

SHERIFF'S DEPARTMENT RESPONSE

SANTA BARBARA COUNTY 2002-2003 GRAND JURY CRIMINAL JUSTICE DETENTION FACILITIES REPORT

FINDINGS AND RECOMMENDATIONS

Finding 1:

Due to overcrowding in the jail, it is necessary to use the early release program.

Response to Finding 1:

The Sheriff's Department agrees with this finding.

Recommendation 1:

To alleviate overcrowding in the Main Jail, resulting in the early release of inmates, a jail needs to be constructed in North County.

Response to Recommendation 1:

This recommendation has not yet been implemented, but will be implemented in the future.

The Sheriff is dedicated to constructing a North County Facility. A Charter has been formed between the Sheriff's Department and the General Services Department for the acquisition of property for a North County Facility. This is the first step in a lengthy process that includes identifying funding for construction and operation of the facility.

It should be noted that this is a County of Santa Barbara issue and not just the responsibility of the Sheriff's Department. In order for the Sheriff to accomplish this goal, the Board of Supervisors must appropriate future funding and support the construction and operation of a jail facility in northern Santa Barbara County to eliminate chronic overcrowding. The Sheriff will continue to work with the Board of Supervisors to identify funding, plan for construction, and operation of a jail facility once built.

Due to the scope of the project, we are unable to provide a timeframe for implementation.

HONOR FARM

Finding 2:

There is limited aerobic training equipment.

Response to Finding 2:

The Sheriff's Department partially disagrees with this finding. Although there is currently no aerobic apparatus available to the inmates at the Sheriff's Honor Farm, there is ample opportunity and space provided to conduct aerobic exercises without the use of aerobic equipment. In addition, the female honor farm inmates have aerobic training videos available for their use.

Recommendation 2:

Through donations and/or fund raisers, provide stationary bicycles, stair steppers, striders and other such equipment.

Response to Recommendation 2:

The recommendation has not yet been implemented, but equipment that does not pose security concerns will be identified and provided to the Honor Farm inmates.

The California Board of Corrections sets the minimum standards for inmate recreational needs. Section 1065 of Title 15 states "The facility administrator of a Type II/III facility shall develop written policies and procedures for an exercise and recreation program, in an area designed for recreation, which will allow a minimum of three (3) hours of such activity distributed over a period of seven days." Neither Title 15 nor Title 24 identifies equipment that is to be provided.

Although not mandated to provide such aerobic apparatus, the Sheriff's Department agrees that such equipment may be of use to promote physical fitness to those whom are incarcerated.

Finding 3:

The female inmates appear not to exercise.

Response to Finding 3:

The Sheriff's Department partially disagrees with this finding.

The female Honor Farm inmates are allowed seven day a week access to their exercise/recreation yard. A volleyball court is available for use. There is also area available for large muscle exercises such as push-ups, sit-ups and calisthenics. Indoors aerobic exercise videos are available. The female inmates are provided with adequate exercise opportunities. It is the discretion of the female inmates to promote wellness though exercise.

Recommendation 3:

Encourage all inmates in the Honor Farm to perform aerobic exercise and provide adequate equipment to do so.

Response to Recommendation 3:

The response has not yet been implemented, but the Sheriff's Department will identify and provide aerobic equipment that does not compromise safety or security.

The Sheriff's Department complies with the mandates of state law to provide exercise opportunities to those in custody. The Sheriff's Department is not mandated to provide aerobic exercise equipment, but does agree that such equipment may promote wellness to those who choose to utilize the equipment.

ISLA VISTA FOOT PATROL

Finding 4:

Loud amplified music at night causes large crowds to gather and become disorderly.

Response to Finding 4:

The Sheriff's Department agrees with the finding.

Recommendation 4:

Enforce local noise ordinances and disturbing the peace laws.

Response to Recommendation 4:

The Isla Vista Foot Patrol regularly and frequently enforces noise and disturbing the peace laws. In 2002 deputies issued 226 citations for violations of Santa Barbara County Ordinance 40-2, the noise ordinance section. They also responded to 616 loud party calls and 39 live band events. Often these calls were before midnight so that the 40-2 section did not apply. When that occurs a citizen must sign a complaint, and often this does not occur. The goal of any law is to gain compliant behavior. In many cases violators will immediately turn off the music when contacted by the deputies. The deputies assigned to the Isla Vista Foot Patrol are seasoned, experienced personnel, who use discretion, based on call-priority and circumstantial effectiveness.

Finding 5:

The zero tolerance law is not being enforced.

Response to Finding 5:

The Sheriff Department disagrees with this finding. There is no "zero tolerance" law within the State of California.

Although there are no "zero tolerance" laws for drugs and alcohol in Isla Vista, the officers assigned to the Foot Patrol do enforce state drug and alcohol statutes vigorously and consistently in Isla Vista. Each school year begins with several student orientation meetings, which involve the distribution of a brochure that explains the laws applicable to the Isla Vista environment. This is reinforced with aggressive enforcement of law, primarily related to drug, alcohol, noise, music and other disorderly conduct. Staffing is increased during the Fall, culminating with the Halloween event. Staffing is again increased at the end of the year during the move out activities. Throughout the year the Isla Vista Foot Patrol Station Commander utilizes specialized teams during such times as school finals and vacations. During certain periods, Isla Vista Foot Patrol personnel are encouraged to take a very aggressive enforcement stance. However, this enforcement posture is balanced with the need to deal with more serious issues and conditions.

Recommendation 5:

Enforce the zero tolerance law for drugs and alcohol.

Response to Recommendation 5:

The Recommendation will not be implemented as there are no such "zero tolerance" laws for drugs and alcohol.

Finding 6:

The Foot Patrol roll call was held in a room with glass doors and a large window facing the street.

Response to Finding: 6:

We agree with the finding.

Recommendation 6:

Hold the roll call in the back room or in the upstairs assembly room.

Response to Recommendation 6:

The Recommendation will not be implemented, because it is not warranted. Confidential matters are not discussed in a public setting. Isla Vista Foot Patrol was created 33 years ago after a devastating riot that created a major chasm between the community of Isla Vista and law enforcement. The Isla Vista Foot Patrol, in reality, is an expanded store-front operation which balances law enforcement services with much needed community relations interactions. The

supervisors at the Isla Vista Foot Patrol are experienced, hand-selected. They must be given discretion on how to conduct their briefings. Since the inception of the Isla Vista Foot Patrol, no facility has been attacked or overrun, even during turbulent times. The Isla Vista community views the Isla Vista Foot Patrol as a welcome partner that provides public safety, along with community assistance.

Finding 7:

After the weekend parties and holiday celebrations, there is a huge amount of rubbish to be cleaned up at taxpayer expense.

Response to Finding 7:

We agree with the finding.

Recommendation 7b:

Use inmates from the Honor Farm and/or Juvenile Hall to assist in the clean up. This would be an alternative to using County/private services.

Response to Recommendation 7b:

Although we agree with the recommendation it will not be implemented as Sheriff's Department staffing levels are not sufficient to provide supervision of the inmates.

Finding 8:

The Isla Vista Foot Patrol has failed to maintain control of the community in which it serves.

Response to Finding 8:

We disagree with the finding. Isla Vista is unique and not like any other community in the County of Santa Barbara. The community has the highest density of population west of the Mississippi. Along with a student population that changes every year, infrastructure, culture, and staffing plays major roles in the policing of Isla Vista. The department has had a history of developing necessary programs and tactics to deal with any issue. In 1992, Halloween became a major problem with the influx of tens of thousands, who came for Halloween. Many of these were people from other communities. During the 1992 year, arrests soared to over 1,000 for the Halloween weekend period and there were many significant injuries. As a result, the department implemented the 5-Year Plan, to restore Halloween to a local, manageable event. By 1997 arrests had culminated in less than 50, and there were no significant injuries. This 5-Year Plan, however, was not without great monetary costs to the County. There were large numbers of personnel assigned.

Throughout its thirty-three year history, the Isla Vista Foot Patrol has interacted with multitudes of community groups. Recently the Foot Patrol has been continuing its interaction with UCSB and other community based organizations to implement programs that will be beneficial to solving some of the societal problems. Some of these programs include the University of California's Parental Notification, the Property Owner Notification program, extended jurisdiction, nuisance party ordinances, and special team enforcement. Additionally, the Foot Patrol is working with alcohol and drug committees to develop a Conditional Use Program that would be applicable in Isla Vista to control sales and distribution of alcohol, which is a major problem for Isla Vista. Keg registration and Social Host Liability legislation is also being proposed through this anti-drug committee.

We don't believe that the community of Isla Vista is out of control. We recognize that the atmosphere of the Del Playa and Sabado Tarde Streets on Friday and Saturday nights is of great concern to the Sheriff's Department, as well as other community groups. A significant change to enforcement tactics and strategies could diminish police-community relations, and jeopardize the cooperation and trust of the younger student population. The programs listed previously, balanced with the enforcement deemed necessary by the Isla Vista personnel, will be the best strategy to reach a long-term solution.

Staffing for Isla Vista Foot Patrol is a collaborative effort between the Sheriff's Department, UCSB, and the California Highway Patrol. The Isla Vista Foot Patrol Office is also a 24 hour operation and presently has the highest level of staffing in its history.

Stricter enforcement of pedestrian traffic laws, coupled with a re-engineering of the roadways, appears to be a good solution for the Del Playa-Sabado Tarde area. We would recommend the exploration of re-engineering those roadways to consist of a one-way street concept with areas dedicated to pedestrians and bicycles, which would separate vehicular traffic and pedestrian/bicycle traffic. We believe this has been proposed in years past by representatives of the 3rd District and would support a re-examination of this recommendation. Without these recommended changes, it will be virtually impossible to change thirty years of pattern and practice that has been accepted by the community, as well as our legal institutions.

According to the 2001-2002 Santa Barbara County Civil Grand Jury Final Report:

"The Isla Vista Foot Patrol operates very effectively in an environment unique because of the density and youthful age of the population."

"The Isla Vista Foot Patrol is well managed and operates effectively."

Recommendation 8:

The Foot Patrol should initiate stronger tactics to regain control of the community. The Board of Supervisors and the Sheriff has the responsibility to see that this occurs.

Response to Recommendation 8:

The Recommendation will not be implemented. No loss of control has occurred in the community.

Carpinteria Police Department

Finding 9:

The facility urgently needs updating and remodeling.

Response to Finding 9:

The Sheriff's Department agrees with the finding.

Recommendation 9:

The facility would be improved by remodeling the front office and providing a more efficient support staff working area.

Response to Recommendation 9:

The recommendation has been implemented. The front office of the Carpinteria Station recently has been remodeled to improve the working area for the administrative support staff. Ergonomic changes were included in this remodel. This project is over 95 percent completed and we expect to finalize it before the end of this fiscal year.

Finding 10:

There is no exercise room for the officers

Response to Finding 10:

We agree with the finding.

Recommendation 10:

Space and equipment need to be provided for an exercise room.

Response to Recommendation 10:

The recommendation will not be implemented at this time, due to budget restrictions, although we support the recommendation to provide an exercise area for the deputies assigned to the station.

The facility is owned by the City of Carpinteria and all remodels and improvements must meet their approval. The current station lieutenant has been working with City staff members to provide an exercise area. The program has been temporarily suspended, due to uncertain budget restrictions. Funding and space will be the main issues to complete in this goal.

Finding 11:

There is a wall of flimsy drywall in the lobby area of the facility which presents a potential security breach.

Response to Finding 11:

We disagree with the finding. The wall in question is an interior wall that is only accessible once visitors have been allowed entry through the front security door. Generally the public only uses this area during daytime hours. During after-hours periods, the public is routinely escorted by armed deputies. Should someone attempt to gain access through that wall, ample station personnel would be available to prevent a breach.

Recommendation 11:

Replace this flimsy wall with a better constructed wall.

Response to Recommendation 11:

The recommendation will not be implemented because it is not warranted, as stated above.

Santa Maria Sheriff's Substation

Finding 12:

There is an unreliable light fixture in the breathalyzer room.

Response to Finding 12:

The Sheriff's Department agrees with this finding.

Recommendation 12:

The wiring needs to be upgraded to accommodate a new light fixture.

Response to Recommendation 12:

The recommendation has been implemented. The work was completed by County General Services.

Finding 13:

The women's locker area is inadequate.

Response to Finding 13:

The Sheriff's Department agrees with the finding.

Recommendation 13:

Enlarge the women's locker area.

Response to Recommendation 13:

The recommendation has not yet been implemented, but will be implemented in the near future. The Sheriff's Department is currently looking at a modular building that would be used as a locker room and restroom.

Figuerro Street Holding Facility

Finding 14:

There is no emergency equipment in the facility.

Response to Finding 14:

The Sheriff's Department disagrees with this finding. The Figueroa Street Holding Facility, as well as all other court holding facilities in the County, is currently equipped with emergency first aid equipment.

Recommendation 14:

Medical Emergency equipment to match the level of expertise of the personnel is needed.

Response to Recommendation 14:

The Sheriff's Department has already met the recommendation. The equipment has already been provided, and is consistent with the training level of the officers who staff the facility. Additionally, the emergency equipment provided in all Sheriff's holding facilities goes beyond mere "first aid" supplies. The Figueroa Street Facility and the other holding facilities are equipped with Automated External Defibrillators. These allow the officers in the holding facilities to be adequately prepared to handle competently any first responder functions until EMS System personnel can respond to an emergency.

Finding 15:

The parking lot where the inmate transporting vehicles are parked is not secured.

Response to Finding 15:

The Sheriff's Department agrees with this finding. The parking lot is not secured.

The Sheriff's Department points out that this parking lot is the responsibility of General Services. The Sheriff's Department is only one of many agencies that make use of this lot.

Recommendation 15:

The deficiency has been addressed but funding is a year or more away. Care must be taken to assure funding remains on line.

Response to Recommendation 15:

Discussions were instituted by General Services in the past among the users of this parking lot, about methods of securing this lot. No agreement as to the method to be used to secure the lot, or a source of funding was either identified or agreed upon. According to General Services, funding for this purpose has not been formally proposed and this project currently has a very low priority.

Finding 16:

The facility is overcrowded at times.

Response to Finding 16:

The Sheriff's Department agrees wholly with this finding.

Recommendation 16:

Crowding may be alleviated by having another transportation van available. This would allow for staggered arrival and departure times. Another possibility for addressing the shortcomings in this unit is for the County to develop a system of video arraignment of prisoners. The potential economy and safety of this system appears to be well worth considering.

Response to Recommendation 16:

The availability of another transportation van will not allow for the "staggered arrival and departure" of inmates. This is a scheduling problem, not a transportation problem. Virtually all inmates scheduled for Santa Barbara Superior Court are scheduled to appear at 0830 hours. Should the courts refine their scheduling practices the Sheriff could then efficiently schedule inmate arrivals and departures at the holding facility in a more realistic manner. This would significantly impact the overcrowding problem here.

The Grand Jury proposed a "video arraignment" system as a partial solution to the overcrowding at court holding facilities. The Sheriff's Department reached the same conclusion years ago. However, this is not an action the Sheriff can implement or fund unilaterally. A solution such as this will take the active cooperation and agreement of the courts, the District Attorney and the Public Defenders Office. The Sheriff's Department is fully committed to bringing this

type of system on line, and currently has a standing committee that is aggressively pursuing the realization of such a system.

AVIATION BUREAU, SANTA YNEZ AIRPORT

Finding 17:

The helicopters now in use are inadequate for some tasks.

Response to Finding 17:

The Sheriff's Department agrees with the finding.

Recommendation 17:

There is a strong need for a newer and larger helicopter with cable harness and stretcher lifting capability.

Response to Recommendation 17:

The Recommendation has not been implemented, but the Sheriff's department agrees with this recommendation. We are currently looking at several options to procure a helicopter capable of utilizing a cable harness and one that has stretcher lifting capabilities. The Department is exploring several options to obtain the helicopter including private funding sources as well as State and Federal grants.

CORONER'S BUREAU

Finding 18:

The Coroner's office/facility is cramped and too small for the workload.

Response to Finding 18:

The Sheriff's Department agrees with the finding.

Recommendation 18:

A remodel program is essential and long overdue. This remodel would provide adequate workspace.

Response to Recommendation 18:

A remodeling program began in the fall of 2002. The Coroner's Bureau was able to acquire a vacated portable building, which was already located behind the main Coroner's facility. The building was remodeled and the Coroner Investigators and newly hired Pathologist have moved their offices into this building. The new portable building now offers much more square footage than the previous office space used by the investigators. The main Coroner's Office

remodel is underway and will include a separate Sergeant's office and a separate lounge/conference room for the employees. This remodeling project should be completed sometime during the next fiscal year.

Finding 19:

The workload is too heavy for the investigators who are on staff.

Response to Finding 19:

The Sheriff's Department agrees with the finding.

Recommendation 19:

Hire and train at least one more investigator.

Response to Recommendation 19:

The recommendation has been implemented. In the fall of 2002 an additional Coroner's Investigator was assigned to the Coroner's Bureau and was sent to a two week Coroner's school for training.