

Measure R’s Comprehensive Public Safety Reinvestment Plan

In March 2020, 1.3 million residents in LA County overwhelmingly voted in support of Measure R, the Civilian Police Oversight Commission and Jail Plan Initiative, that would do two things: 1) grant the Sheriff Civilian Oversight Commission (Commission) subpoena power to investigate complaints and 2) authorize the Commission to develop a plan to reduce jail population and incarceration in LA County.

The Commission was created by the Board of Supervisors (Board) in January 2016, in response to several high-profile scandals, findings of use of unreasonable force in the Los Angeles County jails, and allegations of criminal wrongdoing within the Los Angeles County Sheriff’s Department (Sheriff’s Department), to study, evaluate and recommend improvements and reforms of the Sheriff’s Department and promote public transparency and assure accountability.

On May 7, 2020, the Commission, unfortunately had to use the newly granted subpoena power that Measure R gave it, against the Sheriff to appear at the Commission’s May 21, 2020 meeting to provide information regarding the policies and

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handling of the impact of the COVID-19 pandemic within LA County jails. The Sheriff ignored the demand and defied the subpoena.

Despite the Sheriff's continuing contempt of the will of the community, the Commission and OIG have continued to move forward, with the former, on October 15, 2020, putting forward a resolution of "no confidence" in the Sheriff and demanding his immediate resignation.

The other component of Measure R is also for the Commission to "research and draft a Comprehensive Public Safety Reinvestment Plan" that the Commission is obligated to fulfill as the second component of this voter supported motion for the Board:

"...to be released to the public within seven months of the adoption of this amendment to the Los Angeles County Code, including a Feasibility Study for its implementation, to reduce Los Angeles County's jail population and to reinvest jail system costs into prevention and mental health treatment, including a timeline for resourcing and implementing strategies to meet this goal.

A. The Plan and Feasibility study shall identify existing, proposed and other potential community-based, owned and operated alternatives to arrest, court, detention and incarceration for people facing nonviolent criminal convictions who have underlying issues such as mental health or drug dependency issues or chronic homelessness.

B. The Plan and Feasibility Study shall examine the feasibility of investing the resulting savings from jail population reductions, including examining redirecting funds from the \$3.5 billion budgeted for a jail expansion plan, to:

1. Reduce the population of people in jail experiencing mental health drug dependency or chronic homelessness issues to save county jail system costs;
2. Develop a holistic community mental health infrastructure to prevent crime;
3. Create mental health alternative custody programs administered through the County Department of Public Health that reduce recidivism of people with mental health issues and criminal convictions;
4. Expand youth centers and programs to prevent youth involvement in crime; and
5. Increase funding of the existing Office of Re-entry and Diversion, which implements criminal justice diversion for those with mental health or substance abuse issues and provides re-entry support.

C. The Plan and Feasibility Study shall calculate projected reductions in future jail populations based on current policy and on the Plan's proposed reforms, and the associated financial savings from proposed population reductions.

D. The Plan and Feasibility Study shall assess the jail population impact of bail reform, including pre-arraignment and pre-trial release.

E. The Plan and Feasibility Study shall compare the costs and effectiveness of current mental health treatment inside county jails as compared to the costs and effectiveness of non-custodial, community-based drug treatment.

F. The Plan and Feasibility Study shall investigate the impact that jail incarceration has upon incarcerated individuals'

(1) abilities to address addiction;

(2) educational, employment and other opportunities; and

(3) family's and community's economic, physical and emotional health; as compared with the costs and effectiveness of non-custodial, community-based drug treatment.

G. The Plan and Feasibility Study shall identify the following:

1. The necessary infrastructure, including but not limited to agency homes, funding, training and technical assistance, to implement a comprehensive prevention, harm reduction, youth and community development strategy;

2. Successful programs and services or models to stop the cycle of crime that exist in Los Angeles County and Southern California, or elsewhere in the state, nation or world;

3. Systemic, structural and organizational barriers, including bias or discrimination, to implementing the Plan and recommendations concerning how to address and surmount such barriers;

4. Ways to integrate the current structure and scope of work of affected County departments, including the departments of Health Services, Mental Health, Public Health, Senior and Community Services, Sheriff, the District Attorney, and multiple commissions; and

5. Specific recommendations to the Board of Supervisors concerning direction to be given to the Chief Administrative Officer, Executive Officer of the Board, and County Counsel to supplement staffing and funding for the Commission to accomplish its purposes."

The magnitude and complexity of the task placed upon the Commission by Measure R cannot be overstated. In response, the Commission created a Measure R Ad-Hoc committee, which has been meeting regularly with subject matter experts and working on fulfilling its mandate, including communicating on multiple occasions with the "Reform LA Jails" and community stakeholders who provided resources and insight in support of the Commission. The Comprehensive Public Safety Reinvestment Plan (Plan), however, has not been completed within seven months of amending the County Code because of the effects of the COVID-19 pandemic and a lack of resources for the Commission to complete a meaningful and thoughtful Plan and feasibility study.

Unfortunately, the Measure R mandate did not provide a funding or resource allocation to assist the Commission in completing this important task.

Fortunately, with the Board-created Alternatives to Incarceration (ATI) Initiative and the newly hired ATI Director, much of the work the Plan requires may have been completed, however, there needs to be coordination between all parties working toward “care first, jails last” to ensure that what over 1.3 million LA County residents voted for is delivered and implemented.

The Board takes very seriously the will of the voters, advocates, and the community; for it is through their votes that elected representatives are chosen and how change occurs.

I THEREFORE MOVE that the Board of Supervisors direct:

- 1) The Civilian Oversight Commission’s Measure R Ad-Hoc Committee report back ~~in fourteen (14) days~~ by December 8, 2020 with what resources it needs to complete the draft of the Comprehensive Public Safety Reinvestment Plan.
- 2) The Civilian Oversight Commission to work in collaboration with the Alternative to Incarceration Initiative, Office of Diversion and Reentry, Public Defender, Alternate Public Defender, County Counsel, other relevant County and community stakeholders, including those who are system-impacted, to develop a plan of how best to accomplish the drafting of the Comprehensive Public Safety Reinvestment Plan and ~~report back~~ present to the Board ~~no later than December 15, 2020~~ at the January 26, 2021 Board meeting.

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