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Establishing an Inclusive and Transparent Measure J Revenue Allocation Process

The Los Angeles County (County) Board of Supervisors (Board) has led numerous efforts to re-imagine Los Angeles as a county where we invest in our most vulnerable residents and provide care and services – not jail – when our residents experience challenges in their lives. This year alone the Board created the Alternatives to Incarceration (ATI) Initiative and launched the Anti-Racism, Diversity and Inclusion (ARDI) Initiative, both of which seek innovative and transformational change in County service delivery, and aim to reduce, and ultimately eliminate, longstanding racial disparities.

Recognizing that the County’s budget should reflect these values and invest in marginalized and vulnerable communities, the Board took a step further and adopted an ordinance on August 4, 2020 to place Measure J on the November ballot. Measure J amends the County Charter to annually allocate no less than ten percent of the County’s locally generated unrestricted revenues in the general fund to address the disproportionate impact of racial injustice through community investment and alternatives to incarceration. The Measure’s revenue allocation will be phased in over

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three years beginning July 1, 2021 and will be fully phased in by June 30, 2024.

Measure J is explicit in its prohibition of the use of these revenues to support law enforcement or carceral systems. Measure J dictates that the annual allocation of these funds be dedicated to Direct Community Investment and Alternatives to Incarceration. The goal of the Direct Community Investment area is to generally increase investment in jobs, housing and wellness. The Direct Community Investment section of the Measure defines this investment in five categories: 1) Community-based youth development programs; 2) Job training and jobs to low-income residents focusing on jobs that support the implementation of the Alternatives to Incarceration Work Group recommendations as presented to the County Board of Supervisors on March 10 2020, especially construction jobs for the expansion of affordable and supportive housing, restorative care villages, and a decentralized system of care; 3) Access to capital for small minority-owned businesses with a focus on Black-owned businesses; 4) Rent assistance, housing vouchers and accompanying supportive services to those at-risk of losing their housing or without stable housing; and 5) Capital funding for transitional housing, affordable housing, supportive housing and restorative care villages with priority for shovel-ready projects.

Measure J investments in Alternatives to Incarceration seek to implement the Board's vision of "Care First, Jails Last" as outlined in the March 2020 final report of the Los Angeles County Alternatives to Incarceration Work Group. The Alternatives to Incarceration section of the Measure defines this investment in four categories: 1) Community-based restorative justice programs; 2) Pre-trial non-custody services and treatment; 3) Community-based health services, health promotion, counseling, wellness and prevention programs, and mental health and substance use disorder services; and

4) Non-custodial diversion and reentry programs including housing and services. The Measure goes on to clarify that annual allocation of no less than ten percent of the County's locally generated unrestricted revenues in the general fund for the categories listed above is not meant to supplant money otherwise allocated to these efforts.

The Measure also states that the "Board of Supervisors shall establish an inclusive and transparent process on the allocation of funds." To that end, the County must prepare to create the infrastructure to implement that inclusive and transparent process now that preliminary election results indicate that the voters approved Measure J in the November 2020 General Election. The Board and County must build on past experiences fostering meaningful engagement of diverse groups of stakeholders, service-providers and impacted populations. For example, the ATI Work Group functioned through such a process, and the County can and should be guided by that experience in developing a Measure J recommended spending plan. To that end, an inclusive and transparent Measure J recommended spending plan process should be led by the Directors of the ATI and ARDI Initiatives, the County subject matter executives responsible for leading the County's work to address racial disparities. The process should be supported by a 17-member Re-Imagine LA Advisory Committee comprised of County department leadership, criminal justice system impacted individuals, labor representatives and community-based organizations and/or advocates. The criminal justice system impacted committee members should have firsthand experience of the justice system either through their own experience or the experience of a loved one in the system and should include at least one representative with juvenile justice system experience. The labor representatives should have expertise related to the five priority areas of investment: housing, re-entry, youth

development and education, physical, mental and behavioral health, and economic opportunity and sustainability.

The Advisory Committee will be responsible for ensuring that the Measure J budget recommendations are informed by community need and racial equity and that the budget process is an inclusive, transparent and data-driven process with ample opportunities for community participation. Based on and informed by continuous community input, the ATI and ARDI Initiatives and the Chief Executive Officer (CEO) will prepare the Measure J recommended spending plan and the CEO will submit the proposed spending plan to the Board of Supervisors for approval. The Re-Imagine LA Advisory Committee will support the ATI and the ARDI Initiatives by ensuring that the development of the Measure J recommended spending plan is an inclusive, transparent and data-driven process, but will not be responsible for preparing the recommended spending plan, which is the responsibility of the CEO, or approving the spending plan, which is the sole responsibility of the Board of Supervisors.

The Advisory Committee should draw on the extensive expertise inside the County and in the community by creating subcommittees, not limited to Advisory Committee membership, focused on Housing; Re-entry; Youth Development and Education; Physical, Mental, Behavioral and Public Health; Economic Opportunity and Sustainability; Data, Research & Evaluation; Capital Projects; Legislative Advocacy; and Community Engagement. The subcommittees should include subject matter experts and relevant County departments including the Public Defender, Alternate Public Defender, the Department of Public Social Services, the Department of Children and Family Services, Workforce Development Aging and Community Services, the Department of Parks and Recreation, labor, the Los Angeles Homeless Services

Authority, the CEO Homeless Initiative, and the Los Angeles County Development Authority.

Ensuring an inclusive and transparent process will require going beyond the Measure's requirement of an annual public hearing. The revenue allocation process should employ a variety of tools to encourage participation. These can include community surveys about community needs; community listening sessions held virtually and in accessible and convenient locations Countywide to encourage and facilitate participation by system-impacted individuals; and stakeholder policy summits with participation by County departments, labor representatives, community providers, and County residents, including system-impacted individuals and their families. Given the potential resource-intensiveness of this process, the County should consider the assistance of professional consultants to facilitate this process.

The Measure J spending plan should include an emphasis on building the capacity of community-based organizations to ensure the Measure J goal of addressing the disproportionate impact of racial injustice through community investment and alternatives to incarceration. Grassroots organizations led by people of color with deep roots in the communities they serve are often unable to secure County contracts because of public contracting requirements, lack of infrastructure within community-based organizations and contract payment processes. Measure J should serve as an opportunity to re-imagine the way the County contracts with community-based organizations and provide desperately needed capacity building support to diversify and expand the County's ability to contract with grassroots organizations with leadership indigenous to the communities they serve. Capacity-building also includes training and support of community members who can implement these efforts, such as Peer

Advocates, Community Health Workers, the Promotores programs, labor and apprenticeship pathways including, but not limited to, in-home supportive services, mental health and benefits enrollment specialists, social workers, and building trades. The continuation and expansion of these kinds of programs is central to the goals of Measure J. When implemented strategically these programs can not only provide excellent community services, but can serve as a pathway to high-quality employment in the public and private sectors and economic stability.

In addition to building the capacity of individual organizations and community members, the County must also continue its pursuit to improve and streamline our contracting practices—such as the streamlining of contracting and auditing practices outlined in the motion adopted by the Board on September 29, 2020—as failure to do so may seriously hinder the ability of these same community-based organizations to partner with the County.

Recognizing that the County is enacting a “Care First, Jails Last” vision, which includes redeploying Measure J investments and closing Men’s Central Jail, the County must also recognize that thousands of individuals are currently employed in our existing carceral system and the County should develop a Just Transition plan for this workforce. The County should partner with labor, justice advocates, re-entry providers and impacted community members to develop a Just Transition plan that supports the transition of those currently employed and those transitioning out of incarceration. Through this effort the County can expand high-quality jobs for Brown, Black, and low-income communities.

Finally, data and evaluation are critical to ensuring that any Board approved Measure J investments effectively respond to community need and promote racial

equity. The Directors of the ATI and ARDI should partner with the research partners who have expertise in this area, to prepare a data collection, evaluation, and outcomes reporting framework for Measure J. Any research partners must be well versed in justice data collection and evaluation with a strong emphasis on racial, gender, and social equity. The adopted framework should consider how the County will track and collect data on both community need and the impact of Board approved Measure J investments to directly address community and geographic need including program outcomes, measures of racial equity, economic opportunity, access to living wage jobs and collective bargaining, incarceration and carceral systems, housing access and affordability, wealth building, education, health and other key measures of inequality.

WE, THEREFORE, MOVE that the Board of Supervisors direct the Chief Executive Officer, in coordination with the Directors of the Alternatives to Incarceration and Anti-Racism, Diversity and Inclusion Initiatives and County Counsel, to take the following actions:

1. Establish a 17-member Re-Imagine LA Advisory Committee comprised ~~comprising~~ of five County representatives from (1) the Office of Diversion and Re-Entry within the Department of Health Services, (2) the Department of Health Services, (3) the Department of Mental Health, (4) the Department of Public Health, and (5) Substance Use Prevention and Control within the Department of Public Health; five representatives of community-based and/or advocacy organizations with one appointee to be appointed by each Supervisor; two labor representatives with expertise in priority Measure J investment areas and five individuals with lived experience or direct knowledge of the criminal justice system, due to a family member's experience, including one individual with

juvenile justice system experience, to be appointed through an application process to be overseen by the Advisory Committee recognizing that no member of the Advisory Committee may ~~should~~ be employed or formerly employed by an agency ineligible for the use of Measure J funds ~~carceral system agency~~ and report back to the Board by December 3, 2020 with a timeline for the Advisory Committee to be established, a recommendation for the terms of the Advisory Committee members, a meeting schedule, recommendations for a subcommittee structure and any other recommendations for ensuring an inclusive, transparent and effective Advisory Committee;

2. Develop a proposal for the use of professional facilitators or consultants with expertise in racial equity frameworks, deep knowledge of serving Brown, Black and low-income communities, and experience in leading robust community engagement processes to support the implementation of an inclusive and transparent Measure J spending plan development process;
3. Report back to the Board by January 19, 2021 with a plan and timeline to implement an inclusive and transparent Measure J spending plan development process for the fiscal year 2021-2022 budget that includes a proposed framework and timeline for community engagement events and methods, including the consideration of community surveys, listening sessions, and policy summits;
4. Report back to the Board quarterly beginning August 1, 2021 with a plan and timeline to implement a robust inclusive and transparent Measure J spending plan development processes for future fiscal years beginning fiscal year 2022-2023;
5. Coordinate with County department lead agencies to develop detailed budget

requests for strategies identified through the spending plan process and ensure that strategies include resources needed to build the capacity of smaller, community-based organizations led by people of color to secure County contracts to serve highest-need communities and strategies to expand high-quality jobs;

6. Consult with stakeholders well versed in justice data collection and evaluation with a strong emphasis on racial and social equity to prepare a data collection, evaluation, and Re-Imagine LA outcomes reporting framework that aligns with the data needs of the ATI and ARDI Initiatives, and report back to the Board with this framework by August 1, 2021 and provide annual reports on community need and Measure J impact beginning in 2022;
7. Report back to the Board by March 1, 2021, with recommendations for how the ATI and ARDI Initiatives might contribute to larger County efforts to reform County contracting practices, with a focus on opportunities to expand County contracting with community-based organizations led by people of color with deep roots in the communities they serve as legally allowed; and
8. Ensure the above directives are performed in a manner that complies with the County Budget Act, the County Charter, and any requirement of state or federal law.