

MOTION BY CHAIR HILDA L. SOLIS AND
SUPERVISOR MARK RIDLEY-THOMAS

April 12, 2016

Reallocating Countywide Prop 47 Cost Savings

In 2014, California voters approved Proposition 47: The Safe Neighborhoods and Schools Act (“Prop 47”), which reduced certain non-violent, non-serious drug and property crimes from felonies to misdemeanors. The law was premised on the proposition that in the long run treating addiction would increase public safety more than long prison sentences. Prop 47 anticipated savings at both the state and local level. For the state government, the Legislative Analyst’s Office (LAO) recently calculated the Fiscal Year 2015-16 savings to be approximately \$130 million and estimated that they would likely range between \$100 and 200 million annually going forward. The LAO also estimated that counties collectively would realize hundreds of millions of dollars in savings and workload reduction that they could then determine how best to use.

On December 1, 2015, the Los Angeles County Board of Supervisors (“Board”) passed a motion that aimed to galvanize a massive and focused effort by both public and private institutions to adapt to this new legal context by connecting formerly incarcerated men and women with legal assistance, services, and jobs that would enable them to rejoin productive society. Towards this end, the Board launched four major initiatives, on each of which significant progress has since been made.

The first taskforce, charged with identifying and ultimately contacting all Prop 47 eligible County residents, has compiled a massive database, developed an outreach plan, and explored partnerships with community-based organizations and pro bono attorneys. The second taskforce, charged with linking these residents with jobs and services, has researched public-private partnerships, used a Geographic Imaging System to map the location of potentially eligible residents and nearby treatment services, and convened an unprecedented launch gathering that included Uber, the Los Angeles Area Chamber of Commerce, the Archdiocese, Oscar-winning actor Tim

MOTION

RIDLEY-THOMAS _____

KUEHL _____

KNABE _____

ANTONOVICH _____

SOLIS _____

Robbins, the Los Angeles County Federation of Labor, The California Endowment, and many others. In furtherance of the third initiative, the County and City of Los Angeles have collaboratively planned a series of town-halls to seek community input on how state grant funding resulting from Prop 47 should be deployed. Finally, the Auditor-Controller (A-C) has just released his report on the fiscal impacts of Prop 47 on Los Angeles County Department budgets, as well as the data available to produce these estimates.

The accomplishments and future plans of the first three initiatives will be presented to the Board in more detail at its May 10, 2016 meeting. This motion considers the necessary next steps in light of the A-C report.

The report estimates a net cost savings to the County of approximately \$9.2 million for fiscal year 2015-16, comprising cost savings of \$14.8 million jointly to the Sheriff's department and the Department of Public Health and cost increases of \$5.6 million to the Department of Public Health. The report also analyzes changes in each department's workload as a result of Prop 47. Noting that such changes would not result in realizable savings available for reallocation, the report offers a preliminary estimate that these workload shifts equate to a functional net savings of approximately \$37.5 million. Specifically, the report estimates that the Sheriff's department saw a workload reduction of approximately \$41.6 million, most of which, properly and as required by law, the Sheriff has redeployed into ensuring that inmates sentenced to the County jail serve as much of their sentence as jail capacity allows. The report also estimates overall workload reductions or increases for Probation, the Public Defender, the Alternate Public Defender, the District Attorney, and other departments. The report emphasizes that these figures are estimates at best. Explaining why, the A-C concludes that none of the eight impacted departments have methods in place to capture, track, and measure the cost savings or increases and service improvements or reductions attributable to the Prop 47 population.

This conclusions offered by this report entreat the Board to act in three ways. First, the data collection systems of these departments must be substantially improved. Second, the A-C's estimates must be confirmed. Finally, the confirmed savings must be reallocated from incarceration to treatment services.

I, THEREFORE MOVE that the Board

Direct the Chief Executive Officer (CEO), in conjunction with the A-C, to:

- 1) Immediately implement, in consultation with the Information Systems Advisory Body and interested community advocates, the five recommendations in the A-C report.

- 2) Validate the estimates contained in the A-C's report (and develop and validate cost saving estimates, if any, for the departments for which the Auditor-Controller has been unable to develop estimates); and
- 3) Report back to the Board after the closing of the 2015-16 books but prior to the Supplemental Budget process with a proposal for reallocating the validated FY 15-16 cost savings or increases from or to the relevant County budget units in the FY 16-17 budget, with the overall net savings to be allocated as follows:
 - a. 50% to community-based organizations to provide mental health and substance abuse treatment and victims' services;
 - b. 50% to be allocated to support and advance the efforts of both County Prop 47 Taskforces, including to the extent possible ensuring that the Public Defender and Alternate Public Defender have sufficient resources to process the applications for sentence reductions before the three-year deadline.

#

HLS:bp
MRT:djj:mn