

REVISED MOTION BY SUPERVISORS JANICE HAHN AND
MARK RIDLEY-THOMAS

September 15, 2020

Establishing the Jail Population Review Council

Since the beginning of the COVID-19 pandemic, the average daily incarcerated population in Los Angeles County (County) jails has decreased significantly. Prior to the pandemic, the population typically fluctuated around 17,000, well above the Board of State and Community Corrections (BSCC) rated capacity of 12,404. Since the pandemic began, the various County justice partners have collaborated to decrease the jail population to fight the spread of COVID-19. The population of incarcerated persons dropped below the BSCC rated capacity for the first time in decades, hitting a low of 11,765 in May. Since then, the population has slowly increased again, rising above the BSCC rated capacity but still far below the pre-pandemic average.

On June 9, 2020, the Board of Supervisors unanimously approved the motion “Maintaining a Reduced Jail Population”, which requested that the LA County Sheriff’s Department (LASD) and the Office of Diversion and Reentry (ODR) collaborate with justice partners to provide a report on a plan to maintain a reduced jail population beneath the BSCC rated capacity once the pandemic has subsided while still protecting public safety and ensuring appropriate services for individuals being released. In response, the

MOTION

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“Maintaining a Reduced Jail Population Post-COVID-19” report (Report) was released on August 9, 2020. It provides a comprehensive analysis of efforts, policies, and practices that have contributed to the recent reduction in the jail population and recommendations for actions to maintain those reductions moving forward. The Report organizes its analysis and recommendations into the following categories: 1) Global recommendations, 2) Expansions to community-based system of care, 3) Release and reentry protocols, 4) Reduced admissions- field operations, 5) Court-related procedures for reduced admissions and early releases, and 6) Legislative reforms.

The recommendations provided in the Report span across all components of the criminal justice system and the County’s continuum of care. Moving forward with implementing these recommendations will require continued collaboration and coordination among the various justice partners and relevant stakeholders. The Report recommends establishing a Jail Population Review Council composed of all relevant justice partners, departments, and stakeholders to oversee the implementation of these recommendations. The Jail Population Review Council will be tasked with overseeing collaborative efforts to continue to safely reduce the LA County jail population and ensuring that these reductions continue after the threat of COVID-19 has subsided. Overcrowded jail facilities contribute to unhealthy and unsafe conditions for everyone involved. The Jail Population Review Council will help ensure that the County does not revert back to pre-COVID-19 overcrowding and over-incarcerating and that we maintain and expand the collaborative reduction of the County’s jail population that we have experienced during the pandemic.

WE, THEREFORE MOVE that the Board of Supervisors request the Office of Diversion and Reentry create a Jail Population Review Council comprised of leadership from the Los Angeles County Sheriff’s Department, the Public Defender, Office of the

Alternate Public Defender, Probation Department, District Attorney, Department of Health Services, Department of Mental Health, Department of Public Health, the Workforce Development, Aging, and Community Services Department, the Chief Executive Office, County Counsel, the Alternatives to Incarceration (ATI) Initiative, the Reentry Health Advisory Collaborative, the Los Angeles County Prosecutors Association, the Los Angeles County Police Chiefs Association, Los Angeles Police Department, and all other relevant departments, community stakeholders, and other justice partners, in consultation with the Superior Court, tasked with overseeing efforts to continue to safely reduce the rate of incarceration in Los Angeles County, in line with the County's Care First approach, by providing a written report-back every 180 days on the implementation of the recommendations outlined in the "Maintaining a Reduced Jail Population Post-COVID 19" report (Report) issued on August 9, 2020 including:

1. Adopting and instituting the ATI Racial Equity Framework in jail population reduction efforts, and monitoring its implementation;
2. Regularly tracking, analyzing and reporting the number and type of bookings, releases, and other data as it relates to those who remain in custody, ~~and create a public data dashboard with this information that is updated on a regular basis to~~ the CIO for inclusion in the County's Open Data Portal consistent with the Criminal Justice Data Sharing Initiative. Develop a communications protocol to ensure information and data sharing between all Jail Population Review entities, and other identified stakeholders, in alignment with the ATI infrastructure recommendations related to data collection, transparency, and accountability;
3. Reviewing the jail population and release data on a monthly basis at minimum and making adjustments across the systems within the County's legal authority that impact both bookings and releases using an equitable decision making process to

maintain the jail population below the BSCC rating, with the aim of reducing it further, and monitor the County's expansion of the system of care, addressing at least (1) release protocols into placements and services, (2) court processes impacting admissions and releases, (3) policing practices influencing admissions, and (4) prevention and crisis response efforts that reduce interactions with law enforcement;

4. Evaluating outcomes and effectiveness across the strategies and programs recommended in the Report, prioritizing the implementation of those that align with the ATI report and promote community care, racial and social equity, and harm reduction;

~~5. Working with the ATI Initiative Director and stakeholders to identify funding needs and potential funding options where funding for maintenance, expansion, piloting, or implementation of programs or services are needed. Referring the implementation of the prioritized recommendations after the evaluation process described in #4, as well as the legislative reform strategies and funding needs and options identified in the Jail Population Reduction Report, to the ATI Initiative or other appropriate entities;~~

~~6. Providing a report back in 60 days on the feasibility of hiring at least one data analyst position to collaborate with academic institutions, dedicated to addressing the root causes of system inequalities, with specialized attention to racial equity~~

~~7.~~ 6. Coordinating this Council's efforts with other criminal justice and related health reform efforts underway, including the ATI Initiative, the CEO's Executive Work Group, the planning process for closing Men's Central Jail, the Mental Health Crisis Response pilot, the AB109 funding review, the Criminal Justice Data Sharing Initiative, pre-trial release pilots, and any other relevant diversion and release

programs.

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