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July 5, 2018

BILL BROWN
Sheriff - Coroner

BERNARD MELEKIAN
Undersheriff

Mary Tighe – Foreperson
Santa Barbara County Grand Jury
1100 Anacapa Street
Santa Barbara, California 93101

Dear Ms. Tighe:

I have received and reviewed the Grand Jury's 2017-18 report regarding Mandatory Overtime in the Sheriff's Office.

Attached, please find the Sheriff's Office responses to the report.

Sincerely,

BILL BROWN
Sheriff – Coroner

Enclosures

C: The Honorable Patricia L. Kelly

SANTA BARBARA COUNTY SHERIFF'S OFFICE
RESPONSE TO THE SANTA BARBARA COUNTY GRAND JURY 2017-18 REPORT
MANDATORY OVERTIME IN THE SHERIFF'S OFFICE

FINDINGS AND RECOMMENDATIONS

Finding 1: *The impact of mandatory overtime on custody deputies is unknown.*

Recommendation 1: *That the Sheriff's Office conduct a survey of custody and law enforcement deputies to gauge sentiment on mandatory and voluntary overtime policies and assess the impact on morale, performance, health, retention, and productive hours.*

Sheriff's Office Response to Finding 1: The Sheriff's Office **disagrees wholly** with this finding. The Sheriff's Office is committed to eliminating the practice of mandatory overtime. The Sheriff's Office is well aware of the negative impact of the prolonged usage of mandatory overtime.

The Custody Operations Branch, in response to expressed employee concerns about this issue, has formed a Quality of Worklife Committee. This committee meets monthly and discusses on-duty issues affecting our employees. The committee looks for solutions and develops plans for making the workplace better. One such solution has the Sheriff's Office collaborating with County Risk Management in developing a structured wellness program for the entire agency. The only viable solution to this issue is to increase the staffing levels to those recommended in the most recent consultant's report (CGL 2016) and to fill our existing vacancies.

Sheriff's Office Response to Recommendation 1: The recommendation **will not be implemented because it is not warranted**. The Sheriff's Office is well aware that the majority of Custody Operations staff members do not like the practice of mandatory overtime. Neither does the Executive leadership of the Sheriff's Office. The recommendation is neither warranted, nor reasonable.

Finding 2: *Recruiting is a low priority for the Sheriff's Office.*

Recommendation 2a: *That the Sheriff's Office consult a professional recruiting firm to review current recruiting practices and provide recommendations, including on incentive programs.*

Recommendation 2b: *That the Board of Supervisors direct staff to have a market survey conducted to determine how recruiting and personnel policies, including incentives, in the Sheriff's Office compare to local police forces in Santa Barbara County and Sheriff's Departments in other counties.*

Sheriff's Office Response to Finding 2: The Sheriff's Office **disagrees wholly** with this finding. The Sheriff's Office considers the recruitment and retention of competent staff one of its highest priorities. We recognize that the men and women who do the work of our organization are the key to the success of our organization and its work within our local

communities. For many years, our Sheriff's Human Resources Bureau has regularly participated in job fairs and other community events that offered the opportunity to connect with people interested in a law enforcement or corrections career. We have also utilized our website, social media and other forms of traditional media to spread the word about job openings within our organization. Unfortunately, a number of factors have emerged in recent years and, taken together, have served to negatively affect recruitment for the Sheriff's Office. Some of the more visible factors include changing public attitudes about crime and justice, the media's role in shaping social changes, changing social norms that are disqualifying candidates at higher rates, disparate salary and benefits (net) when compared with some of our surrounding agencies and the high cost of local housing.

Over the past couple of years, the Sheriff's Human Resources Bureau has worked hard to streamline the hiring process, increase the number of candidates who participate in the hiring process and increase the number we are able to successfully hire. As evidence of their work, they were able to achieve a sustained 40% increase in the hiring of Sheriff's Office employees in 2016 and 2017, when compared with the five-year average between 2011 and 2015. Like the Grand Jury, Sheriff's Office leadership realizes that these initial improvements are not sufficient to meet our anticipated hiring needs moving forward. In the fourth quarter of 2017, our Human Resources Bureau management team assessed our anticipated future hiring needs and its current capacity and capabilities. This HR assessment resulted in the identification of several recommendations for closing the gap between its current capacity and the anticipated need. The Sheriff's Executive Staff team implemented all of the recommended enhancements. A few of the key recommendations were:

- The establishment and funding of a Collateral Recruiting Team to increase our recruiting footprint within the tri-county area and throughout California. The Recruiting Team is comprised of members from all over the Sheriff's Office, who give presentations to local colleges, staff booths at job fairs, and attend other community events that offer the potential for attracting qualified candidates. They also assist the Human Resources Bureau with the testing and screening of potential candidates and offer mentoring throughout the application and hiring process. This initiative began in the first quarter of 2018 and became operational in the second quarter of 2018.
- In the first quarter of 2018, we began outsourcing (contract investigators) of non-sworn and volunteer background investigations to free up our HR detectives to focus on hiring sworn personnel. After the initial startup phase, the program became operational in the second quarter of 2018.
- Temporary assignment of additional detectives to the HR unit to overcome the anticipated challenges of hiring custody personnel for the opening of the Northern Branch Jail in the second quarter of 2019. As part of our FY 18/19 budget, we intend to work with the CEO's Office and County HR to temporarily move funding and FTE lines to allow for this additional HR investigative capacity. The groundwork for this enhancement was started in the second quarter of 2018 and we expect that it will be operational in the third quarter of 2018 (new fiscal year).

- Expansion of the HR advertising budget to allow for additional use of traditional advertisement opportunities. We are actively looking for opportunities to reach out to potential candidates via cost effective advertising opportunities that target our intended audiences. The groundwork for this enhancement was started in the first quarter of 2018 and we expect that it will be operational in the third quarter of 2018 (new fiscal year).

As further proof of how seriously we take the need to hire qualified candidates, Sheriff Brown specifically addressed this topic with the Board of Supervisors on April 20, 2018, during the FY2018/19 Budget Workshop presentation. Sheriff Brown announced his goal to reduce the vacancy rate at the Sheriff's Office to 3% over the coming fiscal year and he laid out our intended efforts to achieve this goal. We fully anticipate that as the Sheriff's Office continues to refine its recruiting and hiring processes, our organization will continue to improve its hiring success. Our confidence is reflected in the addition of a new performance measure; specifically that we reduce our sworn vacancy rate from 6% to 3% over the course of the next year.

Sheriff's Office Response to Recommendation 2a: Recommendation 2a **has been implemented** prior to the publishing of the Grand Jury report. Sheriff's Office leadership met with an experienced marketing professional who volunteered their time to discuss current recruiting efforts and to make suggestions for improving upon it. The Sheriff's HR management team is attempting to implement many of the marketing professional's suggestions within our current and future recruitment efforts. However, implementing Recommendation 2b as stated is not warranted nor reasonable at this time.

As noted within the response to Finding 2a, the Sheriff's Office is continuing to make significant improvements to its recruiting and hiring efforts and has conducted a self-assessment that identified several means by which we can enhance our ability to hire qualified candidates. Hiring a paid recruiting firm or consultant to review our processes and provide recommendations would take away from the very funds that the Sheriff Office intends to use toward enhancing our recruitment efforts.

Sheriff's Office Response to Recommendation 2b: Same as response to Recommendation 2a.

Finding 3: *The Sheriff's Office has not considered all possible measures that could help reduce the mandatory overtime requirements in the short term.*

Recommendation 3a: *That the Sheriff's Office review budget allocations with County auditors and accountants to identify potential cost savings that could be shifted to recruiting and personnel.*

Recommendation 3b: *That the Sheriff's Office review the assignment of custody deputies to non-line positions to assess whether any of these non-line duties can be performed by civilian employees, contractors, or retired former deputies.*

Recommendation 3c: *That the Sheriff's Office conduct an assessment of alternative business models, such as cross-training law enforcement deputies to work rotations in custody positions, to enlarge the available pool of custody personnel.*

Recommendation 3d: *That the Board of Supervisors direct staff to conduct a comprehensive staffing study of the Sheriff's Office to provide a clear understanding of staffing requirements, shortfalls, and costs, including:*

- *The allocation of positions to law enforcement and custody*
- *How the average of 1578 productive hours compares to other law enforcement entities*
- *The number of additional custody deputies required to eliminate the standing mandatory overtime policy*
- *The projected costs of funding additional positions*

Sheriff's Office Response to Finding 3: The Sheriff's Office **disagrees wholly**. The number of inmate-occupied housing areas determines required posts in the Custody Operations Branch. However, the Custody Operations Branch is continuing efforts aimed at reducing the inmate population. Those efforts include, and are not limited to:

1. Increasing the number of inmates released on Electronic Monitoring.
2. Providing early release through a Milestone Credit program.
3. Working with County Probation and the Courts to include supervised release for pretrial inmates.
4. Developing a video arraignment system with the Courts, Public Defender, District Attorney, County Counsel, and General Services.
5. Developing a Jail Based Competency Treatment Program for the Main Jail.
6. Expanding evidence-based treatment programs in the Main Jail aimed at reducing recidivism.

Sheriff's Office Response to Recommendation 3a: Recommendation 3a **has been implemented** prior to the publishing of the Grand Jury report. The described activities occur every year during the county budget process. As part of the January through April Budget Workshop process, the Sheriff's Office has coordinated with both County HR and the CEO's Office to free up additional FY 18/19 resources to assist in meeting our anticipated recruiting and hiring needs.

Sheriff's Office Response to Recommendation 3b: Recommendation 3b **has been implemented**. The Sheriff's Office has recently completed a Civilianization Study that has identified assignments and posts that have the potential of being completed by non-sworn personnel. The FY18/19 Budget includes the addition of several new civilian positions and newly developed job classifications that will accomplish this. A new job classification entitled Sheriff's Service Technician (SST) has been created and 10.0 FTE are scheduled to be funded for FY18/19.

Sheriff's Office Response to Recommendation 3c: Recommendation 3c will not be implemented because it is not warranted. The available pool of staff in the Sheriff's Office is too low, across the board, to consider reassignment of Law Enforcement staff to Custody Operations. The staff shortage situation in the Law Enforcement Branch may not be as acute, but it is just as critical as it is in the Custody Operations Branch. Recommendation 3c is neither warranted nor reasonable.

Finding 4: *The Jail Operations Division's Transportation Unit is particularly understaffed, creating acute mandatory overtime requirements.*

Recommendation 4a: *That the Board of Supervisors direct a near-term assessment of the timeline and costs to the County of implementing video arraignments at the Main Jail and the Northern Branch Jail once open and the impact on custody deputy staffing requirements.*

Recommendation 4b: *That based on the results of this assessment, the Board of Supervisors seek agreement from the Court to implement video arraignments as soon as possible.*

Finding 5: *The impact of the 2019 scheduled opening of the Northern Branch Jail on existing overtime requirements is unknown.*

Recommendation 5: *That the Sheriff's Office produce a study on the projected impact of the opening of the Northern Branch Jail on overtime requirements for custody deputies, assuming two scenarios: 1) all funded positions are filled, and 2) recent vacancy rates remain unchanged.*

Sheriff's Office Response , both internally and externally, to Finding 5: The Sheriff's Office disagree wholly. There have been numerous studies completed over the years answering this exact question. CGL Management Group, LLC completed the most recent study in November 2015.

Sheriff's Office Response to Recommendation 5: Recommendation 5 has been implemented. The following outlines the latest calculations compiled by the Chief Custody Deputy:

Work Hours Calculation

	Main Jail	NBJ	Extra Help	Total
Annual Work Hours	347,669.92	159,549.00	-18,839.00	488,379.92

Available Hours: 1606

Current Staffing

	FTE	Annual Hours	Hrs OT	Cost	Av Sh/Day
Required	216	347,669.92	0	\$ -	0
Actual	191	306,746.00	40,924	\$1,950,024.79	9

Calculations With Anticipated NBJ New Hires

Required	304	488,380	0	\$ -	0
All Funded	256	411,136	77,244	\$3,680,672.79	18
Minus Current Vacancies	231	370,986	117,394	\$5,593,820.29	27