

MOTION BY SUPERVISORS SHEILA KUEHL AND  
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June 14, 2022

**Care First, Jails Last: Adopting the Ordinance to Establish the Justice Care and  
Opportunities Department**

The Los Angeles County Board of Supervisors (Board) is committed to a transformational “Care First, Jails Last” vision for the County’s justice system. The concept of “care” in this context is broad because this Board understands that individuals who are justice-involved, or at-risk of becoming justice-involved, need many forms of care. The Alternatives to Incarceration Work Group Report of March 2020 focuses on several types of services that the County can expand to help prevent people from ever falling into the justice system and to support people as they re-enter our communities. The Report’s recommendations highlight supportive employment services, affordable housing access, restorative justice programs, and system-of-care navigation services as essential components of a “Care First, Jails Last” system.

Similarly, pre-trial reform and robust re-entry efforts must be centered around treating people as individuals. To this end, the County is working to develop and utilize

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tools that assess individuals' unique strengths and needs. Individual needs often include employment, transportation, childcare, and other fundamental assistance that, if provided, would prevent further entanglement in the carceral system.

Ideas and recommendations that are centered on meeting the needs of people involved with the justice system and providing care for them in this broad and expansive model are already abundant in the County. What has been missing, however, is a hub in the County that is charged with focusing exclusively on the needs of justice-impacted individuals and coordinating the County's efforts to provide the care and opportunities our most vulnerable residents need in order to thrive. In many cases, the several programs that the County already offers to this population are not well-coordinated, and individuals who need to receive, and are eligible to receive, multiple services from the County do not actually get them. The County's failure to provide appropriate linkages to needed services is harming our ability to keep people from entering the justice system and hampering the Board's directive to close Men's Central Jail.

The Justice Care and Opportunities Department (Department) will provide a critically needed hub and the Board took the first step to establishing the Department on March 1, 2022. The Department will work closely with a myriad of partners who have a role in the Board's Care First, Jails Last vision, but are not exclusively responsible for moving it forward. Within the County, these partners may include the Department of Children and Family Services; the Homeless Initiative; the newly established Departments of Economic Opportunity and Youth Development, the County's Justice Partners, and the Health Departments. The potential external partnerships are endless but, at a minimum, include the community-based providers, philanthropic partners, and

advocates who have been the driving force behind the County's Care First, Jails Last momentum. Adopting an ordinance to codify the Justice Care and Opportunities Department is an essential step that will position the Board, through the Chief Executive Office and County Counsel, to formalize the first-of-its-kind infrastructure that prioritizes the County's most vulnerable residents.

At the same time, the Board should also realize the need to make minor amendments to the existing ordinance that established the County's original Office of Diversion and Reentry (ODR), now housed within the Department of Health Services (DHS), in order to clarify the Board's intent that ODR continue to provide the critical clinical services and programs that it offers today. ODR and many County partners and advocates have emphasized the need for ODR to continue to meet the clinical needs of people involved with the justice system through its flagship jail-based clinical diversion programs (i.e., ODR Housing and Misdemeanor Incompetent to Stand Trial and Felony Incompetent to Stand Trial programs) and its other clinical programs (i.e., Overdose Education and Naloxone Distribution). ODR has developed an expertise in treating justice-involved individuals with acute and severe mental health needs and the Office should continue to carry on that vital work. Solidifying this division of labor in the respective ordinances of the Justice, Care and Opportunities Department and ODR is necessary to promote collaboration and to establish the foundation from which County partners will enter into agreements that define their respective roles and responsibilities in a more accurate manner.

**WE, THEREFORE, MOVE** that the Board of Supervisors:

Adopt the attached ordinance to establish the Justice, Care and Opportunity

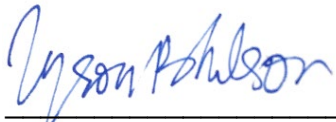
Department and amend Chapter 2.76.600 – Office of Diversion and Re-Entry –  
Creation, Administration and Purpose.

S:VP:CareFirstJailsLastAdoptingTheOrdinanceToEstablishTheJusticeCareAndOpportunitiesDepartment

## ANALYSIS

This ordinance amends Title 2 – Administration of the Los Angeles County Code by adding Chapter 2.117 to create the Justice, Care and Opportunities Department and its Director, and amending Chapter 2.76.600 - Office of Diversion and Re-Entry— Creation, Administration and Purpose.

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By   
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Requested: 3/01/22  
Revised: 5/31/22

**ORDINANCE NO. \_\_\_\_\_**

This ordinance amends Title 2 – Administration of the Los Angeles County Code by adding Chapter 2.117 to create the Justice, Care and Opportunities Department and its Director, and amending Chapter 2.76.600 - Office of Diversion and Re-Entry—Creation, Administration and Purpose.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Section 2.76.600 is hereby amended to read as follows:

**2.76.600 Office of Diversion and Re-Entry—Creation,**

**Administration, and Purpose.**

There shall be established in the Department of Health Services an Office of Diversion and Re-Entry, hereinafter referred to as the Office. The Office shall be administered by a director who shall oversee County-wide clinical diversion and clinical re-entry efforts, including working with a permanent steering committee which shall act in an advisory capacity to the Office and the director. The Office's clinical diversion and clinical re-entry efforts shall include a system of integrated mental, physical and public health care as well as supportive housing for homeless persons or persons at risk of homelessness who are re-directed from the criminal justice system or re-entering the community after incarceration and who have a severe mental illness or substance use disorder. The Office shall coordinate its activities and delivery of services with the necessary County departments to prevent redundancy, confusion, and achieve maximum effectiveness in service to the public and shall accomplish this through executing one or more agreements, as necessary. For purposes of this provision, "criminal justice system" shall mean the system of law enforcement used for all stages

of criminal proceedings and punishment, involving any contact with law enforcement, prosecutors, defense counsels, courts, correctional facilities, and post-release supervision.~~include contact with law enforcement or first responders, involvement with the criminal court system, incarceration, or post-release from incarceration.~~

**SECTION 2.** Chapter 2.117 is hereby added to read as follows:

**Chapter 2.117 Justice, Care and Opportunities Department.**

**2.117.010 Creation of Justice, Care and Opportunities Department.**

**2.117.020 Director – Position Created and Authority.**

**2.117.030 Definitions.**

**2.117.040 Purpose of Department.**

**2.117.050 Duties of the Director.**

**2.117.060 Department Functions Transferred from Other County**

**Departments.**

**2.117.070 Agreements with Other County Departments.**

**2.117.010 Creation of Justice, Care and Opportunities Department.**

A department of the County of Los Angeles, which shall be known as the Justice, Care and Opportunities Department, is hereby created (hereafter referred to in this chapter as "Department").

**2.117.020 Director – Position Created and Authority.**

The position of Director of the Department is created and hereafter in this chapter will be referred to as "Director". The Department shall be under the direction and management of the Director.

**2.117.030 Definitions.**

When interpreting this chapter, words and phrases having initial capital letters shall have the following meanings:

- A. "Adult" means an individual 18 years old and older.
- B. "Alternative Sentencing" means when a person completes their criminal sentence in the community rather than in custody, including, but not limited to, house arrest.
- C. "Alternatives to Incarceration (ATI) Recommendations" means the five ATI strategies adopted by the Board on March 10, 2020, which are informed by the recommendations in the Los Angeles County Alternatives to Incarceration Work Group Final Report provided to the Board of Supervisors in March 2020 that informs the County's Care First, Jails Last approach for justice-involved individuals.
- D. "Criminal Justice" means the system of law enforcement used for all stages of criminal proceedings and punishment, involving any contact with law enforcement, prosecutors, defense counsels, courts, correctional facilities, and post-release supervision.
- E. "Diversion" means an intervention that provides an alternative pathway away from the Criminal Justice system.
- F. "Pretrial" means the time between when a person is arrested and when their criminal case is resolved. Resolved means a plea, jury trial conviction or acquittal, or dismissal of the case.
- G. "Reentry" means an individual who is in the community on probation supervision or returning into the community after arrest, incarceration, rehabilitation, and/or completion of a Diversion program.



H. "Transition Age Youth" or "TAY" means individuals between the ages of 18 and 26, acknowledging the science of adolescent development that shows TAY are in stages of development that require approaches that address their unique strengths and needs compared to those developed for Adults.

**2.117.040 Purpose of Department.**

The purpose of the Department includes:

- A. Vetting, planning, coordinating, and overseeing the implementation of the ATI Recommendations and monitoring the outcomes.
- B. Centralizing justice-related data and outcome analysis projects.
- C. Coordinating the development and implementation of justice reform policies.
- D. Leading justice program evaluations.
- E. Serving as an incubator for innovative justice-related pilots, programs, and services, with the exception of the clinical components of such programs.
- F. Building and maintaining a Countywide mechanism for tracking bed availability for the justice-impacted population.
- G. Continuing the work on closing Men's Central Jail without a replacement jail facility.
- H. Centralizing all pretrial and reentry services, as well as services designed to prevent individuals from becoming involved with the criminal justice system, with the exception of the clinical components of such programs, for adults and TAY.

I. Implementing all pre-filing and community-based diversion programs, with the exception of the clinical components of such programs, other than the Office of Diversion and Clinical Re-entry's LEAD community-based diversion program.

J. Implementing and expanding as necessary all pretrial functions performed by the Probation Department, including the Pretrial Release and Evaluation Program with the Los Angeles Superior Court, to the fullest extent allowed under the law.

K. Performing any other functions by directive of the Board of Supervisors.

**2.117.050 Duties of the Director.**

The Director shall carry out the purposes of the Department.

**2.117.060 Department Functions Transferred from Other County**

**Departments.**

Where legally permissible, the Department shall assume the functions, including any existing funding streams, from the following County departments:

A. The Re-Entry Division of the Department of Health Services Office of Diversion and Re-Entry (DHS-ODR).

B. Probation Department's Pretrial functions.

C. The Chief Executive Office's Alternatives to Incarceration and Jail Closure Implementation teams.

D. Any other County functions by further directive of the Board of Supervisors.

**2.117.070 Agreements with Other County Departments.**

The Department shall coordinate its activities and delivery of services with the necessary County departments to prevent redundancy, confusion, and achieve

maximum effectiveness in service to the public and shall accomplish this through executing one or more agreements.