to CEQA review, because they are is government administrative activities that do not result in direct or indirect physical changes to the environment.

**Summary Text:**

The Santa Barbara County Grand Jury distributed four reports entitled "A Death in Custody – Lessons Learned," "Every Death in Custody is a Failure," "A Vicious Cycle - Incarceration of the Severely Mentally Ill," and "Death on Electronic Monitored Home Release." Today, the Board will consider the proposed responses to the reports, adopt their preferred responses, and authorize the Board Chair to sign the response letters. The Board is required to respond in writing to the Presiding Judge of the Superior Court.

**Background: A Death in Custody – Lessons Learned:** In this report, the Grand Jury concluded that an individual died in a jail cell while suffering a mental health crisis. The Grand Jury believes the criminal justice and health care systems offered numerous opportunities to provide the individual with effective mental health crisis intervention; however, these opportunities were missed for preventable reasons. The Grand Jury also found that the Coroner and District Attorney investigations of the manner and cause of death of this individual failed to address whether the custody officers' restraint hold, and the individual's resistance to it caused the death.

The Board of Supervisors is named as a responder to Findings 1 and 2, and Recommendations 1, 2a, 2b, 3, 4b, 5, and 6. Refer to Attachment A for the County's responses. The Probation Department and Public Defender's Office have also collaborated in the response to Finding 5 and Recommendation 5.

**Every Death in Custody is a Failure:** In this report, the Grand Jury concluded that an individual with a history of arrests and mental health issues died in a jail cell. The Grand Jury believes the individual should have been contacted by a mental health professional and not been placed alone in a jail cell.

The Board of Supervisors is named as a responder to Findings 1 and 2, and Recommendations 1, 1b, and 2. Refer to Attachment B for the County's responses.

**A Vicious Cycle - Incarceration of the Severely Mentally Ill:** In this report, the Grand Jury concluded that "the Santa Barbara County community faces a monumental task of providing effective treatment options for the mentally ill in place of the arrest-jail-court-arrest cycle. For those with mental health challenges, including those diagnosed with severe mental illness, Santa Barbara County faces an enormous challenge to divert individuals into comprehensive community services."

The Board of Supervisors is named as a responder to Findings 2, 3, 4, and Recommendations 2, 3a, 3b, 4a, and 4b. Refer to Attachment C for the County's responses. The Public Defender's Office has also collaborated in the response to Recommendation 4a and 4b.

**Death on Electronic Monitored Home Release:** In this report, the Grand Jury concluded that "EM Home Release program participants will more likely succeed if they have a robust support system in place, especially for those who have substance abuse and mental health issues." The report suggested that the Santa Barbara County Sheriff's Office and the Santa Barbara County Probation Department could make better informed decisions if they had access to inmates medical and mental health records.

The Board of Supervisors is named as a responder to Finding 2b and Recommendations 2a and 2b. Refer to Attachment D for the County's responses.

**Additional Agencies Required to Respond:**

**A Death in Custody – Lessons Learned:** Santa Barbara County Sheriff’s Office, Santa Barbara County District Attorney’s Office, City of Guadalupe, City of Lompoc, City of Santa Barbara, and City of Santa Maria.

**Every Death in Custody is a Failure:** Santa Barbara County Sheriff’s Office.

**A Vicious Cycle - Incarceration of the Severely Mentally Ill:** Santa Barbara County Sheriff’s Office, Santa Barbara County District Attorney Office.

**Death on Electronic Monitored Home Release:** Santa Barbara County Sheriff’s Office, Santa Barbara County District Attorney Office.

**Fiscal and Facilities Impacts:**

Staff anticipates no fiscal or facilities impacts as a result of the Board’s action on this matter.

**Special Instructions:**

1. As per Recommendation b), please forward the original signed letters and responses to the Presiding Judge of Santa Barbara County Superior Court.
2. Please send a copy of the signed letters and a copy of the minute order to Reese Ellestad, Fiscal & Policy Analyst, CEO’s Office.

**Attachments:**

- Attachment A: Board of Supervisors Response - “A Death in Custody – Lessons Learned”
- Attachment B: Board of Supervisors Response - “Every Death in Custody is a Failure”
- Attachment C: Board of Supervisors Response - “A Vicious Cycle – Incarceration of the Severely Mentally Ill”
- Attachment D: Board of Supervisors Response - “Death on Electronic Monitored Home Release”
- Attachment E: Grand Jury Report: “A Death in Custody – Lessons Learned”
- Attachment F: Grand Jury Report: “Every Death in Custody is a Failure”
- Attachment G: Grand Jury Report: “A Vicious Cycle – Incarceration of the Severely Mentally Ill”
- Attachment H: Grand Jury Report: “Death on Electronic Monitored Home Release”
- Attachment I: Sheriff’s Office Responses (All Grand Jury Reports)
- Attachment J: District Attorney’s Office Responses (All Grand Jury Reports)
- Attachment K: PowerPoint Presentation

**Authored by:**

Reese Ellestad, Fiscal & Policy Analyst, County Executive Office