

2016-17 SANTA BARBARA COUNTY GRAND JURY



FINAL REPORT

June 30, 2017

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2016-17 SANTA BARBARA COUNTY GRAND JURY FINAL REPORT

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GRAND JURY SANTA BARBARA COUNTY

June 30, 2017

Honorable James E. Herman
Superior Court of California
County of Santa Barbara

Dear Judge Herman,

On behalf of the 2016-2017 Santa Barbara County Civil Grand Jury I am proud to present the Jury's final report to you and citizens of Santa Barbara County. This final report includes activity reports and investigative reports. Additionally, a status report, a self-study on the efficacy of the Grand Jury reports, is included. Individual reports have been posted throughout the year on the Grand Jury website, www.sbcgj.org.

Each report represents hundreds of hours of work involving reviewing copious pages of documents and numerous interviews with personnel and managers of county agencies, as well as subject matter research.

This year the Jury continued to conduct activities to increase public awareness of the Grand Jury and to attract future jurors. This included social media of Facebook and Twitter, which are targeting a younger demographic. The Jury, using a two person team, continued to give Grand Jury presentations to various clubs and organizations across the County. Darrel Parker arranged for and, in conjunction with a Jury representative, participated in talk radio interviews.

Of special note was the ongoing support from Martin McKenzie, Chief of Litigation / Grand Jury Counsel. Mr. McKenzie was always available for advice and guidance through complex issues. He was frequently sending out queries and responses to the Jury's reports throughout weekends and holidays. It is difficult to fully describe Mr. McKenzie's thoroughness, commitment to excellence, or his advice in one letter.

Darrel Parker, as the Executive Officer of Santa Barbara County Superior Court, was always supportive of all the Jury needs. His energy and enthusiasm is contagious and gives credence to the function of the Grand Jury.

Judge Herman, as our Presiding Judge I thank you for having confidence in appointing me as foreperson of this dedicated, collegial, talented and tireless group of citizen volunteers. I also appreciate your availability to the Jury, even while on vacation. Your support was also instrumental in the Jury success.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew E. Brown', with a long horizontal flourish extending to the right.

Andrew E. Brown
Foreperson
2016-17 Santa Barbara County Grand Jury

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2015-16 SANTA BARBARA COUNTY

GRAND JURY MEMBERS

Ronald Allman	Santa Maria
Barbara Breza	Solvang
Andrew Brown, Foreman	Goleta
Eugene Bucciarelli	Santa Barbara
Jack Dillon	Santa Barbara
Mark Huerth	Orcutt
Cole Lucas	Santa Maria
John Lyddon	Orcutt
Robert May	Orcutt
Linda Mier	Santa Barbara
Janet Napier	Santa Barbara
Robert Nyvold	Goleta
Pamela Olsen	Santa Barbara
John Richards	Orcutt
Gwen Rigby	Goleta
Lorelei Snyder	Goleta
Arnold Spechler	Santa Barbara
Dan Suchman	Goleta
Richard Withey	Santa Barbara



Back Row

Pamela Olsen, Robert May, Jack Dillon, Robert Nyvold, John Richards, Linda Mier, Mark Huerth

Middle Row

Gwen Rigby, Andrew Brown, Barbara Breza

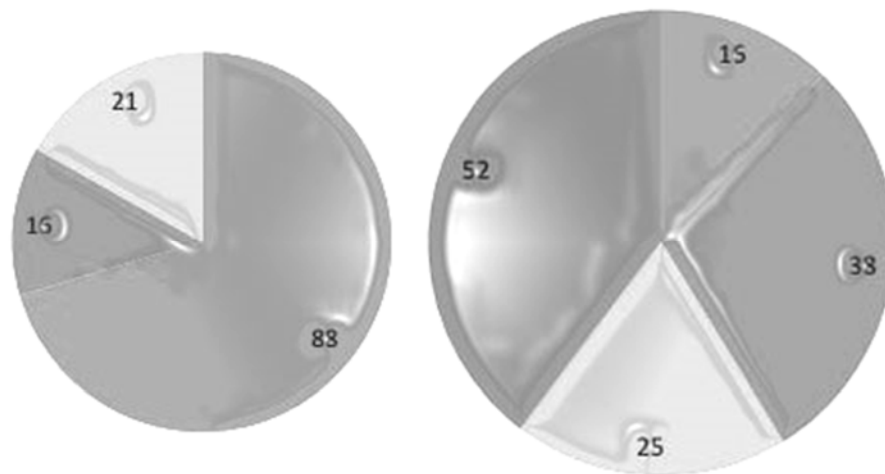
Front row

Ronald Allman, Dan Suchman, Janet Napier, Richard Withey, Lorelei Snyder

Not Shown

Eugene Bucciarelli, Cole Lucas, John Lyddon, Arnold Spechler

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**COUNTY AGENCIES IMPLEMENT 79
GRAND JURY
RECOMMENDATIONS**

COUNTY AGENCIES IMPLEMENT 79 GRAND JURY RECOMMENDATIONS

INTRODUCTION

This Status Report by the 2016-17 Santa Barbara County Grand Jury (Jury) assesses the adequacy of the responses to the nine Investigative Reports issued by last year's Jury as of December 2016. Each Investigative Report requires responses from one or more government agencies. This action is required by *California Penal Code §933 and §933.05*, which specifies the form of the responses and the specified statutory time limit. All Grand Jury reports and responses are posted on the Grand Jury's website (www.sbcgj.org).

RESPONSE REQUIREMENTS

Responses to Findings shall be either:

- Agree
- Disagree wholly
- Disagree partially with an explanation

Responses to Recommendations shall be one of the following:

- Has been implemented, with brief summary of implementation actions taken
- Will be implemented, with an implementation schedule
- Requires further analysis, with a timeframe that shall not exceed six months from the date of publication of the report.
- Will not be implemented, with an explanation of why

SUMMARY OF RESPONSES

The governmental oversight role of the Jury requires follow-up to ensure that agreed-upon actions have been implemented by these agencies. The 2016-17 Jury collected and reviewed the required responses to the reports.

COUNTY AGENCIES IMPLEMENT 79 GRAND JURY RECOMMENDATIONS

Responses to Findings

A total of 125 responses to Jury Findings were received from County agencies.

- In 88 instances (70%), the respondent **agreed** with the Finding
- In 16 instances (13%), the respondent **disagreed** with the Finding
- In 21 instances (17%), the respondent **agreed** (or disagreed) **partially**

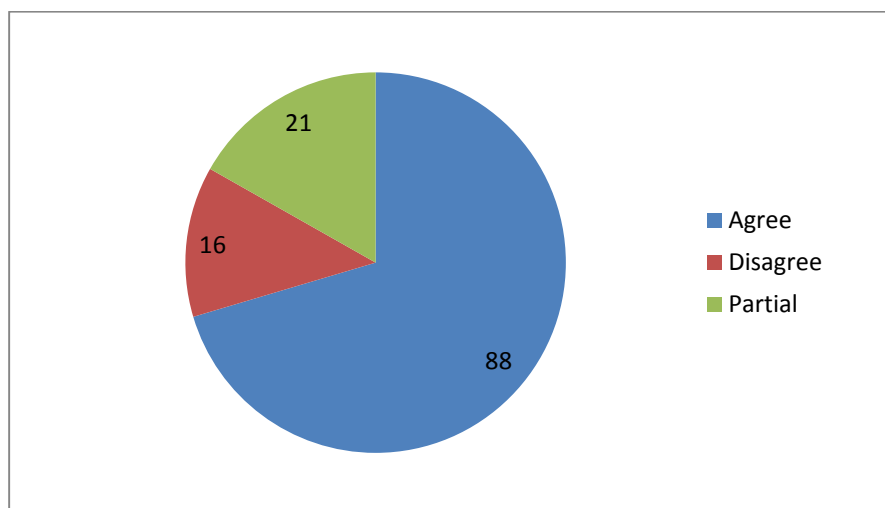


Figure 1. Summary of Responses to Jury Findings

Responses to Recommendations

A total of 131 responses to the Recommendations were received.

- 16 (or 12.2%) **has been implemented**
- 38 (or 29.0%) **will be implemented in the future**
- 25 (or 19.1%) **requires further analysis**
- 52 (or 39.7%) **will not be implemented**

When a respondent replies to a Recommendation with “Will be Implemented” or “Requires Further Analysis,” the issue is considered still open and in need of resolution or closure. It is a commitment for further consideration or action to which the respondent should be held. Analysis of the agency responses to the 2015-16 Jury reports reveals that 48.1% of the responses fell within these categories.

COUNTY AGENCIES IMPLEMENT 79 GRAND JURY RECOMMENDATIONS

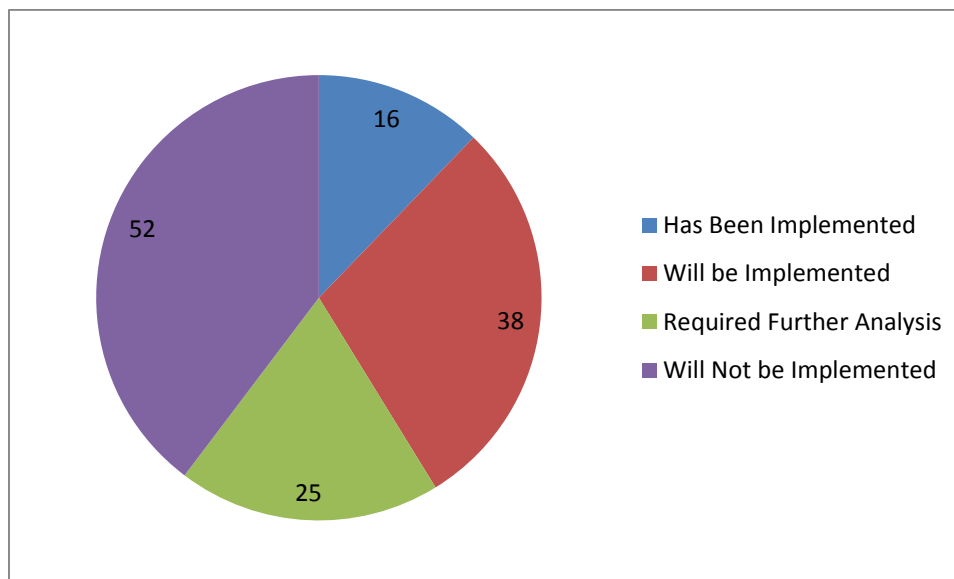


Figure 2. Summary of Responses to Jury Recommendations

Will Be Implemented (WBI). The Grand Jury's analysis revealed that report responses categorized as WBI were less likely to drag on longer than other responses and therefore easier to track to closure. The main causes of significant delay for WBI categorized items were fiscal or implementation complexity. Recommendations aimed at fixing complex problems or calling for expensive solutions encounter the realities of the budgeting or procurement processes. It is therefore not surprising that the time frame for implementing a complex new initiative from start to finish can easily take 12 months or more. Paradoxically, despite these sometimes-long implementation times, report recommendations in the WBI category establish a paper trail and are easier to revisit.

Requires Further Analysis (RFA). The Grand Jury looked at all the report recommendations that resulted in an RFA. It appears the RFA response to recommendations that are difficult or complex may be the fallback position of the agency to postpone making a final decision in a short timeframe or to avoid committing to an action it does not fully support. Grand Jury interviews also revealed that agencies might use the RFA response when the position of the entity's governing board on the issue is unclear or unknown. Regardless of whether the recommendation being considered actually requires additional analysis, an RFA response is technically compliant with the Penal Code requirements only as long as the scope and duration of the study are defined. In addition, the Code requires that the study time frame "not exceed six months from the date of publication of the Grand Jury report." Too often, RFA responses do not meet this requirement and thus should more accurately be considered "Will not be implemented" responses.

COUNTY AGENCIES IMPLEMENT 79 GRAND JURY RECOMMENDATIONS

ANALYSIS OF SPECIFIC REPORTS

The nine reports that required responses to their recommendations are discussed in the order in which they appear in the 2015-16 Jury's report.

“Parking Citation Problems with the Sheriff’s Office – Not an Easy Way to Pay”

Response from the Santa Barbara County Sheriff’s Department:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	4	0	1	5

The four WBI recommendations will be included in a new contract with Phoenix Information Systems, which is in negotiation. When fully implemented, these new processes will provide more rapid processing, allow cash payments, and include objective performance evaluation measures. The contract is scheduled for signature early in 2017.

“Cuyama Community Services District - Operating Under Difficult Circumstances”

Response from the Cuyama Community Services District (CCSD):

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
3	10	1	1	15

Three recommendations have been implemented.

The CCSD Board of Directors disagreed with the Jury’s recommendation that they pay themselves a stipend for attending meetings. The disagreement was based on Cuyama’s “disadvantaged community” status.

The recommendation “that the Cuyama Community Services District implement the rate increases recommended in the October 2015 CCSD Water and Wastewater Rate Study by the Rural Community Assistance Corporation” is classified Requires Further Analysis. No study completion schedule was provided.

Ten recommendations will be implemented, but no completion schedule has been provided. When implemented, these improvements will provide: key employee ethics training, written job descriptions, conflict of interest rules, key employee succession plans, annual performance appraisals for employees, delinquent account policy enforcement, public outreach regarding future rate increases, and enforcement of existing policies and procedures.

COUNTY AGENCIES IMPLEMENT 79 GRAND JURY RECOMMENDATIONS

“Santa Barbara County Grading Code – Where the Dozer Meets the Dirt”

Response from the Santa Barbara County Board of Supervisors:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	3	0	4	7

Responses to three of the recommendations were classified Will Be Implemented. These were:

Recommendation 1: “...review and revise the Santa Barbara County Grading Code, Chapter 14, to include language that ensures more consistent enforcement.” This task is scheduled for completion before the end of FY 2016-17.

Recommendation 4: “...revise the Santa Barbara County Grading Code, Chapter 14, to specify how many times in a given timeframe a property owner can move less than 50 cubic yards of earth without a permit.” This task is scheduled for completion before the end of FY 2016-17.

Recommendation 5: “...revise the Santa Barbara County Grading Code, Chapter 14, (Sections 14-6, 14.8 and 14-9.2) to further define 50 cubic yards of earth, as it applies to compaction.” This task is also scheduled for completion before the end of FY 2016-17.

“Lake Cachuma – Protecting a Valuable Resource”

This is a very unusual situation since the operation and maintenance of the U.S. Bureau of Reclamation-owned dam and distribution system is performed by a joint powers agency, Cachuma Operations and Maintenance Board (COMB), that comprises a number of water purveyors. As a result, responses were received from six separate local agencies. There are significant disparities in the responses, reflecting the provincial interests of the respondents.

Response from the Santa Barbara County Board of Supervisors:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	4	2	4	10

Response from the City of Santa Barbara:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	3	4	7	14

COUNTY AGENCIES IMPLEMENT 79 GRAND JURY RECOMMENDATIONS

Response from the Carpinteria Water District:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	5	3	5	13

Response from the Montecito Water District:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
2	1	4	8	15

Response from the Santa Ynez Water District (ID1):

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	1	2	9	12

Response from the Goleta Water District:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	3	5	5	13

There is general agreement with the Jury's findings, but little accord among the six agencies on what to do about them. The supporting data are on-line at www.sbcgj.org. Based upon a meeting convened by the State Office of Emergency Services on December 15, 2016, it appears State money may now be available for water related improvements, but will require significant regionalization. This may result in greater cooperation between the water agencies than is indicated in the various responses.

“Detention Facilities Report”

The recommendations in this report required responses from the Santa Barbara County Sheriff's Department and the County Board of Supervisors.

Response from the Santa Barbara County Board of Supervisors:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	0	0	1	1

COUNTY AGENCIES IMPLEMENT 79 GRAND JURY RECOMMENDATIONS

The Sheriff-Coroner's Office was included as part of the Detention Facility Report. A contract was awarded earlier this year to correct the worst of the ventilation problems at the Coroner's facility that were noted by the Jury. The Board of Supervisors is satisfied that this action will solve the problems. As a result, replacement of the entire facility will not be implemented at this time.

Response from the Santa Barbara County Sheriff's Department:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
1	0	0	1	2

The Jury recommended that video surveillance equipment be installed at the Lompoc Court Holding Facility. The Sheriff's Department informed the Jury that all County Court Holding Facilities are owned by the State, and that installation of the recommended equipment would require State approval. The Sheriff's Department recently requested that video surveillance equipment be installed at the Santa Maria Court Holding Facility after a Custody Deputy was assaulted there. The State refused the request.

Additionally, maintenance of the Santa Maria Substation drug drop box has been implemented.

“Los Prietos Boys Camp – Effective but Underutilized”

Response from the Santa Barbara County Board of Supervisors:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	1	2	3	6

Recommendations included evaluating the feasibility of including female juvenile offenders in this successful program. The Board of Supervisors agreed to study the issue further.

A recommendation to expand a successful south County youth mentorship program to north County is pending.

A recommendation that the Probation Department establish a uniform recidivism rate calculation methodology so that success rates of various programs can be compared resulted in a statistician being hired to perform this task.

COUNTY AGENCIES IMPLEMENT 79 GRAND JURY RECOMMENDATIONS

“City of Santa Barbara – Commissions, Committees and Boards”

Response from Santa Barbara City Council:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
1	0	0	2	3

The City Council of Santa Barbara agreed to “...review the statuses of Advisory Group every two years....”

“Santa Barbara County Jail – Intake screening Process”

Response from the Santa Barbara County Sheriff’s Department:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
3	1	2	0	6

Of the Jury’s six recommendations, three have been implemented. They deal with increased use of Registered Nurses during the intake process and improved record keeping. One recommendation, dealing with the need for an electronic medical records system, will be included as a requirement in a new contract being awarded shortly. Two recommendations dealing with improved record keeping are under study.

“Lompoc Unified School District – Problems on the Board”

The recommendations in this report required responses from the Lompoc Unified School District (LUSD), as well as the Santa Barbara County Board of Education and the Santa Barbara County School Superintendent who filed a joint response. In addition, because of possible violation of the law, this report was referred to the Santa Barbara County District Attorney for further investigation, resulting in the LUSD being reimbursed for the amount in question. The District Attorney chose not to pursue the matter further.

Response from the Lompoc Unified School District:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
6	2	0	1	9

The LUSD acknowledges it has problems and is being forthright in addressing them, resulting in improved financial management and accountability and better enforcement of existing LUSD procedures and practices. The two recommendations dealing with mandatory ethics training and improvement of the work environment are being implemented.

COUNTY AGENCIES IMPLEMENT 79 GRAND JURY RECOMMENDATIONS

Joint Response from Santa Barbara County Superintendent of Schools and Santa Barbara County Board of Education:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	0	0	1	1

This response agreed with the recommendation for an independent audit, but indicated it does “...not have jurisdiction over the governance or operations of the Lompoc Unified School District.” As a result, no action will be taken by the County Board of Education.

The LUSD has accepted the Jury’s recommendation and is having an independent audit conducted.

SUMMARY

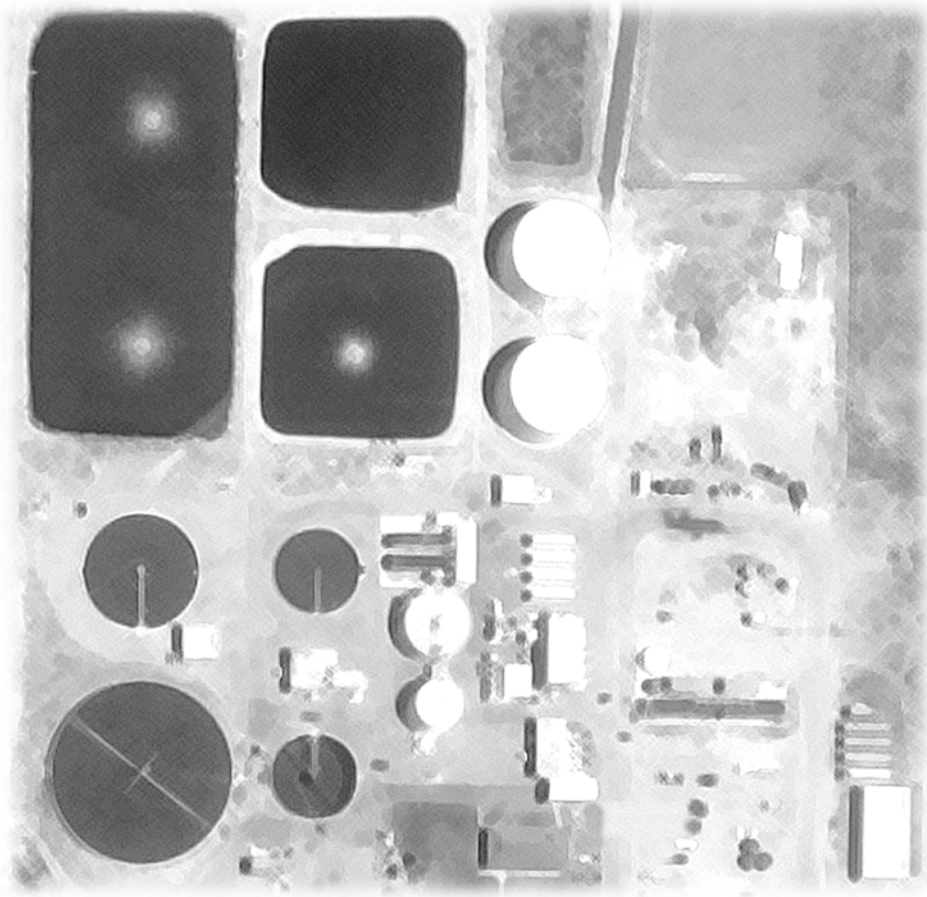
The mandate of the Santa Barbara County Grand Jury is to shine a light on governmental operations within Santa Barbara County. The Jury’s objective is to increase transparency and operating efficiency.

The 2015-16 Jury issued nine reports. The reports contained 125 findings. In their responses, the responding agencies agreed, either wholly or partially, with 109 of the findings and disagreed with 16.

The reports also contained 144 recommendations. In 79 instances, the responding agencies have either implemented the desired change already, plan to do so in the future, or require additional study or analysis before deciding what to do.

**COUNTY AGENCIES IMPLEMENT 79 GRAND JURY
RECOMMENDATIONS**

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LAGUNA COUNTY SANITATION DISTRICT

LAGUNA COUNTY SANITATION DISTRICT

Prudent Planning

SUMMARY

Since 2010, when the yearly residential charge for sewer service in the Orcutt area by the Laguna County Sanitation District (LCSD) was \$551.47, the sewer service charge has increased by 87 percent to the current 2016 yearly charge of \$963.68. What has driven the 87 percent increase? The Santa Barbara County Grand Jury (Jury) investigated the reasons for the increases. The Jury found that the Sanitation District used prudent planning and that the increased sewer fees were justified.

METHODOLOGY

The Santa Barbara County Grand Jury (Jury) interviewed key members of the Santa Barbara County Public Works Department and visited the LCSD treatment facility. The Jury reviewed consulting reports commissioned by LCSD, as well as its 2011 presentation to the Santa Barbara County Board of Supervisors (BOS) for the plans to upgrade and expand the facility.

OBSERVATIONS

The LCSD was created in 1958 by the Santa Barbara County Local Agency Formation Commission to take over the existing operations of a privately owned sewer and wastewater treatment facility that was then serving the unincorporated areas of Santa Maria not served by another district. LCSD began operation in 1959 and is a dependent special district of Santa Barbara County. It is the largest utility that the Santa Barbara County Public Works Department oversees. LCSD serves approximately 11,700 residential and business customers. It currently collects 2.4 million gallons per day (mgd) of wastewater through a system of 128 miles of pipes, manholes, a lift (pump) station and the wastewater treatment facility. The facility is rated to treat 3.2 mgd of effluent but its permitted capacity is limited to 2.4 mgd by the Regional Water Quality Control Board. This limitation is due to the high salt content of the treated effluent, which is largely attributable to home regenerating water softeners.

In 1997, the Santa Barbara County Planning and Development Department published the Orcutt Community Plan which addressed the assets and challenges faced by this unincorporated portion of the northwest part of the County. One of the challenges that confronted the then 40-year-old LCSD plant was the high salt content of the effluent, which limited the plant's use of its full treatment capacity. The other was that "...theoretical full build out...creates a potential demand of 2.1 mgd above the 2.4 mgd currently treated, thus exceeding the plant's capacity by 1.3 mgd." This limits its ability to serve any additional customers.

LAGUNA COUNTY SANITATION DISTRICT

During the course of its first 50 years of operation, the LCSD made upgrades to its plant and collection system in 1974 and 1986 as well as a minor upgrade in 2001. Between 2001 and 2015, the District engaged three wastewater-consulting firms to help formulate a plan to address the repair or replacement of equipment that was nearing or had passed its useful life expectancy.

In 2001, LCSD hired a consulting firm, Ch2MHILL (CH), which produced a report entitled “Wastewater/Reclamation Treatment Plan Conceptual Master Plan for Build Out to 7 mgd.” This report reevaluated the connection fee (developer capacity impact fee) based on the regulatory compliance upgrade and anticipated future improvements. This report cost \$24,703. In 2006 and 2007, CH produced two reports for the Golden State Water Company Region 1 Headquarters (the purveyor of water to this area). CH later used these two reports as part of a study it did in 2010 for the District.

In 2008, CH produced another report entitled “Feasibility Study of Treated Wastewater Discharge Options.” This report analyzed the costs of various effluent discharge mechanisms (recharging aquifer, discharge to creeks and/or ocean), environmental regulations, permitting and physical capability/limitation factors. The cost of this report was \$98,000.

In 2009, LCSD hired Penfield and Smith to produce another report entitled “Draft Sewer Collection System Master Plan.” This report assessed the existing and future sewer system capacity. The State Water Resources Control Board had established new requirements in 2006. It then became the responsibility of each wastewater agency to know the capacity of its sewer system and how it would be impacted by future development. The cost of this report was \$92,440.

In 2010, CH was hired again and, using the findings of the past studies, produced a report entitled “Wastewater/Reclamation Plant Facilities Financial Master Plan.” The purpose of the study was to “...provide a clear direction for the design and implementation of the next expansion and upgrade to the LCSD’s facility as well as to meet increased regulations.” This report, which cost \$279,260, described a Phase I upgrade (replace existing substandard equipment) and a Phase II expansion of the entire system (future capacity increase). It became the basis for the LCSD’s request to the BOS for approval to move forward with Phase I at an estimated cost of \$34 million.

Between 2011 and 2015, user fees were increased by approximately 11 percent per year in order to better position the district for future borrowing needs. By increasing reserves, it enabled the LCSD to qualify for lower interest rates on future bond issues.

After approval by the BOS in 2011, customers were notified of meetings where they would be informed of the plan to repair and upgrade the facility and how that work was to be funded through a yearly increase in their sewer fees over a five-year period. After this series of public meetings, LCSD management implemented the rate increases that began immediately.

While LCSD was planning to upgrade its facilities, it also studied the feasibility of clean renewable energy. LCSD had methane reactors that were in constant need of expensive repairs and were inefficient and unreliable. Electricity costs were between \$300,000 to \$400,000 per year. In 2010-11, taking advantage of a Federal Clean Energy Program, LCSD installed a one megawatt solar voltaic system. With the solar panels fully functioning, the sale of excess electricity back to the power company has

LAGUNA COUNTY SANITATION DISTRICT

reduced the average annual cost of electricity to between \$30,000 and \$40,000, a 90 percent reduction. This cost savings is due to overproduction of power during the day and subsequent sale of that power back to the grid.

In spite of these cost-cutting measures, the estimated costs of construction, labor and materials had increased substantially from initial estimates. In 2015, LCSD hired another wastewater consulting engineering firm, Carollo, at a cost of \$354,828, to assist the District's management to reconfigure the proposed upgrades. The \$34 million budget and fee increases that the District had originally planned were now inadequate. The components in Phase I of the project that went over budget were rolled over into Phase II as the build out actually takes place. Carollo issued its report, entitled "Phase I Plant Upgrades Project and Project Development Report." It recommended the most comprehensive and cost effective proposal for implementing Phase I. Implementation of the Phase I project will be presented to the BOS in the fall of 2017 for final approval. At that time, the LCSD will be in a good position to finance Phase I at a favorable interest rate.

CONCLUSION

The 2016-17 Santa Barbara County Grand Jury found that the Santa Barbara County Department of Public Works, Laguna County Sanitation District and Santa Barbara County Auditor-Controller carefully planned a comprehensive process to fund system upgrades and replacements with the least financial impact on its customers.

The Jury found that the Laguna County Sanitation District's management exercised comprehensive planning and forward-looking leadership on behalf of its customers.

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VETERANS STAND DOWN

VETERANS STAND DOWN

Never Forget

INTRODUCTION

The 2016-17 Santa Barbara County Grand Jury (Jury) would like to join the public in recognizing the many veterans that reside in this County. Their courage and sacrifices should never be forgotten. This report highlights Santa Barbara County's involvement with the Veterans Stand Down, an annual event where the veterans receive goods and services.

For the past five years, Fifth District Santa Barbara County Supervisor Steve Lavagnino and his staff have organized a Veterans Stand Down. On October 15, 2016, a one-day event was held at Santa Barbara County Fairpark in Santa Maria. Like other Stand Downs across the United States, local organizations gathered to provide assistance with food, housing, clothing, health screenings, Veterans Administration (VA) and Social Security benefits, voter registration and counseling. Referrals were given to other necessary services such as legal advice, college programs, substance abuse treatment, and medical insurance. Businesses and County agencies came to recruit prospective employees. It should be noted that Santa Barbara County employees and representatives of 97 organizations donated their time to help the veterans. This report spotlights the care our community demonstrates for our local Santa Barbara County veterans, including homeless veterans.



BACKGROUND

As described by the National Coalition for Homeless Veterans (NCHV) on their website, “The original Stand Down for homeless veterans was modeled after the Stand Down concept used during the Vietnam War to provide a safe retreat for units returning from combat operations. At secure base camp areas, troops could take care of personal hygiene, get clean uniforms, enjoy warm meals, receive medical and dental care, mail and receive letters, and enjoy the camaraderie of friends in a safe environment. Stand Down afforded battle-weary soldiers the opportunity to renew their spirit, health and overall sense of well-being that is the purpose of the Stand Down for homeless veterans, and achieving those objectives requires a wide range of support services and time. The program is successful because it brings these services to one location, making them more accessible to homeless veterans.

VETERANS STAND DOWN

“In July 2002, the founders of Stand Down – Robert Van Keuren, Dr. Jon Nachison and Vietnam Veterans of San Diego – asked the National Coalition for Homeless Veterans (NCHV) to become the ‘keeper of the flame’ and provide national leadership for the movement. Since the first Stand Down in San Diego in 1988, the program has become recognized as the most valuable outreach tool to help homeless veterans in the nation today.”

The website for the U.S. Department of Veterans Affairs further explains, "Stand Downs are typically one- to three-day events providing supplies and services to homeless Veterans, such as food, shelter, clothing, health screenings and VA Social Security benefits counseling. Veterans can also receive referrals to other assistance such as health care, housing solutions, employment, substance use treatment and mental health counseling. They are collaborative events, coordinated between local VA Medical Centers, other government agencies and community-based homeless service providers.” The Jury observed that many of these services were available to all veterans and their families.

The Stand Down Overview website reports that nationally: “In 2010, over 190 independent Stand Down events served over 52,000 veterans and family members. Over 27,000 volunteers participated in these events, providing services, logistics support, and companionship. Department of Labor-Veterans Employment and Training Service (DOL-VETS) provided funding for 81 events in 2010 to help facilitate employment readiness and connectivity to employment and training services. DOL-VETS’ financial support is a critical component of Stand Down events and is the only Federal program devoted exclusively to supporting these initiatives in the community.”

METHODOLOGY

Members of the Grand Jury attended the 2016 Santa Maria Stand Down. In addition to online research, the Jury interviewed Supervisor Lavagnino, his staff, veterans, active duty Air Force volunteers and volunteers from the community.

OBSERVATIONS

Any veteran can register to attend the Stand Down. Their families and even pets were invited. Both breakfast and a barbecue lunch were served to attendees and volunteers. In addition, 660 volunteers participated in the Stand Down. All food and services were donated. This year 13 Santa Barbara County Department sponsors and 175 community business partners gave their time and financial support to this event. A \$7,000 federal grant from the Homeless Veterans Reintegration Program was obtained by Supervisor Lavagnino to supply shoes, clothing, and supplies for homeless veterans who attended the event.



VETERANS STAND DOWN

A total of 579 veterans attended, including 139 homeless men. Sixty-three female veterans attended, including 15 homeless.



SERVICES OFFERED

The services and support provided to attendees included:

- New Clothing and Towels
- Hygiene Products
- Haircuts
- Flu Shots
- Chaplain Services
- Medical, Dental Vision and Hearing Services
- Social Services
- Mental/PTSD Counseling
- Legal Services
- Food
- Employment Counseling
- Pet Zone including medical, grooming, and care packages
- Entertainment
- Kids Zone for Veteran Families
- Transportation

For a complete list of services provided, see www.sbcountystanddown.com

VETERANS STAND DOWN

CONCLUSION

The 2016-17 Santa Barbara County Grand Jury commends all those who participated in the 2016 Stand Down, including Santa Barbara County Fifth District Supervisor, Steve Lavagnino. The Jury found the event was a success. As Supervisor Lavagnino stated to the news media, “In 2012, we started with an idea and a handful of people and now we have a committee of more than 100. It’s a group of very talented people and everybody’s coming together to try and help veterans.”

Under *California Penal Code §933 and §933.05*, this activity report does not require a response.



DETENTION FACILITIES IN SANTA BARBARA COUNTY

DETENTION FACILITIES IN SANTA BARBARA COUNTY

SUMMARY

The 2016-17 Santa Barbara County Grand Jury (Jury) visited all detention facilities in the County. The Jury learned that, although many agency buildings were built 20 to 50 years ago, they were found to be safe and in serviceable condition for staff and arrestees. In the process, the Jury learned that some of the challenges facing the law enforcement community include radio communications and personnel vacancies. In October 2016, ground was broken on the new Santa Barbara County Sheriff's North County Jail in Santa Maria. The Main Jail will remain in operation. It continues to be overcrowded and in need of major upgrades and repairs. Overall, the Jury was generally satisfied with the management and condition of the detention facilities in Santa Barbara County.

INTRODUCTION

As mandated by California Penal Code Section 919(b), the 2016-17 Santa Barbara County Grand Jury (Jury) inspected County jails and detention facilities. These facilities included the following:

Santa Barbara County Sheriff's Office:

- Santa Barbara Main Jail
- Santa Barbara County Sheriff's Substations:
 - Santa Maria
 - Carpinteria
 - Isla Vista Foot Patrol
 - New Cuyama
 - Solvang
 - Lompoc Valley

Santa Barbara County Probation Department:

- La Posada Juvenile Hall
- Los Prietos Boys Camp
- Susan J. Gionfriddo Juvenile Justice Center

Court Holding Facilities:

- Santa Barbara
- Santa Maria
- Lompoc

Municipal Jails and Holding Facilities:

- City of Lompoc
- City of Santa Barbara
- City of Santa Maria
- City of Guadalupe

In addition, the Jury visited the Santa Barbara Sobering Center and the Santa Barbara County Sheriff's Coroner Office.



*Rustic decoration over
the holding cell in New
Cuyama*

DETENTION FACILITIES REPORT

METHODOLOGY

In 2016-17, members of the Jury visited each of the facilities listed in this report. Deputies, police officials, and staff on site at the time of the visits were interviewed and each facility was inspected. The Jury reviewed previous detention facility reports prior to inspections to confirm that issues raised by previous Juries were addressed. Also reviewed were the Board of State and Community Corrections 2014-16 and 2016-18 biennial inspection reports.

OBSERVATIONS

Santa Barbara County Sheriff's Office Custody Facilities

Santa Barbara County Main Jail

The Main Jail, originally built in 1971, has been described as old, antiquated and overcrowded. It is rated for 659 inmates, and the Medium Security Facility is rated for an additional 160 inmates. The average population at the jail tends to be over 1,100. At the time of the Jury's inspection, there were 803 inmates in the Main Jail and 234 in the Medium Security Facility. The Jury learned from a custody officer that "...the current population has been distilled to just high risk inmates...." The cost to house an inmate for one year was approximately \$42,107.82 as of March 14, 2017. Currently, the complex is 45 custody officers short of the 913 considered adequate for the current inmate population (24/7, 365 day operations). Ten new deputies have been hired and there are 15 currently at the Academy. The Jury was told that there is difficulty in recruiting custody deputies.



Main Jail

Although the facility continues to be overcrowded, it was found to be clean. In the South Dorm, where the disabled inmates and those with chronic medical issues are housed, there were beds on the floor. Custody officers told Jurors that some of the inmates want their beds on the floor. There are four safety cells, and two step-down cells, for temporary confinement of inmates that are suicidal or violent. There is video monitoring of the entire facility, though the older section built in 1971 only has cameras in the hallways. The safety cells have video monitoring as well as physical monitoring four times an hour.

During the course of inspection, the Jury learned that not all custody deputies have been trained in the use of various restraint systems used by different agencies throughout the County. All custody personnel need to be trained in safe use of all types of restraints.

DETENTION FACILITIES REPORT

Santa Barbara County Sheriff's Substations:

Santa Maria

This facility has five cells, one safety cell, and two isolation cells for a capacity of 35 beds. It is closed on weekends, so an arresting officer must transport the arrestee to the Main Jail in Santa Barbara. The facility appeared to be well maintained, but is old and worn. Due to a shortage of staff there was mandated overtime at the time of inspection for all custody deputies. During the inspection of the facility, it was reported to the Jury that the patrol deputies who work out of this substation have dead spots in their radio coverage, which is a concern to the Jury because of deputy and public safety.



Santa Maria Substation

Carpinteria

This substation is located adjacent to the City Hall, which was the previous Carpinteria City Police Department. There are two holding cells with solid core wood doors. The cells were clean. Arrestees are held there only while paperwork is completed and then taken to the Main Jail. The deputies act as the city police and patrol the surrounding areas. There are three to five deputies and one supervisor assigned, depending on vacancies. Sheriff's Deputies interviewed explained to the Jury that department radios have many reception dead spots in their patrol area. This is a concern to the Jury because of deputy and public safety.



Carpinteria Substation

Isla Vista Foot Patrol

This facility, built in 2008, has 16 deputies and two office staff. The University of California at Santa Barbara supplies seven officers. There are two holding cells. Arrestees are only held there 15-20 minutes before being transported to the Main Jail. The cells and hallways have cameras.

DETENTION FACILITIES REPORT

New Cuyama

In New Cuyama, there is a single jail cell which was clean and adequate for the minimal holds they have. For access to water in the cell, a pump must be turned on for the sink and toilet to function. Even then, there is not enough pressure to the faucet to produce more than a dribble. Since this area is so remote, radio reception is almost nonexistent. It frequently takes an hour for backup to arrive when needed. Two deputies are assigned to the facility. Sheriff's Deputies interviewed confirmed to the Jury that department radios have many reception dead spots in their patrol area. This is a concern to the Jury because of deputy and public safety.



New Cuyama Substation

Solvang

This holding facility has one cell which is used until an arrestee can be transported to the Main Jail. A second interview room is available which can be used as a cell if necessary. There is no camera within the cell; however, the interior is visible from the office. The cell appeared well maintained. The deputies act as the city police and patrol the surrounding areas. It was reported to the Jury that frequently the deputies' radios do not work in certain portions of the valley, which hampers service and safety.

In 2014, the Chumash tribe initially funded five deputies, their salaries and benefits, and supplied one patrol car, at a cost of \$849,000 annually. The deputies patrol the reservation but are available to respond to calls from the Santa Ynez Valley. In 2016, a new contract with the Chumash provided an additional two deputies, one patrol deputy and one community resource deputy, and provided two more patrol cars. This agreement will cost the tribe an additional \$357,000 annually. This partnership augments the Solvang Substation's capabilities and saves the County much needed money.

Lompoc Valley

This is the newest substation in the County. There are two interview/holding rooms that are secure, clean and in good condition. Both rooms have cameras. The Sheriff maintains an office in this facility. There are no staff shortages. There are two deputies assigned per shift.



Lompoc Valley Substation

DETENTION FACILITIES REPORT

Court Holding Facilities

Lompoc

This facility, built in 1999, is located adjacent to the Lompoc Courthouse. There are five cells with solid steel doors for male/female separation and co-defendants on the same cases. The cells were clean and used for a minimal hold time for court use only. There are three deputies, two full-time and one part-time.

Santa Barbara

This facility, which was built in 1988, has eight holding cells, four isolation cells and four single person cages used for arrestees awaiting for their court appearances and transportation back to the Main Jail. The area was clean, but the space is inadequate for the over 85 arrestees and staff present at the time of inspection. It was noted that there were cameras in all areas. There are five custody deputies assigned to this facility.

Santa Maria

In this facility, which was built in 1989, there are 12 holding cells, four temporary cells and three private conversation booths. Fifty to sixty arrestees can be held here while waiting for their court appearances and transportation back to the Main Jail. The facility is authorized for 20 deputies, but is currently understaffed by two. The facility was well maintained and in good condition.

Santa Barbara County Probation Department:

La Posada Juvenile Hall

Monday through Friday, juveniles are brought to this facility from the Susan J. Gionfriddo Juvenile Justice Center for court appearances in Santa Barbara. They are then transported back to the Susan Gionfriddo Juvenile Justice Center. Although the building needs updating, it was found to be clean and well maintained.

DETENTION FACILITIES REPORT

Susan J. Gionfriddo Juvenile Justice Center

This facility opened in 2005, expanding the county's capacity for juvenile offenders. It is a maximum-security facility for both males and females, ranging from 12 to 18 years of age. Juvenile Court places the wards of the court here for varying lengths of time. There are six housing units rated for 120 boys and girls. This facility is a well-run and well-maintained. It was sufficiently staffed for the population of 64 at the time of the Jury's visit. The Santa Barbara County Education Office ensures continuing education is provided for the wards through the Camino Segundo School, which is held on-site.



Susan J. Gionfriddo Juvenile Justice Center

Los Prietos Boys Camp

The Los Prietos Boys Camp is a residential correctional/treatment facility for 13 to 18-year-old male wards of the Juvenile Court. Los Robles High School, run by the Santa Barbara County Education Office, ensures the wards of the court receive continuing education. There were 52 wards there at the time of the Jury's visit. The facility is located on 17 acres in the Los Padres National Forest. It is clean, well maintained, and adequately staffed.



Los Prietos Boys Camp

Municipal Jails/Holding Facilities

City of Lompoc Police Department

There are seven cells with solid steel doors at this facility, which opened in 1959. The cells were clean. There is a maximum arrestee hold time of 96 hours. Three full-time staff are on shift for the daytime and one full-time at night. The capacity is 19 arrestees. When a female is arrested, a female dispatcher must be pulled from her duties to search the arrestee. The building is older, but clean, well maintained, and has a video system in place.



Lompoc Police Department

DETENTION FACILITIES REPORT

City of Santa Barbara Police Department

The facility was built in 1958. There are two holding cells which appeared clean and well maintained at the time of inspection. The cells are only used during the booking process before the arrestee is transported to the Main Jail.



Santa Barbara Police Department

City of Santa Maria Police Department

This facility can house up to 28 inmates. Last year's Jury noted that there were no operational surveillance cameras inside the facility. It was observed by this year's Jury that there is still no permanent camera surveillance. The holding area has four interview rooms and one restroom. There is a four-hour maximum hold before the arrestee is transported to the County substation or Main Jail. Everything was clean and well maintained. Santa Maria has a state-of-the-art 700 MHz radio system, which has the capacity to include multiple county agencies and the ability to communicate with all emergency agencies in the State of California.



Santa Maria Police Department

City of Guadalupe Police Department

At this facility they only book and transport arrestees. There is one interview room with a bench where arrestees are secured while being processed. There are security cameras throughout the department. During the visit the Jury learned that its radios also have many reception dead spots in the patrol area. This is a concern to the Jury because of officer and public safety. The Guadalupe Police Department currently purchases its radio bandwidth from the Santa Barbara County Sheriff's Department.



Guadalupe City Hall and Police Department

DETENTION FACILITIES REPORT

Coroner's Bureau

This facility was built in 1984 and has had evidence stored there since 1976. A new ventilation system and remodel of the autopsy suite is scheduled to begin construction in April 2017. The facility is clean and fully staffed.



Coroner's Office

Santa Barbara Sobering Center

The City of Santa Barbara funds a Sobering Center through its police department. The Santa Barbara Police are the only ones authorized to bring people to the Center, although inebriated clients may walk in to "sleep it off." Thresholds to Recovery, a nonprofit organization, has run the Center for 23 years. There is one staff member per shift, with a total of seven staff working eight hour shifts, all earning minimum wage. All staff are trained in CPR, and many are drug and alcohol counselors. There is capacity for five to six to sleep on pads on the floor of a small room. The usual stay time at the Sobering Center is approximately four to six hours. By staying at the Sobering Center clients avoid arrest and the City of Santa Barbara avoids booking expenses.

CONCLUSION

The 2016-17 Santa Barbara County Grand Jury learned that some of the problems in the law enforcement community are radio communications and personnel vacancies. In addition, many agency buildings were built 20 to 50 years ago and it was found they are still safe for staff and arrestees. Ground was broken on the new Santa Barbara County Sheriff's North County Jail in Santa Maria in October 2016. The current Main Jail located in Santa Barbara will continue to be used; however, the infrastructure needs major renovation.

DETENTION FACILITIES REPORT

FINDINGS AND RECOMMENDATIONS

Finding 1

Radio reception in some areas patrolled by the deputies working out of Santa Barbara County Substations is poor with many dead spots.

Recommendation 1

That the Santa Barbara County Sheriff's Office upgrade its radio system ensuring coverage in all areas, which will help protect deputies and citizens.

Finding 2

There is a Custody Deputy shortage in the Santa Barbara County Sheriff's Department.

Recommendation 2

That the Santa Barbara County Sheriff's Department hire more personnel to fill these vacancies.

Finding 3

Internal surveillance cameras at the Santa Maria Police Department have not been installed.

Recommendation 3

That the City of Santa Maria complete the installation of the cameras.

Finding 4

Not all Santa Barbara County Sheriff's Custody Deputies have been trained in the use of various restraint systems being used by different agencies throughout the County.

Recommendation 4

That all Santa Barbara County Sheriff's Custody Deputies receive training in various restraint systems used by different agencies throughout the County.

DETENTION FACILITIES REPORT

REQUEST FOR RESPONSE

Pursuant to *California Penal Code Section 933 and 933.05*, the Santa Barbara County Grand Jury requests each entity or individual named below to respond to the enumerated findings and recommendations within the specified statutory time limit:

Responses to Findings shall be either:

- Agree
- Disagree wholly
- Disagree partially with an explanation

Responses to Recommendations shall be one of the following:

- Has been implemented, with brief summary of implementation actions taken
- Will be implemented, with an implementation schedule
- Requires further analysis, with analysis completion date of no more than six months after the issuance of the report
- Will not be implemented, with an explanation of why

Santa Barbara County Sheriff – 60 days

Findings 1, 2, and 4

Recommendations 1, 2, and 4

Santa Maria City Council – 90 days

Finding 3

Recommendation 3

Santa Barbara County Board of Supervisors – Informational Copy – No Response Required



BODY CAMERAS FOR LAW ENFORCEMENT OFFICERS

BODY CAMERAS FOR LAW ENFORCEMENT OFFICERS

The Eye of the Camera

SUMMARY

Across the nation, law enforcement body cameras are becoming a valuable tool in evaluating disputed actions on the part of both police officers and the public. Recorded footage is sometimes critical in ascertaining guilt or innocence. What the camera records can be played in courts and in the media. The public is now highly media conscious and often insists on seeing what has been caught on camera in the interest of fairness and transparency. This tool is becoming more available to law enforcement throughout California. The 2016-17 Santa Barbara County Grand Jury (Jury) looked into a citizen's question about the use of body cameras by County law enforcement agencies.

Within Santa Barbara County (County), law enforcement agencies have discussed body cameras and reached different conclusions. No law enforcement agencies, with the exception of the Isla Vista Foot Patrol Sheriff's Substation and Guadalupe Police Department, have taken the action of supplying cameras for all its officers or deputies. For those agencies that permit the individual use of body cameras, the cost of purchasing and maintaining the cameras may fall on the law officers themselves.

It appears that in the future body cameras will become a standard part of the law officers' equipment as much as dashboard cameras are now. While not failsafe, the data provided by cameras can offer protection for both the officers and the public. The cost of the cameras and supporting technology will be expensive and the implementation will be complex. The Jury proposes that each law enforcement agency that utilizes body cameras have a policy for the use of and storage of their recordings in addition to existing policies for dashboard cameras. This policy must be transparent.

BACKGROUND

Twenty-five years ago, law enforcement officers used only written reports to record contact with the public. Rapid advances in technology have introduced other means of documenting evidence. Recordings, either audio or visual, became welcome tools in disputed court proceedings. County law enforcement agencies began using dashboard cameras and by 2011, only the Santa Barbara and Guadalupe Police Departments had not installed them in patrol cars. This fact led to a report by the 2010-11 Santa Barbara County Grand Jury. Subsequent to that report, the Santa Barbara Police Department and the Guadalupe Police Department installed dashboard cameras. With the evolution of technology, body cameras are becoming the next tool for law enforcement.

BODY CAMERAS FOR LAW ENFORCEMENT OFFICERS

METHODOLOGY

The Jury spoke with a number of law enforcement officers in Santa Barbara County. While not all heads of the departments were available to the Jury, members spoke with a representative sample of officers in the field who would use the cameras. Additionally, the Jury researched a number of studies, reports and media sources about body camera use by law enforcement agencies in California and across the United States.

OBSERVATIONS

Body cameras are used by only two local agencies in Santa Barbara County. Guadalupe Police Department and the Santa Barbara County Sheriff's Substation in Isla Vista have supplied body cameras to their patrol personnel. No other department has offered to purchase cameras. In 2014, the Santa Barbara County Sheriff's Department purchased body cameras, at a cost of \$300 to \$550 each, assigning them to the Isla Vista Foot Patrol. Their time is typically taken up with face-to-face encounters with the residents of Isla Vista, who often have their own cameras and are using them more and more to record their interactions with law enforcement. Some University of California Santa Barbara Police officers have also been using body cameras. In 2015, the Santa Barbara Police Department Chief purchased five cameras, at a cost of \$600 to \$900 each, to test. While the results of the test have not been made public, a financial report was prepared for the City of Santa Barbara with a proposal. To date, the Jury is unaware of any action being taken. The Santa Maria and Lompoc Police Departments have decided not to use body cameras at this time. As one officer stated to the Jury, "They are not a tried and true technology as of yet. Many agencies that have them discontinue use due to expense as well as technical problems. The storage space is very expensive.... I would prefer the technology evolve and the technology and storage issues be worked out by other police agencies before I adopt these cameras." Elsewhere in the county, individual police officers and Sheriff's deputies have purchased cameras at their own expense.

The pros and cons of body cameras can be listed in three main areas of concern: financial, practical, and ethical.

Financial Concerns

If the department does not provide body cameras, individual officers may purchase their own if department policy allows. If officers choose to purchase their own camera, this is an out-of-pocket expense. The Jury learned that individual camera units could cost between \$500 and \$1000. Providing cameras to an entire department could be a major financial impact. The cost of securely storing data is, in fact, an inhibiting factor in deploying body cameras for each department. In 2014, the former Santa Barbara Police Chief estimated \$70,000 for digital storage and access software. At this point, there is no one system that is universally used for storage.

Another issue is the problem of obsolescence of the technology. As tech companies enter this field, some equipment comes with flaws or is found to be inadequate. In fact, the Sheriff's Department had to return a large number of the first group of body cameras because of "issues" in 2014, according to the Sheriff's

BODY CAMERAS FOR LAW ENFORCEMENT OFFICERS

Department's spokesperson¹. Upgrades can be costly. Moreover, any camera purchased could easily become unsupported by newer back-up systems. Local departments would benefit if the uploading and storing of data could be managed by the existing systems already in place for dashboard cameras.

Not only is the immense quantity of material a storage problem, but also time and security can be an issue. In some departments, officers can upload their data into their department's storage facility. Some departments have data from their dashboard cameras automatically stored in a secure location but this is not available for body camera data that must be uploaded separately. There would be administrative costs, not the least of which would be hiring a full-time person to upload, store and track the recordings.

Given the current restricted financial situation in Santa Barbara County and its cities, budgeting for body cameras would take a financial commitment and long-term planning. It has been suggested that the costs of cameras and storage would be offset by fewer financial losses due to lawsuits.

Practical Concerns

Dashboard cameras have been valuable in many cases. Their recordings are often useful in discerning what actually occurred. Body cameras could also have as much value, but there are some inconveniences. First, the cameras themselves are usually high definition, draining their battery quickly. But as a result of the high definition, the quality of the picture tends to be better than that of a dashboard camera. Unfortunately, night vision images are blurry, as reported by several officers. There are also contradictions regarding the range of vision of body cameras. Like the dashboard cameras, the vision of the body camera is limited to the direction faced by the officers; if something occurs to the left or right of the officer, the camera will not pick it up if they turn only their head. However, some cameras have wide-angle lenses, offering a broader view. In addition, the fact that the officer can turn his body offers an advantage that the static dashboard camera does not have. Further, in situations that become more intense, the officer himself could obstruct the view of the camera. One officer demonstrated how pulling out his weapon and pointing it at a suspect blocked the view from the lens. Lastly, in cases of physical confrontation, such as in a scuffle, the body camera could easily be dislodged. There are also some unfinished discussions as to where to place the camera on the body.

Body cameras are not automatically turned on, as are dashboard cameras. Officers have to manually turn them on. In tense situations, having one more piece of equipment to manually adjust could impede the officers in carrying out their work in a fast and efficient manner. In many cases, the Jury was told, there is not enough time to immediately turn on the camera, thereby not recording all events in an incident. In the heat of the moment, the officer might not be able to turn on the camera, or doing so would put the officer at risk.

Ethical concerns

Ethically, body cameras have advantages and disadvantages. In discussions with the Jury, some officers preferred having a recording of every contact with the public just as a matter of policy,

¹ Brugger, Kelsey. "Body-Cam Bill Stalls: Legislature Divided on Wearable Video Cameras for Law Enforcement." Santa Barbara Independent. 31 August 2015. Web.

BODY CAMERAS FOR LAW ENFORCEMENT OFFICERS

officers preferred having a recording of every contact with the public just as a matter of policy, while other officers believed that body cameras provide only a small slice of what they do. In either perspective, the body camera offers one more perspective, and this can be useful. Even with all the limitations and drawbacks to the cameras themselves, some officers feel that it is better to have the data from body cameras than have no data at all.

Body cameras can offer decisive evidence in court cases. Suspects are more easily seen and identified by a camera closer than one mounted in a patrol car. Such evidence can deter many lawsuits against officers and departments, saving both time and money.

Body cameras are reported to encourage good behavior on the part of officers, deputies and members of the public, knowing that they are being recorded. One deputy that the Jury spoke with suggested that officers are less susceptible to misconduct when they wear cameras. There have been several studies on body cameras including two in 2012, in Rialto, California and Mesa, Arizona, and more recently, a 2017 internal report on body cameras by the San Diego Police Department. All studies found that officers with body cameras used force less often; this reduced the number of complaints of police misconduct. Body cameras also have a dampening effect on suspects during the incident; many suspects will calm down when they know that they are being recorded. One local deputy said that his colleagues feel protected with their body cameras; cameras tell their side of the story. This is especially true when dealing with difficult subjects. It's "like insurance," as one officer told the Jury.

CONCLUSION

The use of body cameras by law enforcement officers has been shown to have a positive effect on the operations of the men and women involved in being the peacekeepers of our communities. Although some consider body camera technology to be in its infancy, most officers interviewed are of the opinion that a body camera is a good tool that helps them in their work and interactions with the public.

The 2016-17 Santa Barbara County Grand Jury concludes that the use of body cameras has the potential of providing greater transparency for both the public and law enforcement. Is it time for Santa Barbara County law enforcement agencies to adopt policies and procedures to incorporate this new visual technology to enhance the evolving role of police officers and sheriff deputies in our changing, technological society?

Under *California Penal Code §933 and §933.05*, this activity report does not require a response.



SANTA MARIA HIGH SCHOOL

SANTA MARIA HIGH SCHOOL

A School Community in Transition

SUMMARY

The 2016-17 Santa Barbara County Grand Jury (Jury) received several complaints about the educational practices and the work environment at Santa Maria High School (SMHS). The Jury focused its investigation on allegations of mismanagement of about \$16 million from a Quality Education Investment Act (QEIA) state grant; on communication conflicts between the Santa Maria Joint Union High School District (District), site administrators and teachers; on concerns regarding school safety and on the implementation of anti-bullying procedures required by Assembly Bill 9 (Seth's Law).

The Jury found most concerns to be the result of an educational program in transition. The QEIA grant recordkeeping followed state accounting procedures and the funds were used according to the grant requirements.

Without a doubt, poor communication and conflicting educational practices existed between site administrators and teachers. The Jury found the conflicts to be associated with the new direction that the SMHS Principal, with the support of the District administration, had taken to address the unique needs of the student population. The introduction of the Common Core curriculum, schedule changes, and union contract-related issues exacerbated the conflicts.

To enhance safety and security, the school is surrounded by security fences and has strategically placed cameras. Additionally, the District has adopted procedures required to address bullying issues. These policies are published on the District website, and the "bully button" link for reporting incidents is on the District and SMHS websites.

The Jury found that relations between administrators and teachers are improving and encourages them to continue working together respectfully for the benefit of the students.

BACKGROUND

Santa Maria High School is one of three comprehensive public high schools in the city of Santa Maria and surrounding area. Located in the heart of the city, it is the oldest high school in the Santa Maria Valley and is part of the Santa Maria Joint Union High School District, the oldest high school district in California.

In 2007, SMHS became a closed campus, meaning students are not allowed to leave school grounds for lunch. The only exception to this rule is for seniors with passing grades and no outstanding school debts.

SANTA MARIA HIGH SCHOOL

The high school has a student body of 2,515, including 290 special education students. There are six administrators, 136 certificated teachers and counselors, and 87 support staff. The student population is 97 percent Hispanic, of which 38 percent are classified as English language learners. The current principal, a Santa Maria native, joined the school in 2010.

METHODOLOGY

The Jury visited the school, and interviewed teachers, Faculty Association (union) staff, and administrators from both SMHS and the District. The Jury also reviewed the QEIA financial audit, results from a union-sponsored teacher climate survey, and documents provided by various complainants. The Western Association of Schools and Colleges (WASC) accreditation reports from March 3-6, 2013 and February 22-23, 2016, the school's Parent Handbook and the District's Seth's Law anti-bullying procedures and report form all provided valuable information.

OBSERVATIONS

The Jury narrowed its investigation to three areas of concern. The first related to the management of funds that came from a State of California QEIA grant. As outlined in the Principal's Message in the Student/Parent Handbook of 2013-14, the focus of this seven-year, multi-million dollar grant, that started in 2009, was "to improve student achievement, reduce class sizes in Math, English, Science and Social Sciences, to increase attendance, to provide a 300:1 ratio of students to counselors and to increase graduation rates." To achieve these goals, additional teachers and counselors were hired and portable classrooms added. As a result, the majority of the funds were expended on teacher and counselor salaries and lease fees for the additional portable classrooms. All funds were spent by June 30, 2016. The Jury determined that the funds had been spent in accordance with the provisions of the state grant and generally accepted accounting practices.

The second area of investigation concerned poor communication and conflict between administrators and teaching staff. In 2015 a district-wide climate survey was conducted by the Faculty Association. Out of the 136 members at SMHS, only 70 responded. Of these, 78.79 percent did not feel that they had a meaningful role in decision-making at the school, 66.66 percent did not feel supported by the school's administration and 56.06 percent did not feel valued by administration. Also, 55.38 percent of respondents thought that morale at the school had deteriorated in the previous year.

As indicated in the WASC Report of February 22-23, 2016, the change in the schedule from a block schedule to a traditional seven-period day, like the other two high schools, created conflict. The decision came from the district office to operate all three comprehensive high schools on the same schedule. Disagreement over the process of making the decision to change the schedule heightened tensions between the SMHS faculty, the school and district administrations.

Since arriving at the school in 2010, the principal has been working to change the culture of the school from being "teacher-centric" to being "student-centric" and currently is becoming a

SANTA MARIA HIGH SCHOOL

“community-centric” school. As stated in an article on transformative leadership, “SMHS is in the early stages of moving to an organizational culture that embraces transformative leadership through our understanding of, and work toward, cultural proficiency.”² This refocus has required teachers and staff to attend training sessions to become more culturally proficient. As evidenced through interviews, this has been met by resistance or failure to recognize the need for change.

Finally, the Jury reviewed the school’s safety and anti-bullying procedures. The school is surrounded by a tall security fence and there are cameras strategically placed around the campus. Most students must stay on campus during the school day. Moreover, the District has adopted anti-bullying policies to be implemented in each high school in the district. Both the SMHS and District websites have “bully buttons” on their home pages linking to forms for reporting incidents of bullying. The District and High School administrators have procedures in place to follow up on each report. In addition, the District’s 2016-17 Parent-Student Handbook, in English and Spanish, includes bullying under its section on Discipline Policy outlining reasons for suspension or expulsion.

Additionally, the California National Guard (CNG) has been presenting a program, called “We All Rise Guardians – Declaring W.A.R. on Bullying One Student at a Time,” at SMHS for several years. The W.A.R. Guardians program is specially designed to deal with all aspects of bullying and targets the specifics of the four major types: verbal, physical, social and cyber. The CNG brochure states that, “by using their awareness program and rehabilitation program, the school can specifically target the four types of bullying by turning the offender into a defender.” The CNG provides this program during a school assembly each year, as well as a six-week program especially for students identified by the school as needing additional training. The Jury concluded that SMHS has adopted adequate procedures and practices in accordance with Assembly Bill 9, Seth’s Law.

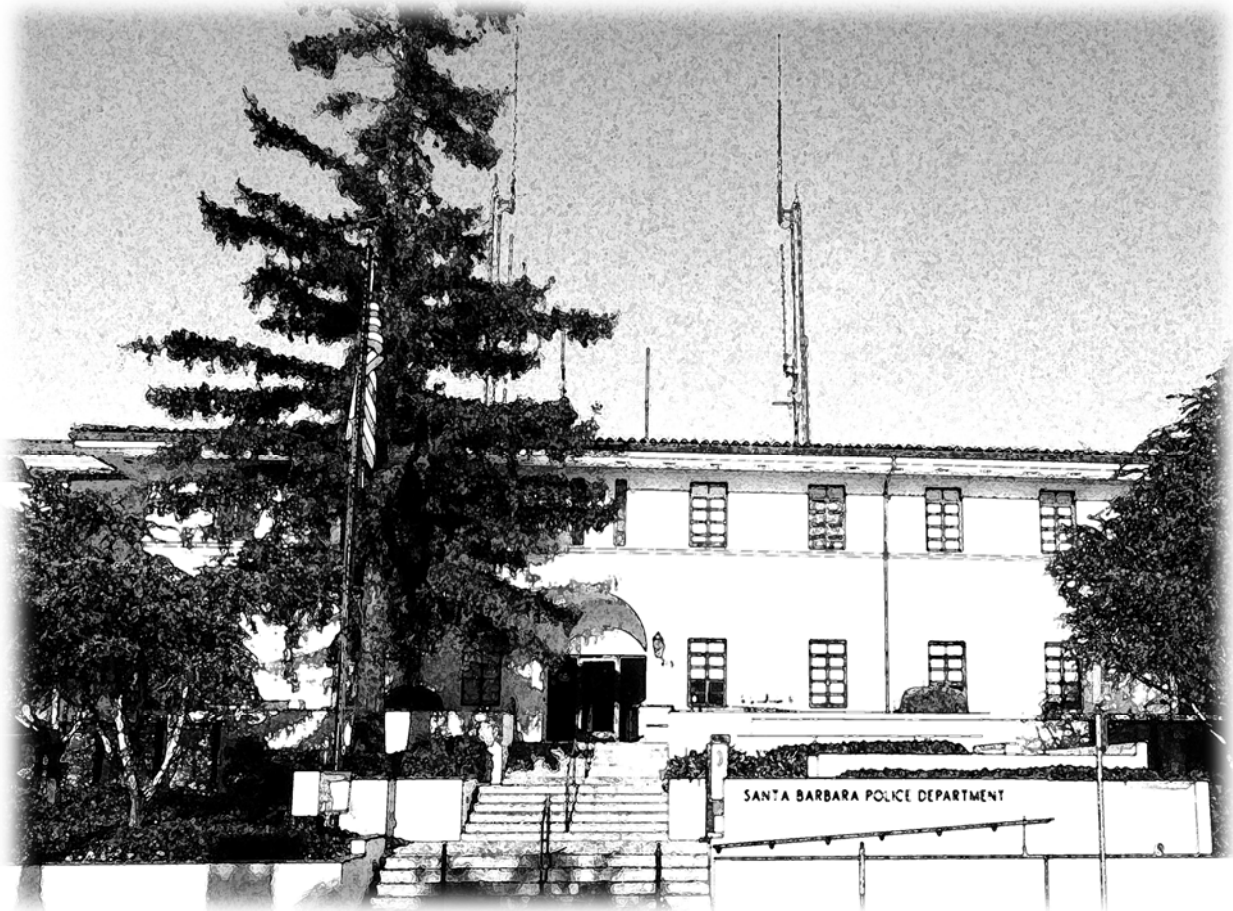
CONCLUSION

The 2016-2017 Santa Barbara County Grand Jury observed strained relations between the teachers and school leadership emanating from changes to the union contract, introduction of the Common Core curriculum and procedural and schedule changes made by the District and the school’s principal, but posits that poor communication was a two-way problem. However, the new school schedule and curriculum are now in place. A new union contract was negotiated in 2016 and there was also a change in Faculty Association leadership that year. Consequently, it appeared to the Jury that relations between school administrators and teachers are improving and encourages them to continue working together respectfully for the benefit of all students and the community.

Under *California Penal Code §933 and §933.05*, this activity report does not require a response.

²Flores, Peter and Domingues, Joseph. “Leading from the Strawberry Fields: Transformative Leadership in Santa Maria.” *Association of California School Administrators Leadership*, January/February 2017, pp 18-19.

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SANTA BARBARA POLICE HIRING

SANTA BARBARA POLICE HIRING

Filling the Ranks

SUMMARY

At one time, the Santa Barbara Police Department had a difficult time hiring and retaining police officers. The Santa Barbara City Council worked with the Police Department to help fill vacancies, creating new advertising and incentive programs to face this challenge. The Police Department has successfully accomplished full staffing and now seems to be on a viable path to retain officers.

BACKGROUND

The 2016-17 Santa Barbara County Grand Jury (Jury) received a complaint requesting the Jury to investigate why it is so difficult to find officers to work at the City of Santa Barbara Police Department (SBPD). Santa Barbara is considered an ideal place to work and live, and the pay and benefits are competitive. What efforts and money are being spent on recruitment?

In addition to accusations of danger to public safety and a workforce with low morale in early 2015, the outgoing Police Chief cited other challenges in maintaining a strong police department. Reasons ranged from disqualified candidates and retirement, to injuries and competition from other law enforcement agencies. At that time, the “Ferguson effect,” regarding the police shooting in 2014 in Ferguson, Missouri, was also cited as a deterrent for police applicants.³

By November 2015, the Santa Barbara Police Department, with the assistance of the Santa Barbara City Council, had devised ways to implement changes in the hiring process so that the SBPD would be fully staffed. A referral incentive program was put in place for dispatchers and officer trainees. Signing bonuses were offered to lure lateral hires (officers from other agencies). The City Council also set aside \$50,000 for advertising.

Procedures put in place by City Council and the Police Department have shown results. Members of SBPD do not feel that the “Ferguson Effect” is still an influence, but agree that the climate has changed and that recruitment of police officers requires a different outreach. With added programs, the SBPD has not had to lower its standards for its recruitment process. In January 2016, it was reported that 130 of 143 positions were filled.⁴ By October 2016, the SBPD declared all vacancies filled.

³ Welsh, Nick. “Cam Talks Cop Cams. Police Chief Also Takes Heat for Slow Hiring of Community Service Officers.” *Santa Barbara Independent*. 30 April 2015. Web.

⁴ Molina, Joshua. “Santa Barbara Police Department Struggles with Injuries, Low Staffing.” *Noozhawk*. 27 January 2016. Web.

SANTA BARBARA POLICE HIRING

METHODOLOGY

To learn how the turnaround in employment was achieved, the Jury interviewed a representative of the City of Santa Barbara, who provided statistical information. The Jury reviewed documents and publications. Several members of the SBPD were also interviewed.

OBSERVATIONS

In 2016, the Santa Barbara City Council and City of Santa Barbara Police Department set programs in motion to appeal to new applicants. The two main components of these programs were bonuses and advertising. Each has helped to attract more recruits.

The first of the program innovations, bonuses, was announced at the Santa Barbara City Council meeting on November 10, 2015. A bonus became available to City employees who referred a potential dispatch officer, with \$1000 paid on the candidate's first payday and another \$1000 at the end of the probationary period. The police officer trainees receive a \$3000 bonus upon completing field training, another \$3000 at the end of their probationary period, and an additional \$6000 at the end of three years. While the number of referrals has been disappointing, trainee bonuses seem to be an incentive to joining the force.

The second innovation was an advertising program. The City Council authorized a one-time allocation of \$50,000 to the SBPD for recruitment advertising. Posters have gone up at local universities and colleges. A recruitment video was produced and has been seen on television and in movie theaters, promoting "being part of the team" and helping one's home community. Other means of looking for new recruits have been internet job search engines, job fairs, government and military websites and radio stations, including Spanish radio. Members of the SBPD also recruited at the local police academies, Allan Hancock College and the Ventura County Criminal Justice Training Center.

The City of Santa Barbara is an expensive place to live; however, this has not prevented positions from being filled. More than half of the officers in the SBPD live outside the City and some must commute over 100 miles a day. At one time, the SBPD offered help with home loans, but that program did not entice many officers to reside in the City. In spite of the high cost of living, in 2016, ten lateral hires (officers from other law enforcement agencies) decided to work in Santa Barbara.

Retirement has accounted for several departures. Officers can retire at age 50 or 55, an age when they are still highly "marketable." For example, they could go to the University of California, Santa Barbara, where they would receive a 30 percent pay cut, but their retirement pay would make up for that loss in salary. In addition, there have been a few medical retirements. In 2015, it was acknowledged that this, as well as transfers to the Santa Barbara County Sheriff's Department,

SANTA BARBARA POLICE HIRING

was a common practice.⁵

The hiring of new officers begins long before they are needed on the job. Many applicants drop out during the process. Of the applications received, only a small percentage of individuals come in for the initial written exam.

<u>Date</u>	<u>Applications</u>	<u>Show Up for Exam</u>
September 2014	1107	207
March 2015	1139	85
August 2015	50	12
September 2015	877	182
January 2016	692	166
March 2016	330	106

Information supplied by the City of Santa Barbara Human Resources Department

As noted in the chart above, a high number of applicants are lost before the written test. Then a high number of applicants do not pass the written test. An equal number is lost during the background check, which includes a polygraph test and interviews with friends and acquaintances of the applicant. The background checks average a cost of \$2,500 per applicant to SBPD.⁶ There is no drug testing without cause. Nationally, more than 75 percent of applicants for military service are ineligible due to lack of education, obesity or other health concerns, or criminal record. It is just as difficult for our local police department to find qualified applicants.

The SBPD sends recruits to the Ventura County Criminal Justice Training Center (Academy) for six months of basic law enforcement training that meets Peace Officer Standards and Training requirements. The Jury learned that sending a recruit to the Academy is an investment for the SBPD. The costs include \$1,500 in ammunition, \$6,000 in equipment, \$600 for educational expenses, and \$2,500 for housing during the stay. The recruits are also paid a salary while there. There is no payment to the Academy itself because the SBPD provides officers to augment the training staff. Eighty percent of the recruits sent to the Academy successfully complete the training.

After Academy graduation, the recruits are sworn in as police officers in the SBPD. It is expected that all will complete field training. All new officers are on probation for one year. In the final result, they expect that over 80 percent of new officers will make the three-year mark.

⁵ Potthoff, Gina. "Santa Barbara Police Still Struggling to Hire Officers for 19 Vacant Positions: Retirements, Lateral Moves to Sheriff and UCSB Police Departments Plague Department and City Council Questions Recruitment Efforts." *Noozhawk*. 14 October 2015. Web.

⁶ *ibid*.

SANTA BARBARA POLICE HIRING

CONCLUSION

In October 2016, one year after acknowledging hiring difficulties, the Santa Barbara Police Chief declared all positions filled. The new recruitment programs and the vetting processes successfully accomplished full staffing. The 2016-17 Santa Barbara County Grand Jury commends the Santa Barbara Police Department and the Santa Barbara City Council for their initiatives for successfully filling vacancies in the Santa Barbara Police Department.

Under *California Penal Code §933 and §933.05*, this activity report does not require a response.



**WEST SANTA YNEZ ANNEXATION TO
SANTA YNEZ COMMUNITY SERVICES
DISTRICT**

WEST SANTA YNEZ ANNEXATION TO SANTA YNEZ COMMUNITY SERVICES DISTRICT

SUMMARY

The 2016-17 Santa Barbara County Grand Jury (Jury) received several complaints about the annexation process of the western area of Santa Ynez to the Santa Ynez Community Services District (SYCSD). Some homeowners in the affected area (see APPENDIX A) complained that there had not been enough community input or public meetings prior to the annexation. They said they had not received enough information about how the annexation would impact them, what the costs would be for connecting to SYCSD's sewer line, and how a protest filing opportunity worked. This report is about a small portion of the Santa Ynez Valley that was designated by the Santa Barbara County Board of Supervisors as one of 24 "Focus Areas" of greatest concern from a public health and water quality perspective.

The Jury determined that the SYCSD and the Santa Barbara Local Agency Formation Commission had followed policies and procedures required for an annexation but their communications with landowners and registered voters were minimal and confusing.

BACKGROUND

The SYCSD provides sewer and sanitation systems for homes within its service area. Many homes in west Santa Ynez use septic systems, although some homeowners have gone through the process of annexation individually to the SYCSD in order to connect to the sewer system. It was found to be a cumbersome and costly process.

If properties in the proposed area are annexed, and the Santa Barbara County Environmental Health Services determines that a septic system is failing, the homeowner will have the option of connecting to the SYCSD's sewer system or replacing it with an advanced, on-site treatment system. In addition, annexation may afford the District the opportunity to receive grant monies and other assistance to offset the costs of constructing sewer lines where they do not already exist.

In January 2016, the SYCSD applied to the Santa Barbara Local Agency Formation Commission (LAFCO) for approval to annex west Santa Ynez, which was already within its sphere of influence. LAFCO is a public agency with countywide jurisdiction established by State Law (the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000). The intent of the Act is to discourage urban sprawl and to encourage orderly and efficient provision of services, such as water, sewer and fire protection. LAFCO oversees changes to local government boundaries involving the formation and expansion of cities and special districts.

On May 5, 2016, LAFCO adopted a resolution approving the annexation. The Commission held

WEST SANTA YNEZ ANNEXATION TO SANTA YNEZ COMMUNITY SERVICES DISTRICT

a protest hearing on Thursday, June 30, 2016, to allow landowners and registered voters to file protests against the annexation. The written protests were tabulated and it was determined that there were insufficient protests to require a formal election. Therefore, the annexation was allowed to proceed.

The California Water Code authorizes the State Water Resources Control Board (SWRCB) to regulate all discharges of effluent that could affect the quality of the water anywhere in the state. The policies of the SWRCB are implemented locally through nine regional water quality control boards. Santa Barbara County falls under the Central Coast Regional Water Quality Control Board. In June 2012, the SWRCB adopted the “Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems,” which became effective in May 2013. For the first time, this established a statewide, risk-based, tiered approach for the regulation and management of onsite water treatment systems (septic systems). The policy allows local agencies to develop a customized management program that addresses the conditions specific to their jurisdiction, called a Local Agency Management Program (LAMP).

Elements of a LAMP required by the State of California are:

- Development and maintenance of a Water Quality Assessment Program to evaluate On-site Water Treatment Systems’ (OWTS) impacts to ground and surface water
- Implementation of Salt and Nutrient Management Plan and Groundwater Sustainability Program Requirements
- Coordination with watershed management groups (Groundwater Basin Managers and Groundwater Sustainability Agencies)
- Monitoring and analysis of water quality data (nitrates and pathogens) in surface and groundwater
- Annual and 5-Year Reporting and Program Evaluation Requirements to the Regional Water Quality Control Board
- Regulatory Options

In early 2000, the Santa Barbara County Department of Public Works conducted an analysis of the unincorporated areas of the entire County to locate, characterize and track septic systems. They identified 24 “Focus Areas,” which encompassed the heaviest concentrations of septic systems and areas of potentially greatest concern from a public health and water quality perspective. A part of the Santa Ynez Valley was determined to be a special problem area due to infiltration and contamination of the groundwater during heavy rains.

Groundwater provides an estimated 75-85 percent of Santa Barbara County’s commercial, industrial and agricultural water through wells. As stated in an environmental report for the County:

Standard criteria are used for siting and designing onsite sewage disposal systems to prevent adverse impacts on groundwater. The most important factors are the provision of sufficient depth of unsaturated soil below the leachfield where filtering and breakdown of wastewater constituents can take place. Without adequate separation distance to the water table, groundwater becomes vulnerable to

WEST SANTA YNEZ ANNEXATION TO SANTA YNEZ COMMUNITY SERVICES DISTRICT

contamination with pathogenic bacteria and viruses, as well as other wastewater constituents, such as nitrogen. Additionally, where there is a high concentration or density of septic systems in a given area, groundwater can be degraded from the accumulation of nitrate, chloride and other salts that are not filtered or otherwise removed to a significant extent by percolation through the soil. Adverse effects on groundwater quality from septic systems can show up in the form of degraded or contaminated well water supplies, or potentially as subsurface seepage into streams, lakes, lagoons or ocean waters.⁷

County Public Works staff led more than a yearlong stakeholder process to develop the County's LAMP, involving engineers, septic pumpers, agricultural representatives, the real estate community, Heal the Ocean, and others. In January 2016, the County adopted its LAMP to ensure that coastal ocean water, streams and groundwater are not adversely affected by inadequate or failing septic systems.

The SYCSD does not own its own treatment plant but contracts with the City of Solvang to use its facility. It currently contracts for 300,000 gallons of capacity per day but only uses approximately 100,000 gallons per day. Even with the annexation, it will have the capacity to handle the additional effluent.

METHODOLOGY

The Jury interviewed landowners, registered voters, board and staff members of the SYCSD and staff of LAFCO. The Jury also reviewed a map (see APPENDIX A) of the impacted area, Santa Barbara County's LAMP, Questa Engineering Corporation's Septic System Sanitary Survey for Santa Barbara County, SYCSD board minutes and informational documents pertinent to the annexation, and the LAFCO protest hearing notice and protest form. LAFCO's minutes were not available for review.

OBSERVATIONS

The non-profit organization, Heal the Ocean, focuses on wastewater infrastructure, sewers and septic systems, as well as ocean dumping practices that have contributed to ocean pollution. Because of its participation in developing the County's LAMP, on February 10, 2015, Heal the Ocean sent out an informational letter to Santa Ynez homeowners. The letter informed them of future changes to septic system regulations adopted in the LAMP and indicated that the homeowner "will not be required to hook up to the sewer line until your septic system fails per SYCSD, County and State Regulations." Because Santa Ynez is not on the ocean, the Jury learned that some homeowners discarded the letter without opening it, thinking it either did not pertain to them or was a fundraising solicitation.

⁷ Septic System Sanitary Survey for Santa Barbara County, prepared for Santa Barbara County Environmental Health Services by Questa Engineering Corp., Project #210029, March 2003, pp 2-12 and 2-13.

WEST SANTA YNEZ ANNEXATION TO SANTA YNEZ COMMUNITY SERVICES DISTRICT

Santa Barbara County adopted its LAMP in January 2016. On January 20, 2016, as required by law, the SYCSD filed an application with LAFCO for annexation. On May 5, 2016, LAFCO adopted a resolution approving the annexation, under which 483 existing homes could potentially be connected to SYCSD's sanitation system. On May 27, 2016, in accordance with its statutory timelines, LAFCO mailed a notice to landowners and registered voters in west Santa Ynez informing them of the annexation and about a protest hearing to be held on June 30, 2016, at the SYCSD offices. The notice indicated that protest forms would be included, but it was not clearly stated that the form was, in fact, printed on the back of the notice. Neither the protest notice nor the protest form explained how the value of the written protests filed (and not withdrawn) would be determined. Also as required, LAFCO posted a notice in the newspaper regarding the hearing. However, it was only posted in the *Santa Maria Times* and not in other local publications.

The Jury learned that a LAFCO protest hearing is *not actually a discussion meeting on an issue but, merely, the last opportunity to hand in a protest form*. The protest hearing was held on a Thursday, June 30, at 11:00 a.m., and the deadline for handing in the protest form was 11:40 a.m., although eligible persons could have mailed in their protest form prior to the hearing.

In accordance with its procedures and timelines following an annexation approval, LAFCO sent out its protest hearing notices with a protest form on the reverse side. However, the SYCSD had not held a public meeting to inform those affected of costs and options regarding septic tanks and sewer hook-ups. Therefore, on June 9, 2016, SYCSD quickly sent out a letter to landowners and registered voters inviting them to the Board of Directors' meeting on June 15th, emphasizing that they were not being forced to connect to the sewer system.

At the June 15th board meeting, the SYCSD provided a handout explaining the reason for the annexation and the LAMP policy. They outlined two options if septic tanks fail: to install an advanced treatment system requiring routine, ongoing maintenance and periodic, official inspections or to connect to the sewer system. According to SYCSD, an advanced treatment system would cost approximately \$40,000 plus repairs, maintenance and inspections. In contrast, the District estimates a hook-up to the sewer system will cost \$25,000, which could either be paid upfront or spread over 20 years at Prime plus 1 percent, and billed with property tax. The costs could be less if the SYCSD secured grants for some of the work, including laying new sewer lines where none previously existed. There would also be an annual user fee of approximately \$800 added to the property tax bill. Additionally, the homeowner would be responsible for the line from their house to the main sewer and for decommissioning and crushing the old septic tank.

The results of written protests by landowners and registered voters, filed and not withdrawn against the annexation, were tabulated pursuant to *Government Code §57075*. Because the area of annexation was "inhabited territory," the protest proceeding was conducted for both landowners and registered voters. Protests filed by registered voters were referred to and examined by the Santa Barbara County Elections Office. Protests filed by landowners within the affected area were referred to and examined by the Santa Barbara County Assessor's Office.

The County Elections Office determined there were 712 registered voters residing in the affected area as of Wednesday, July 29, 2016, and 153 submitted a valid protest against the annexation,

WEST SANTA YNEZ ANNEXATION TO SANTA YNEZ COMMUNITY SERVICES DISTRICT

which is 21.49 percent. The County Assessor's Office determined there were 531 landowners in the affected area as of close of business on Wednesday, July 29, 2016, and 131 filed valid protests against the annexation, which is 24.67 percent. The total assessed value of the land within the affected area was \$98,354,004 and the total assessed value of the land owned by landowners who filed valid protests was \$21,828,905, which is 22.19 percent. If either the landowner or the registered voter protests had been more than 25 percent but less than 50 percent, the annexation issue would have gone to an election. If 50 percent or more submitted valid protests, then the annexation would have been terminated. In this case, because both sets of protests were less than 25 percent, the annexation was forwarded to the State for final approval.

Timeline Leading to Annexation

Date/Year	Activity
In 2000	Santa Barbara County conducts an analysis to locate, characterize and track septic systems in unincorporated areas. West Santa Ynez determined to be one of 24 Focus Areas of concern.
June 2012	State Water Resources Control Board adopts "Water Quality Control Policy for Siting, Design, Operation & Maintenance of Onsite Water Treatment Systems."
May 2013	State Water Quality Control Policy becomes effective.
Between 2014-15	County-led stakeholder process takes place to develop County's Local Agency Management Program (LAMP).
February 10, 2015	Heal the Ocean informational letter sent to homeowners in west Santa Ynez re LAMP.
January 2016	Santa Barbara County adopts its LAMP.
January 20, 2016	SYCSD files application to Local Agency Formation Commission (LAFCO) for annexation.
May 5, 2016	LAFCO adopts resolution approving annexation subject to protest proceedings.
May 27, 2016	LAFCO mails notice regarding protest hearing, including protest form, to landowners and registered voters.
June 9, 2016	SYCSD sends letter to property owners inviting them to their board meeting on June 15, 2016.
June 15, 2016	SYCSD holds board meeting; provides handout explaining reason for annexation, LAMP and cost estimates.
June 30, 2016	LAFCO holds a protest hearing (deadline to submit written protests).
September 1, 2016	LAFCO Memorandum to Commission members gives the results of protest hearing. Because protests were less than 25 percent, the annexation is considered complete and forwarded to the State for ratification.

WEST SANTA YNEZ ANNEXATION TO SANTA YNEZ COMMUNITY SERVICES DISTRICT

CONCLUSION

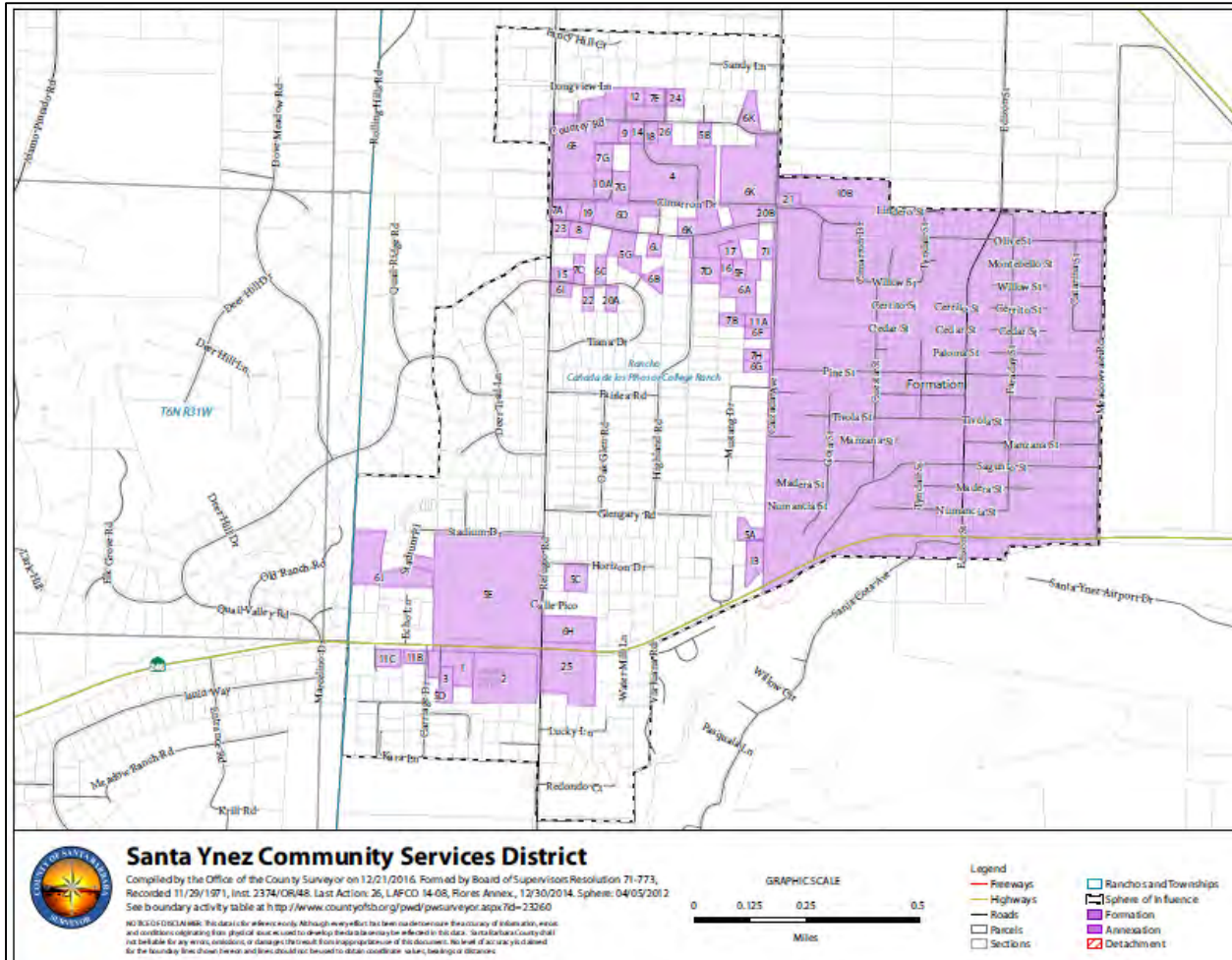
The Jury sees the option provided to landowners in the affected area to connect to the sewer system as beneficial, especially as the total cost may be amortized over 20 years. At the same time, the Jury understands that not all landowners may choose to connect to the sewer system. They do not have to do anything until such time as their septic system fails. At that time, instead of hooking up to the District's sanitary system, they may prefer to install an advanced treatment system and perform routine, ongoing maintenance as well as have official inspections by qualified inspectors at least once per year. Both these options will protect the groundwater from serious contamination.

The 2016-17 Santa Barbara County Grand Jury determined that the Santa Ynez Community Services District and Santa Barbara Local Agency Formation Commission followed statutory procedures regarding the annexed area of west Santa Ynez. What was needed were more public informational meetings, better communication with the public and better coordination between the two agencies.

Under *California Penal Code §933 and §933.05*, this activity report does not require a response.

APPENDIX A

Santa Ynez Community Services District



**WEST SANTA YNEZ ANNEXATION TO
SANTA YNEZ COMMUNITY SERVICES DISTRICT**

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SANTA BARBARA MAIN JAIL
Outdated and Inefficient

SANTA BARBARA MAIN JAIL

An Outdated and Inefficient Facility

SUMMARY

Although the construction of a new jail facility in the northern part of Santa Barbara County (County) near Santa Maria is underway, the 2016-17 Santa Barbara County Grand Jury (Jury) investigated the condition of the existing Main Jail. Because the new facility has an approved capacity of *only* 376 beds (including a dedicated wing of 80 for women and 32 for medical and mental health in a specialized housing unit)⁸, some or all of the existing jail component parts must continue to be utilized. The main impetus for the new facility was occasioned by various court orders that the County must reduce the Main Jail population, which has been hovering near 120 percent of its rated capacity. This problem was exacerbated by a Federal Court mandate for the states to lower prison populations, and California's solution was to send State prisoners to county jails.⁹

There were years of political disagreement surrounding funding for a new jail. Ultimately, the County was awarded a grant from the State (AB900) to fund 80 percent of the costs for a new jail. As part of the grant, the State required the County to provide a bed capacity of 1,015 to include all inmate populations by the year 2025.

In 2015, the Santa Barbara County General Services Department (GSD) hired a consulting engineering firm to determine the scope of work and estimate the funds required for the repair and replacement needs of the current Main Jail. The report detailed that over \$15 million would be needed over the next 10 years to correct, repair, or replace failing components of the physical plant that comprise the jail complex. There is also a threatened lawsuit regarding compliance with the Americans with Disabilities Act (ADA) that will give direction to the extent of work required.

Increasing needs throughout the County, including capital improvements, operational costs and the unfunded liability of the Santa Barbara County Employees Retirement System, will impact the availability of funds to accomplish needed work at the Main Jail. It will be difficult to find the funds needed to accomplish all the projects required to meet the current Federal and State jail standards and regulations.

⁸ Santa Barbara County website: www.countyofsb.org/capitalprojects

⁹ AB109, Public Safety Realignment Act, 2011

SANTA BARBARA MAIN JAIL

BACKGROUND

The Jury found that it is a shared opinion within Santa Barbara County government that the Main Jail is an outdated and inadequate facility. Since 1988, the County has been under a court order to reduce the daily jail population to an 819 approved bed capacity.¹⁰ However, the average population frequently exceeds 1,100. When the new jail is completed, it will have a maximum authorized bed count of only 376, which includes 32 medical beds and 80 beds in the women's wing.

In addition, a threatened lawsuit against the County by Disability Rights California (DRC) and Prisoners Law Office (PLO) aims to rectify current ADA deficiencies. Compliance will reduce the number of available beds further. The Sheriff's Department is working closely with the DRC and PLO to accomplish a negotiated settlement.

In researching election records, the Jury found that the voters of the County refused to approve proposed tax increases to fund a new jail facility in 2000 and again in 2010. During this period the State Legislature enacted AB 900 (2008) and AB 94 (2011), which authorized the creation of a prison construction fund through the sale of bonds to help defray the planning and construction costs of new jails throughout the State. In order to be eligible for a grant, the County, with voter approval, purchased the land for the new County of Santa Barbara Northern Branch Jail (North Jail) in 2008. In July 2012, Santa Barbara County was granted \$80 million from the fund (AB 900) after authorizing a 10 percent matching provision. Although the Santa Barbara County Board of Supervisors (BOS) had serious concerns regarding the cost of operating the new facility, ultimately they agreed to accept the grant for construction and also implemented plans to start funding a reserve to cover the anticipated added operational costs. This funding is on track, and current county budget reports show that this reserve continues to be set aside.

In 2008, the Santa Barbara County Sheriff's Blue Ribbon Commission on Jail Overcrowding recommended construction of a smaller jail, in conjunction with plans to address crime prevention, alternatives to incarceration, and recidivism. At the Commission's suggestion the Santa Barbara County Sheriff (Sheriff) recommended that a separate Sheriff's Transition and Reentry (STAR) facility be built for these purposes in conjunction with the new 300+ bed North Jail. It was intended to help reintegrate inmates to the community. The State did not approve additional funding for this project, and the BOS declined to entertain any method to fund this concept. Since the STAR facility will not be built, updating the Main Jail to accommodate this transitioning population and meet the goals of the Blue Ribbon Commission is paramount.

A consulting engineering company, Marx-Okuba, was hired by the GSD in 2015; it completed a report that estimated over \$15 million would be needed over the next 10 years to bring the Main Jail facilities into a safe and up-to-date operational order. This estimate falls short of what the GSD believes are issues that the consulting firm did not address such as accessibility and other ADA issues. According to the GSD, several jail-related repair projects that had been planned to be completed in 2017 were deferred another year due to emergency repairs that had to be dealt with immediately. A subsequent cost estimate report by Vanir Corporation has been ordered by

¹⁰ State of California, Board of State and Community Corrections, 2014-2016 Biennial Inspection, Santa Barbara County's Type II and Court Holding Facilities.

SANTA BARBARA MAIN JAIL

with immediately. A subsequent cost estimate report by Vanir Corporation has been ordered by the BOS, and the GSD is working on its own version of a cost estimate report.

METHODOLOGY

The Jury interviewed representatives of the Santa Barbara County Sheriff's Department, GSD, and members of the BOS. It also visited the Main Jail facility and reviewed past Grand Jury and other reports regarding the jail facility.

OBSERVATIONS

The BOS has developed and implemented a plan to fund the North Jail operations. However, the Jury could find no concrete plan to fund the multimillion dollars needed for repairs and upgrades to the Main Jail. According to the GSD, the Main Jail is in failure mode, including but not limited to:

- roof systems
- plumbing and sewer systems that are over 60 years old
- compliance with current seismic standards
- compliance with ADA regulations
- the Medium Security Facility (aka Honor Farm), the oldest and most dilapidated building in the complex

The Sheriff's goal is to offer the same services at both Jails. This may mean closing some Main Jail beds, reconfiguring some areas, and repurposing others. For instance, Main Jail medical facilities could be consolidated, which would make for greater efficiency and better quality of care. The Sheriff envisions new classroom space in the Main Jail so that inmates are better prepared to rejoin society. This will take intense planning beforehand and the Sheriff stated his intention to begin this process in the near future with internal brainstorming. The Sheriff will determine the priority of repairs and the implementation of reconfiguration and repurposing plans. This will be the greatest challenge for the Sheriff as construction cannot begin until the North Jail opens and Main Jail inmates can be moved.

According to the Sheriff, available funds will dictate what can be accomplished. The Marx-Okuba report estimated jail and Medium Security Facility projects that need immediate attention amount to \$2.6 million (in 2015 dollars). Within the next five years, \$7.7 million will be needed, and a total of \$15 million over 10 years will be required to make the necessary repairs and replacements.

The Jury found that estimated budget shortfalls are expected to grow over the next several years, making capital improvement projects a significant challenge for the BOS. There are alternative funding sources for capital improvements such as Certificates of Participation (COP), General Obligation Bonds (GOB), tax initiatives and use of the Strategic Reserve. The debt of a COP is secured solely by a stream of revenues generated by a narrowly defined project, and in this case the Jury sees none. COPs are burdened with a higher interest rate. There is also the possibility of passing new tax initiatives, but those have been repeatedly voted down in the past. A GOB requires

SANTA BARBARA MAIN JAIL

a super majority (two-thirds voter approval); past history has indicated this is a very high bar to overcome. Another possibility is pulling funds from the Strategic Reserve. However, the Strategic Reserve is currently funded at \$30.9 million, and the County Budget Director recommended that disbursements be limited to \$5 million per year for all County operations that serve essential public health, safety and welfare.

In addition, the Jury points to the fact that the BOS established a reserve fund in anticipation of increased operating costs with the new North Jail and funded it over the past couple of years. The BOS could similarly establish another reserve fund in anticipation of costs for the Main Jail repairs, replacement and repurposing projects.

CONCLUSION

While an entirely brand new Santa Barbara County Main Jail facility would have been optimal, the 2016-17 Santa Barbara County Grand Jury found that funding was not available through Federal, State or County resources. The Santa Barbara County Northern Branch Jail will accommodate 376 inmates. This leaves the County with an outdated and inefficient Main Jail, still in urgent need of repair, replacement and repurposing to house its approved capacity. Many unanswered questions remain, including how to satisfy current State and Federal requirements. Meeting these will demand the ongoing input and cooperation of the Sheriff, the General Services Department and the Board of Supervisors to optimize the functioning of this aging facility with the funding available.

SANTA BARBARA MAIN JAIL

FINDINGS AND RECOMMENDATIONS

Finding 1

The Santa Barbara County Sheriff's Department and the Santa Barbara County General Services Department have not developed a prioritized list for repair projects at the Main Jail.

Recommendation 1a

That the Santa Barbara County Sheriff develop a prioritized list for repair projects at the Main Jail within the next six months.

Recommendation 1b

That the Santa Barbara County Board of Supervisors direct the Santa Barbara County General Services Department to provide cost estimates for these repair projects.

Finding 2

The Santa Barbara County Sheriff's Department and the Santa Barbara County General Services Department have not developed a prioritized list for replacement projects at the Main Jail.

Recommendation 2a

That the Santa Barbara County Sheriff develop a prioritized list for replacement projects at the Main Jail within the next six months.

Recommendation 2b

That the Santa Barbara County Board of Supervisors direct the Santa Barbara County General Services Department to provide cost estimates for these replacement projects.

Finding 3

The Santa Barbara County Sheriff's Department and the Santa Barbara County General Services Department have not developed a prioritized list for repurposing projects at the Main Jail.

Recommendation 3a

That the Santa Barbara County Sheriff develop a prioritized list for repurposing projects at the Main Jail within the next six months.

Recommendation 3b

That the Santa Barbara County Board of Supervisors direct the Santa Barbara County General Services Department to provide cost estimates for these repurposing projects.

SANTA BARBARA MAIN JAIL

Finding 4

Funding availability for Main Jail repair, replacement and repurposing will be problematic based on current budget forecasts.

Recommendation 4

That the Santa Barbara County Board of Supervisors identify alternative funding resources for Main Jail repair, replacement and repurposing such as using a portion of the Strategic Reserve, new tax initiatives, General Obligation Bonds or creation of a specific reserve account or any combination of these.

REQUEST FOR RESPONSE

Pursuant to *California Penal Code §933 and §933.05*, the Santa Barbara County Grand Jury requests each entity or individual named below to respond to the enumerated findings and recommendations within the specified statutory time limit:

Responses to Findings shall be either:

- Agree
- Disagree wholly
- Disagree partially with an explanation

Responses to Recommendations shall be one of the following:

- Has been implemented, with brief summary of implementation actions taken
- Will be implemented, with an implementation schedule
- Requires further analysis, with analysis completion date of no more than six months after the issuance of the report
- Will not be implemented, with an explanation of why

Santa Barbara County Board of Supervisors – 90 days

Findings 1, 2, 3 and 4

Recommendations 1b, 2b, 3b and 4

Santa Barbara County Sheriff – 60 days

Findings 1, 2 and 3

Recommendations 1a, 2a and 3a



**SANTA BARBARA COUNTY
JUVENILE JUSTICE**

SANTA BARBARA COUNTY JUVENILE JUSTICE

Rehabilitation vs Punishment

INTRODUCTION

The 2016-17 Santa Barbara County Grand Jury (Jury) visited juvenile detention centers as part of its mandate to visit holding facilities and jails. Santa Barbara County (County) has two juvenile detention centers: the Susan J. Gionfriddo Juvenile Justice Center in Santa Maria and the Los Prietos Boys Camp in the Los Padres National Forest. As part of the overall juvenile justice system, the Jury also observed the operation of the Teen Court program. A former center in Santa Barbara, La Posada, was closed in 2008 for budgetary reasons and now is used only as a temporary holding facility for juvenile court dates.

Both the Gionfriddo Center and Los Prietos were built to hold double the population they now house, as juvenile crime has decreased over the past decade. Also, fewer youth are detained since low-level crimes no longer result in incarceration. Now the focus is on restorative justice where the emphasis is rehabilitation rather than punishment. Nonetheless, these two facilities are fully active with education and community programs for the current wards of the court. Staff at both facilities are proud to work there and eager to help the juveniles.

La Posada Juvenile Hall

La Posada, a former juvenile hall in Santa Barbara, is currently used only as a temporary holding facility for juvenile offenders who are going to appear in court in Santa Barbara. These juveniles are from the Santa Barbara area, but are incarcerated at the Susan J. Gionfriddo Juvenile Justice Center in Santa Maria. Usually, only nine youths at a time are transported to Santa Barbara for court appearance. They are placed in holding cells while waiting for a call to court. The juveniles are then escorted across the property to the Juvenile Court.

The La Posada facility is used Monday through Thursday for court appearances. When the juvenile offenders are there, security protocols are enforced. They are separated according to health, degree of crime risk, gang affiliation and even suicide watch, which determines how often they are checked inside the holding cells. They are at La Posada for only a few hours, but in the event of an emergency, the staff will call mental health or 9-1-1. Sometimes family visitations may be arranged on site.

The County continues to maintain the building and its 60 cells in the event that Los Prietos Boys Camp needs to be evacuated. However, because of the location of the fires in the last two evacuations, the wards at Los Prietos Boys Camp were transported instead to the Susan J. Gionfriddo Juvenile Justice Center in Santa Maria.

The County is considering plans to repurpose the La Posada Juvenile Hall and move juvenile court

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appearances to downtown Santa Barbara. The Santa Barbara County Juvenile Probation (Probation) Home Supervision Program currently uses some of the offices at the facility. There have been juvenile probation activities at La Posada Juvenile Hall; however, these activities have declined in recent years.

The staff indicated that the Home Supervision Program is a success. It ranges from checking ankle bracelets or receiving call-ins several times a day, to full house arrest. Two home detention officers go out into the field to see how the juveniles are doing. They monitor their whereabouts, give breathalyzer tests, review electronic records and check the home status. Overall, the emphasis is on encouraging the juveniles to do well and congratulating them when they do.

Los Prietos Boys Camp

The Los Prietos Boys Camp (Camp) is a residential correctional/treatment facility for 13 to 18 year-old male wards of the court. It is located north of the City of Santa Barbara on 17 acres within the Los Padres National Forest. Established in 1944, the facility now serves 50-56 juvenile offenders. The Court assigns boys that meet certain criteria to 120 or 180 days at the Camp. There is 24-hour video surveillance. It is clean, well maintained and well-staffed. All the staff members have the best interests of the boys in mind. Both the staff and the boys stated that the care is all encompassing at the Camp. Jurors were told by wards at Los Prietos that they considered themselves fortunate to be at the Camp.

Los Prietos provides a structured program and healthy environment where wards receive numerous services. They are involved in various activities from 6:00 a.m. to 8:00 p.m. They can catch up on school credits in the County-run Los Robles High School at the Camp; the ratio of students to teachers is six to one. The boys also receive individual counseling. Each one has an individual case plan formed with the help of the Santa Barbara County Department of Behavioral Wellness (Behavioral Wellness). Family counseling, drug and alcohol counseling, and grief counseling are also available. The boys learn to live without regard to gang affiliation or social rank and most of the boys seem to honor that while at Camp. Their personal security is the number one priority according to Camp staff.

A variety of programs gives the boys training in vocational skills (e.g. culinary arts, business, forestry, reprographics, landscaping, and computer technology). Community groups offer assistance with scholarships and internships when they leave the Camp. Since so many community groups request the services of the well-trained and well-behaved wards, the staff have had to decline some opportunities. The boys perform community service with local community groups as well as work with the U.S.D.A. Forest Service. Physical fitness is also part of their program. There are incentives for good behavior for the wards who are often rewarded with trips and shows. The boys are given opportunities to make the right decisions on the inside with the hope that they can do the same on the outside.

Los Prietos is an idyllic setting where the juveniles work on social, emotional and academic goals. They are encouraged to modify their behavior, develop self-esteem, and prepare themselves to re-enter society. A re-entry and a five-week after-care program facilitate the boys' return to their community. The focus of this program is school, drug and alcohol counseling, and jobs. There is a need for more volunteers to mentor and support the boys once they are released.

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Susan J. Gionfriddo Juvenile Justice Center

The Susan J. Gionfriddo Juvenile Justice Center (Center) opened in 2004, expanding the County's capacity for housing juvenile offenders. It is a maximum-security facility for both males and females, ranging from 12 to 18 years of age. Juvenile Court places the wards here for varying lengths of time.

There are six housing units with a total capacity of 140. Not all of the units are occupied and at the time of the Jury's visit, there were 64 wards of the court. The number of girls is usually between six and seven. The unused cells have housed the boys from Los Prietos Boys Camp when evacuated due to fires or other natural disasters. The facility has an extensive video surveillance system that is monitored at all times.

Medical services are available to the juveniles at the Center seven days a week. The health provider also offers sex education, diet and health advice. The Jury was informed that many of the juveniles at the Center receive mental health help. From October 2015 to September 2016, the caseload of wards with Santa Barbara County Department of Behavioral Wellness ranged from 76-93 percent.¹¹ Each juvenile receives a treatment plan coordinated with the family, probation officer, mental health counselor and teachers.

In the Center, the Santa Barbara County Education Office provides a complete high school program and focuses on recapturing credits. The school, Dos Puertas, is inside the housing units. Computers are available, but the internet is not.

The Girls Circle day program was created by the University of California, Santa Barbara (UCSB), in collaboration with Behavior Wellness and Probation. The program at the Center is offered twice a week and is now limited to eight girls, all with some form of trauma. The girls meet with a Probation officer specializing in trauma, as well as volunteers from UCSB and the community. An additional day is spent in therapy with the Seeking Safety program, to help the girls attain safety from trauma and/or substance abuse. In general, girls need more mental health therapy, notably for depression and anxiety. A former housing pod has been remodeled, softening the look and feel of the jail facility. During the hours of the program, rules have also been relaxed. The girls have responded well to the program, with positive results in anger management and self-image.

The juvenile population at the Center has dropped considerably since it first opened and it has subsequently lost personnel. In particular, the Girls Circle day program has not been budgeted but the Center is determined to keep it. A Baby Elmo program, begun in 2011, promotes bonding between the incarcerated juveniles and their children. The Jury was told that this program is safe from budgetary cuts at this time, but other programs are needed to help with the rehabilitation of the youth. The success of all programs is dependent upon volunteers.

Following a 2015-16 Santa Barbara County Grand Jury report, the Santa Barbara County Board of Supervisors (BOS) began to study more program options for girls along the lines of the girls

¹¹ Susan J. Gionfriddo Juvenile Justice Center Information Packet, 2016

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program at the Center. The BOS has started looking into “de-institutionalizing their [girls’] environment,” and looking for “a local option where girls could receive intensive mental health treatment.” At this time, there are 24 girls in group homes outside the county. There are only two group homes for girls in Santa Barbara County, which is why the BOS directed Probation to look for alternative residential and high treatment housing inside the County.

Teen Court

Teen Court is a successful and unique program in Santa Barbara County operated by the non-profit Council of Alcoholism and Drug Abuse (CADA). It is active in Santa Maria, Lompoc, Santa Ynez, Santa Barbara, and Carpinteria. This program provides a restorative justice opportunity for youth offenders to help them stay out of the juvenile justice system or school disciplinary system. Teens who do not reoffend during the program will not have an adjudication on their record.

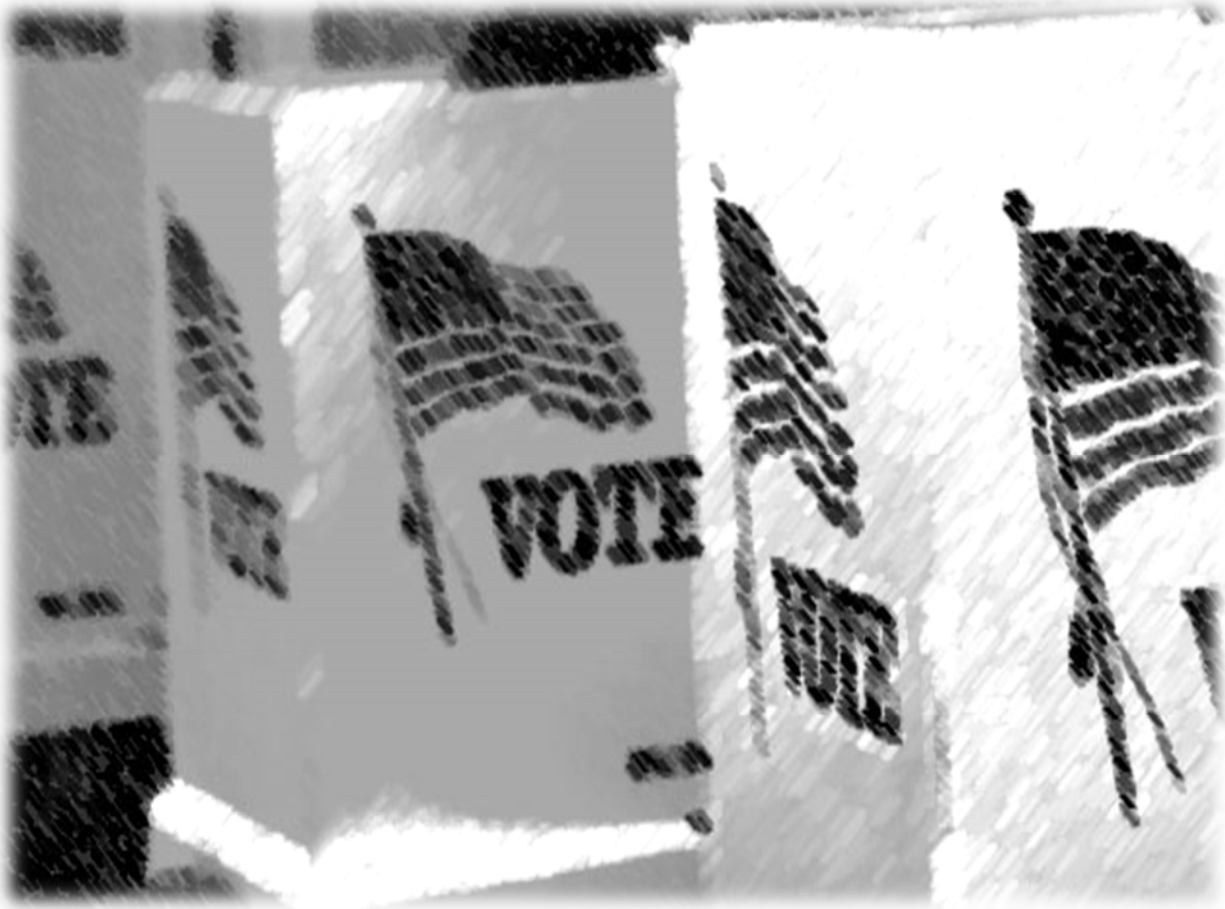
Youth may be referred to the Teen Court program through juvenile probation, law enforcement, schools, or directly by their parents. These youth, who are 12-18 years old, must take responsibility for their actions and show they want to change in order to participate in the program. Once accepted, the teens and their parents must attend a hearing, which is held at the courthouse and supervised by a volunteer adult judge. A jury of peers questions the teen about his or her offense. The teen jury then deliberates, with staff supervision and guidelines. Each sentence will include jury duty, community service, reflective projects, educational classes, counseling groups, drug and alcohol treatment as needed, and a parent program. This sentence will take the client up to three months to complete while providing the parents with skills to help their child’s healthy development. Currently the six-week parent program is only available in South County.

Between July 2015 and June 2016, 345 youth were accepted into the Teen Court Program. There were 272, or nearly 80 percent of the youth, who completed their sentences successfully. The Jury learned that of the clients served, 60 percent were referred to the program for having committed drug or alcohol related offenses. Regardless of the offense, 63 percent of the clients admitted to alcohol use or abuse, and 71 percent to the use or abuse of marijuana or other drugs. During this time, over 40 percent of Teen Court clients were referred for treatment at the Daniel Bryant Youth and Family Services, which is a separate program run by CADA but working out of the same location as Teen Court. It is reported that this collaboration with treatment services is one of the keys to success for the Teen Court program. As found with many non-profits, Teen Court is supported by volunteers who believe in the success of the program.

CONCLUSION

The 2016-17 Santa Barbara County Grand Jury found that the juvenile justice programs in Santa Barbara County accomplish good work with the help of staff and volunteers from the community. The programs provided give young people avenues for positive development and personal success.

Under California Penal Code §933 and §933.05, this activity report does not require a response.



VOTER REGISTRATION IN SANTA BARBARA COUNTY

VOTER REGISTRATION IN SANTA BARBARA COUNTY

A Study of the Facts

SUMMARY

The 2016-17 Santa Barbara County Grand Jury (Jury) was asked to consider the safeguards in place to ensure that only citizens are able to vote. There has been concern expressed by persons across the country that there may have been a number of non-citizens and other ineligible persons who have fraudulently registered and voted in the recent elections.

The Jury has found that there is *no* proof that fraudulent voting occurred in Santa Barbara County, but that there is also *no* required process in place in California to verify a person's United States citizenship status when registering to vote. If a non-citizen attempts to register, Registrars of Voters throughout California must accept that the person is a United States citizen and is eligible to register and vote, based on the information provided on the Registration Form. This is known as the "honor system."

BACKGROUND

Basic requirements to register and vote as found on the Santa Barbara County Voter Registration Form are as follows:

A. Right to Vote

Only citizens of the United States (U.S.) are eligible to vote in any U.S. election. A citizen of the U.S. is a person who is:

- born in the U.S.
- born in a foreign country where one of the parents was a U.S. citizen
- a citizen by declaring a desire to become a U.S. citizen and takes an oath of allegiance to the U.S. This is known as citizenship by "naturalization"

If a person cannot claim citizenship by virtue of birth or naturalization, they cannot legally vote in any U.S. election. This includes those individuals who are legal residents of the United States by virtue of U.S. Department of Immigration and Naturalization documents that declare them to be permanent legal residents of the United States (e.g. Green Card holders).

B. Process to Become a Registered Voter in the State of California

Anyone who wishes to become a registered voter must fill out a *California Voter Registration/Pre-registration Application*, which is reviewed and approved by the local Registrar of Voters (Registrar). The person who desires to become a registered voter must:

VOTER REGISTRATION IN SANTA BARBARA COUNTY

- declare to be a U.S citizen and be a resident of California;
- provide a home address or describe where one lives including cross street, route, N.E.S.W.;
- provide a driver's license or California I.D card (issued by the DMV, if available, but not required);
- provide a date and place of birth;
- lacking a driver's license or I.D., provide the last four digits of the Social Security card, if one is available;
- declare under penalty of perjury that all the facts in the application are true;
- declare that he/she is not in prison or on parole for a conviction of a felony;
- declare ineligibility by virtue of a court declaration of mental incapacity;
- sign the application.

The Jury found that a valid California driver's license or the last four digits of a Social Security card are *not* proof of citizenship and are *not* required for completion of the form. A declaration of citizenship without verification is commonly known as the "honor system." Providing false information on a voter registration form is perjury, which is a felony. The applicant has to be accused of providing false information by someone who knows the reasons for the ineligible status and provides information to the local District Attorney for possible prosecution.

C. Identity Verification Procedures on Election Day

Anyone who has voted in a prior election and whose name appears on the rolls of the local polling place must sign his/her name next to his/her printed name on the polling place roster. The Registrar has a system that can identify a fraudulent signature and, if found, the ballot is declared invalid and is not counted. This prevents someone from voting as someone else.

New voters who registered by mail and whose name is on the polling place roster *may* have to show a valid driver's license or proof of residence (such as a utility bill) at the polling place the first time they vote. This is the *only* instance when some sort of identification is required.

Until January 1, 2017, California required that a new registrant's application must be delivered to or received by mail at the office of the Registrar no later than 15 days before the election. After January 1, 2017, a person may register on the day of the election at any polling place and that person will receive a provisional ballot. The provisional ballot will not be counted until the Registrar approves the application.

D. The Value of a California Driver's License and a Social Security Card for Citizenship Verification

A valid California driver's license and a Social Security card are *not* proof of United States citizenship or eligibility to vote. Both of these documents can be issued to any person who is legally in the U.S. (Green Card holders). Furthermore, if an applicant for a driver's license declares that he /she is not a U.S. citizen nor a legal resident, the Department of Motor Vehicles will still issue a driver's license but it will indicate on the license that the person is not a legal resident of the U.S.

Has fraud been detected in voter registration and "provisional ballots" in Santa Barbara County? Anyone who presents himself/herself at a polling place and expresses a desire to vote, if that person

VOTER REGISTRATION IN SANTA BARBARA COUNTY

does not appear on the roster for that location, will be provided a provisional ballot. That means that the ballot will not be counted until it is established by the Registrar that the voter is eligible. According to the Santa Barbara County Registrar, the vast majority of these provisional ballots are legitimate and those that are rejected were 17.3 percent in Santa Barbara County in 2016. But no provisional ballot was disqualified on the basis that the voter was not eligible to vote because of fraud. (See APPENDIX.)

Some of the reasons for ballot disqualification include:

- voted in another precinct or county in California
- voted multiple times
- signature cannot be validated
- address cannot be verified
- incomplete information.

CONCLUSION

Neither the State of California nor Santa Barbara County requires any kind of proof of citizenship to register to vote. Despite the fact that perjury is punishable as a felony, it depends on the honesty of those who declare that they are eligible to vote in the United States. The 2016-17 Santa Barbara County Grand Jury considers this lack of verification to be a flaw in the voter registration process.

Under *California Penal Code §933 and §933.05*, this activity report does not require a response.

VOTER REGISTRATION IN SANTA BARBARA COUNTY

APPENDIX

Elections Results Santa Barbara County 2016

(Provided by the Office of the California Secretary of State)

Total Santa Barbara County Valid Ballots	182,264
Votes by Mail, etc.	121,827
Votes at Polling Centers	51,201
Provisional Ballots	9,236*
Provisional Ballots Submitted	11,174
Provisional Ballots Rejected	1,938 (17.3%)
Provisional Ballots Accepted	9,236*

Statewide, the number of Provisional Ballots rejected was 14.8 percent.

*9,236 Provisional Ballots Counted are included in the Total Santa Barbara County Ballots line



YOUTH SAFETY IN SANTA MARIA

YOUTH SAFETY IN SANTA MARIA

Developing a New Strategy

SUMMARY

The 2016-17 Santa Barbara County Grand Jury (Jury) commends the 5th District Supervisor, the City of Santa Maria and its Mayor for accepting the challenge of addressing the need to suppress, prevent and intervene in the current gang culture with the formation of the Santa Maria Mayor's Task Force on Youth Safety.

However, the Jury has concerns in several areas. The service area of the Task Force currently is limited to, and under the direct control of the City of Santa Maria. It should be expanded to include the entire Santa Maria Valley. Also, the Santa Maria City Council is not working in partnership with the Santa Barbara County Board of Supervisors to provide sources of permanent funding for the programs included in the strategic plan.

The Jury finds that the at-risk youth and their families that the Task Force aims to help have little role in developing the envisioned changes and services that would affect them. Santa Maria is often characterized as a city divided by occupations, social classes and ethnicities. The current organizational structure of the Mayor's Task Force perpetuates that divide.

BACKGROUND

Gang activity has long been a part of the fabric of the City, but it is now being acknowledged and addressed. It has taken a tragic toll on the lives of the youth and their families. Santa Maria has depended on its Police Department to defend the citizens and suppress gang activity.

In 2010, the 5th District Supervisor organized a Santa Maria Valley Collaborative Leadership Project to address gang problems. At that time, Fighting Back Santa Maria obtained a five-year \$1.4 million federal "Safe Schools" grant and two smaller grants to assist with efforts to solve gang problems, domestic violence, teen pregnancy and drug abuse, but these efforts bore no effective long-term results.

The composition of gangs in Santa Maria has varied over the years. In 2007, a member of the Police Department's Gang Suppression Team reported that there were approximately 2,000 known gang members in four gangs. However, it was the increased violent activity and homicides due to gang activity that rattled the City. The annual homicide rate increased from an average of three per year to thirteen in 2015, the situation became truly dangerous. Five of those killed were teenagers. In 2016, the Santa Maria Police Department with the assistance of county, state and federal law enforcement executed a raid known as "Operation Matador" which resulted in 16 arrests and 40 detentions. A Santa Maria police officer recently estimated that local gang members are again responsible for up to 80 percent of all crimes committed within the City. In 2017, a County probation officer told the Jury that there are approximately

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1,300 known gang members in two local gangs

In response to the homicides in 2015, a grass-roots group of diverse community citizens, including educators, parents, and members of the faith-based community, formed the One Community Action Coalition (Coalition). It hoped to create a groundswell of action by the “underserved” in the area, which would then advocate for the City Council to collaborate with them in organizing and funding restorative activities for youth. According to the Coalition action plan, “we believe that to solve this COMMUNITY problem, we must begin with recognizing and respecting our diversity.” To this end, the Coalition believes that the input from youth and their families is valuable and a cultural component should be part of the foundation of any program. Poor parenting skills have been blamed for youth in gangs, but the Coalition sees the families as victims and as equal stakeholders in turning around gang violence.

In 2016, the leadership of the Coalition met with community leaders in Santa Maria and the County, and proposed joining the California Cities Violence Prevention Network (Network), with the Coalition representing Santa Maria. The Network, which began in 2007, has assisted 14 California cities in devising plans for prevention, intervention and enforcement. However, in spite of some community criticism, the Mayor and the City Council chose to bypass the Coalition, and to contract with the Network independently,

At the same time, the 5th District Supervisor persuaded the BOS to allocate \$75,000 for the development of a North County Gang Task Force. The idea for a regional group was based on the success of the South Coast Task Force for Youth Safety. It was originally thought that these funds, combined with an anticipated allocation from the City of Santa Maria, could be used to hire an experienced coordinator for the proposed North County project. Rather than cooperate with the County, the City independently hired its own coordinator to work in the Parks and Recreation Department. The City preferred having control over the project and the coordinator.

The BOS acknowledged this move by the City and was willing to help in another way. On February 14, 2017, it authorized \$22,095 of the \$75,000 to pay for the contract with the Network. This Network was retained to facilitate the development of a strategic plan for Santa Maria and designated the Mayor as the point person. The Jury learned that the remaining funds will be held in reserve for future developments in this program. The Supervisor hopes that additional funding will be allocated next year.

Previous collaborative efforts in the City have not had long-term success. Nonetheless, it is hoped that this new strategic plan will revitalize community efforts to combat the problems associated with at-risk youth and the gang culture, and have a lasting effect this time.

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METHODOLOGY

The Jury interviewed a variety of citizens with interest and expertise in working with at-risk youth. They included the Mayor of Santa Maria, the City Manager of Santa Maria, the Santa Maria Police Chief, administrators from the Santa Maria Joint Union High School District, officers from the County Probation Department, the Coordinator of the South Coast Youth Task Force, a researcher from the University of California, Santa Barbara and the 5th District County Supervisor. In addition, the Jury studied documents from the California Cities Violence Prevention Network, the Santa Maria Police Department, Santa Maria City Council meetings, Board of Supervisors' agendas, the One Community Coalition and previous Santa Barbara County Grand Jury reports. Members of the Jury attended the first meeting of the Santa Maria Mayor's Task Force held on April 24, 2017.

OBSERVATIONS

The Mayor has organized a task force of local decision-makers, called The Mayor's Task Force on Youth Safety (Task Force), to work with the Network to develop a Santa Maria-specific strategic plan. This Task Force held its first meeting on April 24, 2017. The Director of the Network from Santa Rosa and the Innovation Team Director from the City of Long Beach came to Santa Maria to begin facilitation and training. These cities already have active youth safety task forces. At the meeting there were calls from participants to bring in more local stakeholders, especially from neighboring areas. The completion of this comprehensive strategic plan is scheduled for September 2017.

Membership in the California Cities Violence Prevention Network has many advantages for the City. It provides a ready-made structure for the City Council and agencies to follow. The structure proactively brings many elements of the community together, which in turn should provide community building for a city that has known cultural and socio-economic divisions. Moreover, it offers contact with other cities and state agencies and the opportunity to benefit from their experience and resources. No less important, the Network will guide efforts and actions using appropriate language that will lend itself to accountability and to meet standards for grants and other support. Critical to the sustainability of Santa Maria's at-risk youth programs is the early identification of reliable funding sources.

The Task Force will identify goals and develop a strategic plan for the City. It consists of representatives of federal, state and local government, law enforcement, the faith-based community, non-profit organizations, the business community, County departments and schools. This group is the top tier of a two-tier plan.

This influential group will be instrumental in raising funds to maintain on a permanent basis any programs created by the Task Force. Other cities involved in the Network have raised funds through increased taxes. When and if taxation becomes part of the strategic plan, the City will need the support of these community leaders. Alternatively, the South Coast Youth Task Force assesses a per capita fee from the cities of Santa Barbara, Carpinteria and Goleta and the County. The Jury hopes that the Task Force will not rely on grants as an ongoing funding source. Too often, when the grant runs out, so does the program. At this point, it is not known who will oversee the expenditure of any future funding from city taxes, state grants or other sources.

The second tier of the plan, the Technical Resource Committee, is to consist of those who will work

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directly with youth. Members of this committee, known as “technical,” will serve as “boots on the ground” implementing the vision and the goals of the Mayor’s Task Force. The leaders of the Mayor’s Task Force will appoint the members of this technical committee in an effort to avoid duplication of services. At this point, community members and those involved with One Community Action Coalition may be invited to participate as “technical” in executing the strategic plan generated by the leadership committee.

The Outreach Coordinator hired by the City will act as liaison between the two tiers of the plan. He is a long-time Santa Maria resident with experience in working with at-risk youth. The leaders of Santa Maria wanted someone to work directly with them rather than partner with the County. Although this coordinator is an employee of the Recreation and Parks Department, he will have a direct working relationship with the Santa Maria Police Department and the City Manager. The Jury was told that the Police Department requested that the coordinator position be under another jurisdiction to avoid the perception that the emphasis is on law enforcement, which could alienate and intimidate youth. The focus will be on positive community action.

The City of Santa Maria has been slow to respond to its gang and at-risk youth problem. The County allocated funding for a North County Gang Task Force in June 2016 but Santa Maria’s contract with the Network only materialized eight months later, in February 2017, and the first meeting of the Task Force was held on April 24. Completion of the plan is not expected until September 2017 at the earliest. It is the Mayor’s hope that youth-serving agencies will be on board with the plan a few months after that. She desires to establish a good foundation and do it right. However, initial delays allowed an important submission deadline for valuable California Gang Reduction, Intervention, Prevention Program (CalGRIP) grants to lapse. Moreover, being under the aegis of the Mayor and City Council, any action or adaptations to the plan will likely have to be approved by them, possibly incurring further delays.

With the recent history of violent gang activity in Santa Maria, vigilance will be required and suppression will always need to be fast and decisive. However, the Police Chief has acknowledged that the Department “cannot arrest its way out of the gang problem.” Its response for more intervention involves more patrol beat coordinators in neighborhoods. More prominent use of a Citizens’ Academy for Spanish-speaking members of the community, recently formed by the Police Department, could also prove to be effective. These participants have agreed to volunteer to attend City Council meetings and public meetings of the Task Force. The Police Department is encouraging the Spanish-speaking population to contribute their voice and participate in the efforts for youth safety.

Santa Maria was characterized by several interviewees as a city divided by occupations, social classes and ethnicities. The Jury finds that The Mayor’s Task Force perpetuates that divide – those in the top tier will set the goals for those at the bottom. The at-risk youth and their families that the Task Force aims to help have little role in developing the envisioned changes and services that concern them. Inclusion of all citizens in this diverse community is essential for success.

The ability to gather all elements of the community into a functioning alliance will be the crucial test of Santa Maria’s collaboration with the Network. The real test of the strategic plan will be realized in successful programs focusing on suppression, prevention, intervention and successful reentry into the community.

YOUTH SAFETY IN SANTA MARIA

CONCLUSION

The 2016-17 Santa Barbara County Grand Jury looks forward to the City of Santa Maria implementing a strategic plan that will help lift the community's youth out of a gang-dominated culture. The Mayor and City Council of Santa Maria have sought assistance by partnering with the California Cities Violence Prevention Network. By being methodical and adopting a structured program, the City hopes to lay a permanent foundation and maintain control of the program. However, this proposed level of control could possibly perpetuate the cultural and socio-economic divides that exist in the City. Now is the moment to bridge those divides.

The Jury concludes that a successful Santa Maria Youth Task Force should reach out to surrounding area communities and their agencies. This model program would then actualize Santa Barbara County's original intention of having a task force serving all the youth of the North County.

The Santa Barbara County Grand Jury commends the 5th District Supervisor, the City of Santa Maria and its Mayor for accepting the challenge of addressing the need to prevent, intervene and suppress the existing gang culture. The Jury implores the City leaders to honor the rich diversity of their community by including the voices of all stakeholders, particularly parents and at-risk youth, during the planning process.

FINDINGS AND RECOMMENDATIONS

Finding 1

The City of Santa Maria has stated that its new Santa Maria Mayor's Task Force on Youth Safety will be confined to youth-serving agencies within the city limits of Santa Maria.

Recommendation 1

That the Mayor and the City Council of Santa Maria expand the service area of the Santa Maria Mayor's Task Force on Youth Safety to include youth-serving agencies in the entire Santa Maria Valley.

Finding 2

The Mayor and the City Council of Santa Maria's exclusive control of the strategic plan's design and implementation may cause costly delays.

Recommendation 2

That the Mayor and the City Council of Santa Maria delegate certain discretionary authority for routine operational decisions in order to avoid costly delays to the implementation of the strategic plan.

YOUTH SAFETY IN SANTA MARIA

Finding 3

The Mayor and the City Council of Santa Maria initially refused to collaborate with the 5th District Santa Barbara County Supervisor in utilizing the \$75,000 allocation from the Santa Barbara County Board of Supervisors for the hiring of an executive level coordinator for the Santa Maria Mayor's Task Force on Youth Safety.

Recommendation 3

That the Mayor and the City Council of Santa Maria strengthen their collaboration with the 5th District Santa Barbara County Supervisor and the Santa Barbara County Board of Supervisors to expand their ongoing support for a regional program under executive-level leadership.

Finding 4

The Mayor and the City Council of Santa Maria have not yet identified reliable, permanent sources of funding needed to maintain the Santa Maria Mayor's Task Force on Youth Safety programs and staff.

Recommendation 4

That the Mayor and the City Council of Santa Maria within the next six months identify reliable, permanent sources of funding for the Santa Maria Mayor's Task Force on Youth Safety programs and staff.

Finding 5

The Santa Barbara County Board of Supervisors has shown support for the development of an at-risk youth program in North County by allocating \$75,000 in budget year 2016-17, of which approximately \$50,000 remains.

Recommendation 5

That the Santa Barbara County Board of Supervisors commit to reserving the remaining approximately \$50,000 allocation and continue with annual financial support for the at-risk youth program in North County.

Finding 6

The Mayor and the City Council of Santa Maria have not included representatives at the policy-making level of parents and at-risk youth who would be directly affected by the services of the Santa Maria Mayor's Task Force on Youth Safety.

Recommendation 6

That the Mayor and City Council of Santa Maria include parents and at-risk youth representing the diversity of the community in the first tier of the Santa Maria Mayor's Task Force from the beginning of the planning and decision-making process.

YOUTH SAFETY IN SANTA MARIA

REQUEST FOR RESPONSE

Pursuant to *California Penal Code Section 933 and 933.05*, the Santa Barbara County Grand Jury requests each entity or individual named below to respond to the enumerated findings and recommendations within the specified statutory time limit:

Responses to Findings shall be either:

- Agree
- Disagree wholly
- Disagree partially with an explanation

Responses to Recommendations shall be one of the following:

- Has been implemented, with brief summary of implementation actions taken
- Will be implemented, with an implementation schedule
- Requires further analysis, with analysis completion date of no more than six months after the issuance of the report
- Will not be implemented, with an explanation of why

SANTA MARIA CITY COUNCIL– 90 days

Findings 1, 2, 3, 4 and 6

Recommendations 1, 2, 3, 4 and 6

SANTA BARBARA COUNTY BOARD OF SUPERVISORS – 90 days

Findings 3 and 5

Recommendations 3 and 5

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MANAGING REGIONAL WATER SUPPLIES

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Are There Better Solutions?

SUMMARY

The 2016-17 Santa Barbara County Grand Jury (Jury) conducted an investigation into the serious problem of drought within the County. Historically, Santa Barbara County has been a drought-prone area of California. Although there was considerably above average rainfall this winter, Lake Cachuma is still only 51 percent full, which can seduce many into thinking that the drought is over.

The State Water Project was intended initially to provide a supplemental supply of water. The U.S. Bureau of Reclamation (USBR), part of the Department of the Interior, owns the dam and reservoir at Lake Cachuma (Lake), the heart of the system. The Cachuma Operation and Maintenance Board (COMB), a joint powers agency, was formed to operate the surface water distribution system from the Lake to the coastal communities and the upper Santa Ynez Valley.

While there are many sources of water available in the County, managed by a multiplicity of water purveyors, there is inadequate coordination among them.¹² The Jury advocates the designation of the Santa Barbara County Water Agency as the lead agency in implementing water policy throughout the County.

HISTORICAL BACKGROUND

Santa Barbara has a long history of droughts, building dams to protect against droughts and then growing past that water capacity.

In the early 1800s, when the Spanish missionaries arrived, they needed water for their crops. The seasonal water in the creeks was inadequate so they had the Chumash laborers build a rock dam above the mission. Throughout the 1800s, further growth in the area led to development of shallow wells, documented as initially being ten feet deep. By the end of the century, those wells had failed and the water table had dropped to a level unable to be accessed by digging by hand.

A prolonged drought in the County, which ended in 1864, caused herds of cattle numbering 200,000 to be reduced to 5,000. This decimation forced rancheros to subdivide and sell portions of their land to survive. Goleta was developed into farmland dependent upon individual wells and seasonal rains.

¹² See Appendix A for Acronym Glossary.

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In 1873, Mr. William Stow built a small reservoir damming San Pedro Creek. The dam allowed La Patera ranch to thrive through drought years. The early twentieth century brought the railroad to Santa Barbara, creating a tourist haven and a commensurate population boom.

An article chronicled in *The San Francisco Call*, January 28, 1904 stated “Drouth (sic) Hurts The Cattlemen in Santa Barbara” and called it the “*worst drouth in history*.”

To help stave off the dearth of water, Santa Barbara built a tunnel into the mountain on Cold Spring Canyon creating a “horizontal well.” That well dried up after several years. Additionally, the 3.7 mile-long Mission Tunnel construction was finished in 1911 allowing Santa Barbara to tap into the Santa Ynez River. This solved the water crisis, seasonally; therefore, the population grew again.

In 1920, to solve the water needs of the growing population, Santa Barbara built Gibraltar Dam. The captured water could be released, as needed, into Mission Tunnel to supply the south coast residents.

Throughout the “Roaring Twenties,” the population grew and again exceeded the water supply. The Juncal Dam was built in 1930. This dam captured Santa Ynez River water and formed Jameson Lake. The water was then delivered to Montecito via Doulton Tunnel. This additional source of water solved the crisis once again.

Post World War II, another boom in population and building began. Unfortunately, the late 40s also came with another *worst drought in history*. This drought motivated Santa Barbara to raise the height of Gibraltar Dam by 13 feet to increase capacity. The drought also gave rise to divisive election issues regarding the building of the U.S. Government-run and funded Bradbury Dam/Cachuma Lake project. The measure to build the dam narrowly passed. Bradbury Dam was completed in 1953 and the seven mile-long Tecolote Tunnel was finished in 1956. Once again the growing population’s water crisis was solved.

With new water storage capacity at Lake Cachuma, a large influx of industry, and the move of the University of California, Santa Barbara (UCSB) to Goleta, led to yet another building boom. Thousands of new tract homes were built to support UCSB and the industrial work force.

Droughts in the 1970s and 1980s led to a water meter moratorium which was eventually repealed in cases where people converted agricultural meters into smaller-use, domestic meters.

The next *worst drought ever* started in the mid-1980s and ended in March of 1991. This generated the search for additional water, which led to the State Water Project, building moratoriums and water conservation measures. By 1996, after several very wet years, development resumed in Goleta and conservation measures faded.

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The next *worst drought ever* began in 2011, which was the last time Lake Cachuma spilled. By 2015, the lake was at historic lows and Santa Barbara actually began receiving State Water. This time, unlike past *worst droughts ever*, Goleta and Santa Barbara began issuing thousands of new water meters allowing large building projects during *the worst drought ever*¹³.

METHODOLOGY

In order to obtain the data in this report, the Jury interviewed key personnel from COMB, the County, six local water agencies and UCSB. In addition, the Jury studied available documentation, including the Local Urban Management Plans for those agencies that have filed them, and the 2015-16 Santa Barbara County Grand Jury Report, “Lake Cachuma – Protecting a Valuable Resource: You Can’t Drink Paper Water.” The Local Urban Management Plan¹⁴, prepared by the Central Coast Water Authority (see Appendix B) was particularly helpful. As a result, the Jury borrowed text from this document in several instances. Finally, the Jury studied the 2013 Integrated Regional Water Management Plan prepared by the “Cooperating Partners,” which was required by Proposition 50.

OBSERVATIONS

This report considers three topics:

- The adequacy and reliability of the present water delivery systems
- What steps can be taken to provide additional sources of supply
- Is there a better way to manage a regional supply system

The adequacy and reliability of the present water delivery system

The State Water Project (SWP) includes 34 storage facilities and over 700 miles of canals and pipelines. Water is delivered through this system from Northern California to Southern California, providing water for over 25 million Californians. In 1991, Santa Barbara voters approved a local extension of the SWP known as the “Coastal Branch,” (shown in red, to the west of Cachuma Lake in Figure 1) which serves Santa Barbara and San Luis Obispo Counties. The south coast water storage and distribution system is summarized in Figure 1.

¹³ Jack Elliott's Santa Barbara Adventure. (2013, October 1) “Deluge and Drought In Santa Barbara County” Retrieved from, <https://yankeebareno.com/2013/10/01/deluge-and-drought-in-santa-barbara-county/>

Goleta History. (2017, February 16) “Goleta and Water” Retrieved from <http://goletahistory.com/goleta-and-water/>

¹⁴ 2015 Local Urban Water Management Plan, (2016, June) Central Coast Water Authority

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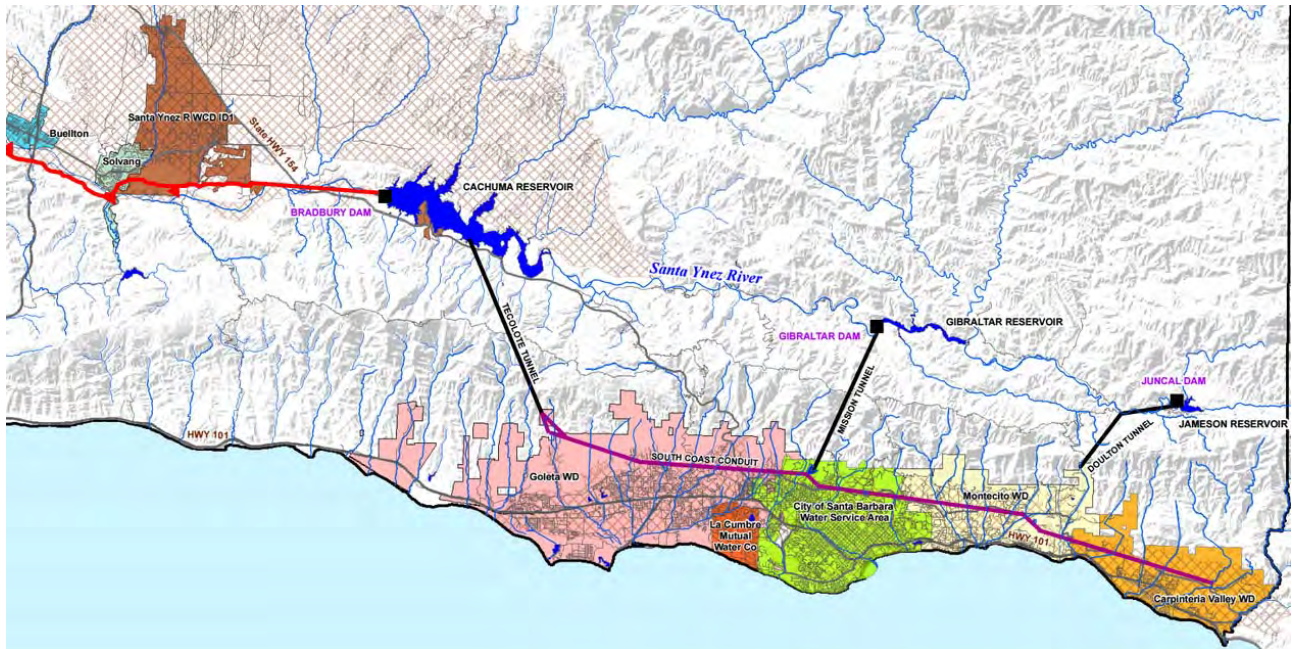


Figure 1 – South Coast Water Supply System

The south coast water supply is always threatened by prolonged droughts and is further threatened by the fragile infrastructure. The system is subject to single-point failures at several locations. The most critical of these is the Tecolote Tunnel, which connects Lake Cachuma and the South Coast Conduit. Over 40 percent of Goleta's water supply passes through this tunnel, which also provides water to Santa Barbara, Montecito and Carpinteria. None of the water purveyors have capital replacement funds set aside or budgeted. The generally accepted assumption is that if a catastrophic failure should occur, funding from the Federal Emergency Management Agency (FEMA) or some other Federal agency would magically appear.

What steps can be taken to provide additional sources of supply?

Four possibilities are discussed:

- Increased use of desalination
- Recycled water treatment
- Improved Cachuma flow and storage management
- Implement Resource Management Strategies

Increased Use of Desalination

Desalination represents a significant potential opportunity to increase California's available water supply. In May 2015, the State Water Resources Control Board approved an amendment to the State Water Quality Control Plan for Ocean Waters (Ocean Plan) that addresses desalination facilities. The intent of the amendment is to establish a uniform statewide approach for protecting the beneficial uses of ocean water from desalination-caused degradation.

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Figure 2 - Existing Desalination Facilities



Figure 3 - Proposed Desalination Facilities

Figure 2 shows the 11 existing desalination facilities in the final Ocean Plan staff report, issued in late 2014, and Figure 3 shows the 15 proposed desalination facilities on the California coast. Three of the existing desalination plants are located in San Luis Obispo County (SLO): City of Morro Bay, Diablo Canyon Nuclear Power Plant and Duke Energy in Morro Bay. Two of the existing plants are located in Santa Barbara County: Chevron near Gaviota, currently not operating; and the City of Santa Barbara.

Of these, the existing PG&E-owned Nuclear Power Plant in Diablo Canyon, Avila Beach and the Santa Barbara-owned desalination facility appear to offer the greatest potential for expansion. The Diablo Canyon facility is in the process of being decommissioned. A portion of the present infrastructure could be reusable as part of a desalination facility. Even so, this would be a major project. It would require approx. 7-8 miles of new pipe to join the existing State Water pipeline.

There are only two proposed projects located in San Luis Obispo County (Oceano and Cambria). With the exception of the City of Santa Barbara's system, all of the existing and proposed desalination facilities in Santa Barbara and San Luis Obispo Counties would produce less than 1,095 Acre Feet (AF) per year. The City of Santa Barbara system is planning to produce 3,125 AF per year but is permitted for larger production. The average household uses 0.5 AF per year.

On the governmental side, a regional water authority would have to be established (jointly with SLO County) for operation and maintenance of these facilities. Existing and proposed desalination plants are discussed in greater detail in Appendix C.

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Recycled Water as Source for Santa Barbara Desalination Plant

It is possible that mixing recycled water with seawater before filtering, and utilizing the desalination plant, would be more economical than processing seawater alone, as is done presently. It would also reduce the environmental impacts of fish-kill and localized salinity increase at the point of discharge. This possibility is being considered. Facility modifications would be required.

Recycled water treatment

Goleta Sanitary District is currently delivering 1,000 AF per year to the Goleta Water District (GWD) for recycling. GWD wants to increase that flow to 3,000 AF per year. This would constitute 21 percent of the GWD total water requirements per year; however, the infrastructure is lacking.

Improved Flow and Storage Management

More sophisticated flow and storage management could increase available supply. Better control over when and how much the Cachuma reservoir drafting occurs can improve the efficiency of the storage process. Here are two examples:

1. Well and Aquifer Recharging When Bradbury Dam is spilling, water is available at no charge to participating water districts. Both Goleta and Carpinteria are heavily dependent upon wells. Goleta derives about 48 percent of its supply from wells, and Carpinteria 71 percent. The City of Santa Barbara has diverse supply sources, of which well water is about 24 percent ¹⁵.

Increasing Cachuma drafting (drawing down) *while it is spilling*, and injecting the water into aquifers through the wells, would increase the volume stored there and reduce the probability of seawater intrusion in future dry years.

There are, of course, issues associated with reinjection. The most important are:

- Water being injected must be treated to drinkable standards before being reinjected.
- The well must be returned to the extraction mode to flush out mineral deposits (typically once each week for 24 hours) during the reinjection process.
- The reinjection technology is relatively new. Not all wells can accommodate reinjection.
- Water extracted during flushing is non-potable and must be discharged to either the storm drain or the sanitary sewer system.

These are the primary factors which show that potable reinjection is not an easy answer and has different ramifications for each purveyor. This technique is also costly.

The Carpinteria Water District extracts water from five wells, two of which are currently on standby status. All five wells have recharge capability. Carpinteria's potable reinjection permitting process is underway. The permit application and supporting information are completed, but will not be submitted until Bradbury Dam starts to spill. This is because the permit is only valid for 24 months, so it would be counter-productive to be permitted

¹⁵ Santa Barbara County Public Works Department, (2014, October 14), "Water Supply." Retrieved from <http://cosb.countyofsb.org/pwd/pwwater.aspx?id=3726>

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during a time when there is no water to reinject.

Goleta Water District (GWD) owns 11 wells, 9 of which are currently operating. All of these wells have potable reinjection capability. The GWD intends to begin reinjection permitting discussions with the Regional Water Board as provided for under California Water Quality Order # 2012-0010.

The City of Santa Barbara operates eight wells, of which four can accommodate reinjection. The other four were drilled about 20 years ago, when reinjection was not yet a proven technology. Only two wells are currently being operated; the other six were shut down on March 1, 2017 to allow the groundwater basin to recharge. The Jury was informed that the City of Santa Barbara has started the permitting process to allow reinjection when Bradbury Dam spills. Because Santa Barbara receives only about a quarter of its supply from groundwater, they are less enthusiastic than some of the other water agencies about exploiting this potential source.

The Montecito Water District derives only 14 percent of its supply from groundwater and is heavily dependent on Lake Cachuma. If the Tecolote Tunnel were to fail, Montecito would be disproportionately affected in a negative manner. Montecito owns eight wells, four of which produce potable water. None of the Montecito wells are rechargeable.

2. Increase Lake Cachuma Useful Storage Capacity: Storage capacity of Lake Cachuma and all of the other reservoirs along the Santa Ynez River, Gibraltar Reservoir, and Jamison Reservoir, has been steadily diminishing over time due to siltation. The feasibility of removing the silt during periods when water levels are low has been investigated several times. The conclusion was the same each time. The number of trucks required was so large, and the time required would be so long, along with environmental concerns, that this approach is not feasible. This does not mean, however, that nothing can be done to increase the amount of stored water.

Prudent management indicates that Cachuma should be drafted (drawn down) heavily during the year *after* the dam spills. This action would lower the lake level, thereby allowing it to accept more inflow, increasing capacity during wet years for future dry years. There is, of course, a potential downside as well; in the final years of a prolonged drought, such as the County just experienced, available supply from the lake could be reduced.

Nevertheless, it appears that there are significant potential advantages in increasing drafting from Lake Cachuma while it is spilling and during the following year. The Jury learned that all of the water purveyors contacted are aware of this fact and are prepared to take the necessary steps to do so.

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Resource Management Strategies

The Santa Barbara County Integrated Regional Water Management Cooperating Partners (see Appendix D), comprises 35 city and County public works, water delivery and processing agencies, was established to satisfy the mandate of Proposition 50 for a more regionally oriented approach to water management issues. They issued a preliminary Integrated Regional Water Management Plan (*IRWMP*) in 2007, which was updated in 2013¹⁶.

Following are some examples that were designated as local Resource Management Strategies (RMS) in that plan:

Conjunctive Management and Groundwater Storage

Using and managing groundwater supplies to ensure sustainable groundwater yields while maintaining groundwater-dependent beneficial uses, including coordinating management of groundwater and surface water supplies (conjunctive use).

System reoperation was selected as a RMS by the IRWM Region. The Region is reliant on groundwater as a major source of water supply. The Region selected several groundwater management strategies that collectively will increase the supply of groundwater. For example, the City of Santa Maria uses treated wastewater to help recharge groundwater supplies. Those strategies include: Conjunctive Use and Groundwater Management, Efficiency and Conservation Measures, Groundwater Remediation/Aquifer Remediation, Prevention of Contamination and Salt Water Intrusion, and Recharge Area Protection.

Desalination

Developing potable water supplies through desalination of seawater, including disposal of waste brine.

Desalination was selected as a RMS by the IRWM Region. The City of Santa Barbara owns a desalination facility that was just brought into operation. The relatively high cost of desalination makes the desalination plant the last supply option to be used during drought periods.

Recycled Municipal Water

Recycled Municipal Water was selected as a RMS by the IRWM Region. The Region currently produces 4,177 AF per year¹⁷ of recycled water and plans on expanding production to 7,035 AF per year by 2035. Recycled water is distributed by Goleta Water District, the City of Santa Barbara, and Laguna County Sanitation District. The City of Lompoc also has a regional Reclamation Plant for treatment and disposal. The use of recycled water has the added benefit of reducing wastewater discharge into the ocean, which is a highly valued outcome in the Region.

¹⁶ Santa Barbara County Water Resources Division, (2013), "2013 Final IRWM Plan." Retrieved from <http://cosb.countyofsb.org/irwmp/irwmp.aspx?id=42010>

⁶ Average use of water in a Santa Barbara household is 0.5 AF per year.

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The Best Way to Manage a Regional Surface Water Supply System

Day-to-day operation of the Cachuma Project is currently the responsibility of the Cachuma Operation and Maintenance Board (COMB).

COMB is a Joint Powers Agency (JPA). It was formed with five members, identified as Cooperating Member Units (CMU) in Figure 4 found on page 12, consisting of Santa Ynez Improvement District 1 (ID1), Goleta Water District (GWD), Santa Barbara City (SBC) Montecito Water District (MWD) and Carpinteria Valley Water District (CVWD). GWD and SBC are larger than the other three districts. Therefore, GWD and SBC have two votes each and the remaining three districts have one vote for all matters before the COMB Board. Additionally, any project that will cost a million dollars or more requires a unanimous vote by the COMB Board, and ratification by the Boards of Directors of all the CMUs. ID1 unilaterally terminated their relationship with COMB last year after a dispute over finances and management of the Fish Management Plan. Whether the ID1 actually has the authority to do so has not been determined.

COMB is charged with operating and maintaining the infrastructure of surface water delivery from the North Portal, located at Lake Cachuma (where water enters the Tecolote Tunnel); the Tecolote Tunnel, and the South Coast Conduit (SCC), which is a single 26 mile pipe line from the South Portal near Glen Annie in Goleta, to Carpinteria. The SCC supplies water to GWD, SBC, MWD, and CVWD. During good rain years Lake Cachuma provides 80 percent of the water to the four south coast water districts. COMB does not maintain the Bradbury Dam. That function is performed by the United States Bureau of Reclamation, which also owns the Dam.

The COMB Board meets regularly once a month at 2:00 p.m. on the fourth Monday of each month. The meetings are noticed, agendas posted, and open to the public as required by the Brown Act. Unfortunately, because of the meeting time, members of the public that have regular jobs are often unable to attend. The meetings are audio taped and available to the public. However, the recording quality is poor, much detail is lost, and it is difficult to determine who is speaking. It would help the public to understand the unique facets of the COMB's management challenges if the meetings were televised for live broadcast and posted on the COMB website.

The 2015-16 Santa Barbara County Grand Jury wrote a report titled, *Lake Cachuma, Protecting a Valuable Resource*. Recommendation 8 for the member units of COMB was: "That the member units, in conjunction with the Santa Barbara County Water Agency, create consistent policies and procedures that govern conservation efforts especially during times of a severe drought and that these are documented in the subcontracts between the Santa Barbara County Water Agency and the member units."

All member units responded similarly to this recommendation. Basically, the responses all stated that each water district was unique. Their water sources, needs, conservation policies and interests are different. Therefore, they could not be governed by one set of guidelines that applied to all of the member units.

This uniqueness of interests makes the governance of COMB challenging. Smaller projects, less than \$1,000,000, require a simple majority. Larger projects require a unanimous vote. As an example, last year the issue of moving the barge in Lake Cachuma, which pumps water to the

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North Portal of the Tecolote Tunnel when the Lake water level drops, came to COMB Directors. One member, ID1, who was not benefited by the use of the barge, voted against the motion because ID1 was worried that the other CMUs would “steal” its water in the Lake. If not for some last minute legal maneuvers, the barge would not have moved. Without moving the barge, GWD, SBC, MWD, and CVWD would not have received *any* water during the past year from the State Water project.

Water in Lake Cachuma is not just rainwater or fed by the river and upper dam systems. It includes State Water; the Semitropic Water Storage District Groundwater Banking Program, located in Kern County (the Montecito Water District is the only Partner in this Program in Santa Barbara County), or any purchased from California delta rice farmers; and water stored at San Luis Reservoir in Monterey County. All are delivered through the State Water Pipeline. These are water sources for the four south coast water districts which require passage into Lake Cachuma then through the Tecolote Tunnel and to the South Coast Conduit for transport to the respective districts.

Additional water sources are the wells managed by the four south coast purveyors. The well systems used by three of the four CMUs are expected to last about five years before being exhausted if pumping continues at the current flow rate. Recharging wells will also be severely limited, should the Tunnel or the South Coast Conduit fail to function and no Lake water is delivered.

A failure of the Tunnel or the South Coast Conduit would shut down the supply of water from Lake Cachuma. No redundant (parallel) pipeline exists to convey water supplied through the Tecolote Tunnel or the SCC. One should be considered. Any repair of the existing line would not be easily accomplished: “When a section of the pipeline needs to be isolated for emergencies or repair there is no easy fix. In addition, dewatering a section of the Conduit is a lengthy process, greatly reducing its operational flexibility and reliability. Due to the age and material from which it is constructed, the pipe is inherently difficult to repair or modify.”¹⁸

The need for system redundancy has been studied several times throughout the years. The U.S. Bureau of Reclamation has a suitable easement, running the length of the SCC, which could be utilized for an additional pipeline or expansion of the existing pipe. Eventually a segmented plan was proffered and a second pipeline was initiated when the Modified Upper Reach Reliability Project began: “The purpose of the project is to increase the operational flexibility, reliability, and capacity of the Conduit, between the South Portal of Tecolote Tunnel and Corona Del Mar Water Treatment Plant. The increase in operational flexibility, reliability, and capacity are intended to accommodate peak demand levels and to allow maintenance of the pipeline.”¹⁹ The project was funded by Proposition 50 (Water Quality Supply and Safe Drinking Water Projects Act), which required a portion of matching funds from the CMUs. This was to be the first leg of a redundant system. However, Carpinteria Valley Water District did not feel the project was to its benefit and refused to contribute any more funds. The project was defunded and truncated prior to completion.

¹⁸ United States Bureau of Reclamation, (2010, November) “South Coast Conduit Modified Upper Reach Reliability Project.” .” Retrieved from https://www.google.com/search?q=footnote+website&rlz=1C1QJDB_enUS639US650&oq=foo&aqs=chrome.l.69i57j69i59j35i39j0l3.5786j0j8&sourceid=chrome&ie=UTF-8#q=footnote+website+apa.

¹⁹ *ibid*

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The pipe does connect to the aged SCC but only extends part way to the Corona del Mar Treatment plant and accomplishes little of the original desired outcome.

A second pipeline is needed to ensure uninterrupted provision of water to all consumers on the south coast through their various water purveyors.

Are there other management alternatives that should be investigated?

The Central Coast Water Authority (CCWA) was formed to design, construct and operate the facilities needed to bring SWP water to the agencies that contracted to receive that water as a supplemental source. Since the SWP is considered an interruptible supply, all CCWA participants have other sources of water. There are 12 CCWA project participants in Santa Barbara County. They are discussed in Appendix C. The Jury is not aware of any current plans to expand the charter of CCWA to include the management and/or distribution of recycled water or local groundwater.

Since its establishment, the Santa Barbara County Cooperating Partners (Partners) has been very successful in attracting grants from Proposition 50 and Proposition 84 (the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006). Through calendar year 2013, more than \$30 million was obtained. Proposition 84 stipulates that \$52 million must be awarded to the Central Coast Region (which includes Santa Barbara County). The Central Coast Region is also included in Proposition 1-E (The Disaster Preparedness and Flood Protection Bond Act of 2006), which totaled \$800 million statewide. Matching funds of 50 percent are required of project proponents in order to obtain Proposition 1-E funding. The Jury finds that the management structure of the Partners is not suitable to operate as the lead management agency.

The Santa Barbara County Water Agency (SBCWA) has been functioning as the Lead Agency (Program Manager) of the Integrated Regional Water Management Program since its inception. The SBCWA has the technical expertise to set priorities and manage overall water resources, but not the mandate. The County usually acts as the grantee with the State for grant contracts, utilizing sub-grant agreements with Partners which is successful in receiving funding for its nominated projects. The U.S. Bureau of Reclamation has expressed the desire that the new contract in 2020 remain with the County and that the Integrated Water Management Plan designate the SBCWA as “single contracting entity” for this contract.

Figure 4 shows the interrelationships between the various County water purveyors, regulatory agencies, and constituent groups associated with managing the south coast surface water supply.

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Appendix A: State Water Project (SWP) & Santa Ynez River (SYR) Organizational/Surface Water Supply Flow Chart

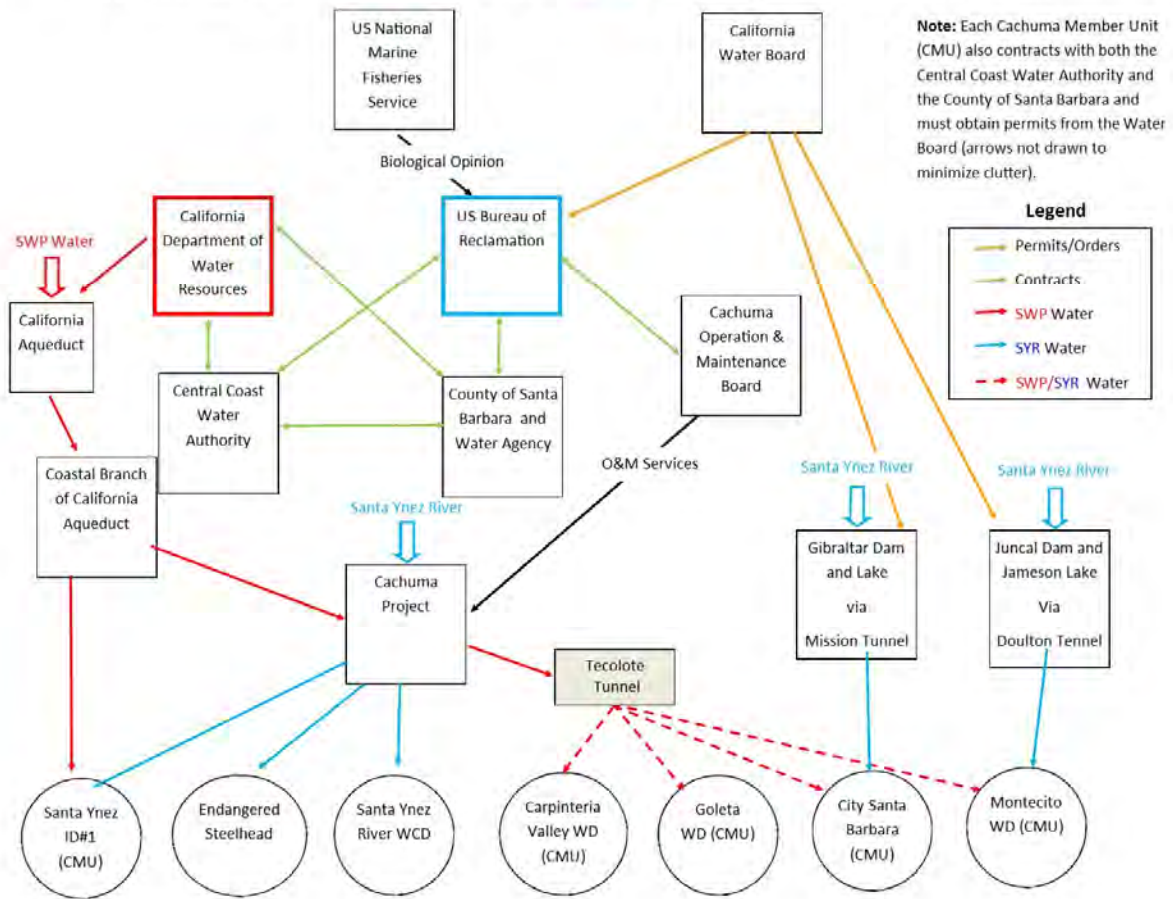


Figure 4 – Surface Water Management and Operation Structure in Santa Barbara County

During a December 2016 meeting sponsored by the Governor’s Drought Task Force, the California Office of Emergency Management (OEM) indicated that state funding could be made available for water distribution system improvements IF there is greater cooperation and coordination between the water purveyors within the County.²⁰ It is unclear whether these would be Proposition 50 funds, Proposition 84 funds, or funding from some other source. This action appears to be a recognition by the State that the present water management system is problematic.

The meeting purpose was to begin development of a prioritized list of water projects for State funding. The OEM established an “Action Working Group” and directed them to prepare a proposal that the Santa Barbara County Board of Supervisors (BOS) could submit to the State to implement the highest priority items for funding. This proposal was presented to the BOS on February 11, 2017.

²⁰ See Board of Supervisors Agenda Letter 4/11/2017 and attachments

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The recommended project list included seven items, as follows:

“Additional Water Supplies

- Reacquisition of Suspended Table “A” Water^[21]
- Recommissioning and Expansion of Regional Desalination Facility
- Water Reuse – Goleta
- Water Reuse – Carpinteria

Protection of Existing Resources

- Treatment Facilities for Removal of Hexavalent Chromium from Groundwater
- Temporary Emergency Pumping System at Lake Cachuma
- Interagency Intertie Project Between Goleta and Santa Barbara”

The Jury was told by every person interviewed that no budget or plan currently exists for major repairs to our 70-year-old surface water distribution system within the south coast and some segments are older, some are newer.

Critical for the more effective operation of Lake Cachuma and its water distribution system is who will manage and operate it under the new contract with the U.S. Bureau of Reclamation (USBR). Neither COMB, CCWA nor the SBCWA currently have authority over the independent water purveyors on the south coast. Chapter 2 of the IRWMP designates the SBCWA as the Lead Agency (Project Manager). It also designated the SBCWA as the “single eligible contracting entity” for the new contract with the USBR. However, the SBCWA does not appear to have any enforcement and/or prioritization authority. According to a Memorandum of Understanding (MOU) executed in 2006, the key IRWMP implementation organization is the Cooperating Partners Steering Committee. Decisions are made by majority vote of the Cooperating Partners participating in the meeting, with each signatory of the MOU having one vote.

In summary, the Jury found there are several steps that can be taken to improve the efficiency of the water distribution system. The Resource Management Strategy listing in the IRWMP is a good first step.

Regarding water supply governance and recognition of the need for a more regional emphasis, the IRWMP group led by the SBCWA appears to be the logical management entity, if the SBCWA acts more proactively than it has in the past.

²¹ An annual fixed percentage of State Water allocated to each member unit of COMB.

CONCLUSION

Santa Barbara County has a long history of building past its available water resources. Although the immediate threat of not having sufficient water available from Lake Cachuma has been averted because of the recent rains, another sustained drought occurring remains just a matter of time.

The State Water Pipeline does not carry an adequate supply for the needs of the south county. It was always intended as a supplemental source. The 2016-17 Santa Barbara County Grand Jury finds that additional water sources could be developed. The 2013 Integrated Regional Water Management Plan confirmed this. However, the implementation of its vision to use additional desalination projects and new infrastructures for using recycled water, among other things, is not being pursued aggressively because currently there is no entity with the authority to mandate implementation.

Further, the Jury finds that the self-interests of individual water purveyors have hampered efforts to secure a more sustainable regional supply.

Therefore, there must be an independent, impartial and forward-thinking agency (and not a water purveyor) with the authority to fulfill three objectives:

1. Assist all water agencies throughout the County to secure Federal and State grants that enable these purveyors to generate additional sources and employ more efficient systems for delivery;
2. Manage the Lake Cachuma water supplies to the south coast and secure the long-term reliable delivery of that water to purveyors;
3. Set priorities for management for all water resources in the County.

The Santa Barbara County Water Agency comes closest to being that independent, impartial, forward-thinking agency capable of achieving these three objectives. The Santa Barbara County Cooperating Partners already recognizes the SBCWA as the lead agency.

The Santa Barbara County Board of Supervisors must aggressively encourage the United States Bureau of Reclamation to designate the Santa Barbara County Water as the agency to manage Lake Cachuma's water supplies when the Lake Cachuma contract is renewed in 2020.

FINDINGS AND RECOMMENDATIONS

Finding 1

No single entity has decision or enforcement power within Santa Barbara County to lead regional planning.

Recommendation 1

That the Santa Barbara County Water Agency be designated as the permanent lead agency of the Santa Barbara County Cooperating Partners and granted enforcement power to ensure reliability of Santa Barbara County water supplies.

Finding 2

Additional supply sources such as desalination and recycled water are available to localized agencies but there is no concerted effort to develop them regionally.

Recommendation 2a

That Santa Barbara County Board of Supervisors, in conjunction with San Luis Obispo County, explore the Diablo Canyon desalination plant as a source of water.

Recommendation 2b

That the Montecito Water District and Carpinteria Valley Water District develop more cooperation in water recycling efforts.

Finding 3

The South Coast Conduit pipeline system is unable to accommodate peak water demand levels and is susceptible to single point failure.

Recommendation 3

That a redundant (parallel) pipeline system be built from the existing South Portal of the Tecolote Tunnel through Carpinteria to minimize the possibility of single point failure.

Finding 4

The Upper Reach Reliability Project portion of the South Coast Conduit pipeline was not completed as originally planned.

Recommendation 4

That the Upper Reach Reliability Project portion of the South Coast Conduit pipeline be completed.

Finding 5

Critical pipeline infrastructure, including redundancy, has not been developed throughout southern Santa Barbara County.

Recommendation 5

That critical pipeline infrastructure, including redundancy, be developed throughout southern Santa Barbara County.

Finding 6

Funding under Propositions 50, 84 and 1E has not yet been granted to the County of Santa Barbara for the Cooperating Partners of Santa Barbara County Integrated Regional Water Management's prioritized list of water supply projects.

Recommendation 6

That the funding applied for by the County of Santa Barbara on behalf of the Cooperating Partners of Santa Barbara County Integrated Regional Water Management is actively pursued.

Finding 7

The meetings of the Cachuma Operations and Maintenance Board do not adequately reveal to the public the competing and conflicting objectives.

Recommendation 7a

That all Cachuma Operations and Maintenance Board meetings be telecast live on community channels.

Recommendation 7b

That Cachuma Operations and Maintenance Board meetings be digitally recorded and posted on their website for greater transparency.

Finding 8

The Tecolote Tunnel is a single point failure location that is in urgent need of maintenance and reinforcement.

Recommendation 8

That Cachuma Operations and Maintenance Board develop and implement a plan to maintain and reinforce the Tecolote Tunnel.

Finding 9

None of the Santa Barbara County south coast water purveyors has established capital replacement accounts.

Recommendation 9

That each Santa Barbara County south coast water purveyor establish and fund a restricted capital replacement account.

MANAGING REGIONAL WATER SUPPLIES

REQUEST FOR RESPONSE

Pursuant to California Penal Code Section 933 and 933.05, the Santa Barbara County Grand Jury requests each entity or individual named below to respond to the enumerated findings and recommendations within the specified statutory time limit:

Responses to Findings shall be either:

- Agree
- Disagree wholly
- Disagree partially with an explanation

Responses to Recommendations shall be one of the following:

- Has been implemented, with brief summary of implementation actions taken
- Will be implemented, with an implementation schedule
- Requires further analysis, with analysis completion date of no more than six months after the issuance of the report
- Will not be implemented, with an explanation of why

Santa Barbara County Board of Supervisors– 90 days

Findings 1, 2, and 6

Recommendations 1, 2a, and 6

Montecito Water District Board of Directors– 90 days

Findings 1, 2, 4, 5 and 9

Recommendations 1, 2b, 4, 5, and 9

Carpinteria Valley Water District Board of Directors– 90 days

Findings 1, 2, 4, 5 and 9

Recommendations 1, 2b, 4, 5 and 9

City of Santa Barbara – 90 days

Findings 1, 4, 5 and 9

Recommendations 1, 4, 5 and 9

Goleta Water District– 90 days

Findings 1, 4, 5 and 9

Recommendations 1, 4, 5 and 9

City of Buellton– 90 days

Finding 1

La Cumbre Mutual Water Company– 90 days

Finding 1

MANAGING REGIONAL WATER SUPPLIES

City of Santa Maria– 90 days

Finding 1

Santa Ynez Valley River Water Conservation District, Improvement District No. 1– 90 days

Finding 1 and 9

Recommendation 9

Santa Barbara County Water Agency– 90 days

Finding 1, 5, 6 and 9

Recommendations 1, 5, 6 and 9

Cachuma Operation and Maintenance Board– 90 days

Findings 3, 5, 7, and 8

Recommendations 3, 5, 7a, 7b, and 8

MANAGING REGIONAL WATER SUPPLIES

APPENDIX A ACRONYMS

AF/DAY	Acre Feet per Day
CCWA	Central Coast Water Agency
CMU	Cachuma Member Units
COMB	Cachuma Operations and Maintenance Board
CVWD	Carpinteria Valley Water District
FEMA	Federal Emergency Management Agency
GWD	Goleta Water District
ID1	Santa Ynez River Water District, Improvement District No. 1
IRWM	Integrated Regional Water Management
IRWMP	Integrated Regional Water Management Plan
JPA	Joint Powers Agency
MOU	Memorandum of Understanding
MWD	Montecito Water District
OCEAN PLAN	State Water Quality Control Plan for Ocean Waters
OEM	California Office of Emergency Management
PG&E	Pacific Gas & Electric
RMS	Resource Management Strategy
SBC	Santa Barbara City
SBCWA	Santa Barbara County Water Agency
SCC	South Coast Conduit

MANAGING REGIONAL WATER SUPPLIES

APPENDIX B CENTRAL COAST WATER AUTHORITY PARTICIPANT WATER SOURCES CCWA Participant Water Sources

The central coast water authority (CCWA) was formed for the sole purpose of designing, constructing and operating the facilities needed to bring SWP water to the agencies that contracted to receive that water. The following text is extracted from the CCWA's excellent 2015 urban water management plan (UWMP).

Since the SWP is considered an interruptible supply, all CCWA participants have other sources of water supply. The following is a brief summary of the portfolio of water supplies maintained by the twelve CCWA project participants in Santa Barbara County:

City of Buellton

The City of Buellton's service area is approximately 1,025 acres and potable water is provided to residential, commercial and industrial customers. There are no agricultural irrigated lands within city limits. Currently, the City of Buellton relies upon two sources of water for domestic supply. They are as follows:

- State Water Project: the City of Buellton has a SWP allotment of 578 AF per year with an additional 57.8 AF per year drought buffer.
- Groundwater: the City of Buellton has four active groundwater production wells that are permitted by the California DPH. These groundwater wells draw water from The Buellton Uplands Groundwater Basin and the Santa Ynez River Riparian Basin.

Carpinteria Valley Water District

The Carpinteria Valley Water District's service area is approximately 11,300 acres. Domestic water service is provided to a population of about 18,500 and approximately 3,883 acres of irrigated crops, ranging from lemons and avocados to various nursery products. Currently, Carpinteria Valley Water District relies on three sources of supply to meet water demand in its service area. They are as follows:

- Cachuma Project: Carpinteria Valley Water District is one of five water purveyors that have a water supply agreement with the Santa Barbara County Water Agency for use of the Lake Cachuma as a source of water supply. The water agency, in turn, has the master water supply contract with the USBR. Carpinteria valley water district's project water allocation for the Cachuma Project is 10.94%. The annual Cachuma Project yield has been determined to be 25,714 AF, which translates to roughly 2,813 AF per year for the Carpinteria Valley Water District. However, Carpinteria Valley Water District also receives as much as 400 AF per year from exchanges with other member units.
- State Water Project: Carpinteria Valley Water District has an SWP allotment of 2,000 AF per year with an additional 200 AF per year drought buffer.
- Groundwater: Carpinteria Valley Water District has three active groundwater production wells that are permitted by the California DPH. These groundwater wells draw water from the Carpinteria groundwater basin. This basin has not been adjudicated, but is managed pursuant to an AB 3030 Groundwater Basin

MANAGING REGIONAL WATER SUPPLIES

production wells that are permitted by the California DPH. These groundwater wells draw water from the Carpinteria groundwater basin. This basin has not been adjudicated, but is managed pursuant to an AB 3030 Groundwater Basin Management Plan.

Goleta Water District

The Goleta Water District provides water to approximately 85,000 customers in Goleta and parts of Santa Barbara. The Goleta Water District spans 29,000 acres and extends from the Santa Barbara County south coast area west to Santa Barbara's city limits at El Capitan. It is bounded on the south by the ocean and on the north by the foothills of the Santa Ynez Mountains. Currently, the Goleta Water District relies on four sources of supply to meet water demand in its service area. They are as follows:

- **Cachuma Project:** Goleta Water District is one of five water purveyors that have a water supply agreement with the Santa Barbara County Water Agency for use of Lake Cachuma as a source of water supply. Goleta's project water allocation for the Cachuma Project is 36.25%. The annual yield of the Cachuma Project has been determined to be 25,714 AF, which translates to roughly 9,321 AF per year for the Goleta Water District.
- **State Water Project:** Goleta Water District has a SWP allotment of 4,500 AF per year with an additional 450 AF per year drought buffer. In addition, Goleta Water District has a contract for 2,500 AF of special drought buffer.
- **Groundwater:** Goleta Water District has eight active groundwater production wells that are permitted by the California DPH. These groundwater wells draw water from the Goleta Valley groundwater basin. The north-central portion of this basin was adjudicated via the "wright judgment" (Martha H. Wright et al. V. Goleta Water District et al., 1989, amended judgment, Superior Court of Santa Barbara County Case No. Sm57969). To proactively manage the Goleta groundwater basin, Goleta Water District customers enacted the voter-approved safe water supplies ordinance in 1991 (amended 1994) to ensure the basin is effectively managed.
An additional measure implemented by Goleta Water District, in coordination with the La Cumbre Mutual Water Company, includes the preparation of the Goleta Groundwater Basin Groundwater Management Plan. This plan addresses groundwater issues, adopts basin management objectives, and outlines management strategies for the basin.
- **Recycled Water:** Goleta Water District receives tertiary disinfected recycled water from the Goleta Sanitation District for distribution within its service area. Goleta sanitation district has a permitted capacity to produce tertiary disinfected recycled water at a rate of 3.0 MGD (about 3360 AF/Y).

La Cumbre Mutual Water Company

The La Cumbre Mutual Water Company was formed in 1925 to serve water to land owners in hope ranch and the area between Hollister Avenue and hope ranch, totaling approximately 2,000 acres. The La Cumbre Mutual Water Company provides water to its shareholders on a non-profit mutual-benefit basis. Every landowner within the service area is an owner of this company. The ownership is attached to the land and the amount of ownership is proportional to acreage. Currently, the La Cumbre Mutual Water Company relies on two sources of supply to meet water demand in its

MANAGING REGIONAL WATER SUPPLIES

service area. They are as follows:

- **State Water Project:** the La Cumbre Mutual Water Company has a SWP allotment of 1,000 AF per year with an additional 100 AF per year drought buffer. SWP water is treated at the PPWTP in northern San Luis Obispo County and is conveyed to the Santa Ynez Valley pumping plant where the water is dechlorinated before it is pumped to Lake Cachuma. The water is subsequently delivered from Lake Cachuma to the Cater Surface Water Treatment Plant, operated by the City of Santa Barbara, for treatment. La Cumbre Mutual Water Company then receives water from the City of Santa Barbara.
- **Groundwater:** the La Cumbre Mutual Water Company has five active groundwater production wells that are permitted by the California DPH. These groundwater wells draw water from the Goleta Valley groundwater basin. This basin has not been adjudicated, but is managed pursuant to an ab 3030 groundwater basin management plan.

Montecito Water District

The Montecito Water District encompasses an area of 9,888 acres, of which approximately 6,883 acres are developed (about 98% as residential and 2% as commercial) and approximately 849 acres are used for agriculture. The Montecito Water District relies on three sources of supply to meet water demand in its service area and they are as follows:

- **Cachuma Project:** Montecito Water District is one of five water purveyors that have a water supply agreement with the Santa Barbara County Water Agency for use of Lake Cachuma as a source of water supply. Montecito's project water allocation for the Cachuma Project is 10.31%. The annual yield of the Cachuma Project has been determined to be 25,714 AF, which translates to roughly 2,651af per year for the Montecito Water District.
- **Jameson Lake, Fox and Alder Creeks:** the Montecito Water District receives approximately 20% to 45% of its supply from these sources.
- **State Water Project:** the Montecito Water District has a SWP allotment of 3,000 AF per year with an additional 300 AF per year drought buffer.
- **Groundwater:** the Montecito Water District has four active groundwater production wells that are permitted by the California DPH. These groundwater wells draw water from the Montecito basin. This basin has not been adjudicated, but efforts are underway to manage it through an AB 3030 Groundwater Basin Management Plan.

Morehart Land Company

Morehart Land Company is a privately held California corporation owned by the Morehart family. Its primary business is real estate investment and ranching. In 1977, the Morehart Land Company acquired the majority of lots within the Townsite of Naples, which is located along the ocean, 12 miles north of Santa Barbara, California. The Townsite of Naples consists of 415 largely undeveloped lots which have a combined area of approximately 605 acres. Lot sizes range from 5,036 square feet to 3.7 acres. Six blocks have been developed and contain 23 homes, the last two of which were built in the mid-1980s. The Morehart Land Company has developed water rights, groundwater wells and a water treatment plant and storage facility to serve the Townsite and possibly nearby properties. Negotiations are underway with Goleta Water District to obtain a water

MANAGING REGIONAL WATER SUPPLIES

transfer agreement by which Goleta Water District will transfer the Morehart Land Company's state water allotment through its existing facilities to the company's distribution connection. Currently, the Morehart Land Company has 200 AF in SWP water, with an additional 20 AF of drought buffer.

City of Santa Barbara

The City of Santa Barbara encompasses 21 square miles and currently provides water to approximately 82,000 municipal and industrial customers. The City of Santa Barbara relies on seven sources of supply to meet water demand in its service area and they are as follows:

- Gibraltar reservoir: this reservoir is owned by the City of Santa Barbara and is located on the Santa Ynez River. The current reservoir capacity is 7,264 AF, with an annual yield of approximately 4,600 AF per year. Water from this reservoir is delivered through the Santa Ynez Mountains to Santa Barbara via Mission Tunnel.
- Devil's Canyon Creek: the City of Santa Barbara maintains a small diversion works on devil's canyon creek below Gibraltar dam which diverts water from devil's canyon creek into mission tunnel. The range of annual yield is 24 to 557 AF per year, with an average of 115 AF per year.
- Cachuma Project: the City of Santa Barbara is one of five water purveyors that have a water supply agreement with the Santa Barbara county water agency for use of Lake Cachuma as a source of water supply. The city's project water allocation for the Cachuma Project is 32.19%. The annual yield of the Cachuma Project has been determined to be 25,714 AF, which translates to roughly 8,277af per year for the City of Santa Barbara.
- Mission Tunnel: this structure is a 3.7 mile tunnel through the Santa Ynez Mountains running from the north portal, located approximately 1,700 feet downstream of Gibraltar Dam to the south portal, located on mission creek approximately 3 miles north of downtown Santa Barbara. Annual infiltration for the period 1976 through 2000 ranged from 520 AFY to 2,172 AFY, with an average of 1,348 AFY.
- Groundwater: the City of Santa Barbara has seven active groundwater production wells that are permitted by the California DPH. Groundwater is produced from three groundwater basins: Storage Unit 1 (located in the vicinity of downtown), the foothill basin (located in the upper State Street area), and Storage Unit 3 (located generally in the Westside area).
- State Water Project: the City of Santa Barbara has a SWP allotment of 3,000 AF per year with an additional 300 AF per year drought buffer.
- Desalination: the City of Santa Barbara constructed a reverse osmosis seawater desalination facility as an emergency water supply during the drought of 1990. The facility has since been incorporated into the city of Santa Barbara's long-term supply plan as a way of reducing shortages due to depleted surface supplies during drought. Due to the on-going drought, the city pursued the reactivation of this system. The city currently anticipates the systems to become fully operational during the first half of 2017, with a capacity of 3,125 AF.

MANAGING REGIONAL WATER SUPPLIES

Raytheon

In 2015, the Raytheon Company employed approximately 1,450 people at its primary facility in Goleta, and approximately 150 people at its branch facility in Santa Maria. It owns approximately 9.4 acres of land in Goleta and owns or rents 14 buildings with a total of approximately 640,000 square feet of space in Goleta and owns approximately 75 acres of land and one building of approximately 121,000 square feet of space in Santa Maria.

Raytheon has contracted for 50 AF of water from the state water project. This water will be used primarily as a supplemental supply for system reliability.

City of Santa Maria

The City of Santa Maria encompasses an area of approximately 14,361 acres (22.44 Square miles). The city lies along the Santa Maria River and within the Santa Maria Valley. The City expects that the undeveloped land within its boundaries will continue to be developed and that the city's estimated population at build out, in the year 2030, will be approximately 115,000 persons. Currently, the City of Santa Maria relies upon two sources of water for domestic supply and they are as follows:

- State water project: the City of Santa Maria has a SWP allotment of 16,200 AF per year with an additional 1,620 AF per year of drought buffer.
- Groundwater; The City of Santa Maria has nine active groundwater production wells that are permitted by the California DPH. These groundwater wells draw water from the Santa Maria groundwater basin. This basin is adjudicated and part of the settlement, the city participates in the management and operation of the Twitchell reservoir, which is operated for the purposes of groundwater recharge within the Santa Maria basin.

Santa Ynez River Water Conservation District, Improvement District #1.

Located in the central portion Of Santa Barbara County, SYRWCD ID#1 serves the communities of Santa Ynez, Los Olivos, Ballard and the City of Solvang. It covers about 10,850 acres. Currently, SYRWCD ID #1 relies on four sources of supply to meet water demand in its service area and they are as follows:

- Cachuma Project: SYRWCD ID #1 is one of five water purveyors that have a water supply agreement with the Santa Barbara County Water Agency for use of the Lake Cachuma as a source of water supply. , SYRWCD ID #1's project water allocation for the Cachuma Project is 10.31%. The annual yield of the Cachuma Project has been determined to be 25,714 AF, which translates to roughly 2,651 AF per year for the, SYRWCD ID #1. However, SYRWCD ID #1 has entered into an exchange agreement with the other four Cachuma Project participants where SYRWCD ID #1 receives SWP water rather than Cachuma water on a one-for-one basis.
- State Water Project: SYRWCD ID #1 has a SWP allotment of 2,000 AF per year with an additional 200 AF per year drought buffer.
- Groundwater: SYRWCD ID #1 has seventeen active groundwater production wells that are permitted by the California DPH. These groundwater wells draw water from the Santa Ynez Uplands Groundwater Basin and the Santa Ynez River Alluvium.

MANAGING REGIONAL WATER SUPPLIES

Golden State Water Company

The golden state water company is regulated by the California Public Utility Commission and is a private investor-owned utility company. The golden state water company has grouped five individual water systems within the Santa Maria Valley into one customer service area. The five systems are known as (1) Orcutt, (2) Tanglewood, (3) Lake Marie, (4) Sisquoc and (5) Nipomo. All five systems share common management and the same operations crew. All water rates are based on the golden state water company's investments and pass-through costs for these five water systems as a group. In terms of supplying SWP water to the golden state water company, there is one turnout on the CCWA system that provides water to the Tanglewood system. Golden state water company also obtains access to SWP deliveries for its Orcutt system through wheeling SWP through the city of Santa Maria turnout and accepting water from the city of Santa Maria through one of three system interconnections. The sources of water supply for the Tanglewood and Orcutt system are as follows:

- State Water Project: the golden state water company has a SWP allotment of 500 AF per year with an additional 50 AF per year of drought buffer.
- Groundwater: the golden state water company has two active groundwater production wells in its Tanglewood system and twelve active production wells in its Orcutt system that are permitted by the California DPH. These groundwater wells draw water from the Santa Maria groundwater basin. This basin is adjudicated and part of the settlement. The company participates in the management and operation of the Twitchell reservoir, which is operated for the purposes of groundwater recharge within the Santa Maria basin.

Vandenberg Air Force Base

Vandenberg Air Force Base consists of 86,000 acres of open lands in the Lompoc-Guadalupe-Santa Maria triangle. The base is operated by air force space command's 30th space wing. Population is approximately 12,500 to 15,000 people. Currently, Vandenberg Air Force Base relies on two sources of supply to meet water demand in its service area, they are as follows:

- State Water Project: Vandenberg Air Force Base has a SWP allotment of 5,500 AF per year with an additional 550 AF per year of drought buffer.
- Groundwater: Vandenberg Air Force Base has four active groundwater production wells that are permitted by the California DPH. These groundwater wells draw water from the Lompoc groundwater basin.

APPENDIX C DESALINATED WATER OPPORTUNITIES

Desalinated Water Opportunities

Desalination represents a significant potential opportunity to increase the available water supplies in California. In May 2015, the State Water Resources Control Board approved an amendment to the State Water Quality Control Plan for Ocean Waters (Ocean Plan) that would address desalination facilities. The intention of the amendment is to establish a uniform statewide approach for protecting the beneficial uses of ocean water from degradation due to seawater intake and discharge of brine waste from desalination facilities. The new amendment contains four primary components intended to control potential adverse impacts to marine life associated with the construction and operation of desalination facilities and they are:

- Clarify the State Water Board's authority over desalination facility intakes and discharges.
- Provide direction to the regional water boards regarding the determination required by Water Code section 13142.5, subdivision (b) for the evaluations of the best available site, design, technology, and mitigation measures feasible to minimize the intake and mortality of all forms of marine life at new or expanded desalination facilities.
- A narrative receiving water limitation for salinity applicable to all desalination facilities to ensure that brine discharges to marine waters meet the biological characteristics narrative water quality objective and do not cause adverse effects to aquatic life beneficial uses.
- Monitoring and reporting requirements that include effluent monitoring, as well as monitoring of the water column bottom sediments and affects on community health to ensure that the effluent plume is not harming aquatic life beyond the brine mixing zone.

The final staff report for the Ocean Plan documented eleven existing and fifteen proposed desalination facilities on the California Coast, as of late 2014. Three of the existing desalination plants were located in San Luis Obispo County (City of Morro Bay, Diablo Nuclear Power Plant and Duke Energy in Morro Bay) and two of the existing plants are located in Santa Barbara County (Chevron near Gaviota and the City of Santa Barbara). There are only two proposed projects located in San Luis Obispo County (Oceano and Cambria). With the exception of the City of Santa Barbara's system, all of the existing and proposed desalination facilities in Santa Barbara and San Luis Obispo Counties were well below 1 MGD. The City of Santa Barbara system was reported at 2.8 to 8.9 MGD.

Diablo Canyon Nuclear Power Plant Desalination Facility.

The Diablo Canyon Nuclear Power Plant is operated by Pacific Gas and Electric Company. Due to the Plant's needs for ultra-pure water, the power plant is equipped with a seawater desalination facility. The system is not currently operated at its full treatment capacity. The capacity is currently estimated at 500 AFY without modification and 1,300 AFY with some improvements to the treatment facility. In order to receive water produced from this plant, a seven mile pipeline will need to be constructed to connect to the end of the Lopez Lake pipeline in Avila Beach, California. This option is currently under consideration by a number of water agencies in San Luis Obispo County.

(See Figure 2 Existing Desalination Facilities and Figure 3 Proposed Desalination Facilities.)

MANAGING REGIONAL WATER SUPPLIES

The approved Ocean Plan will be implemented through the National Pollutant Elimination System (NPDES) permits or Waste Discharge Requirements issued by the applicable Regional Water Quality Control Board, in consultation with the State Water Resources Control Board. Specific discharge requirements would apply to all desalination facilities and intake-related requirements would apply to all new or expanded seawater desalination facilities.

Recycled Water and Local Groundwater

CCWA was formed for the specific purpose of designing, building and operating the Coastal Branch of the SWP. There are no current plans to expand the charter of CCWA to include the management and/or distribution of recycled water or local groundwater.

Drought Planning

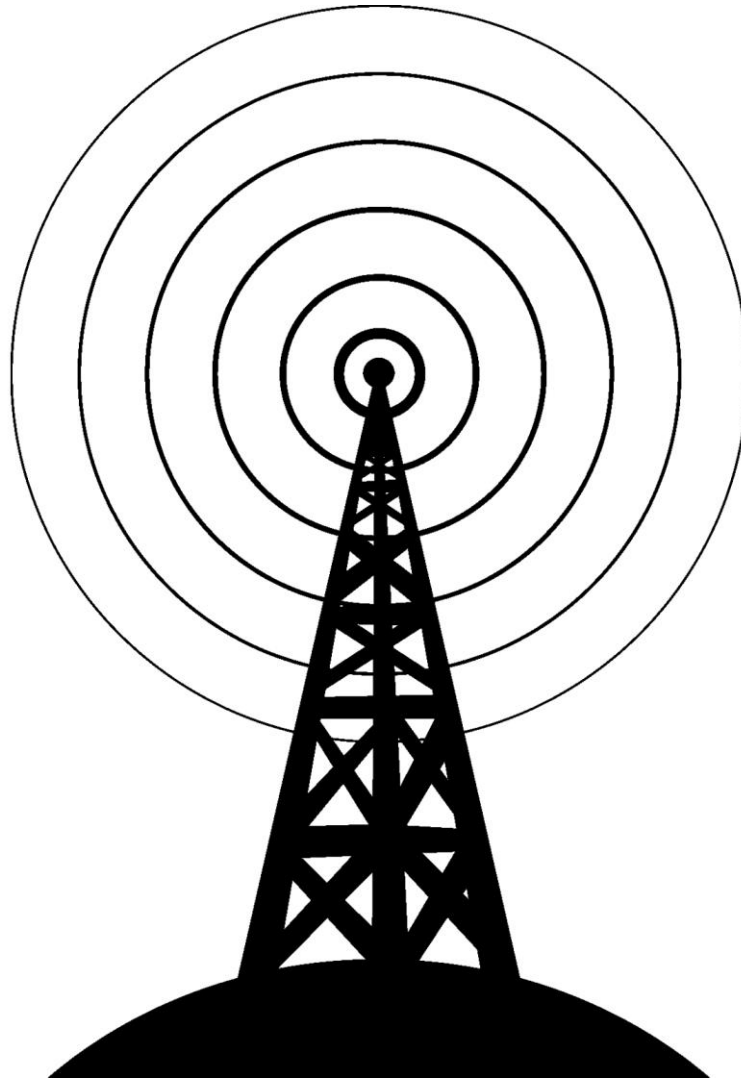
CCWA is a joint powers agency that was formed by its member agencies for the sole purpose of building and operating the Coastal Branch of the SWP to provide supplemental imported water. CCWA defers the creation of water shortage action plans to its member retail agencies that have the ability to rely on other water sources, participate in demand management measures and institute voluntary and mandatory conservation. These shortage contingency plans are contained in their individual agency UWMPs and Master Water Plans. CCWA has no ability to reduce water consumption during a water shortage event. In fact, during a water shortage event, CCWA is called upon by its member agencies to increase and maximize deliveries if possible.

CCWA's charge is to assure that the delivery of the SWP to retail agencies is as reliable as possible each and every year. To that end, CCWA will respond to the need of its participants when additional sources of water, beyond that provided by the annual SBCWA Table A allocation process. During one of the driest periods on record (late 2013 and 2014), the CCWA Board of Directors established two important goals for CCWA staff to pursue: (1) establish a program to identify and secure supplemental water during times of drought and (2) investigate the options for a groundwater banking partnership for storing excess water, when it is available.

MANAGING REGIONAL WATER SUPPLIES

APPENDIX D COOPERATING PARTNERS Santa Barbara County Integrated Regional Water Management

City of Buellton	Montecito Sanitary District
Carpinteria Sanitary District	Montecito Water District
Carpinteria Valley Water District	City of Santa Barbara
City of Carpinteria	Santa Barbara County Agricultural Commissioner
Casmalia Community Service District	Santa Barbara County Water Agency
Cachuma Resource Conservation District	Santa Barbara County Flood Control
Cachuma Operation Maintenance Board	Santa Barbara County Laguna Sanitation District
Central Coast Water Agency	Santa Barbara County Parks
Cuyama Community Service District	City of Santa Maria
City of Guadalupe	Santa Maria Valley Water Conservation District
Golden State Water Company	Santa Ynez Community Services District
City of Goleta	Santa Ynez River Water Conservation District, Improvement District No. 1
Goleta Sanitary District	City of Solvang
Goleta Water District	Summerland Sanitary District
Goleta West Sanitary District	Vandenberg Village Community Services District
Heal the Ocean	
La Cumbre Mutual Water Company	
City of Lompoc	
Los Alamos Community Services District	



PUBLIC SAFETY RADIO COVERAGE

PUBLIC SAFETY RADIO COVERAGE

Is Our Safety at Risk?

SUMMARY

In accordance with *California Penal Code §919(b)*, the 2016-17 Santa Barbara County Grand Jury (Jury) conducted an inspection of detention facilities within Santa Barbara County (County). While accomplishing this task, the Jury had occasion to speak to several members of the Santa Barbara County Sheriff's Office (Sheriff), who expressed concern regarding areas within the County where they could not communicate using their assigned radios. This was a concern to the Jury as it relates to law enforcement officer safety as well as public safety. To eliminate "dead spots" in radio coverage, the Jury recommends that additional radio towers be placed to provide adequate coverage and made operational as soon as possible.

The Jury also became aware of the new 700 MHz radio band that is currently being used in the Santa Maria Police Department for public safety. This 700 MHz band had been set aside for public safety by the Federal Communications Commission (FCC) and was meant to promote communications between all public safety agencies working in a mutual aid situation. In 2010, the State of California published a strategic plan for the implementation of the 700 MHz band for public safety agencies. Other law enforcement departments in Santa Barbara County should consider how to network with the 700 MHz system now available in Santa Maria.

BACKGROUND

After the September 11, 2001 terrorist attack, it became apparent to the federal government that radio communication for first responders during a large disaster was a big problem. The different agencies reporting to the disaster had no means of communication between the different units. This became more apparent after the 2005 Hurricane Katrina in New Orleans, as again the primary responders had no means to communicate with each other. Locally, emergency responders could not communicate with one another during major fires, such as the 2008 Gap Fire and Tea Fire.

The Jury was told that the federal government issued an order that all public safety radio communications would be on the new 700 MHz band by 2019. Accordingly, the Federal Communications Commission set aside a portion of the 700 MHz band for public safety needs. In 2012, the United States Congress allocated up to \$7 billion to First Net to construct this nationwide public safety broadband network. Due to the numerous requests not to implement this order, the deadline for 2019 was removed. In 2010, the State of California published a ten-year plan for the implementation of the 700 MHz band for public safety agencies.

A 700 MHz band is an important swathe of the radio spectrum for public safety communications. The band consists of 108 MHz of radio spectrum running from 698 to 806 MHz. The location of

PUBLIC SAFETY RADIO COVERAGE

the 700 MHz band – just above TV broadcast channels – gives it excellent propagation characteristics (transmission of radio waves in a particular direction or through a medium). This allows the 700 MHz signal to penetrate buildings and walls easily and to cover larger geographic areas with less infrastructure (relative to frequencies in higher bands). Santa Maria made the decision to change from the existing 400 MHz radio system to the new 700 MHz public band radio system. Motorola was contracted to implement this new radio system. Currently the 700 MHz band is being utilized in both the San Francisco and Los Angeles areas. Santa Maria is centrally located and can serve as a dispatch center for the Central Coast (San Luis Obispo County and Santa Barbara County).

METHODOLOGY

The Jury traveled to all the Sheriff's Substations and interviewed several deputies assigned to each station. At each one of the substations, the deputies interviewed stated there were certain areas where they were unable to use their assigned radios. The Jury also interviewed the Santa Barbara County Sheriff, the Santa Barbara County Communications Dispatch Manager, the Santa Maria Chief of Police, the Lompoc Chief of Police, the Guadalupe Chief of Police and law enforcement officers throughout the County. The Jury studied various communications planning, development, and utilization documents. At the invitation of the Chief of Police of Santa Maria, Jurors attended a presentation by a representative of Motorola, who is installing the 700 MHz radio system.

OBSERVATIONS

Areas of Poor Reception

There are three areas with poor radio reception within Santa Barbara County. The problematic areas affect both the northern and southern areas of the County:

- Southern Santa Barbara County
- Northern Santa Barbara County
- CuyamaValley

Southern Santa Barbara County

Radio communication can be unreliable in the canyon areas of southern Santa Barbara County. Deputies in Carpinteria told the Jury that in certain areas their radios had a weak signal. In coordination with the Department of Homeland Security, a new tower is under construction on Santa Cruz Island. When this is complete, the new site on the island will eliminate problems of radio communication in canyons south of the Gaviota Pass that slope toward the ocean by enabling the signal to penetrate the canyons on the mainland. This will assist all public safety agencies in the south County.

PUBLIC SAFETY RADIO COVERAGE

Northern Santa Barbara County

Law enforcement officers and Sheriff's Deputies in the Santa Maria Valley have told the Jury that radio communication is also unreliable in outlying areas. Dead spots have prevented a call for backup and have endangered deputies. There are plans to install a new radio repeater on a site southwest of Santa Maria. This site was formerly operated by the television station KSBY. This new site is expected to receive County funding by the end of this year, and it will provide communication in the Casmalia and Tanglewood areas. There is also a plan to place a repeater on Mount Solomon, located just south of Santa Maria, which will improve coverage in the Santa Maria Valley.

Cuyama Valley

Deputies in the Cuyama Valley are operating in a rural area with extremely poor communications (dead spots). The Jury learned that, in one instance, a deputy was unable to call for assistance due to the lack of radio coverage. Another also stated that sometimes he had to use the fire department radio in order to communicate with his office. For the safety of all, it is essential that they are able to be in contact with their communication center at all times.

The nearest backup for the Cuyama deputies is located at the Sheriff's Substation in Orcutt. These backup deputies may have to travel for over an hour to assist the Cuyama deputies. If available, they may also receive backup from Kern County, and/or the California Highway Patrol.

The Santa Barbara County Fire Department, in conjunction with the Ventura County Fire Department, is constructing a new communications tower on a mountain peak in Kern County. This will alleviate fire department coverage problems in the Cuyama area. However, this is a fire department endeavor and the Santa Barbara County Sheriff is not on board with it at this time.

Countywide Centers

The Santa Barbara County Public Safety Dispatch Center

The Santa Barbara County Public Safety Dispatch Center (Center) is located behind the Santa Barbara County Main Jail. This is the only 24-hour County communication facility with countywide responsibility. It is equipped with a total of 10 consoles for dispatching the Sheriff's units, the County Fire Department units, and medical units, including ambulances. The cities of Santa Barbara, Santa Maria, and Lompoc maintain their own radio communication for police, fire, and medical. The Center's work is divided approximately as follows: law enforcement 70 percent, fire 8 percent, and medical 22 percent.

The Santa Barbara County Sheriff's Office uses the 450 MHz band. The County fire departments use the 150 MHz band. Santa Maria Police and Fire use the 700 MHz band. Emergency Medical Service radio band use will depend upon their location. In addition, the County fire departments use six different frequencies, and the Sheriff's Department uses two frequencies. The Center manager was aware of the problems with radio coverage. However, the Center has the capability of patching the Fire and Sheriff's radio traffic in emergency situations. This would allow communication between the two agencies.

PUBLIC SAFETY RADIO COVERAGE

Emergency Communication Centers

There are four Emergency Communications Centers in Santa Barbara County:

- Santa Barbara County Public Safety Dispatch Center
- Santa Barbara City Combined Communications Center
- Lompoc Police Dispatch Center
- City of Santa Maria Communications Center

These communication centers are charged with handling all 9-1-1 calls as well as dispatching police, fire, and ambulance to any emergencies.

Updating Technology

The public safety radio system in Santa Barbara County is an analog system as opposed to a digital system. According to the Santa Barbara County Communications Manager, the County has not switched to digital, because of the following disadvantages:

- Digital radios, like all new digital technology, can be somewhat more expensive.
- Due to additional features and enhanced functionality, a learning curve exists for first-time users.
- Digital signals are intolerant to radio frequency (RF) noises, and in the presence of too much RF noise, the signal can result in error.

On the other hand, there are a number of advantages to digital systems:

- The voice quality is better .
- It has more resilience and reliability.
- It supports special features such as GPS, text messaging, emergency button, encryption, remote monitoring and caller ID.
- Dedicated talk groups can be created on the same system.

The City of Santa Maria is the first to utilize the 700 MHz band on the central coast. During the Jury's visit, the Santa Maria Police Department was in the process of moving the dispatch center from Cook Street to its new facility on Betteravia Road. The dispatch center receives about 600 calls daily, and when completed, will have nine dispatch consoles. Once the center is fully operational, they expect to have 21 dispatchers to handle the 24/7 operations. The center will be capable of handling neighboring communities.

At the time of the Jury's visit, there was one tower at the Santa Maria Police Department to handle any traffic in the Santa Maria and adjacent areas. An additional tower has been constructed in the Los Flores Ranch Park area. This will cover the Northwest area of Santa Barbara County which includes the City of Guadalupe and the county areas of Tanglewood and Casmalia. Moreover, during the interview with the Chief of Police of Santa Maria, he stated that they would cover the Allan Hancock campuses in Santa Maria and Lompoc. The City of Santa Maria is now utilizing the 700 MHz radio system for all public safety communication. Radios used by personnel are capable of receiving the 700 MHz band as well as the 400 MHz band, which is utilized by the Sheriff's Office. The Jury was told that the key word is interoperability where agencies can be patched indefinitely and talk to one another in real time.

PUBLIC SAFETY RADIO COVERAGE

The City of Santa Maria is hoping to provide service to neighboring cities and eventually the County with its new radio system. In order to join this system, North County partners would have to buy the radios and access to the towers, but they wouldn't have to pay for the infrastructure as Santa Maria has already provided this. South County partners would have to purchase and install 700 MHz repeaters and radios. The repeaters could be installed in existing towers, including cell towers. The prior installation of technology and towers in the North allows smaller departments to have the equipment that Santa Maria already has in place, so there would not be high upfront costs. This would eliminate the current situation where emergency responders have to borrow each other's radios to communicate. Further negotiations would include a Memorandum of Understanding (MOU), Standard Operation Procedures (SOPs), joint planning, equipment loans and channel sharing. The Santa Maria Police Department is also willing to train other departments and offer radio and technical support personnel.

CONCLUSION

Reliable radio reception for public safety agencies has been problematic in select areas of Santa Barbara County. The 2016-17 Santa Barbara County Grand Jury spoke with many law enforcement officers who recounted situations in which their work was hampered by poor reception, or no reception. Their safety and the public's safety are at risk. Santa Barbara County is in the process of putting up towers to increase coverage and eliminate dead spots in radio reception. The Jury recommends this be completed as soon as possible.

With its investment in the future of public safety technology, Santa Maria is reaching out to other areas on the Central Coast to join their 700 MHz system. Given the power and efficiency of this system, all Santa Barbara County public safety departments should adopt the 700 MHz system to advance public safety communications for the future.

PUBLIC SAFETY RADIO COVERAGE

FINDINGS AND RECOMMENDATIONS

Finding 1

The Santa Barbara County Sheriff's Office has radio dead spots in the Casmalia and Tanglewood areas that threaten public safety.

Recommendation 1

That the Santa Barbara County Sheriff's Office ensure that the radio tower scheduled to service the Casmalia and Tanglewood areas be installed as soon as possible.

Finding 2

The Santa Barbara County Sheriff's Office has radio dead spots in the Santa Maria Valley that threaten public safety.

Recommendation 2

That the Santa Barbara County Sheriff's Office complete the radio tower, proposed for Mount Solomon, as soon as possible.

Finding 3

The Santa Barbara County Sheriff's Deputies in the Cuyama area are operating in a rural area with extremely poor radio communications.

Recommendation 3

That the Santa Barbara County Sheriff's Office join with the Santa Barbara County and Ventura County Fire Departments in the installation of a radio tower to be located in Kern County that will ensure that all agencies are able to communicate throughout the Cuyama area.

Finding 4

Most public safety agencies in Santa Barbara County are not using the 700 MHz radio band.

Recommendation 4

That Santa Barbara County Board of Supervisors upgrade all Santa Barbara County public safety radios to the 700 MHz band as recommended by the Federal Communications Commission and the State of California.

PUBLIC SAFETY RADIO COVERAGE

REQUEST FOR RESPONSE

Pursuant to *California Penal Code Section 933 and 933.05*, the Santa Barbara County Grand Jury requests each entity or individual named below to respond to the enumerated findings and recommendations within the specified statutory time limit:

Responses to Findings shall be either:

- Agree
- Disagree wholly
- Disagree partially with an explanation

Responses to Recommendations shall be one of the following:

- Has been implemented, with brief summary of implementation actions taken
- Will be implemented, with an implementation schedule
- Requires further analysis, with analysis completion date of no more than six months after the issuance of the report
- Will not be implemented, with an explanation of why

Santa Barbara County Board of Supervisors– 90 days

Findings 3 and 4

Recommendations 3 and 4

Santa Barbara County Sheriff– 60 days

Findings 1, 2, and 3

Recommendations 1, 2, and 3

PUBLIC SAFETY RADIO COVERAGE

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MEDICAL AND MENTAL HEALTH CARE IN THE MAIN JAIL

MEDICAL AND MENTAL HEALTH CARE IN THE MAIN JAIL

Corrections Is Self-Correcting

SUMMARY

At the beginning of 2016, Disability Rights California (DRC) released a report finding fault with the Santa Barbara County Main Jail (Jail) concerning the treatment of inmates with mental illness and disabilities.²² The 2016-17 Santa Barbara County Grand Jury (Jury) found the DRC report serious enough to warrant an investigation. Dissatisfaction with the current mental and physical health services provider at the Jail, Corizon Health (Corizon), also became public. Lapses in service by the medical and mental health provider were noted not only by the DRC, but also by the Board of Supervisors (BOS) and community groups.

During the summer of 2016, the Santa Barbara County Sheriff's Office (Sheriff) sought a new health service provider and hoped to remedy any shortcomings by addressing the faults found in the DRC report and establishing accountability and guidelines for its new health provider. In December 2016, a new company, California Forensic Medical Group (CFMG), was chosen to provide medical and mental health services at the Santa Barbara County Jail and Juvenile Services. The new contract with CFMG confronts the deficiencies that had existed for years with the outgoing service provider.

The new contract will need to be supported and maintained by jail staff as well as the new medical and mental health provider. The Sheriff's custody deputies are equally responsible for its success. After several years of unsatisfactory care, the remedy should elicit a dedicated and vigorous team effort.

BACKGROUND

The current Jail facility was built in 1960. Constant overcrowding has led to building additions and conversions for more beds. In this constricted setting, the Sheriff's Office must deal with gang members, pre-trial detainees, long-term inmates, substance abusers, disabled inmates, and the mentally ill. This mix of inmates in crowded quarters has no benefit for the mentally ill.

²² Disability Rights California "Report on Inspection of the Santa Barbara County Jail (Conducted on April 2, 2015)," released February 23, 2016.

MEDICAL AND MENTAL HEALTH CARE IN THE MAIN JAIL

The Jury was told that the population of inmates with mental health issues is rising and is estimated to be 45 percent of the total population. Approximately 180 of these inmates are also administered psychotropic drugs. The new Santa Barbara County Northern Branch Jail will have only 386 beds, and includes space adapted for the handicapped and mentally ill, but it will not accommodate this entire population.

Previously, mental health services had been provided by the Santa Barbara County Public Health Department. The Jury understands that due to budgetary concerns and the effects of the recession, this contract was terminated and the contract with Corizon for health services began in 2009. These circumstances led to a less-than-desirable contract, which eventually led to less-than-complete accountability in the realm of health care.

In addition to medical staff, Corizon brought in two social workers, one Marriage and Family Therapist and one psychiatric Registered Nurse. These mental health workers had an enormous caseload. After public demonstrations of disapproval of the lack of adequate health care came before the Board of Supervisors in 2016, Corizon added one more Marriage and Family Therapist, two more mental health workers, one mental health Registered Nurse and two Licensed Vocational Nurses. The psychiatrist's workweek went up from 24 to 40 hours. However, Corizon had a high turnover and unfilled positions, which further interrupted assessment and treatment. Moreover, in the fall of 2016, the Health Services Administrator and the Director of Nurses both quit.

The DRC regularly checks facilities and "has the authority to inspect and monitor conditions in any facility that holds people with disabilities." As a result of their April 2015 inspection, they found "probable cause to conclude that prisoners with disabilities are subjected to neglect in the Santa Barbara County Jail."²³ There were three principal areas of concern: inadequate mental health care, excessive solitary confinement, and denial of rights under the Americans with Disabilities Act (ADA). Furthermore, an attorney for the DRC cited problems with the health care provider: "The report details the inadequacies in Corizon's mental health services, which subject prisoners to further abuse, neglect and isolation." The level of medical care under Corizon also came under unfavorable scrutiny.²⁴

In 2015, the Jail staff proposed renewing its two-year contract with Corizon. The BOS resisted because they had not seen a contract for Corizon, had no performance data and did not know the number of inmates seen in a timely manner, or if they were given appropriate medications.²⁵ Decision-making was delayed and during this time, protests from members of the community became impossible for the BOS to ignore. While the Jail representative painted a scenario with few problems and no grievances, at a meeting that was described as a "contentious hearing," the BOS openly questioned the wisdom of another contract with Corizon.²⁶ To delay a decision on a contract renewal, the BOS agreed that Corizon receive a temporary contract and an open request for bids was issued. The BOS decided to hire a consulting firm to find other health care providers for correctional systems and propose alternatives to Corizon.

²³ *ibid*

²⁴ *ibid*

²⁵ Brugger, Kelsey. "Jail Health Care Under Fire." *Santa Barbara Independent*. 25 December 2015.

²⁶ McNulty, Sean. "Santa Barbara Supes Weigh Renewal of Corizon Health Contract after Inmate Death in Custody." *Santa Maria Sun*. 10 September 2015.

MEDICAL AND MENTAL HEALTH CARE IN THE MAIN JAIL

After several more BOS sessions, the California Forensic Medical Group (CFMG) was chosen as the new health care provider and a contract with more provisions for adequate and timely care was offered. According to information received by the Jury, CFMG has high ratings. They began service on April 1, 2017.

METHODOLOGY

After the release of the Disability Rights California report, the Jury began to interview persons involved with the incarcerated mentally ill and handicapped. Those interviewed included the Santa Barbara County Sheriff, deputies in charge of medical services, directors of mental health services, lawyers in the Public Defender's office, and a grievance coordinator. Custody staff at the Main Jail involved with health care invited Jurors to meet with them to discuss changes and new procedures. Members of the Jury also attended a community meeting on mental health issues in the Jail. The Jury also visited the Santa Barbara County Main Jail.

The Jury read the DRC report, as well as reports and publications concerning mentally ill and disabled inmates in the Jail. Previous Grand Jury reports were also studied.

OBSERVATIONS

As stated by the Santa Barbara County Sheriff, our jail has become the "de facto mental institution for the county." A 2013 study undertaken by Clergy and Laity United for Economic Justice (CLUE) estimated that it cost \$44,500 per year to incarcerate an inmate in the County Jail and it costs the County an additional \$4,000 to house each inmate with mental health issues. In 2017, the Sheriff estimated a \$46,000 cost per inmate per year and an additional "marginal" cost of \$5,000 per year for the care of mentally ill inmates.

The new contract with California Forensic Medical Group (CFMG) pinpoints areas of improvement for better medical and mental health care, and steps to redress prior inadequate treatment. The BOS voted an additional \$1 million in the new contract over the previous contract with Corizon. Most of the increased expenditures go to salaries, with the idea of guaranteeing continuity of care by attracting and retaining qualified staff. Another \$35,000 was accorded for initiating electronic medical records, which the Jail had not had before.²⁷

The Board's decision to devote more money to medical and mental health care in the Jail at this time of budget shortfalls is a welcome first step to remediate past inadequate care at the Jail. Furthermore, the Jail staff began making administrative changes to correct issues before the April 2017 takeover of services by CFMG. However, as stated in an update to the procurement process to the BOS, "Where there is a health care vendor, strong contract management is essential. The County can delegate health care but still carries accountability."

²⁷ Santa Barbara County Board of Supervisors Meeting Minutes, 28 February 2017.

MEDICAL AND MENTAL HEALTH CARE IN THE MAIN JAIL

Disability Rights Act Report

The DRC Report finds that the Sheriff is directly responsible for the following issues:

- Excessive Solitary Confinement
- Inadequate Mental Health Care
- Denial of Rights under the Americans with Disabilities Act

Excessive Solitary Confinement

The DRC Report first found fault with the excessive use of isolation and solitary confinement. Inmates administratively classified with a mental illness, according to the DRC report, appeared to be “routinely placed in prolonged isolation.” The DRC inspection team found that prisoners were locked in small cells for 22-24 hours a day, with little or no time out of the cell. The Board of State and Community Corrections (BSCC) also noted in its report that the Jail was out of compliance in placing inmates in safety cells because of medical or mental health concerns.²⁸

Moreover, the DRC reported that inmates were held in safety cells for many days at a time on a repeated basis. A safety cell is often called a “rubber room,” and it has only a pit in the center for a toilet. In standard practice, a safety cell is meant as a temporary stay for violent or suicidal inmates. The DRC found that medical records indicated that inmates in the Main Jail were kept there even after the dangerous behavior subsided. Corizon would then stipulate that the inmate be released at “custody discretion,” as noted in the DRC report. With matters left in the hands of the Jail’s custody staff, they became the responsible party for the care of mentally ill inmates. The DRC report pointed out that this process was further hampered by the Corizon staff being on site only during normal business hours. This led to lengthy stays in the safety cells. However, the Jury learned that with the addition of two more “step down” cells in 2016, fewer inmates have had to be placed in safety cells. Step down cells have minimal amenities such as a bed, a sink and a toilet.

The DRC team observed custody staff going through the motions for observation of the inmates in safety cells, without really looking at or assessing their condition. Such actions did not represent true monitoring of inmates who were at risk to themselves. The Sheriff’s response to the DRC report noted that the Jail was in compliance with state laws in matters of the safety cells. The BSCC also noted that the Main Jail was in compliance with performing timely checks of the safety cells. Custody staff informed the Jury that they now perform sight observations.

In anticipation of a new medical and mental health care provider, and in response to the DRC and public complaints, the custody staff began to remedy these problems in 2016. In a meeting with the custody staff, the Jury learned about the changes in procedure. They reduced the time for inmates to be in a safety cell. Before inmates are put in one of these cells, they are seen by a mental health practitioner as a form of intervention. If the inmate is not out of the safety cell in 12 hours, a Crisis and Recovery Emergency Services (CARES) team is called in to do an assessment. Additionally, the increase in the psychiatrist’s hours from 24 to 40 hours a week allows more treatment before possible confinement in a safety cell. The Jury learned from custody staff that treating the inmates in a more humane fashion has dramatically reduced the number of inmates being placed in safety cells.

²⁸ State of California, Board of State and Community Corrections, 2014-2016 Biennial Inspection, Santa Barbara County’s Type II and Court Holding Facilities.

MEDICAL AND MENTAL HEALTH CARE IN THE MAIN JAIL

Inadequate Mental Health Care

Overall, the mental health care rendered by Corizon was deemed inadequate by the DRC team. The report pointed out that in the area designated for mentally ill inmates, each cell holds inmates individually, even though they were designed to hold two. The DRC report found this “as isolating as maximum security housing.” The design of this section of the Main Jail, described as linear, does not allow for many programs to be offered in an open area near the cells. The Jury was told that all programs that the Sheriff would like to offer for the rehabilitation of inmates require space and, under the current design, extra deputies to escort them to the available space. Recreation and restorative programming are currently not within reach for most inmates, and this situation can only be corrected when the Northern Branch Jail is finished in 2019.

According to the DRC report and several interviewees, inmates complained of not seeing a mental health practitioner and not receiving medications for weeks or even months. The DRC report cited Corizon’s method of treatment as “cell front,” that is, only speaking through a slot in the door. Essentially, there was inadequate treatment for the mentally ill. Custody staff revealed to the Jury that with the new mental health provider there are plans to initiate face-to-face consultation and group sessions. Moreover, each inmate is now case-managed. California Forensic Medical Group (CFMG) also plans to assure that patient-specific medications are available, especially at intake.

The DRC report attributed some of the problems with medication to poor initial screening. The 2015- 16 Santa Barbara County Grand Jury also criticized the inmate intake process, recommending that a nurse always be present. As a result, the Main Jail reassigned a full-time RN to be present at intake 24/7. This may have improved the designation of who had serious mental illness upon arrival – by proper identification in the Intake Medical Questionnaire – but the problem of medications remained unresolved. The Jury heard that bridge (interim) medications were sometimes not given, according to inmates, family members and the Public Defender’s office. Now, with the improved intake screening, starting protocol medications are more quickly available, as are withdrawal therapies. Moreover, one LVN was added to deliver the more than 600 medications daily in a more timely fashion.

The Jury learned from several sources that inmates had often complained about lack of care. But the complaint system with Corizon broke down. As the DRC wrote, “we are concerned that Corizon’s reporting system may not be capturing all the sick call slips and psych line requests submitted by prisoners, especially because these requests are apparently not logged in the medical records.” It was disclosed to the Jury that these slips, or “kites,” and grievances seemed to disappear. Boxes of unanswered grievances came to light before and after Corizon left. To remedy this lack of accountability, the Jail custody staff created a new grievance system, which included a new form. The inmate now gets a copy of his complaint. Rather than grievances not being recorded, they are date-stamped and responded to within 12 hours. To better follow up on medical grievances, a Health Insurance Portability and Accountability Act (HIPAA) release form is part of the grievance. In 2016, a retired deputy was called back to service to be the grievance coordinator, and he has formed a committee of County representatives and advocacy groups who oversee the implementation of the grievance process.

The 2015-16 Grand Jury reported that the Jail staff conducted no oversight of contract compliance in evaluating Corizon’s treatment of inmates. Whereas the Sheriff exercised no performance

MEDICAL AND MENTAL HEALTH CARE IN THE MAIN JAIL

reviews with Corizon, oversight is one of the top priorities in the contract with the new provider, with “timely, accurate and actionable data to monitor vendor.” The Jury learned that audits and compliance reviews are being performed by the Public Health Department to monitor appropriate medical care and by the Department of Behavioral Wellness for mental health. This County collaboration should revitalize care in the Santa Barbara County Main Jail.

After a decade of frustrated efforts to solve the problem of the mentally ill in the Jail, the Sheriff’s Office has begun to partner with community and national projects such as the Stepping Up Initiative, a program designed to divert nonviolent mentally ill from Jail to treatment programs. The Initiative hopes that individual treatment plans for each inmate and even alternative housing will reduce recidivism. As declared in the Stepping Up resolution: “Now, therefore, be it resolved, that the Santa Barbara County Board of Supervisors actively support the work of Stepping Up...to make more effective use of strained budgets and safely reduce the number of adults with mental illness in jails by connecting them to community-based treatment and services when possible.” Jail staff has also piloted its own program, Project BRACE (Breaking Recidivism and Creating Empowerment). Putting low-level offenders in treatment rather than in jail would incur lower costs and offer long-term savings for the County. With budget limitations again at the forefront of all funding, the opportunity for community and countywide involvement is most timely. These counseling programs, along with residential treatment housing, are necessary to unburden the Jail from the weight of its mental health services and to create a better path to wellness.

In the fall of 2016, the BOS formed an interdepartmental working group (the Sheriff’s Office, the Probation Department and the Department of Behavioral Wellness) to form an Assertive Community Treatment (ACT) team. Its purpose was to provide housing as “an alternative to incarceration at County Jail.”

Denial of Rights under the Americans with Disabilities Act

The DRC report found fault with the physical facilities, including bathrooms and proper housing for inmates with disabilities. Many deficiencies exist in the Jail, which was built before disability accommodations were required. However, the DRC report notes that the Department of Justice, in line with the ADA, “makes clear that it concerns the program access obligations of a correctional facility, which do not depend on... the date of construction or modification.” In the dormitory where inmates with mobility impairments are housed, “the toilet and shower areas do not meet architectural standards for wheelchair use, and lack properly placed grab bars, shower heads, etc.” The Jury was told that there have been some modifications and repairs but obstacles prevent remodeling. The Sheriff needs to wait for legal and architectural advice as well as the opening of the Northern Branch Jail before proceeding with reconstruction. (See the 2016-17 Santa Barbara County Grand Jury report “Santa Barbara Main Jail: An Outdated and Inefficient Facility.”)

Floor sleeping has long been noted in the Main Jail. It has too many inmates for the number of beds. This situation becomes more of a problem for inmates with disabilities, who should be assigned lower bunks. According to the DRC report, “The Jail apparently has no policy or practice to ensure that lower bunk orders are issued, honored and enforced.”

In addition, the DRC report stated that in 2015 there was no ADA coordinator on-site nor was there an ADA complaint system. According to the report, the “staff were unaware of such a position

MEDICAL AND MENTAL HEALTH CARE IN THE MAIN JAIL

and could not identify any individual responsible....” The report also referred to untrained staff involving the handling of an inmate in a wheelchair facing accessibility barriers. There is now an ADA coordinator at the Jail.

Accreditation

Lack of oversight over Corizon’s practices at the Main Jail led to failure to ensure National Commission on Correctional Health Care accreditation of the medical services. The Sheriff’s Office did not oversee the accreditation process, and Corizon’s inefficiency led to its lapse. Corizon provided no justification for this, nor did the Sheriff. The paperwork just was not completed. Upon realization of this, the Sheriff’s Office tried to delay the application, knowing that it would take time for the medical and mental services to reach compliance with state or national standards. As a result, “compliance with health care accreditation standards” within nine months is one of the first priorities of the management team that selected the California Forensic Medical Group.²⁹

CONCLUSION

The Santa Barbara County Sheriff’s Office has been struggling with treatment of physically handicapped and mentally ill inmates for many years. Treatment did not improve when Corizon Health took over the care of these inmates at the Santa Barbara County Main Jail. New programs, new partnerships, and a new medical and mental health care provider, California Forensic Medical Group, offer possibilities for the change that the Sheriff’s Office has sought for many years. The Sheriff stated, “The alternative is to not do anything meaningful that will help the mentally ill. The result is people will get worse, not better.”³⁰

The 2016-17 Santa Barbara County Grand Jury concludes that an effective working relationship between the Santa Barbara County Sheriff’s Office and the California Forensic Medical Group is essential at the Main Jail. With the Sheriff’s Office maintaining a robust role and full responsibility for implementing the reforms, the promises of new mental health and handicapped treatment can be fulfilled.

²⁹ Jail and Probation Health Care Services Contact: Update on Procurement Process. 23 August 2016.

³⁰ Welsh, Nick. “Sheriff Grilled Over Jail Mental Health Programs.” *Santa Barbara Independent*. 7 October 2015.

MEDICAL AND MENTAL HEALTH CARE IN THE MAIN JAIL

FINDINGS AND RECOMMENDATIONS

Finding 1

The Santa Barbara County Sheriff's Office did not conduct performance reviews of the medical service provider at the Santa Barbara County Main Jail.

Recommendation 1a

That the Santa Barbara County Sheriff's Office establish procedures to conduct performance reviews of the medical service provider at the Santa Barbara County Main Jail.

Recommendation 1b

That the Santa Barbara County Sheriff's Office conduct periodic performance reviews of the medical service provider at the Santa Barbara County Main Jail.

Finding 2

Medical accreditation at the Santa Barbara County Main Jail was allowed to lapse.

Recommendation 2

That the Santa Barbara County Sheriff's Office establish procedures to regain and maintain medical accreditation at the Santa Barbara County Main Jail.

REQUEST FOR RESPONSE

Pursuant to *California Penal Code Section 933 and 933.05*, the Santa Barbara County Grand Jury requests each entity or individual named below to respond to the enumerated findings and recommendations within the specified statutory time limit:

Responses to Findings shall be either:

- Agree
- Disagree wholly
- Disagree partially with an explanation

Responses to Recommendations shall be one of the following:

- Has been implemented, with brief summary of implementation actions taken
- Will be implemented, with an implementation schedule
- Requires further analysis, with analysis completion date of no more than six months after the issuance of the report
- Will not be implemented, with an explanation of why

Santa Barbara County Sheriff – 60 days

Findings: 1 and 2

Recommendations: 1a, 1b and 2

