

SANTA BARBARA COUNTY SHERIFF'S OFFICE

Population Management and Early Release Policy

I. PURPOSE AND SCOPE

In February of 1999, the Santa Barbara Superior Court established a population cap (capacity) on the Santa Barbara County Main Jail.

Since that time, there have been several modifications to the original court order. These modifications have been made in recognition of the expanded facility capacities and changes to the sentencing laws.

The Sheriff's Office continues to implement existing orders made by the Court to limit the population of the Santa Barbara County Main Jail. In addition to limiting the population, steps will be taken to mitigate the occurrences of inmates assigned to housing where there is no bunk available.

II. POLICY

The Santa Barbara County Main Jail is designed, staffed and operated to house separate specific classifications of inmates. The Santa Barbara County Sheriff's Office Classification Plan is designed to properly assign inmates to housing units and activities according to the categories of sex, age, criminal sophistication, seriousness of crime(s) charged, physical or mental health needs, assaultive/non-assaultive behavior and other criteria which will provide for the safety of the inmates and staff. Such housing unit assignments shall be accomplished to the extent possible within the limits of distinct housing units or cells within the Santa Barbara County Jail. Therefore, the number of beds actually available at any given time varies with the number and classification of inmates housed. This number of available beds is that number which can be utilized without violating Classification guidelines.

In order to ensure all inmates are provided a bed, there may be times when an inmate's access to education, vocation and treatment programs is limited based upon the availability of an appropriately classified bunk. Every effort will be made to ensure restricted access to programs is limited to no longer than 96 hours.

When an inmate qualifies under the parameters set forth in the court orders, but the release would not result in creating available bed space where needed, jail staff may retain an inmate who would otherwise be released and release instead, the next available inmate.

III. POPULATION MANAGEMENT PROCEDURE

- A. On an on-going basis, Population Management Deputy will evaluate and review the daily inmate population and place all eligible inmates in various alternative sentencing programs¹ operated by the Alternative Sentencing Bureau (**Attachment A, ASB Policy**).
- B. Sentenced inmates will receive an eight (8) day sentence credit pursuant to Penal Code §§4018.6 and 4024.1.
- C. The Sheriff's Office will not book individuals held on warrants with corresponding bail amounts below a specified amount. Bail amounts for acceptable warrants for booking shall be \$2,500 for local warrants and \$5,000 for out-of-county warrants.
- D. The Sheriff will continue to cite release misdemeanants with the exception of the following charges:
1. Penal Code §241 (and all subsections)
 2. Penal Code §243 (and all subsections)
 3. Penal Code §373.5
 4. Penal Code §273.6
 5. Penal Code §290(g)(1)
 6. Penal Code §314 (and all subsections)
 7. Penal Code §417 (and all subsections)
 8. Penal Code §646.9
 9. Penal Code §647.6
 10. Penal Code §12025 (and all subsections)
 11. Penal Code §12031 (and all subsections)
 12. Penal Code §25400(a) (and all subsections)
 13. Penal Code §25850(a) (and all subsections)
- E. Classification Staff will continuously monitor the jail population to effectively monitor the number of inmates with no bunk assigned (NBA) and to determine if inmates can be re-housed to compatible housing units to alleviate the number of inmates not assigned to a bunk.
- F. If the procedures listed above remain inadequate to reduce the inmate population to the levels required, the Sheriff will release qualifying inmates sentenced to the Santa Barbara County Jail. Those inmates will be considered time served.

¹ Penal Code §1203.016 Authorizes the Sheriff to place sentenced inmates voluntarily or involuntarily in electronic monitoring program./Penal Code §1203.018 Allows for inmates, held in lieu of bail, to participate in electronic monitoring (must be voluntary)./Penal Code §1208 permits inmates to work in the community and return to the facility when not at work./Penal Code §4024.2 Authorizes the Sheriff to operate a work release program.

In order to provide that an appropriate number of beds are available in the designated classifications a "Flex Cap" has been implemented².

The male flex cap is implemented as follows:

- (a) If the main jail male population is 483 to 522 and there is a male inmate listed as an NBA, the Population Management Deputy will release 7 days early.
- (b) If the main jail male population is 523 to 542 and there is a male inmate listed as an NBA, the Population Management Deputy will release 14 days early.
- (c) If the main jail male population is 543 to 568 and there is a male inmate listed as an NBA, the Population Management Deputy will release 21 days early.
- (d) If the main jail male population is over 568, the early release procedure will be implemented regardless of the presence of NBA's.

The female flex cap is as such:

- (a) If the main jail female population is 95 to 96 and there is a female inmate listed as an NBA, the Population Management Deputy will release 7 days early.
- (b) If the main jail female population is 97 to 98 and there is a female inmate listed as an NBA, the Population Management Deputy will release 14 days early.
- (c) If the main jail female population is 99 to 101 and there is a female inmate listed as an NBA, the Population Management Deputy will release 21 days early.
- (d) If the main jail female population is over 101, the early release procedure will be implemented regardless of the presence of NBA's.

1. Prior to releasing any inmates early, the Population Management Deputy will review the jail count and the list of inmates with NBA.
2. The Population Management Deputy will determine if the inmates' scheduled for release that day will decrease the count in the housing unit containing the NBA's or if the releases will decrease the overall count of the facility.

The Jail Classification Unit will continuously monitor the jail population to effectively monitor the number of inmates with NBA and to determine if inmates can be re-housed to compatible housing units to alleviate the number of inmates not assigned to a bunk. Classification staff will document in the daily population tracking report whether or not any NBAs will be rectified by releases or re-housings. The Population Management Deputy will review these notations to determine whether any changes will occur which will decrease or eliminate the number of NBA's.

²Santa Barbara County Court Order-May 15, 2001 adjusted flex levels to current numbers

IV. EARLY RELEASE ELIGIBILITY AND ASSESSMENT

A. Release Eligibility:

- (a) All releases utilizing any of the assessment tools listed below will be processed by releasing those inmates with the lowest risk levels first, followed by those inmates in the medium risk range. Inmates with assessment scores (COMPAS) indicating that they are high risk that are being released to a treatment program or to another agency will be evaluated on a case by case basis.
- (b) Early releases will be processed in order to get below the court ordered population caps, or to alleviate those inmates designated as NBA.
- (c) Any inmate sentenced on a CAP Exclusionary Code List (**Attachment B**) will be ineligible for release. Those inmates will be considered for placement in our Alternative Sentencing Bureau, specifically on Electronic Monitoring. Inmates will only be placed on Electronic Monitoring if their Initial Screening Tool (IST) score or COMPAS score falls within acceptable standards as described in the Alternative Sentencing Bureau Policy Manual (**Attachment A**). Each inmate accepted onto Electronic Monitoring will complete the remainder of their sentence on electronic monitoring regardless of them qualifying for CAP or not.
- (d) All qualifying inmates who are within 21 days of their scheduled sentence release date, and who have been in custody for at least 7 consecutive days, will be considered for early release to another agency. If they are within 7 days of sentence release they may be early released to the street, unless records withheld them to be picked up by another agency.

B. Assessment:

- (a) The Sheriff's Office in coordination with the Probation Department utilizes two risk assessment tools. The COMPAS and IST are widely accepted evidence-based assessment tools. A thorough review of each inmate's IST score and COMPAS score will be conducted to determine eligibility for early release. The COMPAS score that will be utilized for early release/alternative sentencing will be the Risk of Violent and general Recidivism.

- (b) Any qualifying inmate with an IST score of 3 or lower will be considered for cap release.
- (c) Any qualifying inmate with an IST score of 4 or higher will require a COMPAS assessment prior to consideration for cap eligibility.
 - a. COMPAS scores (**Attachment C**) are rated on the following scale: 1-4 is low risk, 5-7 is medium risk, and 8-10 is high risk.
 - b. Sentenced inmates within the categories of low or medium risk will be considered for cap release. Sentenced inmates within the category of high risk will be considered on a case by case basis if they are being released to another agency or to a treatment program.

V. EXCEPTIONS TO EARLY RELEASE

- A. Any inmate sentenced on a CAP Exclusionary Code List (**Attachment B**) will be ineligible for early release, unless they are released to another agency or to a treatment program.
- B. Any inmate who has a COMPAS Score assessed at 8-10 (Inmates within the high risk category) will be ineligible for CAP Release, unless they are released to another agency or to a treatment program.
- C. Any inmate who has received an IDR with a disposition which prohibits early release (i.e. not eligible for early/cap release) will not be eligible for early release.
- D. Any inmate sentenced on a 3057 PC Hold and/or a Flash Incarceration (3454 PC and/or 3455 PC) will be ineligible for early release, unless they are released to another agency or to a treatment program.
- E. Any inmate with disciplinary action within their current incarceration may also be ineligible for early release, depending on the number and/or severity of the discipline imposed.

(Attachment B)

EXCLUSION
CHARGES
PENAL CODE

69	PC	M
69	PC	F
136.1(C)	PC	F
136.5	PC	F
136.7	PC	F
140	PC	F
187	PC	F
191.5(A)	PC	F
192(C)(1)	PC	F
192(C)(3)	PC	F
203	PC	F
204	PC	F
205	PC	F
209(A)	PC	F
209.5(A)	PC	F
211	PC	F
212.5(A)	PC	F
212.5(B)	PC	F
212.5(C)	PC	F
215(C)	PC	F
218	PC	F
219	PC	F
220	PC	F
236	PC	F
243(B)	PC	F
243(C)	PC	F
243(D)	PC	F
243(D)	PC	M
243(E)	PC	F
243(E)	PC	M
243(E)(1)	PC	F

(Attachment B continued)

243(E)(1)	PC	M
243.4(A)	PC	F
243.4(B)	PC	F
243.4(C)	PC	F
244	PC	F
245	PC	F
245(A)(1)	PC	F
245(A)(1)	PC	M
246	PC	F
247(A)	PC	F
261	PC	F
261.5(A)	PC	F
261.5(C)	PC	F
261.5(D)	PC	F
261(A)	PC	F
261(A)(1)	PC	F
261(A)(2)	PC	F
261(A)(3)	PC	F
261(A)(4)	PC	F
261(A)(5)	PC	F
261(A)(6)	PC	F
261(A)(7)	PC	F
261(1)	PC	F
261(2)	PC	F
261(3)	PC	F
261(4)	PC	F
261(5)	PC	F
261(6)	PC	F
262	PC	F
262(A)(1)	PC	F
262(A)(2)	PC	F
262(A)(3)	PC	F
262(A)(4)	PC	F
262(A)(5)	PC	F
264.1	PC	F
266J	PC	F
273A(A)	PC	F
273(A)	PC	F
273D	PC	F
273.5	PC	M

(Attachment B continued)

273.5	PC	F
273.5(A)	PC	M
273.5(A)	PC	F
273.6	PC	M
273.6	PC	F
273.6(A)	PC	M
273.6(A)	PC	F
286(A)	PC	F
286(B)	PC	M
286(B)(1)	PC	M
286(B)(1)	PC	F
286(B)(2)	PC	F
286(C)	PC	F
286(C)(1)	PC	F
286(C)(2)	PC	F
286(C)(3)	PC	F
286(D)	PC	F
286(E)	PC	M
286(E)	PC	F
286(F)	PC	M
286(F)	PC	F
286(G)	PC	M
286(G)	PC	F
286(H)	PC	F
286(I)	PC	F
286(J)	PC	F
286(K)	PC	F
286L	PC	F
288	PC	F
288.2(A)	PC	F
288.2(B)	PC	F
288.5	PC	F
288.5(A)	PC	F
288(A)	PC	F
288(B)	PC	F
288(B)(1)	PC	F
288(B)(2)	PC	F
288(C)	PC	F
288(C)(1)	PC	M
288(C)(1)	PC	F
288(C)(2)	PC	M

(Attachment B continued)

288(C)(2)	PC	F
288A	PC	F
288A(A)	PC	F
288A(A)(2)	PC	F
288A(B)(1)	PC	M
288A(B)(1)	PC	F
288A(B)(2)	PC	F
288A(B)2	PC	F
288A(C)	PC	F
288A(C)(1)	PC	F
288A(C)(2)	PC	F
288A(C)(3)	PC	F
288A(D)	PC	F
288A(D)(1)	PC	F
288A(D)(2)	PC	F
288A(D)(3)	PC	F
288A(E)	PC	M
288A(E)	PC	F
288A(F)	PC	F
288A(F)(1)	PC	F
288A(F)(2)	PC	F
288A(F)(3)	PC	F
288A(F)(4)	PC	F
288A(G)	PC	F
288A(H)	PC	F
288A(I)	PC	F
288A(J)	PC	F
288A(K)	PC	F
288A(L)	PC	F
288A(1)	PC	F
288A(3)	PC	F
288C	PC	F
289	PC	F
289.5	PC	F
289.6(A)	PC	F
289.6(A)(2)	PC	M
289.6(A)(2)	PC	F
289(A)	PC	F
289(A)(1)	PC	F
289(A)(2)	PC	F
289(B)	PC	F

(Attachment B continued)

289(C)	PC	F
289(D)	PC	F
289(D)(1)	PC	F
289(D)(2)	PC	F
289(D)(3)	PC	F
289(D)(4)	PC	F
289(E)	PC	F
289(F)	PC	F
289(G)	PC	F
289(H)	PC	F
289(I)	PC	F
289(J)	PC	F
290(G)(2)	PC	F
422	PC	F
4500	PC	F
4501	PC	F
4501.1(A)	PC	F
4501.5	PC	F
4502	PC	F
4502(A)	PC	F
4502(B)	PC	F
4503	PC	F
451	PC	M
451	PC	F
451.5	PC	F
51.5(A)	PC	F
451.5(A)(1)	PC	F
451.5(A)(3)	PC	F
451(A)	PC	F
451(B)	PC	F
451(C)	PC	F
451(D)	PC	F
4532	PC	F
455	PC	F
646.9	PC	F
646.9(A)	PC	F
646.9(B)	PC	F
646.9(C)	PC	F
646.9(F)	PC	F
647.6(A)	PC	M
647.6(A)	PC	F

(Attachment B continued)

664.1/187	PC	F
664.4/187	PC	F
664/187	PC	F
664/187(A)	PC	F
12308	PC	F
1203.2	PC	F
1170 (H) (5)(B)	PC	F
1170 (H)(5) (A)	PC	F
3056	PC	F
3057	PC	F
3455	PC	F
3454	PC	F Flash

EXCLUSION
CHARGES
HEALTH AND SAFETY CODE

11351	HS	F
11351.5	HS	F
11352	HS	F
11352(A)	HS	F
11352(B)	HS	F
11353	HS	F
11359	HS	F
11360(A)	HS	F
11361(A)	HS	F
11361(B)	HS	F
11378	HS	F
11379	HS	F
11379(A)	HS	F
11379.5(A)	HS	F
11379.6(A)	HS	F
11380(A)	HS	F
11383	HS	F

(Attachment B continued)

EXCLUSION
CHARGES
VEHICLE CODE

20001	VC	F
23153(A)	VC	F
23153(B)	VC	F
23152(D)	VC	F

(Attachment C)

COMPAS Low Risk

Risk Assessment

PERSON		
Name: [Redacted]	PIN: [Redacted]	Second ID: [Redacted]
SSN: [Redacted]	Race: [Redacted]	Third ID: [Redacted]
Status: Open	Ethnicity: [Redacted]	Fourth ID: [Redacted]
Date of Birth: [Redacted]	Agency: Santa Barbara	
Gender: Female		

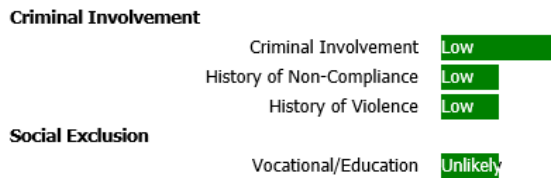
ASSESSMENT INFORMATION				
Case Identifier: [Redacted]	Scale Set: SB Co. Risk of Violence and Recidivism (ROVAR)	 Screener: [Redacted]	Date of Screening: 4/4/2019	Screening Location: [Redacted]

ASSESSMENT RISK SCALES	
General Recidivism Risk:	Violent Recidivism Risk:

Overall Risk Potential



Criminogenic Need Scales



(Attachment C, continued)

COMPAS Medium Risk

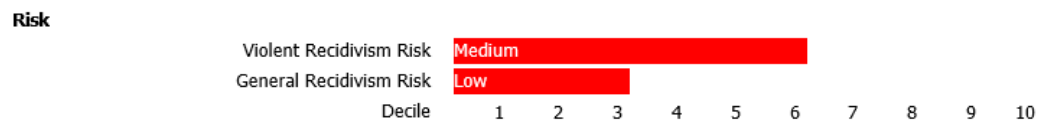
Risk Assessment

PERSON		
Name: []	PIN: []	Second ID: []
SSN: []	Race: []	Third ID: []
Status: Open	Ethnicity: []	Fourth ID: []
Date of Birth: []	Agency: Santa Barbara	
Gender: Male	[]	

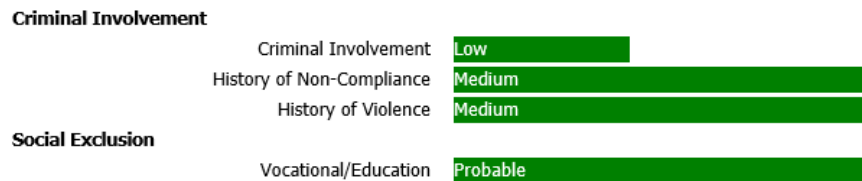
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ASSESSMENT RISK SCALES	
General Recidivism Risk: []	Violent Recidivism Risk: []

Overall Risk Potential



Criminogenic Need Scales



(Attachment C, continued)

COMPAS High Risk

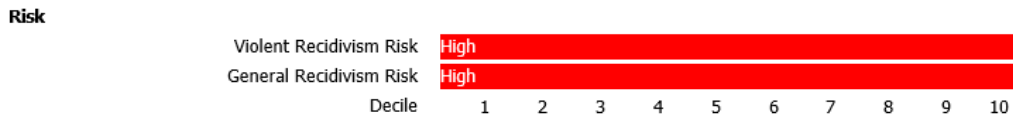
Risk Assessment

PERSON		
Name: []	PIN: []	Second ID:
SSN:	Race: Other	Third ID:
Status: Open	Ethnicity:	Fourth ID:
Date of Birth: []	Agency: Santa Barbara	
Gender: Male		

ASSESSMENT INFORMATION				
Case Identifier: []	Scale Set: SB Co. Risk of Violence and Recidivism (ROVAR)	Screener: []	Date of Screening: 4/4/2019	Screening Location:

ASSESSMENT RISK SCALES	
General Recidivism Risk:	Violent Recidivism Risk:

Overall Risk Potential



Criminogenic Need Scales

