

MOTION BY SUPERVISORS JANICE HAHN AND
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Maintaining a Reduced Jail Population Post-COVID-19

The Los Angeles County Sheriff’s Department (LASD) oversees the largest local jail population in the nation. Seven different facilities house those who are incarcerated under LASD jurisdiction: Men’s Central Jail, Twin Towers Correctional Facility, Century Regional Detention Facility, Pitchess Detention Center, Pitchess North, Pitchess South, Pitchess East, and North County Correctional Facility.

Prior to the COVID-19 pandemic, the average daily population across all four facilities totaled slightly more than 17,000 individuals. This number vastly surpassed the Board of State and Community Corrections (BSCC) rated capacity for the facilities, which is only a total of 12,404 persons. This means that before the pandemic, Los Angeles County (County) jails were overcrowded by an average of 4,596 individuals on any given day, according to BSCC standards. These overcrowding conditions have contributed to various lawsuits and consent decrees against the County; in 2012, the Citizen’s Commission on Jail Violence identified overcrowding as a serious problem, and the Office of Inspector General has continued to raise this as a key issue impacting the jails.

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Since the COVID-19 pandemic began, the justice partners, including LASD, the courts, the Public Defender, and the District Attorney, have worked diligently to quickly reduce the jail population without endangering public safety. Since March, the population of incarcerated persons has decreased by around 5,000, bringing the total incarcerated population down to 12,026 as of June 2, 2020, and was as low as 11,765 on May 1. For the first time in decades, this number is lower than the total BSCC rated capacity for the County jails. This reduction in jail population has been achieved with great consideration for public safety, and the County has experienced an overall decrease in crime since the crisis began.

In a pandemic, it is important to reduce the numbers of incarcerated persons to well below the rated capacity in order to have enough space to effectively implement social distancing protocols and provide necessary isolation and treatment. To this end, LASD and County justice partners are still working to further reduce the jail population. While addressing the current pandemic through jail population reductions is vital, we must also consider what will happen when the threat of COVID-19 has been reduced and the County begins to return to its pre-COVID-19 functions. This crisis has demonstrated that prior to the epidemic, there were thousands of individuals in overcrowded jails who could be released from jail without endangering public safety.

In many ways, this crisis has demonstrated what the County and community had already been suspecting and what was articulated by the Alternatives to Incarceration Workgroup and the Office of Diversion and Reentry – that thousands of individuals could be safely served in more cost-effective and humane manners in the community or alternate placements rather than custody. Now that we know this, it is important to not simply revert to pre-COVID-19 overcrowding and over-incarcerating once the pandemic

has ended; we need to take the steps to maintain the collaborative reduction of the County's jail population to below the BSCC rated capacity level.

WE, THEREFORE MOVE that the Board of Supervisors:

1. Request the Los Angeles County Sheriff's Department and the Office of Diversion and Reentry, in collaboration with the Office of the Public Defender, Office of the Alternate Public Defender, Probation Department, District Attorney, Chief Executive Office, County Counsel, the Alternatives to Incarceration (ATI) Initiative, and all other relevant departments, and in consultation with the Superior Court, to, in building on the recently submitted ATI Workgroup report and recommendations, provide a report to the Board of Supervisors in 60 days on their plan post-COVID-19 to maintain a reduced jail population beneath the Board of State and Community Corrections rated capacity while continuing to protect public safety and ensuring appropriate services for individuals released early or diverted from incarceration, including, but not limited to:
 - a. A protocol for warm hand-offs to post-release placements
 - b. Additions and expansions needed to the County's system of care that can provide alternative placements to incarceration – community-based whenever possible – including for individuals experiencing homelessness, individuals with serious mental illness, and individuals suffering from substance abuse
 - c. Legislative changes that the County could pursue and advocate for to help maintain a reduced jail population
 - d. Plans to reduce the number of inmates admitted on a daily basis

2. Direct the CEO, in consultation with the Sheriff and Auditor Controller, to report back in 60 days with an analysis of any cost savings that have or will be generated in the future through a reduced jail population.

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