



Status Report on Criminal Justice Partners Improvement Efforts

MW Consulting Report on Criminal Justice Overview and Jail Projections

Board of Supervisors Meeting
July 12, 2022

County Executive Office

Hon. Sherrill Ellsworth (ret.)
Adjudicate Services

Michael Wilson, PhD
MW Consulting

Overview

- Background
 - Regular criminal justice status updates requested by BOS; last update on March 15, 2022
 - In fall 2021, BOS discussed potential changes to Main Jail given declining inmate population during pandemic, and engaged MW Consulting to produce jail population forecast
- Today's report
 - Update on ongoing efforts to enhance criminal justice system
 - MW Consulting report on jail population projections and policy levers
 - Review options for implementation and actions already underway by County

Access to Incarcerated Clients

- Several improvements implemented, but overall access issues remain an ongoing challenge, in particular with adoption of new technology solutions
- COVID-19 outbreak at Main Jail since 5/26/22; staffing and operational impacts hinder efficient and reliable access
- Justice partners continue to work toward a coordinated, transparent plan for efficient, dependable, confidential, and standardized access protocols

Resolving Aged Cases (Backlog)

- Initial list of 121 “aged” cases will be combined with larger backlog population
- In June, BOS approved adding two DDAs and two DPDs with ARPA SLFRF funds for limited term to support resolution of case backlog
- Positions are being recruited and planning is underway
- Status update to be provided at next CJP report, with metrics defined in Backlog Strategic Plan submitted during FY 2022-23 Budget Hearings

Discovery

- RFP for DEMS or other technology solution now planned for release in August 2022
- Funding appropriated for discovery LOPs in FY 2022-23 Adopted Budget
- Further release of set-aside funding to be considered as outcomes are measured in FY 2022-23

Multi-Disciplinary Teams (MDT)

- CJP's collaborated on creation of meaningful, active, successful MDT
- CCP allocated funding in FY 2022-23 for Multi-Agency Assessment, Case Planning and Re-entry Coordinator
- Due to unique nature of position, County HR working on classifying the position; recruitment will begin soon, with target hiring timeline this fall

Shared Alternative Sentencing Pilot

- Sheriff and Probation finalized MOU on May 12 for joint pilot program
- Transition began July 1 for Probation to assume supervision portion of the commitment
- Other recent program improvements include digitizing application process and moving up screening stage, helping to avoid court process delays
- Review for further efficiencies and expansion will occur this fall

Pretrial Supervised Release

- Rapid program expansion to currently 584 supervised clients as of May 1, 2022
- Probation redirected internal resources to assist with expansion, and two new pretrial supervision positions funded through CCP in FY 2022-23
- In May, pretrial supervision split into two units – one North County and one South County – to better manage expanded staffing
- Unit continues to assess clients for release from custody as part of pilot initiatives, including pre-arraignment release pilot (effective January) and misdemeanor IST pilot (in test case phase)

Data Dashboard

- Interim dashboard includes Probation and Sheriff jail data, with FAQ and glossary
- DA has created their own dashboard and PD's is underway
- No changes since last update due to other priority issues, including case backlog and jail access issues
- CJPs will reconvene to determine next steps and incorporate any Board feedback on existing framework

Holistic Defense

- Model program with direct impact on recidivism and jail population
- Of clients served July 2021 – December 2021:
 - 11% were connected with employment services
 - 61% were connected with housing services
 - 80% were connected with substance use treatment
 - 63% were connected with mental health services
 - 54% who started out in-custody were released with community supports or services
 - 95% appeared in court for their next scheduled court date
- PD is working on improving efficiency and automating data reporting to publish on quarterly basis, leveraging Power BI, available starting in October
- Next steps include partnering with Probation to expand data tracking to include recidivism statistics

Diversion

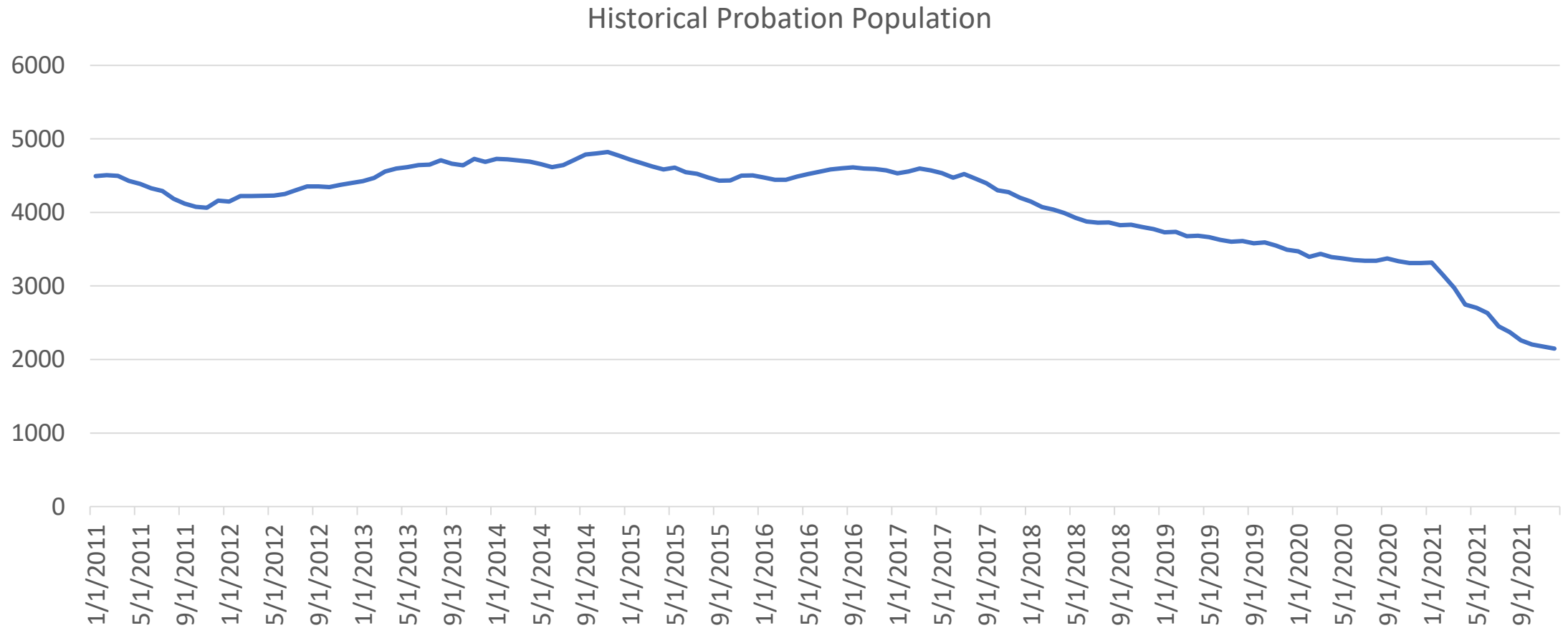
- Delays with Center for Court Innovation (CCI) funding from the National Training and Technical Assistance Center (NTTAC) have delayed the felony diversion program
- DA launched Neighborhood Restorative Justice Program (NRJP) on June 9, with the goal of serving at least 50 individuals per year; 23 total referrals to the program as of June 23

Santa Barbara Criminal Justice Overview and Jail Projections

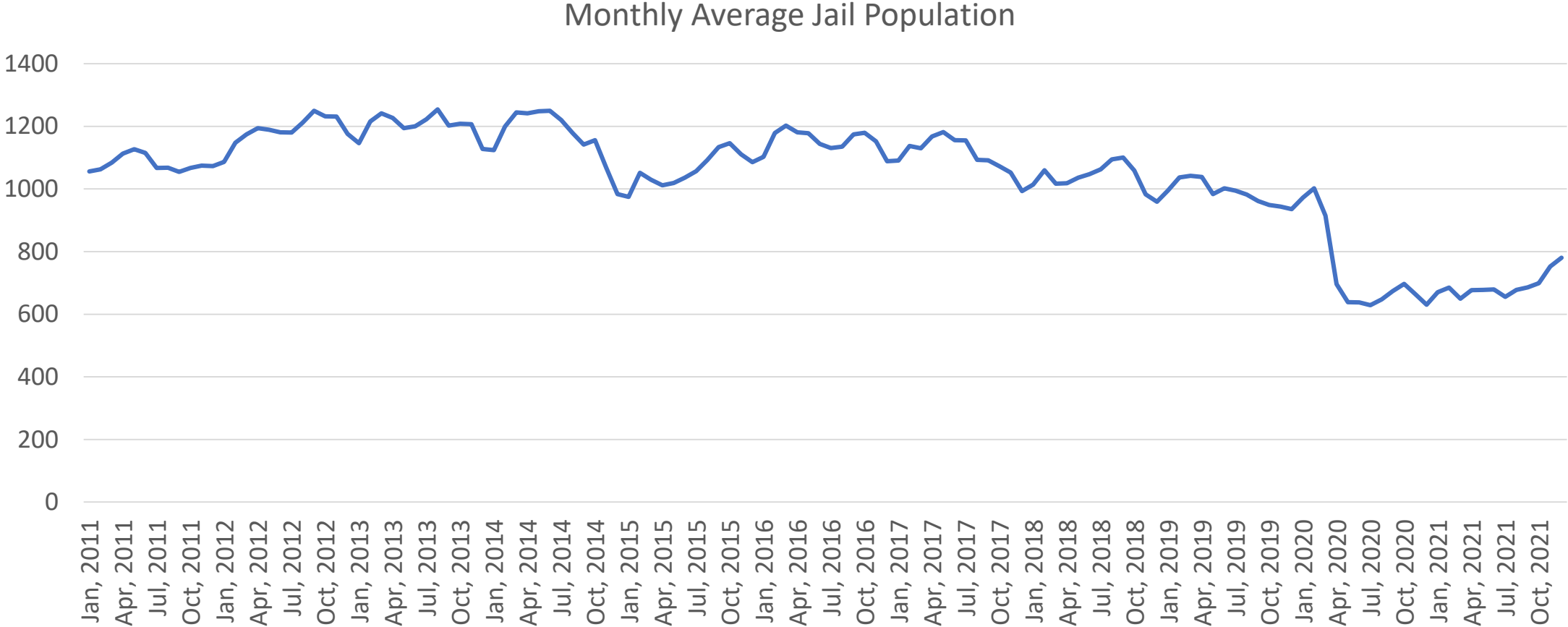
Board of Supervisors

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Probation Population Has Steadily Declined Since 2017

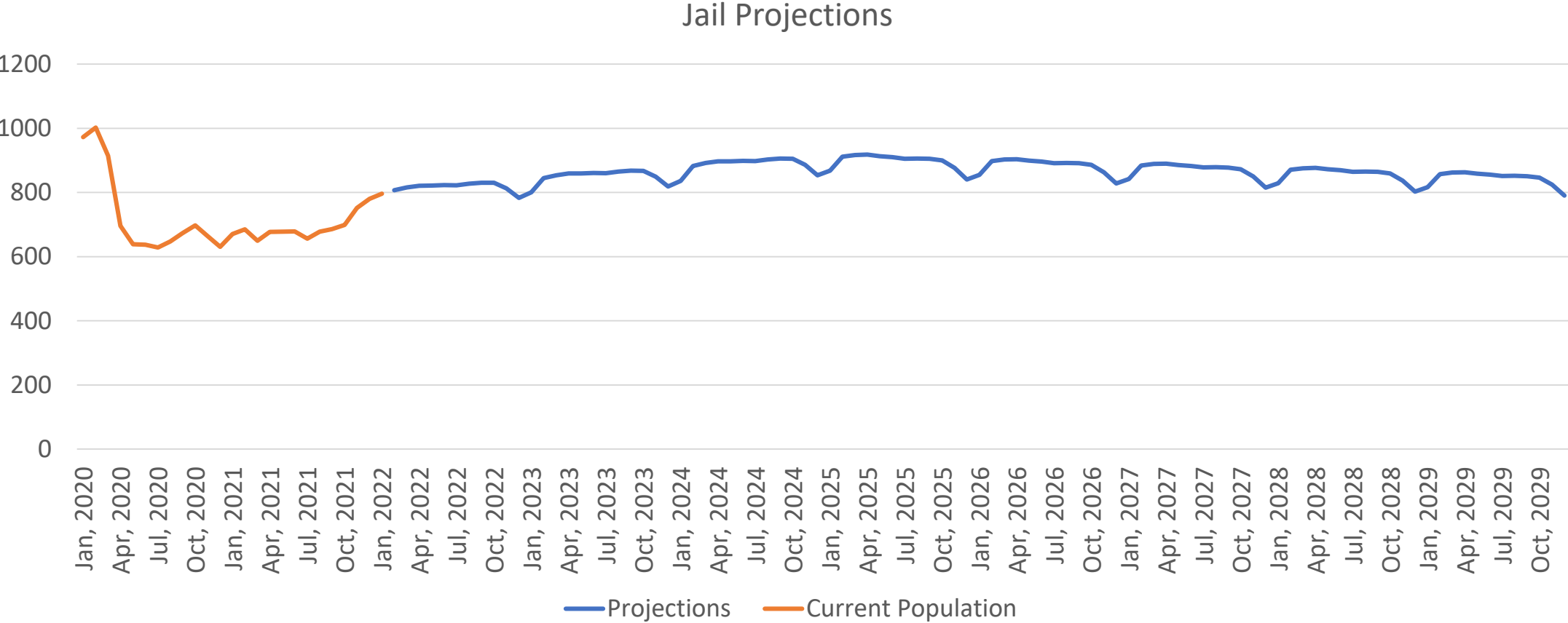


Jail Population Slightly Declined Through 2019, Then Fell Sharply in 2020



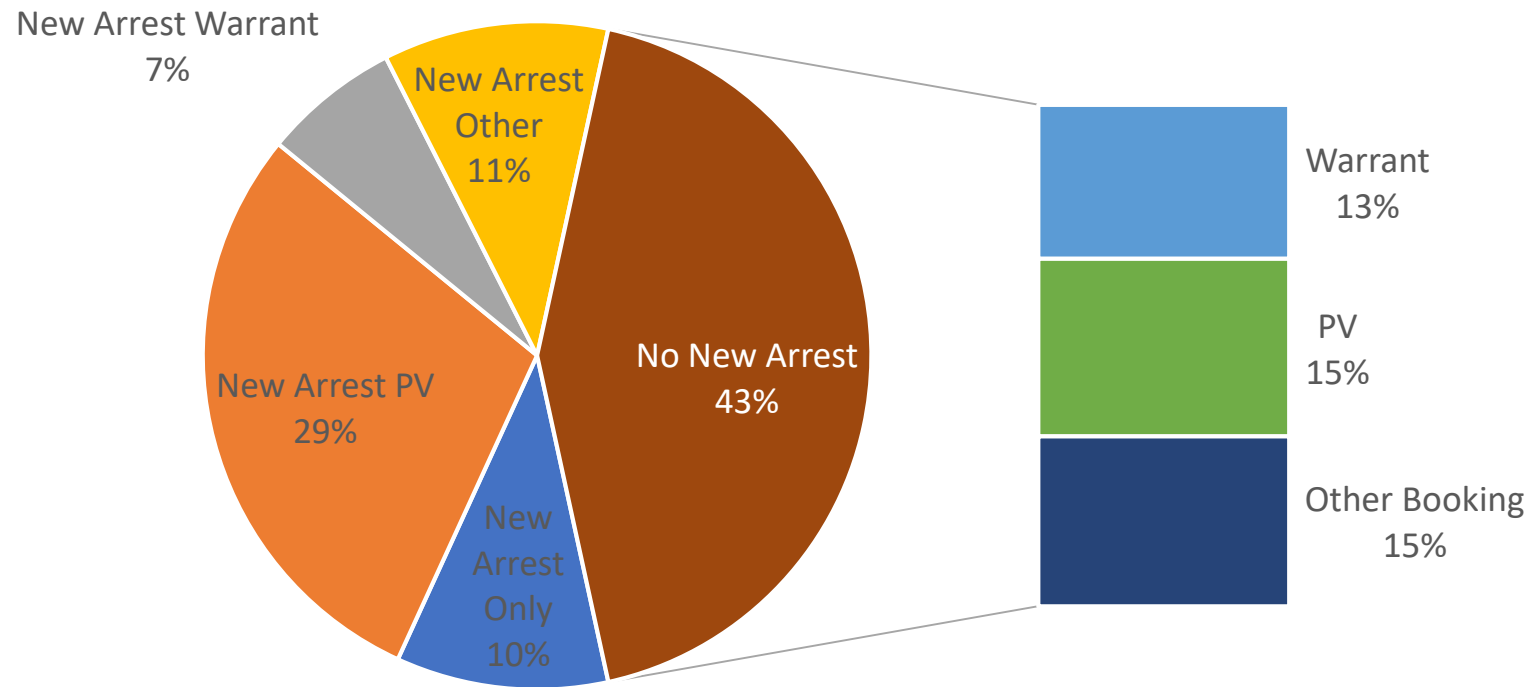
Jail Projections and Policy Options

Baseline Jail Projections



Most Individuals in Jail Are Booked on a New Arrest but Few Have Only a New Arrest

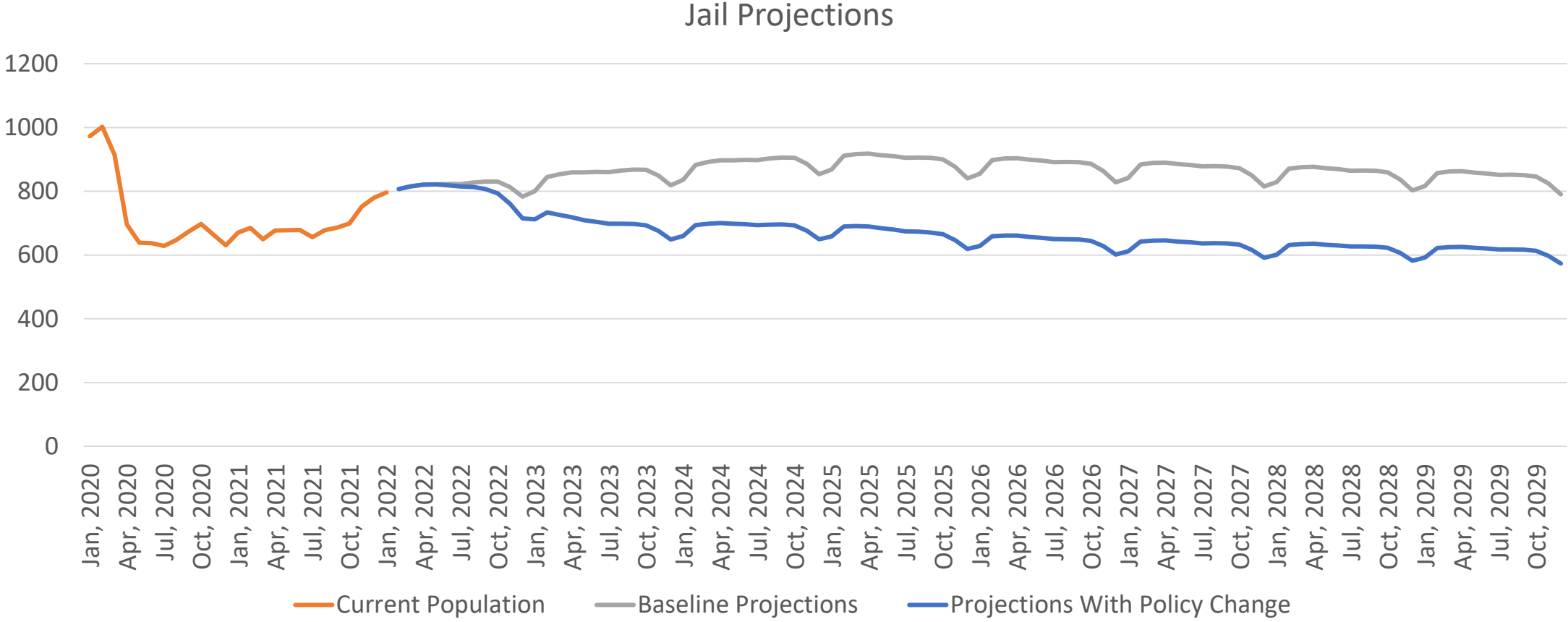
Jail Bed Usage by New Arrest, 2021 Releases



Policy Options

- Diversion for certain individuals with less serious offenses and limited prior bookings
 - One or fewer prior bookings, no DUI or person offenses, and no probation or parole violations
 - Up to 17 bed reduction
- Reduced length of stay for warrants
 - No DUI or person offenses and no probation or parole violations
 - Up to 64 bed reduction
- Expanded use of electronic monitoring
 - No misdemeanor DV, no felony person crimes, and one or fewer prior bookings for felonies
 - Up to 70 bed reduction
- Reduced future jail usage by probationers
 - Based on a 15% reduction in return to jail while on probation
 - Up to 63 bed reduction
- Reduced length of time to CDCR and State Hospital transfer
 - Up to 40 bed reduction

Jail Projections With Policy Impacts



Risks to Projections

- Upward Risks

- New North Branch Jail may increase misdemeanor bookings
 - Over the past three years, Santa Barbara PD has booked misdemeanors at much higher rate (more than double) than Santa Maria. If Santa Maria used the same number of jail bed days as Santa Barbara, an additional 27 beds would be needed
- Crime rates have been increasing in recent years

- Downward Risks

- Probation caseloads have been decreasing rapidly, in part due to AB 1950
- Expansion of pretrial services

- Overall Risks

- COVID brought added uncertainty to the criminal justice system, and it is unclear when/if the system will return to pre-COVID levels

Summary

- Probation population has continued to decline since 2017
- The jail population declined slightly between 2011 and 2019 and fell steeply during the pandemic
- The jail population began to increase near the end of 2021
- The jail population is projected to remain between 800 to just over 900 throughout the decade
- Policy options exist to decrease the long-term jail population
 - Options shown in this presentation are estimated to reduce the population by over 200 beds

Contact Information

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Implementation Considerations

- Policy levers require careful planning and investments to reduce the future jail population effectively
- Some policy levers can be more easily addressed, while others will require more time and review to develop a plan for implementation
- Efforts that support most of these policies are already underway; determining how much an existing program would need to be expanded, or new programs created, is unknown at this time and requires further review
- Partners agree with policy options in concept, but more time is needed to determine realistic application of the recommendations, with public safety considerations in mind

What Is the County Already Doing?

Unsentenced and total jail population are both trending downwards in recent months, which may be correlated to various initiatives the County is already implementing.

Programs/Initiatives Already Funded/Underway	Corresponding Policy Levers	Funded in FY 2022-23	FY 2018-19 – FY 2021-22	Funding Sources
Backlog/Aged Cases	5	\$625,600	\$0	ARPA
MDT (Reentry Coordinator)	2, 4	\$157,400	\$0	CCP/Realignment
Pretrial Services <small>*Excludes pretrial services funding rec'd by Court Special Services in FY 2018-19.</small>	1, 2	\$5,106,101	\$8,936,134*	GFC, Prop 172, Pretrial Pilot Grant, SB 129, CCP/Realignment
Holistic Defense	4	\$1,500,900	\$3,008,112	CCP, CREDO-47, SB 1810, HHAP
Felony Diversion	1, 4	TBD	\$0	NTTAC

What (Else) Is the County Already Doing?

CJPs are supporting long-term reduction of jail population with holistic system-wide improvements:

- Early Representation
 - Can meaningfully reduce pretrial incarceration and improve justice outcomes
 - Public Defender was recently awarded a grant through CCI to pilot this model in the county
- Co-Response
 - Early intervention and justice system “off-ramp” that pairs CIT-trained Sheriff deputies and Behavioral Wellness mental health practitioners to de-escalate mental health crises
 - Three teams (~\$1.2M/year) funded in budget ongoing
- Misdemeanor Courts
 - Allows for standardization and streamlining of court process, which results in settling cases more efficiently
 - Two new misdemeanor courts now open, one each in North and South County

Which Policy Levers Could Be More Easily Addressed With the Largest Impact?

- Policy Lever #3: Expanded use of electronic monitoring
 - New Alternative Sentencing agreement may offer improved efficiencies for program application process, potentially increasing program population size over time
 - Potential for future expansion will be addressed once full implementation of transition is realized
- Policy Lever #5: Reduced length of stay for those transferred to the State
 - For felony ISTs, increase jail-based competency program
 - For those going to State prison, reduce case backlog and address any delays in sentencing process

Which Policy Levers Require Further Analysis and Consideration?

- Policy Lever #1: Expanded diversions
 - Likely requires funding resources for additional CJ system “off-ramps” and/or diversion from traditional remedies
 - Pending legislation (CARE Court) may impact misdemeanor jail diversion
 - Partners to define diversion options that currently exist and work toward county-wide consistency in application
- Policy Lever #2: Reduced jail time for those booked with warrant
 - May require commitment from Court, and timing issues exist given zero-bail environment
 - CJPs continue to review outstanding warrants and discuss options for resolution (before, at, or shortly after booking)
- Policy Lever #4: Reduced jail reincarceration for probationers
 - A number of internal projects already underway will make progress in this area

Future Goals and Priorities

- Create and institutionalize an access plan and strategy that is dependable, sustainable, and followed consistently
- Reduce case backlog and address delays in sentencing
- Complete RFP process for technology solution/DEMS, and implement longevity planning with promising practices for discovery: storage, usage, and exchange
- Continue efforts on process, protocols, and supervision of Multi-Disciplinary Case Management Team, navigating individuals that meet criteria for early intervention
- Broaden the scope of Alternative Sentencing by better understanding the process of acceptance, eligibility, and data regarding recidivism
- Create efficiencies while enhancing justice through processes like “front-loading” and early intervention
- Maintain positive working relationship with Courts
- Continue to foster respectful, authentic, accountable, and non-siloed relationships between CJPs

Summary

- Reduction of jail population can be achieved through efforts already underway, and by applying findings and policy levers from MW Consulting report to better inform decision-making
- Not all efforts are easily quantifiable – enhancements are being made to transparency, accountability, access to justice, and overall timing, retention, and disposition of cases
- Next Board update will include further analysis of policy levers and options for implementation, based on Board direction and priorities

System-wide Rated Jail Bed Capacity

- In the 2011 application to BSCC for NBJ funding under AB 900, County committed to construct 344 new jail beds, resulting in 1,034 rated bed system-wide
- County was awarded \$80 million in AB 900 funding for NBJ construction
- Pending renovation of Main Jail would reduce total number of rated beds below 1,034
- State recently clarified that AB 900 funding obligation is solely related to 344 new beds at NBJ, and County is not required to maintain a fixed number of jail beds system-wide
- CDCR has also confirmed no system-wide requirement

Recommended Actions

- a) Receive and file a report on criminal justice improvement efforts;
- b) Receive and file a report by MW Consulting on SB County Criminal Justice Overview and Jail Projections;
- c) Provide any direction, as appropriate;
- d) Direct staff to return with a status report in 90-120 days on the criminal justice improvement efforts; and
- e) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA), because pursuant to sections 15378(b)(4) and 15378(b)(5) the recommended actions consist of organizational, administrative or fiscal activities of government that will not result in direct or indirect physical changes in the environment.

A low-angle photograph of a white building with a clock tower. The building features decorative architectural elements, including a balcony with a metal railing and a clock face on the tower. The sky is blue with light clouds. The text "Thank You" is overlaid in the center.

Thank You

Questions?