

REVISED

AGN. NO.

MOTION BY SUPERVISOR SHEILA KUEHL

~~February 15, 2022~~ March 1, 2022

**Care First, Jails Last: Establishing a Justice, Care, and Opportunities Department to Promote Collaboration and Transparency in a Person-Centered Justice System**

The Los Angeles County Board of Supervisors (Board) has taken several historic steps over the last several years in an effort to reduce the County’s over-reliance on incarceration of our justice-impacted populations. Beginning in 2015 with its decision to establish the Office of Diversion and Reentry (ODR) and continuing through its more recent actions to create the Alternatives to Incarceration Initiative (ATI) and the Jail Closure Implementation Team (JCIT), this Board has recognized that the carceral system is often ill-equipped to respond to human conditions such as homelessness, poverty, mental illness, and substance use dependencies. This Board has also championed intentionality in addressing gender disparities by establishing the Gender Responsive Advisory Committee (GRAC); prioritized the unique needs of young people by adopting the Youth Justice Reimagined (YJR) vision and creating the Youth Justice Advisory Group (YJAG) to further develop that vision; and committed to maintaining

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reduced jail populations for young people and adults through various actions, including establishing the Jail Population Review Council (JPRC). Finally, in order to reimagine the County's response to individuals experiencing mental health crisis, the Board is moving forward with an alternative crisis response system that will utilize the expertise of those who have the experience and training to handle such incidents.

Each of these initiatives, advisory bodies, and implementation teams was born from this Board's steadfast commitment to a Care First, Jails Last vision and its desire to embed justice reform priorities and care first strategies across the County's infrastructure. In response, multiple County Departments rose to the challenge and successfully implemented programs to further the Board's care first priorities. ODR has experienced success with its housing programs for individuals with unmet mental health needs and with diversion and reentry programs such as RICMS LEAD, and SECTOR. ATI, in its very first year, launched pre-filing and rapid diversion programs and has jump-started pretrial reform efforts in the County. And, this year, the Youth Diversion and Development (YDD) arm of ODR is launching its second cohort, taking one more step towards realizing the first step of YJR—Countywide youth diversion. Likewise, the Board's various advisory bodies have given community advocates and stakeholders a real seat at the table and they, in turn, have engaged through multiple avenues and delivered thoughtful reports and recommendations to the Board. The work to redefine public safety to reflect the intersection between justice and health has been truly ground-breaking.

Unfortunately, as this hard work has progressed, it has become clear that standing up programs and housing advisory bodies through multiple departments has

not integrated service delivery to the extent needed to achieve true justice reform. The system that is meant to serve the most vulnerable becomes too cumbersome to deliver the integrated, holistic services that our county residents need. Ultimately, we end up with a department-driven and overly bureaucratic approach to service delivery instead of a person-centric approach. With each department having its own infrastructure, contracting mechanisms, financing models, and staffing plans, service providers are forced to bear the burden of navigating administrative hurdles and to invest time and energy that should be dedicated to their clients. Without a unified service delivery model (in practice, not on paper), the County repeatedly designs, develops, and implements strategies and programs that impact the periphery but rarely reach the center of service-delivery challenges. Then, before the impact of these strategies and programs is evaluated, and out of a desire to show “progress”, we repeat this pattern, and often offer process as a proxy for progress. Furthermore, by spreading so many programs and services that serve the same population across multiple county departments, the County makes it difficult to determine exactly how our resources are being deployed to serve our communities.

Our decentralized administration of services and programs for those who are justice impacted and/or vulnerable to justice system involvement has resulted in a fractured and siloed bureaucracy, and worse, a disjointed and gap-filled continuum of care for this population. For the County to achieve its Care First vision, we must ensure that our residents who are at risk of or already justice-impacted, receive the holistic mental health, substance use treatment, reentry, and pretrial services they need. Unfortunately, there are several obstacles that the County currently faces in delivering

these services. With a Medi-Cal system that currently splits the administration of mental health treatment from substance use treatment, service providers are often unable to deliver the integrated care that their clients need. And decades of Federal and state underinvestment in community-based mental health and substance use treatment services have resulted in a universe of service provider capacity that is woefully inadequate to meet today's demand. To overcome these obstacles, we must ensure that the County has the expertise and ability to identify gaps in our service delivery systems and then work with the relevant departments to fill those gaps and create a robust continuum of care.

If the County truly intends to fulfill the Care First, Jails Last mission (a process that will take years and must be constructed with sustainability in mind), it is imperative that this Board take steps to break-down these long-standing silos. This Board should establish an umbrella entity that braids together Care First, Jails Last service delivery and advisory bodies into a cohesive team that is supported by a common mission and an administrative support structure that facilitates person and equity-centric service delivery. Establishing a Justice, Care, and Opportunities Department (JCOD) that works together with a Justice Advisory Board (comprised of members from existing advisory bodies) is a logical next step that will address deficiencies in the existing County infrastructure.

Centralizing currently scattered efforts in the JCOD will make serving vulnerable justice-impacted populations the singular focus of one department, instead of being a "slice" of the work done by multiple departments. The JCOD will be uniquely positioned to work between the justice system (including the District Attorney, Public Defender, and

Alternate Public Defender) and other intersecting systems, such as behavioral health, supportive housing, social services, and workforce development to provide better support for overlapping populations. The JCOD will move us towards a cohesive service delivery model that will finally realize several critical goals, including:

- ~~• Addressing ODR's structural deficit and scaling up its programs by establishing a cohesive, justice focused budget that maximizes leveraged funding streams.~~
- Advancing pretrial reform efforts including the recommendation from multiple stakeholders to establish an independent pretrial services agency (including the ATI Work Group, the GRAC, and the Humphrey Motion Implementation Work Group).
- Streamlining and expanding the community-based system of care, including an array of treatment beds for justice-impacted individuals with mental health and/or substance use dependencies and addressing the need to expand non-health services such as employment, education, childcare and family support, transportation, and non-clinical housing needs.
- ~~• Giving YJR a "home" from which to build and grow a new youth development service delivery model for the County's young people while we seek the legislative changes needed to fully transition all youth justice functions away from the Probation Department to a robust Department of Youth Development.~~

Likewise, centralizing the efforts of various Board-created advisory bodies will

ensure that recommendations are reconciled and prioritized for implementation. The current approach places incredible pressure on community-based organizations, advocates, and other community stakeholders who are expected to engage in multiple spaces and attend an endless number of meetings only to deliver reports that often overlap and do not achieve true reform because implementation responsibilities are spread too widely across the County's bureaucracy, making it hard to measure the impact. Creating a Justice Advisory Board will provide a space to ensure that community and stakeholder efforts lead to collective and unified results with a single point for implementation and accountability.

Justice reform efforts in the County are at a critical juncture. The County has sufficient studies and recommendations. What is needed now is to make decisions and move towards implementation. This Board recently made a strong decision to close Men's Central Jail without a replacement and created the Jail Closure Implementation Team (JCIT) to make that a reality. But, as many community members and leaders have expressed, this feat cannot be accomplished in a vacuum—it must be supported by meaningful pretrial reform and large-scale expansion of community-based care. As we look to release vulnerable people from incarceration, we must be prepared to offer community resources that promote both wellness for individuals and safety for communities. ATI launched pre-trial diversion programs that need a permanent home. YDD and CEO, in partnership with the YJAG, have set ambitious timelines for making Youth Justice Reimagined a reality. The nationwide 988 alternative crisis response system is due to launch this year. At the same time, the CFCI is already hard at work with an eye toward its second year of spending recommendations. Each of these

efforts play an essential role in driving and supporting the transformation towards a Care First model.

This Board must do everything in its power to ensure the success of these and its other justice reform priorities by aligning the work of various county departments and advisory bodies into one cohesive team that has a clear mission, maximizes community engagement while respecting people's time and energy, leverages funding streams, and facilitates a person-centric approach to implementing the Board's justice reform priorities.

**I, THEREFORE, MOVE AS FOLLOWS:**

1. Direct the Chief Executive Officer (CEO), in consultation with the Public Defender, Alternate Public Defender, Department of Health Services, Department of Mental Health, Department of Public Health, the Probation Department, ~~the Alliance for Health Integration~~, and all other relevant partners and stakeholders, to report back to the Board in 90 days with an organization and staffing plan, including concrete timelines, for the Justice, Care and Opportunities Department (JCOD) comprised, at least initially, of the following offices: Office of ATI and Strategic Planning (ATI); ~~Office of Youth Development (OYD); Office of Alternative Crisis Response (OACR);~~ Office of the Jail Closure Implementation Team (JCIT) and Office of Adult Programs (OAP).
  - a. The plan shall set forth the respective scopes of the ATI, ~~OYD, OACR, JCIT~~, and OAP which, at a minimum, should reflect the following:
    - i. The ATI will continue its work, as directed in previous actions of this Board, to vet, plan, coordinate, and oversee the implementation of ATI Recommendations, as well as monitoring the Initiative

outcomes. The ATI will centralize justice-related data and outcome analysis projects, coordinate the development and implementation of justice reform policies, lead justice program evaluations, and serve as an incubator for innovative justice related pilots, programs, and services. The ATI office will also house the recently created Jail Closure Implementation Team and work closely with the JCIT to build and maintain a Countywide mechanism for tracking bed availability for the justice-impacted population.

- ii. The JCIT will continue its work, as directed in previous actions of this Board, to close Men's Central Jail without a replacement jail facility and will work with the ATI to build and maintain a Countywide mechanism for tracking bed availability for the justice-impacted population.~~OYD will subsume the current YDD branch of ODR and centralize all prevention, diversion, and reentry services for young people. All youth-focused [other than Transition Age Youth (TAY)] prevention, diversion, and reentry functions currently performed by the Los Angeles County Probation Department will be transitioned to the OYD to the fullest extent allowed by applicable laws and regulations. Further, the OYD will be established and operated in accordance with the YJR Core Values previously adopted by this Board and will take on YDD's current role in further developing and implementing YJR as well as moving towards a fully realized Department of Youth Development pending legislative~~

change.

~~iii. The OACR will establish the County's 988 call center, implement civilian mobile crisis response teams and facility-based crisis services, and lead on all other efforts related to establishing an alternative crisis response system in the County.~~

~~iv. iii. The OAP will centralize all prevention, pretrial and reentry services for adults and will have a unit within it that specializes in providing such services to Transition Age Youth (TAY) and, will subsume only the Reentry Division of the current Office of Diversion and Reentry (ODR). All other divisions of ODR will remain intact as currently operated within the Department of Health Services. OAP will implement all pre-filing, and community-based diversion programs, other than ODR's LEAD community-based diversion program (which will stay in ODR). ~~This includes~~ OAP will implement all pilots currently held by the ATI; ~~pretrial services~~ and the pretrial functions currently performed by the Probation Department, following the model being developed by the ATI Pretrial Workgroup.~~

- b. The plan shall set forth a proposed organizational and staffing structure that, at a minimum, establishes the following:
- i. The leadership and reporting structure for the JCOD and each Office within the JCOD.
  - ii. An initial complement of staff for the JCOD and each Office within it

that will position the Department and its Offices to fulfill their respective roles and responsibilities while maintaining ample opportunity to partner with community-based organizations for service delivery.

iii. All leadership positions will be filled using a transparent recruitment process, rather than by appointment.

- e. The plan shall identify a funding structure for the JCOD that draws on funding from the Department of Health Services, Department of Mental Health, Department of Public Health, Probation Department, other the funding streams associated with existing functions that will be assumed by the JCOD, and any other funding sources that are available to support the JCOD as permitted by law that does not negatively impact existing clinical or legal services provided by the Health Departments, the Public Defender, or the Alternate Public Defender. ~~Further, the CEO is directed to take all necessary steps to implement its recommendation to transfer the Probation Department's Citation Diversion Program and funds to the OYD.~~
2. Direct the CEO, in consultation with the Department of Health Services/Youth Diversion and Development Division (YDD) and the Youth Justice Advisory Group (YJAG) to continue planning for a July 2022 launch of the Department of Youth Development, which shall initially share an administrative infrastructure with the JCOD and the Alliance for Health Integration to report back in writing to the Board in 180 days with an update on the status of implementing the JCOD

and DYD as companion departments. analysis of whether clinical jail-based services should be integrated into the JCOD or remain within the Department of Health Services.

3. Direct the CEO, in consultation with County Counsel and all relevant Departments, to report back to the Board in 120 days with an analysis of recommended MOUs or other agreements between the JCOD and other relevant Departments, as well as any new ordinances or amendments to existing ordinances, that will be necessary or helpful to achieve the goals of the JCOD. This should include an analysis of any recommended MOUs between the JCOD and DHS, DPH, and/or DMH to clarify each department's respective roles and responsibilities regarding clinical components of any program. Such clinical components and responsibilities will remain exclusively with the three health departments, unless otherwise approved by action of this Board. This analysis should also be conducted with the goal of maximizing the County's opportunities to draw down Medi-Cal and CalAIM revenue.
4. Direct the CEO, CIO, and ISD, in consultation with County Counsel, to report back to the Board in 120 days with an analysis and recommendations to address the following:
  - a. Identify all existing efforts to collect, analyze, and publish data (including all existing or proposed criminal justice data dashboards) related to the Board's Care First, Jails Last priorities and other justice-related initiatives, including the Criminal Justice Data Sharing Initiative and efforts to facilitate the exchange of health, behavioral health, social services and

justice data for the delivery of treatment and services, continuity of care, and funding.

- b. Develop a plan to streamline the efforts referred to in Directive 4(a) within the CIO and/or ISD. The plan should specifically address the role of the Information System Advisory Body (ISAB) including, whether some or all ISAB functions should be absorbed by CIO and/or ISD, whether ISAB would benefit from an alternative funding model and, if so, what steps must be undertaken to effectuate such a realignment.
  - ~~c. Develop a specific plan to track all necessary data to measure the success and areas of improvement for youth. This plan should also highlight any data and information exchange challenges specific to the youth populations and any recommended solutions.~~
5. Direct the CEO to report back in 90 days with a plan to acquire and setup a physical location for the JCOD and present a plan to establish the new Department location with costs and timelines.
  6. Direct the CEO, in consultation with the Executive Officer and County Counsel, to report back to the Board in 90 days as follows:
    - a. Develop a plan to establish a Justice Advisory Board which, at a minimum, is staffed by a person who reports to the Directors of the JCOD and the DYD whose primary responsibilities will include, at a minimum, community engagement, advisory body coordination and administration, and community relations on behalf of the County's justice-related advisory bodies.

- b. Hire a consultant to engage with existing advisory bodies and formerly incarcerated and community stakeholders to conduct an analysis and make recommendations to the Board regarding which advisory bodies and/or County departments should have a representative sit on the Justice Advisory Board with specific consideration given ensuring that formerly incarcerated individuals are represented on the Justice Advisory Board. The analysis should specifically address the following bodies: ~~to the~~ Countywide Criminal Justice Coordinating Committee, Public Safety Realignment Team, JPRC, YJAG, GRAC, Juvenile Justice Coordinating Council, Sybil Brand Commission, Youth Advisory Commission, and the Care First Community Investment Advisory Body. The analysis should address whether any existing advisory bodies should be consolidated and should specifically seek to align the administrative support provided to all justice-related advisory bodies. The analysis should also address whether there are any necessary changes to statutes, regulations, ordinances, charters, or governing documents to effectuate the consolidation of any advisory bodies, or movement of the relevant advisory body into the Justice Advisory Board; and any other relevant considerations to establishing the Justice Advisory Board.
- c. Conduct an analysis of the resources required to staff the Justice Advisory Board and whether there are opportunities to streamline and repurpose resources that are currently dedicated to the various justice-related advisory bodies so that such resources can be reallocated to the Justice

Advisory Board, or any other justice-related oversight bodies.

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