AGN. NO.

MOTION BY SUPERVISORS LINDSEY P. HORVATH AND HILDA L. SOLIS

April 9, 2024

Empowering the Jail Closure Implementation Team

On July 7, 2020, the Board of Supervisors (Board) adopted a motion, *Developing a Plan for Closing Men's Central Jail as Los Angeles County Reduces Its Reliance on Incarceration* (Solis-Kuehl), which, among the directives, instructed the workgroup created by the June 9, 2020 *Maintaining a Reduced Jail Population Post-COVID-19* motion (Hahn-Ridley-Thomas), and convened by the Sheriff's Department and the Department of Health Services' (DHS) Office of Diversion and Re-entry (ODR), along with relevant Departments and stakeholders workgroup (MCJ Closure Workgroup), "to provide bi-monthly (every 60 days) reports to the Board of Supervisors on the issues and considerations that must be addressed in order for the County to close Men's Central Jail (MCJ) within one year, while continuing to ensure public safety and providing appropriate services for individuals released early or diverted from incarceration." Subsequently, at the June 22, 2021 Board meeting, the Board adopted the motion *Jails Last: Creation of the Jail Closure Implementation Team* (Solis-Kuehl), which found "it necessary to depopulate and demolish MCJ" and found "it unnecessary to build any new County jail or

MOTION

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custody facility." The motion also directed the Chief Executive Office (CEO), County Counsel, the Executive Office (EO), and other relevant departments to create "a Jail Closure Implementation Team (JCIT) whose specific and immediate focus is to implement the closure of MCJ." The motion stated, "there is no further need to study, establish work groups, or develop further recommendations to reduce the County's reliance on incarceration."

These motions were necessary because of the repeated findings of poor conditions at MCJ. Physical, health (including mental health), and staffing issues continue to plague the facility, making it an inappropriate long-term setting for incarcerated individuals. Closing MCJ is complicated and will require a number of interventions and steps, but it is necessary as the current conditions are unacceptable. These interventions will need to include moving incarcerated individuals to other correctional settings, moving those with health and mental health ailments to appropriate care facilities, and ensuring that the justice system is effectively and efficiently administered so individuals do not remain in custody for an undue amount of time. These interventions cannot be achieved overnight but need to be one of the top priorities of the County and must occur on the quickest timeframe possible, which is the reason JCIT was established.

On March 30, 2021, the County received the final report from the MCJ Closure Workgroup entitled *Developing a Plan For Closing Men's Central Jail as Los Angeles County Reduces Its Reliance on Incarceration*, also known as the MCJ Closure Plan. The plan laid out how to close the facility within 18-24 months and serves as a starting point for the implementation of MCJ closure.

JCIT delivered its first report back to the Board on November 16, 2021, on its work "to harmonize and streamline the many previous studies and recommendations into a core set of concrete strategies which will directly lead to that closure." In the same report, JCIT identified department leads from several departments who would be tasked with assisting them with their work to close MCJ. In the next regular report dated February 11, 2022, JCIT reported on its efforts to develop a strategic plan, and on the broader network of challenges that needed to be addressed to close MCJ, including expanding systems of care, transitional housing needs, building bed capacity, pretrial diversion opportunities, and working with stakeholders.

On March 1, 2022, Supervisor Sheila Kuehl introduced a motion entitled *Care First, Jails Last: Establishing a Justice, Care, and Opportunities Department to Promote Collaboration and Transparency in a Person-Centered Justice System* which called for the establishment of the Justice, Care, and Opportunities Department (JCOD) to consolidate the County's justice reform efforts, including ATI and JCIT. JCIT was tasked with continuing its work "to close [MCJ] without a replacement jail facility." On June 28, 2022, JCIT was directed to use AB 109 funds to address overcrowding in the Inmate Reception Center.

On June 28, 2022, the Board approved the *Jails Last: Addressing Overcrowding Concerns in the Inmate Reception Center* motion (Solis-Kuehl) directing JCIT, in collaboration with several departments, to develop a set of recommendations regarding non-correctional mental health care facility beds to safely transition patients in custody that are currently described as being mental health levels P3 or P4, the sickest of our mental health patients in jail, out of the jail environment, and report back accordingly.

On March 8, 2023, the County also received a report from JCOD entitled *Addressing the Mental health Crisis in Los Angeles County: Developing Mental health Care Facilities to Depopulate the Jail*, which responded to a Board motion asking JCOD, JCIT and other County stakeholders to develop a set of recommendations regarding the mental health care facility beds needed to safely and appropriately transition from jail those incarcerated at the P3 and P4 levels of care.

On April 4, 2023, the Board passed a motion entitled *Moving Forward: Expansion of Secure Mental Health Beds and Development of Secure Mental Health Facilities to Depopulate the Los Angeles County Jails* (Solis-Hahn) directing, among other things, DMH and DHS to "to develop an initial 500 secure mental health care beds to care for P3/P4 individuals currently in the jails, including but not limited to developing secure beds for LPS conserved/conservable, felony incompetent to stand trial (FIST), non-LPS conserved/conservable, and the non-traditionally divertible populations, with the goal of using these beds for individuals incarcerated with a P3/P4 mental illness classification."

At the January 30, 2024, Board meeting, JCIT, led by JCOD, delivered updates on its efforts to close MCJ, including the number of stakeholders involved in closing MCJ, key components required for the closure of MCJ, recent efforts to move inmates out of jails into more appropriate programs and facilities, the timely administration of the justice system, and current trends in jail population. JCIT also emphasized its development of a jail population modeling tool that can assist the County in evaluating the steps needed for the closure of MCJ.

These are significant and meaningful efforts towards jail closure. JCOD, the department within which JCIT is housed, has engaged in extensive efforts to reshape the

County's justice system. In doing so, JCOD's work has widened to include a broad variety of interests and services, including taking over certain responsibilities of the Office of ODR, the launch of the Incubation Academy, which helps develop organizations to provide services to the justice-involved population, establishing the LA County Training Center Fire Camp, and the development of the JusticeConnect.org website and call-in number to provide information and services to justice-involved persons, among other efforts. While meaningful, these efforts have stretched JCOD's staffing and other resources thin.

As a result, JCIT has not been able to adequately advance its mission to expediently close MCJ. To date, JCIT has not transitioned from the information gathering stage to the development of an implementation plan. Consequently, the Board and the CEO have not had the benefit of JCIT's expertise in providing detailed, implementable, plans that move the closure of MCJ forward, illustrating how the Board can prioritize and organize the work currently being done by County departments to take those steps. County departments have not performed their jail closure-related tasks either, which include developing detailed, implementable, plans illustrating ways to improve the services they provide to those in the justice system or that address their roles in the County's justice-system. Additionally, JCIT has not convened Departments to hold them accountable for their role in the closure of MCJ.

The lack of detailed, implementable, plans, or an overarching plan for closing MCJ, has not prevented the County's departments from making significant investments in projects, tasks, and changes consistent with the overall goal of closing MCJ. For example, several County departments, including the Department of Health Services

(DHS), the Department of Mental Health (DMH), the Department of Public Health (DPH), and JCOD are engaged in a steadfast effort to expand the County's continuum of care by building beds to serve those with mental health, medical, substance use disorder, and other needs, including many individuals who are justice involved. Unfortunately, these efforts have not included recommendations that would prioritize and organize them, absent further direction from the Board as reflected by the September 2022 motion regarding P3 and P4 inmates, with a view towards shifting those in jails to programs and settings that more appropriately align with their needs. The same is true of the County's varied and extensive multi-departmental efforts to increase pre-detention diversion or other interventions that are critically important to connecting justice-involved individuals with programs, services, and plans that will allow them to effectively move through and out of the justice system and find mutually beneficial outcomes, as opposed to staying in jail for an unnecessary amount of time.

To ensure the closure of MCJ, JCIT, with committed assistance from the relevant County departments and external partners, must provide the Board with recommendations for a plan to safely close MCJ, divert its population to other facilities or programs, and effectuate the justice system in a timely manner so that individuals do not unduly remain in County jail. When created, the Board explicitly stated, "JCIT [has] complete authority . . . to coordinate and direct the activities of all relevant County departments, . . . to accomplish the proposed MCJ depopulation and closure measures and actions as approved by the Board." JCIT as, currently positioned, has not been able to lead in the manner required.

The County's departments must all work in lockstep to close MCJ. The Board has empowered JCIT to convene County departments, coordinate efforts, and develop plans and timelines related to MCJ closure. In practice, when requested by JCIT, departments must respond accordingly. When created, JCIT was housed in the CEO intentionally to break down County silos and coordinate efforts, which has yet to fully happen.

No ambiguity exists in the Board's directive or intention. Departments are under an obligation to respond to JCIT's requests with meaningful and timely contributions, including detailed, written plans on their role in the closure of MCJ as well as flagging any impediments to that closure. Those factors include but are not limited to expanding community-based beds, increasing efficiency in criminal case processing, reducing lengths of stay in custody, and improving the spaces and services available inside existing jail facilities in a manner that reduces demand for inmate housing in MCJ. For its part, JCIT is obligated to convene Departments and hold them accountable for all work related to MCJ closure.

WE, THEREFORE, MOVE that the Board of Supervisors:

1. Direct the transfer of the Jail Closure Implementation Team (JCIT), including any staff positions, administrative support, funding, and contracts, to the Chief Executive Office (CEO) no later than June 30, 2024.
2. Direct the CEO, in consultation with the Justice, Care, and Opportunity Department (JCOD), to report back in writing to the Board in 60 days with an organizational and staffing plan, including concrete timelines for JCIT to operate within the CEO's office with sufficient staff and administrative resources to organize, prioritize, manage, and develop, detailed written

plans for the closure of MCJ. The report back should include, at a minimum, sufficient resources for JCIT to act as the County's in-house MCJ closure expert with sufficient staff to organize, prioritize, and make detailed recommendations about which plans should move forward, and be funded, and when. The report should explicitly state that any funding or resources previously provided to JCOD for JCIT will be returned to the CEO exclusively for JCIT.

3. Reaffirm that JCIT will continue to take full responsibility for the implementation of the closure of MCJ and has complete authority from the Board to effectuate the closure of MCJ, as directed in this motion, and in previous motions by this Board.
4. Direct JCIT, upon the transition to the CEO, to convene the Sheriff's Office (LASD), the Department of Health Services (DHS), the Department of Mental Health (DMH), the Department of Public Health (DPH), the District Attorney's Office (DA), the Public Defender (PD), the Alternate Public Defender (APD), and the Medical Examiner (ME) for the purpose of developing an integrated timeline for when JCIT will finalize the first phase of substantive plans for how the County will take steps towards the closure of MCJ, and direct JCIT to report back to the Board in writing, within 90 days of it moving to the CEO, with detailed timelines and recommendations.
5. Direct JCIT to report back to the Board in writing every 90 days thereafter with updates describing the detailed substantive plans for the closure of MCJ that it has developed with County departments and stakeholders.

6. Direct DHS, DMH and DPH to report back in 120 days, and every 90 days thereafter, to JCIT, in writing, with detailed plans describing how its efforts to build community beds can assist the County in its goal of depopulating the jails and closing MCJ, including but not limited to detailed descriptions of efforts currently underway and their anticipated impact on the jail population, detailed plans to increase beds and services based on need, detailed descriptions of the funding currently being spent on these efforts and anticipated funding needs, policies and procedures that describe how those in-custody are considered for placement in those beds so that JCIT has sufficient data to understand the potential impact of the development of those beds on those currently incarcerated as compared to other types of beds.
7. Request the DA, and direct the PD, APD and ME, to report back in 120 days, and every 90 days thereafter, to JCIT, in writing, with detailed plans describing how its efforts to improve criminal case processing can assist the County in its goal of reducing a person's length of stay where appropriate with the goal of moving individuals out of jail and into more appropriate settings, and closing MCJ, including but not limited to: detailed descriptions of efforts currently underway and their anticipated impact on efficiencies in criminal case processing, detailed descriptions of the funding currently being spent on these efforts and anticipated funding needs, policies, and procedures that maximize criminal case processing efficiencies without compromising the quality of those services so that JCIT has sufficient

information to understand the potential impact of those efforts on length of stay in custody.

8. Direct JCIT to provide a verbal presentation to the Board every six months on the progress towards closing MCJ based on the implementation plans to be developed.
9. Instruct the CEO, in collaboration with County Counsel, to inform the courts of the transfer of JCIT and its relevant operations from JCOD to the CEO upon completion of the transfer.

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