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Date: May 22, 2015

To: Board of Supervisors

From: Rick Roney

Subject: May 26th Presentation to Board re: North County Branch Jail

I am writing in support of the recommendation to move forward with the North County Branch Jail.

I have been involved in this subject area for over 10 years. My goal has always been to increase public safety and decrease crime by reducing recidivism of state parolees and county offenders.

In 2005, I founded the Santa Barbara County Reentry Project and have served as it's Chair ever since. The work of our Project resulted in the establishment and ongoing operation of two Day Reporting Centers for state parolees, one in Santa Barbara and one in Santa Maria. They are funded by CDCR via a contract with the Sheriff's Department.

In 2007-08 I served as the Chair of the Sheriff's Blue Ribbon Commission (BRC) on Jail Overcrowding. The BRC issued a report in 2008 recommending a new jail be built and operated in Santa Maria. The driving point behind the recommendation was to alleviate the ongoing problem of jail overcrowding that had persisted for 30+ years. We also stressed the need to invest funds in programs that would reduce recidivism. Without these programs, we did not believe the additional jail capacity (while reducing overcrowding) would have much long-term impact on public safety.

Today we are in a very different situation. The jail is no longer overcrowded. If we were to reconvene the BRC, our analysis would be very different. But I believe our conclusion would be the same – build a new jail and provide recidivism reduction programs.

There are two reasons for this:

1. The jail population is dropping and the jail is not currently overcrowded. I think there are at least two causes for this:

- a. First, the County has made a significant commitment to recidivism reduction through the DRCs and PRRCs for the past 7-8 years. Evidence-based programs have been provided to a large number of high-risk parolees, AB109ers and Probationers, probably between 2,000 and 2,500 different individuals. I conservatively estimate this has removed 300+ people from the “prison-jail-community revolving cycle”. Lives have been changed, crimes have been prevented and jail beds have been emptied as a result.
- b. Second, Prop 47 has reclassified a large number of crimes from felony to misdemeanor thereby diverting a significant number of individuals from the jail population.

The impact of the evidence-based programs will continue and recidivism will continue to be reduced. However, it is not clear to me that the impact of Prop 47 will be permanent. Over the last 30 years we have proven conclusively that putting criminals in jail or prison does not, for the vast majority of them, change their subsequent post-release behavior. High recidivism rates prove this. It is not until an individual’s criminal thinking changes that his or her behavior changes. That’s why the evidence-based programs work – they focus on changing criminal thinking. Now, with Prop 47, we are embarking on a rather large-scale experiment to see if not putting criminals in jail will change their subsequent behavior. I have no confidence that it will. The trajectory of a typical criminal is one of escalation of the level of offense – from juvenile, to misdemeanor, to felony. Do we really think this trajectory will change by not putting low-level felony offenders in jail and by not providing them evidence-based programming?

If the \$120 million dollars that will be invested in building the North County Branch Jail were coming from Santa Barbara County funds, it might make sense to wait a few years to see what Prop 47 yields over the long term before committing to build the jail. But it is not our money; it comes from the State. We have to take it now or turn it down. It would be very expensive to our taxpayers if we turn it down now and later decide we need it.

2. If the Blue Ribbon Commission were to analyze the situation today, we would look at a whole set of questions we basically ignored in 2008 because overcrowding was the driving issue. Today we would ask the following questions: Can our existing jail infrastructure last another 10 - 20 years? Does the existing jail infrastructure allow evidence-based programs to be delivered to all inmates in the jail who need them? Is the existing jail infrastructure safe for custody deputies and inmates? What will it cost to maintain the facilities and, over time, upgrade them? Can the jail be upgraded while it is operating?

I don’t know the specifics that this analysis would yield, but I suspect we would still recommend a new jail be built. I did hear the summary opinion of two of the consultants who have been hired to design the new jail. After touring the existing

jail they were debating between themselves whether the Santa Barbara County jail was the second or third worst jail they had ever seen.

Again, if the \$120 million dollars were Santa Barbara County funds, we could take a year and do the analysis and look at alternatives. However, we can't wait to do that. We have to decide now.

When the BRC presented our recommendation to the Board of Supervisors in 2008, there were two reactions. The first congratulated us on an excellent analysis and recommendation. The second pointed out that the County didn't have the money to build or operate the jail.

In 2010 the Board authorized Measure S to be put on the ballot. It was designed to pay for construction and operation of the new jail (including recidivism reduction programs) with a ½ cent sales tax. The voters overwhelmingly rejected it.

Sheriff Brown was able to persist and get state funding for the construction of the jail. It was obvious from the beginning that funding the operating costs was always going to be a challenge. I decided to investigate the possibility of having a private prison company bid on the operation of the jail. I knew this would be a controversial recommendation and would meet with great resistance. Data showed that private companies operated Immigration and Customs Enforcement (ICE) facilities at approximately 60% of the government cost. The same is true for CDCR facilities that are outsourced. If the County could save 40% of \$18M per year, it might be worth considering. I approached a company and had them do an analysis of what they might bid for the Santa Barbara project. I was surprised when they told me they could not submit a bid that would provide the county with significant savings. "Why?" I asked. The answer was (1) the cost of living in Santa Barbara is much higher than where they typically locate facilities (in the Central Valley) and (2) jails are much more expensive to operate than prisons.

The point of this is that the Sheriff's Department's plan, costly as it might be, is in line with what a low cost supplier would be bidding.

In conclusion, Santa Barbara County is presented with a once-in-a-generation opportunity to have the state fund the construction of a new North County Branch Jail. Operating it will be expensive. In the long run, I believe this will be a very good investment – one that will increase public safety and reduce crime. I urge you to approve this project.

I appreciate your consideration of this letter.

Sincerely,

Rick Roney