

## Introduction

The County of Santa Barbara documented the need for a North County jail facility as far back as 1990 with the “Analysis of Projected Detention System Bed Space Requirements” report. The need was later identified in the 1992 “North County Santa Barbara Correctional Master Plan” report. In March 1999, the “Santa Barbara County Custody Needs Assessment” built upon the previous reports and identified the critical need for adult detention beds in Santa Barbara County. The 1999 report provided an in-depth discussion including reasons for overcrowding, the needs of northern Santa Barbara County, the inefficacy of Alternative Sentencing Programs, description and trends of inmate populations, and population projections through 2020.

As referenced in the March 1999 “Adult Custody Needs Assessment,” the existing facilities in Santa Barbara County have been overcrowded since the early 1980’s. Since that time, overcrowding issues have become exacerbated, the population and demand for services in North County have increased, and, in spite of relaxing criteria, existing incarceration alternative programs have reached a limit that, according to many in the justice community is compromising the public safety of the citizens of Santa Barbara. These growing concerns led to a formal presentation to the Santa Barbara County Board of Supervisors by Sheriff Jim Anderson on April 12, 2005.

This section provides an update to both the 1999 Needs Assessment document and the 2005 formal presentation to the Santa Barbara County Board of Supervisors.

## Background

On September 22, 1998, as a result of a 1988 lawsuit concerning jail overcrowding at the Santa Barbara County Main Jail, the Superior Court of the State of California for the County of Santa Barbara issued a Court Order that, within one year of the date of issue, imposed a cap decreasing the number of male inmate beds in the Main Jail from 702 to 587. Upon completion of the phased reduction of inmate beds, in order to ensure that male inmates would not be required to sleep on the floor, and in recognition of classification issues, a “flex” cap of 530 was ordered to allow for early release of inmates when the “flex” cap was reached. The Court Order authorized the utilization criteria incorporated in a Jail Overcrowding Task Force Report, in determining which inmates were to be released early when the “flex” cap was reached.

Throughout the past several years, this Court Order and a previous Court Order issued in 1990 limiting the number of female inmate beds to 65, were amended to the current population caps of 605 males (“flex” cap at 520) and 101 females. Additionally, these orders have been amended with respect to reviewing and changing the criteria for inmates to participate in the Alternative Sentencing programs and Honor Farm operated by the Sheriff’s Department.



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## Sheriff's Department Mandate

Section 4000 of the California Penal Code mandates that County Jails are to be kept by the Sheriff's Departments of the counties in which they are respectively situated, and are used as follows:

- A. Detention of persons committed in order to secure attendance as witnesses in criminal cases;
- B. Detention of persons charged with crime and committed for trial who:
  - o Cannot raise bail
  - o Do not qualify for release on Own Recognizance (OR)
  - o Are considered a flight/safety risk
- C. Confinement of persons committed for contempt, or upon civil process, or by other authority of law; and
- D. Confinement of persons sentenced to imprisonment therein, upon a conviction for crime.

## Adult Detention Facilities Overview

The County of Santa Barbara Sheriff's Department currently operates three adult detention custody facilities:

**Main Jail** - located in Santa Barbara, is a Type II facility, as described by the California Code of Regulations, Title 15, and is used for the detention of persons pending arraignment, during trial and upon sentence commitment. This facility was built in 1971 and rated for 352 inmates. At that time, the population in the County of Santa Barbara was 264,000. This facility has been overcrowded since the early 1980's. Beginning in 1987 and ending in 1999 several additions were constructed (in attempts to deal with the jail overcrowding) bringing the rated capacity to 618 beds. The Main Jail facility has an additional 95 non-rated beds. Non-rated beds do not meet the Title 24, California Code of Regulations for Adult Detention Facilities. Non-rated beds are used to mitigate the overcrowding conditions of inmates sleeping on the floor. However, the use of these beds continues to be a concern for officer and inmate safety as well as litigation issues that could arise from not meeting the Title 24 Standards.

**Honor Farm** - designed and constructed in 1961 as a minimum security Type III detention facility, as described by the California Code of Regulations, Title 15, to be used only for the detention of convicted and sentenced prisoners. It had a California Board Rating of 86 beds. As a result of overcrowding at the Main Jail, beds were added to this facility, bringing the rated capacity to 161 beds. The Honor Farm facility has an additional 124 non-rated beds and is now used to house both sentenced and pre-trial inmates.



**Santa Maria Branch Jail** - is a Type I facility, as described by the California Code of Regulations, Title 15, used for the detention of persons for not more than 96 hours (excluding holidays after booking). This facility was built in 1971 and has a rated capacity of 38 beds.

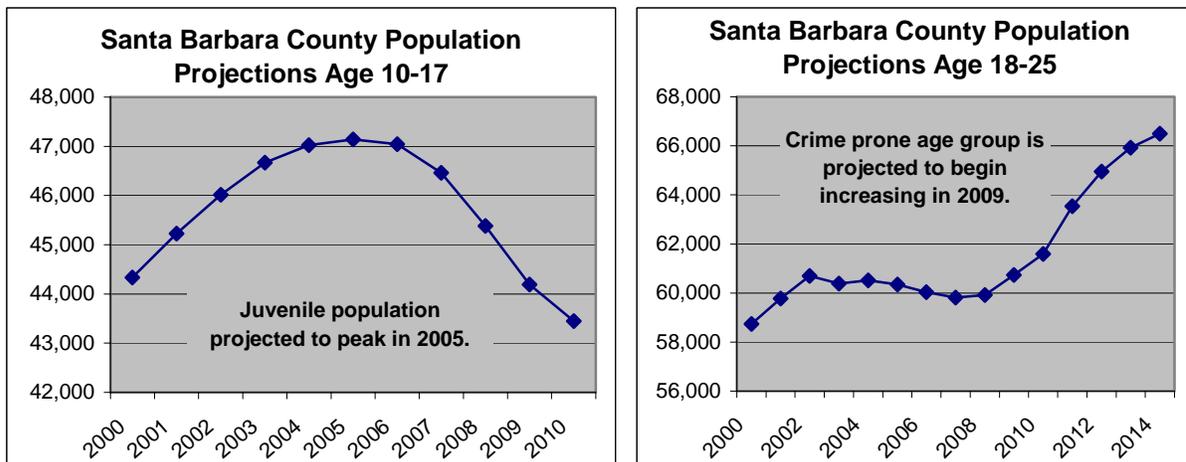
It should be noted the average life span of custody facilities is between 30 – 35 years. The Main Jail and Santa Maria facility were constructed almost 35 years ago and the Honor Farm almost 45 years ago. Thus, the County of Santa Barbara's adult facilities have already exceeded the lifespan anticipated when they were originally constructed and are not currently addressing the demands of the County.

## Needs Analysis

The State of California, Department of Finance (DOF) estimated the population of Santa Barbara County to be 420,000 on July 1, 2004<sup>1</sup>. This represents a 59% increase from 264,000 in 1970. The DOF estimates that the population of Santa Barbara County will be 442,000 by the year 2009. There has not been a new Adult Detention Facility built in the County of Santa Barbara since 1971. To provide prospective, according to a recent General Services data query, 45 facilities were built for the County since 1995 totaling more than 304,000 square feet. However none of these facilities provided more jail bed space.

### Population Projections:

The charts below also taken from the DOF show that the juvenile population (age 10 – 17) is projected to peak in 2005 in Santa Barbara County and that the crime prone age group (age 18 – 25) is projected to begin increasing in 2009.



<sup>1</sup> Source: UCSB Economic Forecast Project, 2005 Santa Barbara County Economic Outlook, CA Department of Finance, Demographic Research Unit, Report E-2 & E-6.

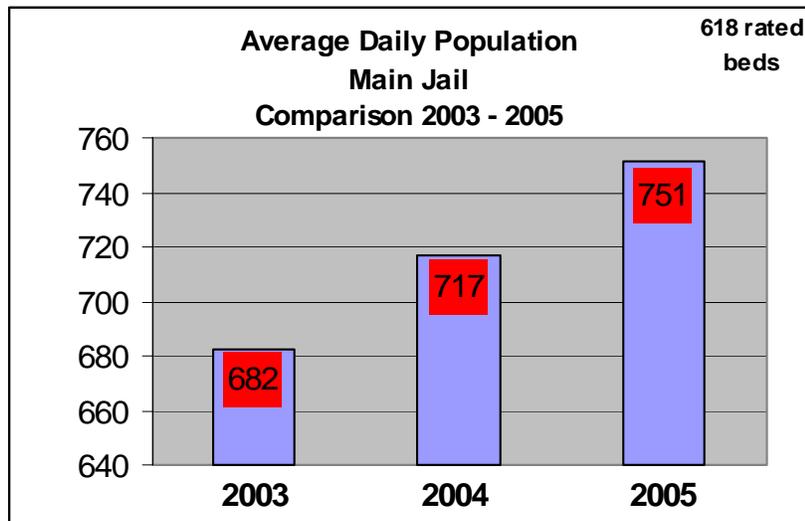


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## Average Daily Population:

Following is a chart showing the Average Daily Population (ADP) increases from 2003 to 2005.



During the month of February 2005, the Main Jail ADP was 804. The average daily floor sleeper count for that month was 102.

The ADP in the Main Jail thus far in 2005 is 751. This is 22% over the rated capacity and represents a 5% increase over 2004. The profile of these inmates is broken down as follows:

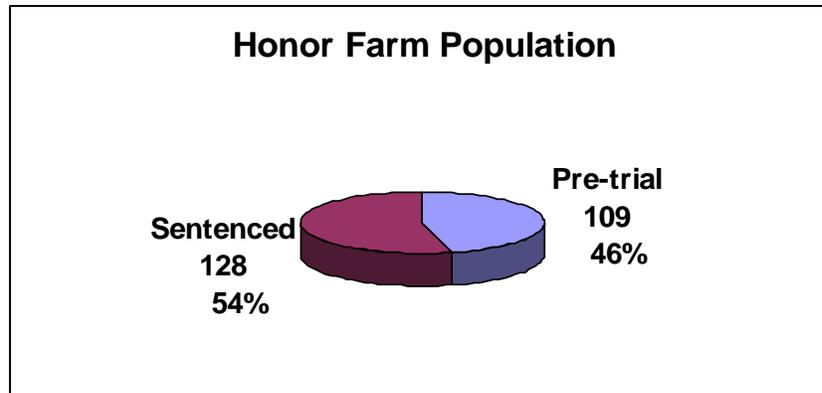
- 72% Pre-Trial (Statewide average is 66%)
- 70% Felony Charges (Statewide average is 77%)
- 55 % From North County Courts
- 13% Under Mental Health Care (receiving daily doses of mental health medications)

As noted above, the 72% pre-trial status inmates in Santa Barbara County jail facilities are higher than the State average. One reason for this discrepancy is that the criteria for Court Ordered Cap release is directed towards sentenced inmates; hence only sentenced inmates are “early released” decreasing their % accordingly. Additionally, the felony cases which account for 70% of the ADP, take longer to adjudicate than misdemeanor cases.

All pre-trial inmates who are considered to be less of a security threat are being considered for housing at the Honor Farm. This has resulted in a larger number of inmates, who were once housed (based upon charges, bail, and in-custody behavior), in medium security housing, now being sent to a minimum security facility that is almost 14 years beyond its expected life span. The ADP in the Honor Farm for 2005 is 238, 48% over the rated capacity. Additionally, 52% of Honor Farm inmates are from North County courts. Consequently, with the number of sentenced inmates being significantly lower than the pre-trial, the Honor Farm population is



occupied by 46% pre-trial inmates. This results in increased workload for staff to process these inmates to court and the necessity to consider pre-trial inmates for work assignments.



The combined ADP for both the Main Jail and the Honor Farm thus far in 2005 is 989. This is 27% above the combined rated capacity of both facilities.

- 13% Under Medical Care (receiving daily doses of medication)\*
- 12% Have Immigration Holds\*
- An average of 357 inmates seen by the jail doctor each month\*

\*Includes inmates housed at Honor Farm

### **Reported Assaults:**

It is increasingly difficult to manage the inmate population in the jail facilities. All sentenced inmates who are considered to be a low risk to the community are being released early to either an alternative sentencing program or to the street. This leaves a population of largely hard core offenders and pre-trial inmates arrested on felony charges. This presents a problem for both the Main Jail and Honor Farm in that pre-trial arrestees are considered to need a higher level of security and require increased supervision due to court appearances, need for interaction with counsel, and the unstable behavior that can occur when facing legal uncertainty. As a result, inmate-on-inmate mutual combats and assaults (Penal Code 242) have increased by approximately 32% since 2003.

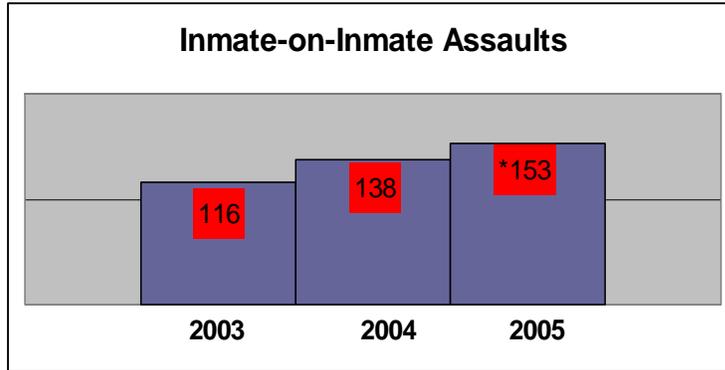
- 2003 – 116 reported incidents:
  - Mutual Combats – 91
  - Assaults – 25
- 2004 – 138 reported incidents:
  - Mutual Combats – 62
  - Assaults – 76



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- 2005 – first 10 months 127 reported incidents\*:
  - Mutual Combats – 88
  - Assaults – 39
- **153** projected for the full year



\*Projected number at year end. Actual number first 10 months is 127

Although assaults on staff have decreased from 17 in 2003 to 14 in 2004 and, 10 reported during the first 10 months of 2005, the assaults appear to be better planned. A serious assault occurred this year that required the hospitalization of the assaulted officer. Additionally, staff is finding more sophisticated handmade weapons.

## Transportation Issues:

The average number of inmates transported to and from North County Courts on a daily basis is 80. There are 246 court transport days each year. Two buses are used to transport these inmates. Each bus travels approximately 156 miles per day. This does not include special transports that sometimes require a van. There is at least one van that travels to Lompoc equaling 110 miles per day. Each court transport requires a minimum of two officers to provide security. The cost of transporting inmates to and from the North County Courts in Fiscal Year 2004/2005 was approximately **\$350,784**.

There are five (5) buses and seven (7) vans in the Sheriff's Department Fleet to accommodate all court transports. The age and capacity of the five buses are as follows:

- 1983 – 51 passenger with over 251,000 miles
- 1986 – 47 passenger with over 570,00 miles
- 1990 – 89 passenger with over 440,000 miles
- 1993 – 28 passenger with over 31,000\*
- 2004 – 59 passenger with over 38,000 miles

\* Out of service for the past month and used only as backup vehicle



On average, there is one bus per week out of service due to maintenance problems and state-required safety inspections.

## Other Jurisdictions:

Santa Barbara County is not alone in the overcrowding issue. The 2004 Jail Profile Survey completed by the California Board of Corrections showed that 24 of the 62 jurisdictions have court ordered population caps. These include San Bernardino, Los Angeles, Orange, Riverside, Sonoma, Kern, Placer, Tulare, Stanislaus, Solano, and Ventura counties. The statewide average length of stay in a custody facility has declined approximately 10% since 1998. Below is a chart depicting the number of bookings and releases in 2004.

Jurisdiction	Total % Released Due to Lack of Housing Capacity	Total # of Persons Booked 2004	Total # Released Due to Lack of Housing Capacity	Total # of Pretrial Released Due to Lack of Housing Capacity	Total # of Sent. Released Due to Lack of Housing Capacity
San Bernardino	49%	77419	37730	34535	3195
Stanislaus	41%	21084	8658	5780	2878
Placer	29%	9327	2666	2058	608
Tulare	24%	20943	5016	3782	1234
Los Angeles	20%	179818	35338	6231	29107
Solano	19%	16634	3180	2537	643
Santa Barbara	10%	19168	1898	0	1898
Orange	10%	65798	6363	6113	250
Kern	9%	37452	3397	0	3397
Ventura	7%	30609	2190	0	2190
Sonoma	6%	17957	1030	0	1030
Riverside	6%	53869	3067	235	2832

## Overcrowding Misconceptions

There are several misconceptions regarding jail overcrowding and which methods of relief would significantly reduce it. It has been suggested that construction of additional mental health facilities in the County would help alleviate the overcrowding by removing the mental health population. It must be understood that, although approximately 13% of the inmates are under mental health care, each of these individuals is in custody for committing a crime. Their cases must be adjudicated through the court system. Not all inmates under mental health care are so impaired that they meet the criteria of the Welfare and Institutions Code Section 5150, or Penal Code Section 4011.6 which allows for the transfer of mentally ill inmates to a mental health facility and space is very limited.

Another misconception is that the removal of persons being held on immigration holds would significantly relieve the overcrowding. These individuals held in custody also face local charges for violations of the law. Once these inmates' cases have been adjudicated, they are



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either cap released to the immigration authorities or sent to prison. The number of inmates released to the immigration authorities since the 1999 court ordered population cap was imposed is 945. The Sheriff's Department does not allow for persons charged with only immigration violations to be booked into the facility.

### Summary

The need for a new County Jail has been discussed since the early 1980's. It has been the recommendation of several recent Grand Jury Reports and mentioned as a possible solution to overcrowding in the Community Based Punishment Plan of 1996. The need for a new county jail is now more critical than ever before. A population projection was provided in the 1999 Needs Assessment document. This projection forecasted the need for **1,393** beds by the year 2010 and **1,575** beds by the year 2020. The current facilities are aging past their expected life-span. Due to lack of bed space, thousands of inmates a year are being released back into the community early, increasing the potential for serious crimes to be committed by someone who the court ordered to be behind bars. Additionally, the early release of many sentenced inmates has a significant adverse impact on their ability to complete the Sheriff's Drug and Alcohol Treatment Program and classes that provide education on anger management.

Criminals in the system clearly understand they can be released to appear on a citation, fail to appear on that citation, and, due to the new booking criteria, avoid being booked on the failure to appear warrant. Further, criminals have figured out they stand a better chance for early release if they do not apply for an alternative sentencing program. The 2005 ADP for inmates in alternative sentencing programs is 207; those programs are explained in detail in the Overcrowding Alternatives section of this report.

Based on the existing court "overcrowding order," the County of Santa Barbara could soon be facing sanctions imposed by the courts. If these sanctions result in monetary penalties, they would place a financial burden on the County. If the Sheriff is forced to control the overcrowding by no longer allowing misdemeanants to be booked into the facilities, the quality of life for the citizens of Santa Barbara will be adversely affected. To put it simply, a neighborhood dispute in which one individual assaults another would result with the aggressor receiving nothing more than a citation to appear in court. The assaulter would not be arrested and would probably remain in the area. Not only does this pose a problem for the assaulted individual, it makes it much more difficult for the officers on patrol to maintain peace.

After the Sheriff's presentation in April of 2005, the Board of Supervisors unanimously approved the motion that directed the Sheriff and County Executive Officer to proceed with planning for a North County Jail at the Laguna County Sanitation District site, provide alternatives for relieving short-term jail overcrowding issues, and return to the Board with recommendations as appropriate. In response to this directive from the Board of Supervisors, the Sheriff's Department took the aforementioned actions expanding the release criteria and limiting the booking criteria to attempt to alleviate, in the short-term, jail overcrowding.



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The Sheriff's Department is committed to resolving the issue of overcrowding, and protecting the quality of life of the citizens of the County of Santa Barbara. The Department, cooperating with other County departments, has continued the planning process which began many years ago, towards the construction of a new facility located in the North County. Due to the critical need for a new facility, the Board accelerated the planning process to enable decision making about construction as soon as possible. The Sheriff's Department and staff from other departments have been moving forward with the intent to secure the property located on the Laguna County Sanitation District site. Moreover, the jail schematic design phase is complete and design development is ready to commence. It is recommended that critical planning continue to move forward. Each time the planning process is postponed, the cost of construction rises. In fact, for each month the project is delayed there is an estimated increase of approximately one-million dollars in construction costs.

