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FILED
SUPERIOR COURT
SANTA BARBARA

FEB 13 1989

KENNETH A. PETWT, County Clerk-Recorder

By: *Alicia Q. Romero*

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Attorneys for Defendants SHERIFF
JOHN CARPENTER, ET AL.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA

INMATES OF SANTA BARBARA
JAIL,

Petitioners,

vs.

SHERIFF JOHN CARPENTER, et al.,

Respondents.

CASE NOS. 152487

156957

158862

DECISION AND ORDERS

SHAHROUZ JAHANSHAH, et al.,

Petitioners,

vs.

JOHN CARPENTER, et al.,

Respondents.

Pages = 1643
Filed
Books = 663

Not-Noted
Books = 2 (1/2)

ABEL FRANCISCO PULIDO,

Petitioner,

vs.

JOHN CARPENTER, SHERIFF

Respondent.

65 female logs
2/29/90

1 Further proceedings in the above-captioned matters were
2 held on January 30, 1989. Robert Sanger and Jake Stoddard,
3 Deputy Public Defender, appeared on behalf of Petitioners.
4 Respondents were represented by Stephen D. Underwood, Senior
5 Deputy County Counsel.

6 In its August 1988 Order this Court directed the Jail
7 Overcrowding Task Force to prepare and present to the Court a
8 report outlining specific recommendations with regard to various
9 programs designed to alleviate overcrowding at the Santa Barbara
10 County Jail. Those reports and recommendations were submitted
11 to the Court for the January 30, 1989 hearing and the Court
12 wishes to commend the Task Force, the County Board of
13 Supervisors, the Sheriff and other County officials and counsel
14 for the respective parties for their diligence in bringing
15 forward recommendations designed to alleviate overcrowding at
16 the Santa Barbara County Jail.

17 Evidence at the hearing showed that the present main
18 jail has 606 temporary/permanent beds (male side). There are an
19 additional 142 beds at the Jail Honor Farm (male). While it
20 appears that the chronic problem of floor sleepers as noted at
21 past hearings has been drastically reduced due to the prompt
22 classification of inmates and additional beds in the main jail
23 cells, overcrowding still exists at the facility.

24 Evidence also indicated that the average inmate jail
25 population increased an estimated 20% in 1988 to its highest
26 levels ever, with the expectation that the jail inmate
27 population will continue to rise in future years. In order to
28 prevent the jail from being increasingly overcrowded and to

1 prevent floor sleepers, measures need to be taken to reduce the
2 main jail population.

3 While the County is in the process of moving toward the
4 construction of a 64 bed reception center at the jail, that
5 construction will not be completed, at the earliest, until
6 summer 1991. Immediate measures, therefore, need to be taken to
7 reduce the main jail population.

8 The Court recognizes that the following orders will
9 require the County of Santa Barbara to increase the level of
10 certain services not previously provided, along with the expense
11 associated with that increase in services. The Court also
12 recognizes that these orders will make the providing of existing
13 services more costly. However, those expenses cannot be avoided
14 if the overcrowding problem is to be seriously addressed and
15 dealt with.

16 O R D E R S

17 1. The Sheriff is to implement an expanded field cite
18 release program designed to educate local police agencies in
19 Santa Barbara County on ways to increase their use of field cite
20 releases.

21 2. The Sheriff is to cite release persons arrested on
22 failure to appear warrants and arrestees whose bail is \$2,000.00
23 or less for out of County warrants issued by other agencies.

24 3. The Sheriff is to assign pre-trial inmates to the
25 Honor Farm who would otherwise be eligible for the Honor Farm if
26 they were sentenced inmates.

27 4. The Sheriff, within his classification discretion,
28 is to assign to the Honor Farm certain sentenced inmates

1 previously deemed ineligible.

2 5. The Sheriff is to implement necessary facility
3 modifications, ^{AND STAFFING} to create a holding unit at the Honor Farm for
4 persons arrested for public intoxication and driving under the
5 influence. ^{90 DAYS} THE UNIT SHALL BE OPERATIONAL WITHIN u

6 6. The Own Recognizance (O.R.) units' staffs in both
7 the North and South Santa Barbara County (Municipal Courts) are
8 to be expanded to allow for more timely processing of interviews
9 and release of arrestees.

10 7. Pursuant to the legal mandates of CLETS and
11 agreements with the Sheriff's Department and Municipal Courts,
12 the O.R. units are to be given access to CLETS and DMV records
13 at the Santa Barbara County Jail so as to permit more timely and
14 knowledgeable decisions concerning O.R. release until
15 installation of the units' own terminals.

16 8. The Santa Barbara Municipal Court O.R. unit shall
17 evaluate misdemeanor arrestees not otherwise cite released and
18 persons arrested on misdemeanor warrants to determine
19 eligibility for O.R. release.

20 9. The Santa Barbara Municipal Court O.R. unit is to
21 develop criteria to liberalize existing O.R. release criteria
22 for arrestees and to establish administrative release procedures
23 for persons arrested on warrants based upon criteria developed
24 by the municipal courts.

25 10. The District Attorney's Office is to assign a
26 Deputy District Attorney to the arraignment calendar in Santa
27 Maria Municipal Court.

28 11. The Santa Barbara County Municipal Courts are

1 encouraged to order sentencing reports on felony cases upon
2 certified pleas and pre-plea reports after preliminary hearings
3 so as to expedite the processing of such reports.

4 12. The County is to expand the County Parole Program
5 by changing existing parole criteria to allow persons with 1/3
6 of their sentence served to become eligible for County parole,
7 expand its current bi-weekly hearing schedule to weekly hearings
8 and to provide supervision to those defendants released on
9 parole, and make inmates aware of these changes.

10 13. The County is ordered to immediately begin to
11 proceed with plans for facilities and development programs to
12 relieve jail overcrowding. Programs are to include, but not be
13 limited to detention, as well as mental health, alcohol and drug
14 diversion and detoxification facilities. The Court is of the
15 opinion that this long-term planning must be done with a view
16 towards establishing suitable facilities in the North County.

17 14. The County is ordered to complete the planning and
18 construction of a new reception center at the Main Jail.

19 15. The County is ordered to provide the necessary
20 funds, staffing, equipment, space and take any other measures
21 necessary to implement the above orders.

22 16. All remaining issues raised at the hearing and not
23 previously dealt with by this Order are taken under submission.

24 17. The Court shall retain jurisdiction over the
25 matter and a further hearing is set for July 31, 1989 at
26 9:00 a.m., at which time the Court will review each of the
27 orders contained herein as to program progress and impact on
28 jail overcrowding.

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18. The parties may, without prejudice and upon reasonable notice, set a hearing on any of the matters raised by this Order or any additional orders, prior to the July 31, 1989 date.

Dated: February 13, 1989


WILLIAM L. GORDON
JUDGE OF THE SUPERIOR COURT

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