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PRESS RELEASE
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**PUBLIC DEFENDER CALLS FOR IMMEDIATE RELEASE
OF COUNTY JAIL INMATES**

Santa Barbara, CA -- The Santa Barbara Public Defender's Office is calling for the immediate release of people who are currently detained in the Santa Barbara County jail and at heightened risk of contracting COVID-19.

On March 12, 2020, the Santa Barbara County Public Health Department declared a local health emergency and issued guidelines regarding social distancing and improved hygiene. Detained individuals cannot take these safety measures.

"Our clients are living in close proximity to one another with poor ventilation, lacking the opportunity to self-sanitize and practice social distancing," according to Public Defender Tracy Macuga. "They are required to eat, sleep, and shower in shared living spaces."

Indigent inmates in the jail rely on the "Indigent Kit" for hygiene products. The kit – known as the "fish kit" – contains a pencil, a razor, a toothbrush, toothpaste, a comb, and small bar of soap. Inmates receive one kit every seven days.

According to Senior Deputy Public Defender Mark Saatjian, "I've been told that the soap in the kit is roughly 2" by ½" - the size of a business card folded in half. This is the soap you use for showering. This is the soap for hand washing after using the bathroom. If you want to wash your hair, you rub the same little bar of soap into your hair. There is no separate source of shampoo. A person with experience can get three showers from one bar of soap by carefully rationing. People commonly run out of soap before the seven days are up."

"We are dealing with a public health crisis," said Macuga. "By releasing vulnerable detainees, who present a low risk of harm to the community, we will allow the jail staff to better implement recommended preventative measure such social distancing, frequent handwashing, and cleaning of surfaces. We are concerned that at its current capacity, we may be placing inmates and jail staff at unnecessary risk, and further endangering our entire community."

Yesterday, Los Angeles County Sheriff's Department announced that it would be releasing inmates from its jails and cutting down on how the number of people it books into custody to protect the jail population from the COVID-19 pandemic.

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The Public Defender's Office is currently reviewing cases to identify those incarcerated individuals who are at heightened risk of contracting COVID-19, such as those over the age of 60 and those with medical conditions, who should be considered for immediate release.

However, court closures are posing an obstacle to attorneys who are working to get their client's cases in front of a judge in order to make a pitch for their release.

Effective today, the Santa Barbara Superior Court is only hearing in custody arraignment cases and refusing to hear non-arraignment matters, such as trials, motions, and sentencing. This essentially bars the Public Defender's Office from calendaring their clients' cases to demand reduced bail and own recognizance release for pre-trial clients based on a change in circumstance, and prevents individuals who were scheduled to be released at sentencing from being released in accordance with their negotiated plea agreement.

"In addition to being high risk, many of these clients are pre-trial and are presumed innocent. Some are being held in custody for low level cases like driving with a suspended license," said Macuga. "An outbreak in the jail is inevitable. It is likely to spread quickly, endangering inmates and staff in the jail, and our community at large. It is irresponsible to our entire community to not do everything in our power to avoid an unnecessary tragedy."

The Public Defender's Office is calling upon the Court and District Attorney to offer more opportunities for house arrest, stipulate to own recognizance releases, and commute the sentences of those individuals who have 90 days or less left to serve on their sentences. The Office is also urging law enforcement to issue citations on low-level offenses to avoid an increased jail population and increased community risk.

The Santa Barbara Public Defender's Office was established in 1969. Our mission is to zealously protect the rights, liberties and dignity of all persons in Santa Barbara County and maintain the integrity and fairness of the American Justice System by providing the finest legal representation in the cases entrusted to us through compassionate and innovative advocacy with care and respect for our clients.

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