



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: January 23, 2024
Placement: Departmental
Estimated Time: 45 minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Director(s) Contact Info: Mona Miyasato, County Executive Officer
Tanja Heitman, Assistant County Executive Officer

SUBJECT: MW Consulting Updated Analysis of Santa Barbara County Criminal Justice Overview and Jail Projections; Jail Population Management Strategies Plan and Status Update

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Receive and file a report by MW Consulting on Santa Barbara County Updated Analysis: Criminal Justice Overview and Jail Projections – January 2024,
- b) Receive and file a report on County jail population management strategies plan and status update,
- c) Provide any direction, as appropriate; and
- d) Determine pursuant to CEQA Guidelines 15378(b)(5) that the above actions are not a project subject to CEQA review, because they are government administrative activities that do not result in direct or indirect physical changes to the environment.

Summary:

This item is before your Board to receive a report from MW Consulting on Santa Barbara County Updated Analysis: Criminal Justice Overview and Jail Projections as of January 2024, and to receive a report on the County jail population management strategies plan and status update. The attached report from MW Consulting serves to update a prior report from June 2022 on jail trends and a jail population forecast along with assist your Board with planning for future resource needs. The jail population management strategies plan documents several years of collaborative work among the Santa Barbara

County justice partners and the County Executive Office, as these agencies have worked cooperatively to improve the effectiveness, efficiency and fairness of the local criminal justice system

Background:

In recent years, the criminal justice partners have undertaken significant efforts to collectively enhance the efficiency and effectiveness of the local criminal justice system. Some initiatives have been focused specifically on reducing recidivism, some on diverting individuals from jail and reducing time in jail when safe to do so, some on diverting individuals with behavioral health needs from the criminal justice system, and others on improving overall speed and efficiency.

In 2022, your Board discussed potential changes to the Main Jail and a declining jail population due at that time to lingering pandemic-related impacts. Subsequently, the County engaged consultant Michael Wilson of MW Consulting, to evaluate jail trends and produce a jail population forecast. At the July 12, 2022, Board of Supervisors meeting, Mr. Wilson presented a report on Santa Barbara County Criminal Justice Overview and Jail Projections. The report analyzed County criminal justice trends, projected the long-term jail population, and explored policy options to reduce the jail population. Data was provided by the Santa Barbara Sheriff's Office and the Probation Department, which included records of anyone who entered or exited jail or probation from January 1, 2011 through December 31, 2021—over 50,000 probation records and nearly 500,000 jail booking records were analyzed.

At that time, the report indicated that the long-term jail population was projected to remain between 800 and 900 beds—down from between 1,000 and 1,200 from 2011 to 2019—which could be further reduced if changes in policy and practice were considered. The report also noted that the composition of the jail population had also shifted, in terms of demographics, seriousness of offenses, and percentage of the jail population that was unsentenced. The report acknowledged that there were factors that could cause the jail population to diverge from the projection. Most notably of those factors was the opening of the Northern Branch Jail (NBJ) and potential resulting changes in booking practices, as well as impacts of increasing crime rates or reductions in probation length of stay due to a legislative change. MW Consulting was asked to provide updated analysis now that some of the identified factors have stabilized and more time has passed since the lifting of pandemic-related emergency measures.

The proposed changes in policy and practice, termed “policy levers” from that report, included: expanding diversion; reducing jail time for those booked with a warrant; expanding use of electronic monitoring; reducing jail reincarceration for probationers; and reducing jail length of stay for those transferred to the State. Simultaneously, the criminal justice partners were already working collaboratively on a variety of measures to help reduce the total inmate population and the unsentenced population in particular, including resolving aged and pandemic-backlogged cases, improving coordination of reentry services, expanding pretrial services, expanding holistic defense, exploring a pilot program to provide early representation, securing permanent funding for co-response teams, implementing dedicated misdemeanor courts, and more. The partner agencies also committed to further exploring and implementing the identified policy levers, with particular focus on the key Board priority of expanding diversion options from traditional court remedies.

On May 16, 2023, after receiving an update on the Santa Barbara Main Jail Renovation Project and design options for possible construction of additional jail pods at the NBJ, your Board directed staff to proceed with obtaining designs for new construction of one pod at the NBJ for a total jail system capacity of 728 beds, and to return with targeted diversion strategies to address jail population management. Additionally, as part of the Stipulated Judgement in the *Murray et al. v. County et al.* class action litigation, a written update of jail population management initiatives is required to be produced. The attached plan is intended to be responsive to the Board's direction as well as fulfill the requirement under the Stipulated Judgement.

The jail population management plan describes existing and new initiatives—many of which are in alignment with MW Consulting’s proposed policy levers—that support the overarching goals of safe jail population reduction, reduced recidivism, and improved wellbeing and community supports for justice-involved individuals.

Discussion:

Presented to your Board today, the January 2024 MW Consulting report is updated to include jail and crime data over the past 18 months and reflects that the jail population is projected to grow 5.6% over the next 10 years, driven by the projected increase in the county’s at-risk population. Assuming that policy and practice continue as they have for the past two years, this gradual moderate increase would result in the average jail population remaining between 700 and 800 beds in future years. The County is working on further changes to policy and practice to reduce the longer-term jail population.

Key takeaways from MW Consulting’s updated analysis are that:

1. Santa Barbara County’s incarceration rate is higher than the average of other counties in California,
2. Previous factors of concern (e.g., NBJ opening) have not proven to increase jail population,
3. Current projection is 700-800 as incarceration numbers have not returned to pre-pandemic levels. This analysis incorporates a projection for future population adjustment and Alternative Sentencing data from recent programmatic changes,
4. Further reduction is achievable through targeted measures; and,
5. Based on recent data from the jail, further reduction of the population suffering from mental health issues should continue to be a priority.

While the jail has not been able to provide sufficient historical data regarding the inmate population’s behavioral health needs, they have recently identified a data plan that will allow for analysis prospectively. As a result, it is known that with a current population of approximately 740 inmates, over 13% have been identified as being seriously mentally ill (SMI) and requiring specialty mental healthcare, and approximately 59% qualify for placement on a mental health caseload. Based on this data, it is believed that further reduction of the population suffering from mental health issues should continue to be a priority focus.

Although many of the measures—discussed in the attached jail population management plan—are in the planning, development, and early implementation stages and thus still too early to estimate the precise impact of many of these changes, together they are anticipated to have a significant impact on the need for future jail beds. The measures discussed are largely designed to support the most vulnerable populations that are disproportionately represented in the composition of the jail population, including individuals with behavioral health needs. The plan also discusses data management policies that will support effective implementation and monitoring of the County’s long-term jail population planning efforts.

While further reductions of the jail population are seen as feasible and appropriate, it will require ongoing commitment and urgency by all the system partners. Your Board’s continued prioritization of funding around these efforts and initiatives will also be key to their success. To assist in monitoring the County’s progress and ensure these initiatives are having the intended effect, Mr. Wilson will work with the criminal justice partners leading these initiatives to capture information and data that will inform further jail

population projections. It is anticipated that additional project-specific projections will become available in the next six months and can be provided to your Board along with a general update.

Fiscal and Facilities Impacts:

Total current cost for operating the County's jail system is \$88,129,077 and is largely born by general fund. Based on an average daily population of 750, it costs the County approximately \$322 to incarcerate each inmate per day. Strategies discussed in the jail population management plan leverage a variety of funding streams and are more cost-effective options for managing this population while also addressing risk factors and unmet needs that impact jail use as well as other facilities and services. At this time, one third of the strategies are set to be implemented in the next six months. Staff are working to aggregate costs in order to develop a cost per participant for these strategies, when possible, to better understand the implications and inform further policy decisions. Any recommendations for additional funding of jail management strategies will return to the Board for approval.

Attachments:

Attachment A: Santa Barbara County Updated Analysis: Criminal Justice Overview and Jail Projections – MW Consulting, January 2024

Attachment B: Santa Barbara County Jail Population Management Plan

Attachment C: PowerPoint Presentation – Santa Barbara Criminal Justice Overview and Jail Projections, MW Consulting

Attachment D: PowerPoint Presentation – Santa Barbara County Jail Population Management Plan, County Executive Office

Authored by:

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