

# **Errors in Reports Advocating Construction of a New Jail**

## **The Blue Ribbon Commission's Final Report of February 2008**

The Blue Ribbon Commission consisted of a group mostly drawn from the local law enforcement and criminal justice hierarchy to study the need for a new jail. His purpose was clear since he campaigned to get a new jail built. The report does contain some valuable recommendations—including the recommendation for expanded spending on *social services outside of the jail—a reaffirmation of the mandate of the 1989 court order*. In fact, in calling for a down-sizing from a 806-bed jail (as recommended in the 2005 *New Jail Planning Study*) to a 300-bed jail, the report recommended that the County “invest heavily” in “preventing the need” for 500 additional jail beds (p. viii)

Had the Commission looked at the actual data provided to the State Board of State and Community Corrections (BSCC) every month and realized the utterly false and misleading nature of the 1999 Rosser projections, it might have concluded that the possibility of reducing the Average Daily Population (ADP) by 500 through alternative programs totally eliminated any need for construction of a new jail, since the planning until that time had been for an 808-bed jail based on the invalidated 1999 Rosser needs projections. n. But its report shows no indication that it every looked at the actual data, instead relying on the already discredited Rosser projections which were still being repeated by the Sheriff as part of his sales pitch for a new jail, and which he would continue to use both directly and through manipulated reports by the Blue Ribbon Commission and Grand Juries, for years more. The Blue Ribbon Commission's careless and confused handling of ADP data indicates that it simply deferred to the Sheriff for the facts on which its report is based.

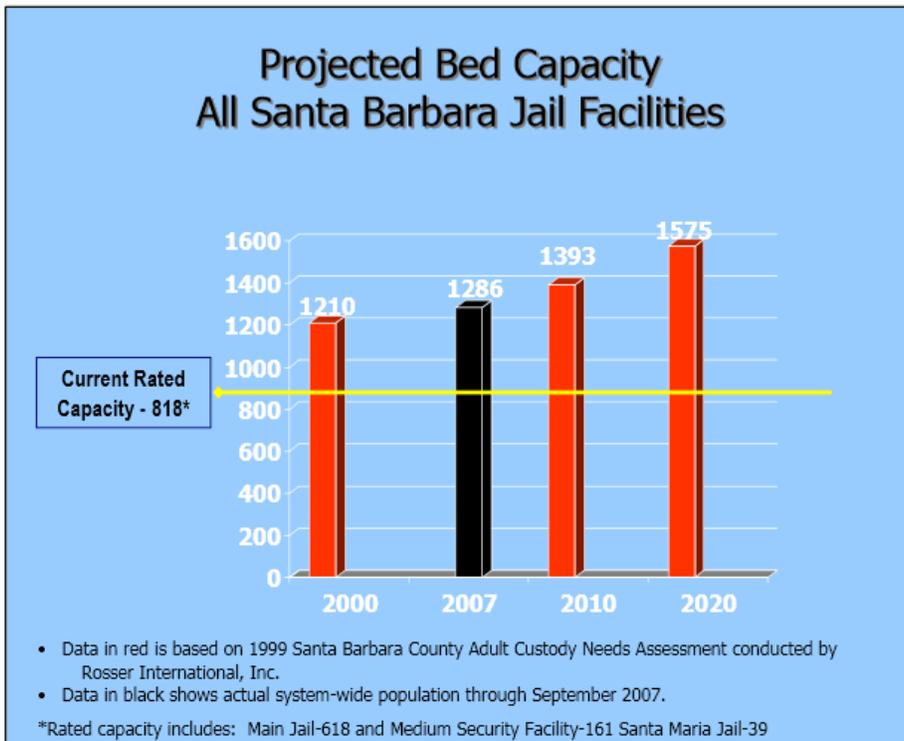
**Errors in the Reported ADP Projections:** The ADP or Average Daily Population is the standard for measuring jail populations and for comparing the average number of inmates incarcerated in different counties, and for measuring increases or decreases in inmate numbers over time. This standard nomenclature is used in the 2005 *New Jail Planning Study* but the *Blue Ribbon Commission Report* simply speaks of “jail populations.” However, the congruence of numbers given in the two reports confirms that the term “jail population” in the *Report* means ADP. Overcrowding is measured by the excess of the ADP over the number of rated beds or RC (Rated Capacity) (in both the 2005 and 2008 reports, these are given as 618 in the Main Jail and 161 in the Medium Security Facility (Honor Farm); the 2005 study indicates 38 beds in Santa Maria, the 2008 *Blue Ribbon Commission Report*, 39.)

Despite some reasonable recommendations, the Blue Ribbon Commission Report is fatally flawed because it incorporates the outdated and factually invalidated 1999 projections of Rosser International with no attempt to incorporate new data. Why did the Commission—unless we assume it was intentionally stacked with those determined to reach a decision made beforehand—not look up the readily available ADP data that our Sheriff Department submits to the state Board of State and Community Corrections every month?.

## Exaggerated and Outdated Projections in the *Blue Ribbon Commission Report*

**Report:** An example of what may be fairly termed “pseudo analysis” in the *Blue Ribbon Commission Report* is found in its discussion of future jail bed needs on page 12:

Data from the 1999 Jail Needs Assessment by Rosser International, Inc., originally indicated that by



2007, the local Jail system would need approximately 1,338 beds. An internal assessment reflected an actual need of 1,286 beds at the same time. In 2008, a new Needs Assessment is being conducted, but at the time of this writing the report is not yet completed. Early glimpses into the report indicate the projected demand for the Jail system has not diminished over time and has validated eight years of projected bed needs with actual daily population data.

### Jail Bed Shortfall:

The following data show the current rated beds at the Main Jail and the Medium Security Facility, along with the actual beds in use. The bed shortfall continues to grow from an actual 431 beds in 2000, to an estimated 796 beds in 2020.

The red columns shown in the bar graph are based on the Rosser projections from 1999 and accepts them as valid, including the 1999 Rosser projections for 2010 and 2020. The report states that “a new needs assessment is being conducted... Early glimpses into the report indicate the projected demand for the jail system has not diminished over time and has validated eight years of projected bed needs with actual daily population data.” In short, the new needs report (also by Rosser) simply confirmed the 1999 projections. But there is no indication that anyone looked at the readily available actual ADP data that is reported monthly and quarterly to the California Board of State and Community Corrections (BSCC)., and is shown shortly thereafter on its website. For 2007, the CBC website shows Q1, ADP 960; Q2, ADP 946; Q3, ADP 972; and Q4 ADP 948, for a 2007 annual ADP of 957 which is 329 less than the “actual need” based on the internal assessment. (By 2010 the error had grown to 455, with the Rosser needs projection 49% higher than the actual ADP reported to the CBC.)

The above commentary refers to a “new Needs Assessment” to be conducted by Rosser International the following year (2008), notes that it is not yet completed, but that “glimpses into the report indicate the projected demand for the jail

system... has validated eight years of projected bed needs with actual daily population data." This remark, coupled with the black bar showing "actual system wide population through September 2007" flatly contradicts data on the Jail's ADP found on the California Board of Corrections website. (The Board of Corrections receives data from sheriffs' departments quarterly and publishes the data online.) It appears that the Santa Barbara Sheriff's Department provided the Blue Ribbon Commission with data that differs from what it was supplying to the BSCC and was misleading the Commission into believing that the new Rosser study would "validate" the previous wildly erroneous projections by Rosser. Here is a table formulated from data found on the Board of Corrections website, compared with the projections shown in the Blue Ribbon Commission's graph:

Santa Barbara Jail ADP Data										
	Q1	Q2	Q3	Q4	Year ADP	Change +/-	Cum Chan	Projected	Error +/-	
<b>1999</b>	994	902	857	906	915	<b>From Prev Yr</b>				
<b>2000</b>	885	882	869	853	872	-4.6%	-4.7%	<b>1210</b>	<b>338</b>	
<b>2001</b>	865	881	843	790	845	-3.2%	-7.7%	1221	376	
<b>2002</b>	783	826	870	852	833	-1.4%	-9.0%	1231	399	
<b>2003</b>	878	888	902	910	895	7.4%	-2.2%	1242	348	
<b>2004</b>	904	918	945	938	926	3.5%	1.2%	1253	327	
<b>2005</b>	1002	1020	959	943	981	5.9%	7.2%	1264	283	
<b>2006</b>	967	983	1001	963	979	-0.3%	6.9%	1275	297	
<b>2007</b>	960	946	972	948	957	-2.2%	4.5%	<b>1286</b>	<b>330</b>	
<b>2008</b>	944	944	981	995	966	1.0%	5.6%	1321	355	
<b>2009</b>	932	944	996	962	959	-0.8%	4.8%	1357	398	
<b>2010</b>	966	930	957	900	938	-2.1%	2.5%	<b>1393</b>	<b>455</b>	
<b>2011</b>	894	922	883	880	895	-4.6%	-2.2%	1411	516	
<b>2012</b>	880	964	1009	1011	966	8.0%	5.6%	1428	462	
<b>2013</b>	993	1002			998	3.3%	9.0%	1446	448	
<b>2014</b>	UNKNOWN								1464	
<b>2015</b>	UNKNOWN								1482	
<b>2016</b>	UNKNOWN								1500	
<b>2017</b>	UNKNOWN								1519	
<b>2018</b>	UNKNOWN								1538	
<b>2019</b>	UNKNOWN								1557	
<b>2020</b>	UNKNOWN								<b>1576</b>	
Average annual change 1999-2011 (Pre Realignment)=-0.1%										
Projections from Blue Ribbon Commission Report p. 12 ( <b>boldface</b> )										
Interpolated values calculated by compound interest formula										
Positive error values indicate overestimation of Jail occupancy level										

Three of the boldface numbers in the Projected Column are taken from the red bars in the Blue Ribbon Commission's graph shown above; the number for 2007 is supposed to be an actual the ADP for the first three quarters of 2007 ("through September"). A simple calculation from the data supplied to the Board of Corrections for the first three quarters of 2007 yields an ADP of 959. The Blue Ribbon Commission's projection of 1,286 is 327 inmates (34.1%) higher.

The 2010 projection given in the *Blue Ribbon Commission's Report* is 455 (49.5%) higher than the actual ADP number of 938. Comparing the ADP for 2011, the last year before the number of inmates sent to the County from prison under the realignment become significant, the gap (between the Board of Corrections data and the interpolated projection given in the Commission's report) rose to 516; the projection found in the Blue Ribbon Commission's report is 57.7% higher than the ADP derived from data provided to the State Board by the Sheriff's Department.

In 2010 Rosser International prepared a *Needs Assessment Update* as a supporting document in the application for \$80 million in AB 900 grant money to build a new jail. The following table appears on page F-4:

	Santa Barbara Main Jail ADP	Medium Security Facility ADP	Offenders Released Monthly Due to Capacity Limit (Avg.)
2007	683	265	146
2008	679	265	150
2009	679	265	158
2010	675	245	120

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Compare these numbers with those given in the *Blue Ribbon Commission Report* written in 2007 and published in February 2008. An examination of the two tables at the bottom of page 12 reveals several errors. Page F-4 of the 2011 Needs Update (also by Rosser) breaks out the ADP for the Main Jail and the Minimum Security Facility. For 2007 the respective figures are 683 (Main Jail) and 265 (Minimum Security Facility). These numbers were in the possession of the Sheriff's Department, yet the table shown above from p. 12 of the Blue Ribbon Commission Report, published the following year, gave the Main Jail ADP as 733 and the Medium Security Facility as 285—70 more than the correct number—and correspondingly exaggerated the bed shortfall (239 rather than 169).

The smaller table on the lower right of page 12 shows still more errors: the 2010 shortfall number, 514, if added to the Rated Capacity of 818 given on the same page yields 1,332 versus 1,392 given in the graph above the table, . In contrast, the number shown in the table for 2020, 796, when added to 818 yields 1,614 which is 39 more than 1,575, the number shown in the graph for 2020.

Santa Barbara County Rated Beds vs. Actual Beds			
	Jail Rated Beds	Actual Beds in Use	Number over Capacity
Main Jail Rated	618	733	115
Medium Security Facility Rated	161	285	124
<b>TOTAL RATED</b>	<b>779*</b>	<b>1018</b>	<b>239</b>
* The 39 Santa Maria Branch Jail beds are not included.			

Jail Bed Shortfall				
Year	2000	2007	2010	2020
Beds	431	468	514	796

The larger table shows 733 beds in use in the Main Jail or 54 more than shown in the *Blue Ribbon Commission Report* (54 more than in 2008). Why didn't the Sheriff's Department Supply the Commission with the correct data? Moreover, the total given in the table, 1018, is far lower than the claimed "actual" number, 1286, which is at the top of the of bar graph reproduced above from the Commission's *Report*. Even if we were to add the 39 Santa Maria beds to get a total 1057, we still have a grossly exaggerated "actual" APO, 278 greater than the 987, the ADP calculated by adding the 618 Main Jail ADP to the 265 Medium Security ADP to the 39 beds in Sana Maria. (The suspicion is that the 1286 number shown at the top of the black column in the graph is another 1999 Rosser International Projection, erroneously labeled as "actual.") This is simply another demonstration of the extreme carelessness in the way data was handled in the Blue Ribbon Commission's *Report*.)

Presentation of outdated and biased "projections," coupled with a factually incorrect "actual system-wide population" for 2007 (the year in which the *Report* was written) undermines its credibility. Yet the *Blue Ribbon Commission Report* is constantly held up as the endorsement of experts from the community for the urgent construction of a new jail.

If the Department had provided both the data it had submitted to the SCCC and 1999 Rosser projections, the discrepancy would have been obvious and perhaps would have lead to questioning of the assumptions behind Rosser's analysis.

### **The 2005 New Jail Planning Study**

The earlier 2005 *New Jail Planning Study* was just slightly more careful with its ADP data. Its number for 2005 (Main Jail + Medium Security Facility) is 989 which approximates the 981 number calculated from BSCC data.

The 2005 *Study* claims to base its argument for a rapidly growing ADP on population growth rather than on the Rosser International projections. However, its analysis is flawed in major respects.

### **The 2005 County New Jail Planning Study**

This elaborate report, prepared by the County staff in conjunction with Rosser, featured preliminary plans for an 808 bed jail ("readily expandable to 1520," Facility Design, p 3).

#### **Population growth as the basis of the argument for a new jail**

The 2005 *New Jail Planning Study* and the California Sheriffs' Association both argue that more jail space will be needed in the future because of California's steady population growth. The Sheriffs' Association *Report* argues that "California's inexorable population growth will require 40,943 new beds by 2050 to address population growth alone." (2006 *Report of the California Sheriff's Association*)

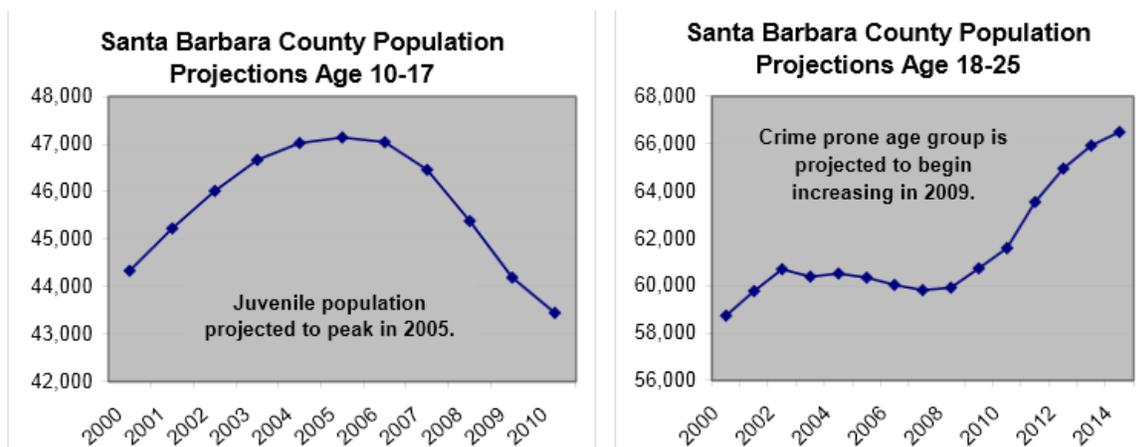
Estimating future jail needs by looking at population growth is also given as the rationale for 2005 *Report's* estimates, and apparently for those given in various Grand Jury reports and presumably in the ADP projections given in 1999 by Rosser International. The 2004-2005 *Grand Jury Report* also used the Rosser International estimate of 1,575 beds needed by the year 2020. This number is repeated in the

2005 Study (Executive Summary, p. 2) and again, as seen above, in the 2007 Blue Ribbon Commission Report.

The 2005 Study presents the population-increase rationale on p. 3 of the section entitled "Needs Assessment." The principal use of population statistics is provided, without further analysis, by two graphs (cut and pasted from 2005 Report):

### Population Projections:

The charts below also taken from the DOF show that the juvenile population (age 10 – 17) is projected to peak in 2005 in Santa Barbara County and that the crime prone age group (age 18 – 25) is projected to begin increasing in 2009.



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ends in crime rates, which had been steadily falling in the State and nation since the mid-nineties are not even mentioned. The 2005 Report, and the 2007 Blue Ribbon Commission Report, tacitly assume that crime and incarceration levels move in lockstep with population growth. Or rather, they claim to do so, while at the same time accepting the biased "projections" Rosser International which greatly exceed the rate of population growth.

If the key to jail occupancy is the population in the "crime prone age group (age 18 – 25)" as claimed in the 2005 Report, then how can the Report's projection of steady growth of the jail population from 2002 to 2009 be explained when the graph presented in the Report shows the putatively relevant population to be falling from 2002 to 2009? The 18-25 population as shown on the graph declines slightly from 2003-2005, yet the table shown on the following page of the Report indicates that the jail population grew by more than 10.1% or almost 5% per year during the period. If the jail numbers are correct, then clearly something other than change in the key 18-25 population is responsible for the alleged growth.

The graph from the 2008 Blue Ribbon Commission Report, attributed to Rosser International's 1999 projections (reproduced above), shows a jail population growth of 16% over the 10 years from 2000 to 2010; however, the actual population growth, as shown by census figures, was only 6.1%.

Clearly, the repeatedly cited (typically without attribution) jail population growth figures far exceed overall population growth, and exceed even more the growth of the 19-25 population during the decade, shown on the graph in the 2005 Study as

only 3.4% (from approximately 58,500 to 60,500). In fact, the same graph indicates that over the 20-year period shown, the key 19-25 year-old population increased 13.7% (from about 58,500 to about 66,500), whereas the Rosser International projected an increase in Santa Barbara County's jail population of 30.2%.

In general, population increases have not correlated with the need for jail space, and even if they were, the "projections" given by Rosser International in 1999, and accepted by the 2004-2005 *Grand Jury Report*, the 2005 *New Jail Planning Study*, and the 2008 *Blue Ribbon Commission Report*, far exceed the growth of the general population or of the allegedly crime-prone 18-25 population.

FBI uniform crimes statistics demonstrate that—both in California and nationally—serious crime has been declining for almost twenty years and is now below 1980 levels. Specifically, FBI Part 1 (major) crime in California has dropped from 1,384,872 in 2000 to 1,210,409 in 2012. That's a 13% decline in absolute numbers despite a substantial population growth. Projections based on hypothetical population growth are fallacious, and those that far exceed it (as in the pro-new-jail studies and reports the Sheriff is fond of citing) insult the intelligence of anyone who troubles to look at easily accessible data.

### **Grand Jury Reports**

What can we say about the 2004-2005 Grand Jury report which said that "the Sheriff estimates that by the year 2020, 1,575 beds will be needed" (again Rosser's 1999 projection). This was followed five years later by the Grand Jury report from 2009-10 which, despite the ongoing decline in ADP and especially sentenced ADP, proclaimed that "it is projected that by 2020 that average would increase to 1,800, more than double its planned capacity," citing page 12 of the Blue Ribbon Commission's *Final Report* as its source. In fact, page 12 says no such thing, merely repeating the discredited Rosser projection of 1,575. In fact, Rosser had produced a new 2008 Needs Assessment which is similar to that for 2010, but apparently the Grand Jury was informed neither of it nor of the data being reported monthly to the BSCC. Who in the Sheriff's Department lied to the Grand Jury about the projections? Certainly, no one corrected the error when it was passed on for comments.