

MOTION BY SUPERVISORS MARK RIDLEY-THOMAS
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July 7, 2020

Expanding the Office of Diversion and Reentry’s Work to Reduce Incarceration and Invest in the Health and Well-Being of Communities

Since the Los Angeles County (County) Board of Supervisors (Board) unanimously created the Office of Diversion and Reentry (ODR) within the Department of Health Services (DHS) in September 2015, ODR has safely removed more than 5,500 individuals from the jails, the vast majority with serious clinical needs, and connected them to community-based treatment and supportive housing programs. The average cost of \$125 per day per individual for ODR’s diversion program is significantly less than the estimated \$600 per day per individual cost of incarceration. Moreover, the outcomes of ODR’s diversion program have been compelling: 90% of individuals successfully remain housed after 6 months, and the recidivism rate of a felony conviction within a year is only 15%, much lower than that for those who remain in jail through their sentence.

ODR has also served over 19,000 individuals through its comprehensive reentry programs, in partnership with a range of community and County partners, connecting individuals to community-based providers that offer services such as physical and behavioral health care, legal and employment assistance, family reunification, and educational opportunities, as well as guidance and support by a case manager who has also been impacted by the justice system. The average cost for ODR’s core reentry

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program is only \$10 per day per client, and in just two years, has built a network of 29 community-based providers.

Most recently, in response to the serious threat posed by the COVID-19 pandemic, ODR and its community-based partners swiftly housed 211 individuals who were released from the jails and provided thousands of individuals who were released with wrap-around reentry services. Through these efforts, ODR helped divert many vulnerable residents from homelessness and potential infection.

While the jail population is currently at a historic low, there continues to be a disproportionately high number of individuals with serious clinical needs that remain incarcerated. In fact, as the overall jail population has decreased dramatically, the percent of the population with serious mental health needs has increased. And yet, a 2020 study by the RAND Corporation revealed that 61%, or over 3,000 individuals, of the mental health population in the jails were likely eligible for diversion into community-based services based on ODR's model, though only 5% of the eligible population was being diverted. Additionally, as the Alternatives to Incarceration (ATI) report noted, there are also opportunities to expand pre-conviction diversion through AB 1810.

The efficacy of the ODR model is not disputed, but despite numerous efforts to develop a funding road map, including a unanimously-passed Ridley-Thomas – Kuehl motion to address this issue in May 2019, sufficient resources have not been identified to meaningfully scale diversion to meet the need as documented in the RAND Corporation study, or to sustain and expand reentry services to keep up with the growing demand in the community. The result is that despite the Superior Court's enthusiasm for expansion and the availability of community partners to do so, more individuals cannot currently be served and instead remain in jail, where their mental health too often further deteriorates. While ODR received one-time funding to provide housing services to the 211 new individuals recently released from jail in the short term, ODR must tap into existing reserves in order to continue providing housing services to these individuals. The use of reserves for this purpose will accelerate the "fiscal cliff" that ODR faces by exhausting its current funding and becoming unable to maintain current operations.

The County has the responsibility to do much more, especially in this moment as the country grapples with police violence, systemic racism at all stages of the criminal justice system, a pandemic that puts individuals in institutional settings at greater risk, and a budgetary crisis. The County must ensure its financial investments are offering the best and highest return for its communities and are fully reflective of its values. There is also the urgency to keep the jail population at or below its current 12,000 level, a commitment that requires greater investment in diversion, reentry and the recommendations highlighted in the Alternatives to Incarceration report. Therefore, resources should be identified immediately to expand ODR's services for FY 2020-21 and ensure the sustainability and future scaling of this work. Only with a more robust and timely investment in these services will the County be able to meaningfully promote its goals of community safety, racial justice, mental health treatment, and housing for all, as well as responsible fiscal stewardship.

WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

1. Direct the Chief Executive Officer (CEO), in consultation with the Director of the Department of Health Services (DHS) and the Director of the Office of Diversion and Reentry (ODR), to identify a minimum of \$30 million in one-time funds in the FY 2020-21 Supplemental Budget, and consider reallocating funds set aside to support new justice plan studies and deferred maintenance for the Men's Central Jail, leasing or selling closed probation camps, reprioritizing AB 109 funds and SB 678 funds, utilizing cost savings from reduced incarceration levels, and/or other funding strategies, so that ODR can divert a minimum of 500 more individuals from the jails in the next year and expand community-based diversion and reentry services, interim housing, and permanent supportive housing for individuals across Los Angeles County;
2. Direct the CEO, in consultation with the Directors of DHS and ODR, to report back during the FY 2020-21 Supplemental Budget and future budget phases as needed with a long-term funding plan that both: a) provides ongoing funding to secure the long-term sustainability of ODR's work for existing clients and

addresses the “fiscal cliff” ODR faces when current funds are fully expended; and b) allows ODR to further expand in future years to achieve the diversion rates shown to be possible within the next three years in order to further realize reductions in incarceration and continue to provide the reentry services needed to reduce recidivism; and

3. Instruct the Director of ODR to work in close consultation with the future Director of the Alternatives to Incarceration initiative to ensure synergy and alignment between investments being made in both programs.

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