

MOTION BY SUPERVISOR SHEILA KUEHL

February 12, 2019

Developing the Los Angeles County Roadmap for Expanding Alternatives to Custody and Diversion

Recently, both New York City and Cook County, Illinois have demonstrated that it is possible to significantly reduce the number of incarcerated individuals in large, urban criminal justice systems while improving public safety at the same time. According to the Vera Institute, since 2007 (the year before the national jail population numbers peaked), New York City’s jail population is down 41% from an average daily population of 14,004 in 2007 to 8,262 on January 30, 2019. Cook County’s jail population is down 39%, from an average daily population of 9,496 in 2007 to 5,815 on January 31, 2019. In Los Angeles County, however, the inmate population is down a comparatively small 11%, from 18,761 people in jail in July 2007 to 16,686 as of September 2018.

Recently, LA County has taken several significant steps to reduce its reliance on incarceration, and to expand diversion and treatment, including the 2015 creation of the Office of Diversion and Reentry and increased investment in substance use disorder treatment, mental health services, case management services, and interim and supportive housing. The County has also initiated a study and requested a road map

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for scaling up diversion programs for people with serious clinical needs; as well as the recent establishment by the District Attorney of a unit devoted to diverting the mentally ill out of custody and into treatment.

LA's recent efforts mirror other local, state and federal actions that also emphasize treatment and rehabilitation over incarceration. The National Association of Counties and The Council of State Governments Justice Center is encouraging public sector partners to reduce the number of people with mental illness in jails, and several hundred counties have joined that effort. The passage by California voters of recent ballot measures designed to reduce incarceration and help those with convictions reestablish stable lives speaks to voters' readiness to move in this direction. In 2018, state legislators passed a significant bail reform measure, and the federal government approved the First Step Act increasing resources for reentry programs.

These rapid changes at the local, state and federal levels require that the County move forward flexibly in order to take advantage of new opportunities, while embracing a vision of a more effective justice system. At this point, plans developed only a few years ago need to be reassessed to ensure that they are aligned with the County's goal of diverting people into treatment and not incarceration, when appropriate.

To advance its comprehensive vision, New York City established an independent commission on criminal justice and incarceration reform. The commission developed a roadmap for a more effective and more localized justice system that would preserve public safety while sending fewer people to jail. The commission brought together City agencies, district attorneys, social service providers, the courts, and the City Council as well as advocates from impacted communities. Its work formed the foundation for the

biggest justice reform effort in New York City in decades.

Over the past several years, although LA County has been laying the groundwork to build a more effective justice system, County efforts would be further strengthened by the formation of a public private working group that would bring together key stakeholders from the Superior Courts, the Probation Department, the Office of Diversion and Reentry, the Public Defender's Office, the Alternate Public Defender's office, District Attorney, the County Health Agency, Department of Mental Health, Department of Public Health, Department of Health Services, the Sheriff's Department, the Countywide Criminal Justice Coordination Committee, and the Office of Strategic Partnerships to synthesize our efforts to date and develop a roadmap to reduce reliance on incarceration and expand diversion and treatment options.

I, THEREFORE, MOVE that the Los Angeles County Board of Supervisors direct the Chief Executive Officer to:

1. Establish the Alternatives to Incarceration Working Group, a public-private working group, to draft a comprehensive plan to build a more effective justice system. The working group will be facilitated and chaired by CEO and comprised of representatives of the Superior Courts, the Probation Department, the Office of Diversion and Reentry, the Public Defender's Office, the Alternate Public Defender's office, District Attorney, the County Health Agency, Department of Mental Health, Department of Public Health, Department of Health Services, the Sheriff's Department, the Countywide Criminal Justice Coordination Committee, Department of Children and Family Services, Workforce Development, Aging and Community Services

- Department, County Homeless Initiative, County Counsel, and the Office of Strategic Partnerships, as well as 10 community stakeholders appointed by the Board of Supervisors from social services providers, public interest law firms, business, academia, philanthropy and/or advocacy organizations.
2. Direct the CEO to utilize emerging data and recommendations from the range of studies currently being conducted by the County, including the work described in the August 14, 2018 motion Scaling up Diversion and Re-Entry Efforts for People with Serious Clinical Needs, to expand diversion and increase community treatment opportunities including special consideration for justice-involved subpopulations.
 3. Direct the CEO to report back in 30 days on whether funding is needed to support stipends for appointed community members to the working group, funding for consultants, or any other financial needs needed to ensure the success of the working group and to identify any potential philanthropic investment that might support the working group.
 4. Direct the CEO to begin convening the working group within 45 days and report back to the Board within 9 months from the first meeting with a concrete plan to increase the availability of treatment options and alternatives to custody while preserving public safety, including special consideration for justice-involved subpopulations and a description of the kind of program and type of facilities needed; a plan for how to establish these facilities; the county staff needed to implement the programs; an estimate of the funding needed to

implement the plan; a survey of current and potential sources of funds; and any legislative and policy changes that may be needed to advocate for them.

S: MR/Developing the Los Angeles County Roadmap for Expanding Alternatives to Custody and Diversion