

CALIFORNIA

**COVID-19
PUBLIC HEALTH &
SAFETY BUDGET**

A BUDGET TO SAVE LIVES

75



2020-2021 Fiscal Year

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Executive Summary

The COVID-19 pandemic demands a bold, urgent public health response. In order to protect the lives of all California's residents, including immigrants, officials at the state and local level must move quickly to substantially increase funding to health and human services. We must scale up existing community-based medical and mental health treatment, and implement new and innovative systems that increase housing availability, treatment, and care for marginalized and vulnerable populations.

Now more than ever before, it is imperative that California divest from one of the most costly areas of the state budget — criminalization and incarceration — and invest in cost and life-saving solutions to the unprecedented challenges we face as a state and country in the coming years.

Even before the COVID-19 crisis, California's jails, prison system, and immigration detention centers were dangerously overcrowded and medically negligent. These conditions reduce the lifespan of thousands of Californians and expose them, their families, and communities to infection and disease. California's incarceration addiction consumes billions of tax-payer dollars every year, money that the state urgently needs to ensure the health and wellness of all Californians, while the cost of detaining and deporting long-term residents, including parents and breadwinners, results in extensive costs for communities and families across the state. Despite the state's trajectory towards decarceration and prohibiting private detention prisons, the overall corrections budget has grown steadily every year, from \$8.9 billion (2012-2013) to a proposed \$13.4 billion in 2020-21, and the state continues to allow moves to expand immigrant prisons in at least three proposed sites. The urgent decarceration measures taken by courts, counties — and less so, the state — in response to COVID-19 magnify the need for a dramatic reimagining of California's spending.

The Governor's 2020-2021 budget must address the immediate and long-term needs of residents during the COVID-19 crisis by divesting from the criminalization and incarceration of its residents, and investing in alternatives to incarceration and community-based services.

Divestment in criminalization and incarceration must include funding that supports:

- reducing the jail population,
- reducing the prison population,
- reducing the immigrant detention population, and
- reducing the population of incarcerated youth.

Investment in community-based services & alternatives to incarceration must include funding that supports:

- transitional and permanent supportive housing,
- behavioral health and biomedical health community-based treatment, and
- sponsorship and community-based integration services for immigrants and asylum seekers.

This cost-saving shift of fiscal priorities will provide immediate relief to our most vulnerable communities and establish the long-term infrastructure California needs to address some of its most imperative and visible crises, such as chronic houselessness. The implementation of a "Care First" budget roadmap will support state and local governments to bridge the gaps of lost revenue in the coming years. Most importantly, these divestments from failed carceral facilities — designed to warehouse surplus life — and investments in the health and wellness of our state's residents will undoubtedly save the lives of countless people inside and outside of cages. We have a historic opportunity to enact a Decarceration Budget for California that reflects our progressive values and prioritizes a vision for our state's future that aligns with the vast majority of the electorate.

COVID-19 Threatens Public Health and Safety in California

Heightened concern over the COVID-19 pandemic—and how it is exacerbating existing health, racial, and economic inequities—has gripped our communities. This March, Governor Gavin Newsom declared a state of emergency in response to California's first COVID-19 death.² Each day, the number of people infected with the virus across the state continues to rise. Our universities have suspended classes, millions are unemployed, and people are trying to stock their homes with enough food, water, and medical supplies to survive a multi-month stay at home order. We are all impacted, however, not everyone is impacted equally. Communities that are already structurally marginalized are at highest risk of infection and death. In particular, those in the largest and most vulnerable institutions in our state: the juvenile detention, jail, and prison system, including immigration detention.³ Insufficient preparation has been taken to protect the hundreds of thousands of people in this system against the spread of COVID-19.⁴

Public health research has long documented heightened exposure to infectious diseases in carceral facilities across the United States,⁵ and COVID-19 has proved no different. In New York City's Rikers Island jail complex, the idle response to decarcerate by New York state resulted in the rapid proliferation of the virus to hundreds of incarcerated people and jail staff in a matter of days with eight times the rate of infection compared to the general population.⁶ At the Marion Correctional Institution in Ohio, wide scale testing revealed that 73% of incarcerated people are infected with COVID-19, accounting for the majority of cases in the county.⁷ Many of California's infection rates are far worse.

COVID-19 is already in California's carceral facilities

In Alameda County, inaction by the Alameda County Sheriff's Office has resulted in devastating infection rates for both incarcerated people and jail staff, with people inside Santa Rita Jail 25 times more likely to have the virus than residents in the rest of the county.

In Los Angeles (LA) County, which has the most populated jails in the country⁸, the first positive test for a person detained was announced on March 30th. By April 23rd, there were 59 positive tests among Sheriff's Department staff; 44 positive tests among people detained; 318 staff quarantined; 1643 people detained are quarantined; 73 people are isolated (people who are still detained despite a temperature of 100.4 or above and exhibiting symptoms of upper respiratory infection); and at least one death (a nurse who was part of the jail medical staff).

Riverside County has experienced the highest rates of infection—80 incarcerated people and 55 employees have tested positive for COVID-19, with two deaths among deputy staff. In just 10 days, the number of deputies infected in Riverside has more than doubled and the number of incarcerated people infected has multiplied by more than six.

The worst known COVID-19 outbreak in the state's correctional system is the California Institute for Men (CIM) in Chino in San Bernardino County, where 198 incarcerated people and 43 employees have become infected. Statewide, the California Department of Corrections—CDCR—has confirmed COVID-19 cases with 156 staff⁹. The first recorded death in a CA prison due to the virus was recorded on April 19, 2020 at CIM¹⁰. CDCR COVID-19 patients continue to multiply weekly, reaching 316 as of May 4, 2020. We know that this is an undercount due to lack of testing in the state correctional system.

California's immigration detention facilities are presently among the most highly impacted by COVID-19 in the nation, with 133 confirmed cases reported by Immigration and Customs Enforcement (ICE) at the Otay Mesa Detention Facility alone.¹¹ The first death was reported on May 6th at this facility.¹² The total number of confirmed cases is likely much higher due to lack of access to testing, and ICE's failure to disclose positive cases of COVID-19 among its third party contract staff. With hundreds of incarcerated people infected across the state, thousands quarantined and many remaining to be tested, incarcerated people and their families fear that there are many more cases yet to be reported. Public health experts warn that if detention levels are not dramatically reduced, COVID-19 cases in ICE facilities will increase, placing a burden on local health care systems, to the risk of everyone in the community.¹³

Medical staff within carceral facilities and rural hospitals, where many prisons and county jails are located, will not have the necessary capacity and resources to address an outbreak. National public health experts warn that COVID-19's arrival in rural counties will be even more harmful compared to urban areas, due to a higher prevalence of underlying medical conditions and an older population in these areas.¹⁴ In fact, California Attorney General Xavier Becerra has deemed immigration detention facilities in our state to be "ill-equipped to handle an epidemic" and at risk of overburdening local community hospitals and causing unnecessary deaths.¹⁵ If these systems are further stressed by an outbreak in local jails or prisons, there will likely be widespread outbreaks among rural residents. Cultivating the conditions for outbreaks in rural jails and prisons—and therefore among rural residents—is not evidence-based public health practice and directly undermines the state's considerable efforts to increase hospital capacity and 'flatten the curve.' Such negligence weakens our statewide public health response and will likely lead to the dissolution of California's rural health infrastructure and an escalating death toll.

Inhumane conditions put our entire state at risk

The dangerous overcapacity of California's carceral facilities is magnified by this pandemic. Near the end of last year, the jail system statewide was at 136% capacity, as six of the seven facilities were overpopulated by as much as 87%.¹⁶ Of the 35 prisons in the state, only 4 of them are under capacity, almost reaching the cap. California State Prison located in northwest LA County is at 138.6% of the design capacity. The individuals crowded into our carceral facilities are medically vulnerable and held in close contact with each other, often without frequent and adequate access to water and soap.

Direct reports from inside immigration detention facilities confirm alarming lack of preparedness to respond to this pandemic, including a lack of personal protective equipment (PPE), prohibitions on the creation of make-shift masks, a lack of staff/guard compliance with health protocols to wear PPE at all times, medical neglect of immigrants presenting with symptoms, lack of access to soap, and inability to maintain six feet of physical distance in accordance to CDC guidelines.¹⁷ Recently released and currently incarcerated individuals, including immigrants in detention, have started to speak out about the notoriously unsanitary, unhealthy, and overcrowded conditions in our jails and prisons.¹⁸ Blood and fecal matter stained walls and severely limited access to showers have been reported.¹⁹ This context where medical care is deficient, housing conditions are squalid, and individual needs are neglected, is a recipe for the rapid transmission of disease.

Attempts at isolating people in these inherently punitive settings are akin to solitary confinement and not preventive care. Public health and medical scholars have declared isolation of a person of any age in prison settings as torturous, yet it is still regularly used as an extraneous tool for punishment.²⁰ Individuals sent to solitary confinement are more likely to die (of any cause) in the first year after release from prison and mental health needs

are likely to worsen under these conditions.²¹ Solitary confinement and other isolation strategies for symptomatic or exposed individuals — especially when not coupled with adequate testing, medical care, or transparent communication — harm people instead of protecting them.

These inhumane conditions put our entire state at risk. The revolving door of incarcerated individuals, coupled with the daily influx of jail staff, vendors, and medical professionals who return home each day, provides multiple avenues for COVID-19 to enter the jail and exit back into our communities.

COVID-19 poses the greatest risk to the elderly and those who are immunocompromised because of preexisting medical conditions. In LA County, there is an aging jail population that the Sheriff's Department has described as "unwell."²² A 2019 report stated that 21% of the jail population was 45 or older.²³ In California prisons, there are over 30,000 people over the age of 50. People in this age group are at the greatest risk for COVID-19 and should be safely returned to our communities.²⁴ In 2014, a three-judge court overseeing the California prison overcrowding class action lawsuit, *Plata v. Brown*, issued an order that required the Board of Parole Hearing to put in place a new parole process for people who are 60 years of age or older who have been imprisoned for at least 25 years. Californians United for a Responsible Budget's Elder Parole Memo recommends modifying the requirements for Elder Parole consideration, setting the minimum age at 50, down 10 years from existing law and to reducing the minimum amount of time served on a sentence to 15 years.²⁵ **It also calls for the expansion of Elder Parole eligibility to include people serving Life Without Possibility of Parole (LWOP) and people on death row, with no exemptions for types of convictions, widening the opportunity to review parole for elders on a case-by-case basis, with increased urgency in the face of COVID-19.** By keeping vulnerable individuals behind bars, we are increasing the likelihood that COVID-19 will not only spread "like wildfire"²⁶ throughout the jail and prison systems, but that the virus will be routinely transmitted to even larger populations outside of these facilities.

Immediate action through five key proposals is necessary

Given the urgency of this situation, we are calling on the California Governor and State Legislature to act immediately to protect the lives of incarcerated people. Keeping individuals incarcerated and detained without proper preventive measures will continue to lead to death among those confined to these facilities, workers at carceral facilities, and the general population. With COVID-19 taking the life of multiple incarcerated people in California already, confinement for even a few hours could turn into a death sentence for many²⁷

The budget that California creates over the next few weeks will determine who lives and who dies. Given this time of great health peril, there is an urgent need for more to be done to curb COVID-19 outbreaks by reducing the number of people incarcerated. We must proactively invest in the environmental factors that improve both public health and safety.

Counties across the state are taking steps to reduce jail populations in order to slow down the continued spread of the virus. The jail population in LA is at the lowest levels since 1990 — dropping from over 17,000 people incarcerated to under 12,000, largely due to the continued advocacy of groups like the JusticeLA Coalition. Community pressure in San Francisco has also propelled rapid decarceration of the county jails, which have seen an approximately 40% decrease since January 2020. Alongside these measures to decarcerate jails and prisons, the state has enacted significant reforms to limit and reduce immigration detention in California.²⁸ Since the onset of the pandemic, we have also seen an increase in releases from ICE custody and anticipate this trend will continue.²⁹ Most recently, a judge ordered the federal government to drastically reduce the population at Adelanto

ICE Processing Center, including prohibiting new people from being transferred into the facility.³⁰ It is imperative that this work continues and the state prepares for and supports a decrease in detention alongside a continued increase in releases.

Existing public health evidence shows that releasing individuals will have the desired preventive effects in regard to disease transmission. One study found that decreasing incarceration rates from just 3% to 2% of the general population reduces TB infections in prison by 44% and by 21% in the general population.³¹ While TB has a higher rate of infection, we can reasonably conclude that we would see the same effect for COVID-19.

We want to be clear that all existing evidence demonstrates that incarceration has always been a public health crisis, gravely threatening health equity throughout our state and beyond.³² The policies and practices that shape incarceration rates disproportionately harm historically and structurally marginalized communities, including Black, Brown, Indigenous, Native, and people of color³³; people who are undocumented³⁴; people experiencing houselessness³⁵; people with disabilities³⁶; people who are lesbian, gay, bisexual, transgender, and/or queer³⁷; people with mental health needs³⁸; people who use drugs³⁹; and sex workers⁴⁰. Releasing people from carceral facilities takes an equity-centered public health approach and will ensure we are also ‘flattening the curve’ for marginalized communities. We are seeing data already from across the country on the disproportionate harm COVID-19 is having on Black communities and other communities of color. We fear and anticipate California’s disaggregated data will reflect the same.

When thinking of communities most impacted by criminalization and incarceration, we must invest in increasing funding for alternatives to incarceration and detention, post-conviction review for people who have been sentenced including immigrants, and pretrial services that will support local judges and public defenders in freeing those eligible for release under new bail orders. We should also place a moratorium on transfers between facilities, including transfer from law enforcement to ICE custody, and call for the governor to halt the expansion of detention as part of a comprehensive state strategy to decarcerate.

As people are returning home, it is essential that local communities are able to support them and their families with community-based housing, treatment, and other health-affirming reentry services, while offering specialized supportive services such as sponsorship to welcome and integrate newly arriving migrants and asylum seekers. When vulnerable individuals are released from incarceration, it is imperative that we ensure that they are not forced into houselessness and are able to receive community-based care. Our houseless communities are at heightened risk of not only contracting COVID-19, but of dying from the virus.⁴¹ Immigrants are at particular risk upon release because many basic social services are not available to them; despite significant state investments in increasing access to healthcare and legal services for immigrants, the majority of state anti-poverty programs and nearly all social programs that draw upon federal dollars, exclude them entirely. For example, federally funded reentry programs under the Workforce Innovation and Opportunity Act (WIOA), Pub. L. 113-128, that support people with job training and other workforce development skills bar immigrants from accessing any services. Most notably, in a state with soaring housing costs, immigrants are excluded from Section 8 of the United States Housing Act of 1937 (USHA), Pub. Law 75-412, and the majority of nonprofits offering housing assistance are hampered by the same restrictions leaving immigrants with no public support for reentry. By supporting all of the various populations transitioning out of incarceration with housing, behavioral health treatment, biomedical treatment, and other life sustaining services, the State and counties will not only be quelling the spread of this deadly virus, but will also be creating the infrastructure for long-term public health benefits and recidivism reduction.

Protecting California residents in this moment requires us to address the three-pronged crisis of COVID-19, economic inequality, and incarceration. These represent a mutually exacerbating emergency that the state should

leverage the COVID-19 budget to create both immediate and long-term solutions in response. The emergency COVID-19 policies and budget allocations outlined in this report will reap exponential health, social, and fiscal benefits for California by accelerating the reduction of the state's incarcerated population, creating capital projects that address long-standing housing needs, and developing service infrastructure that supports the long-term wellness of the state's most vulnerable populations.

To that end, we recommend that the State Budget Committees support 5 key proposals:

- 1. Jail population reduction**
- 2. Prison population reduction**
- 3. Immigrant detention population reduction**
- 4. Youth decriminalization & decarceration; and**
- 5. Community-based services & alternatives to incarceration.**

To the extent any of these proposals are viable, we welcome the opportunity to develop them in further detail.

For more information, contact:

Ivette Alé, Senior Policy Lead, Dignity and Power Now - ivette@dignityandpowernow.org, (718)928-4842

Amber-Rose Howard, Executive Director, Californians United for a Responsible Budget - amberrose@curbprisonspending.org, (909) 975-1095

Amber Akemi Piatt, Health Instead of Punishment Program Director, Human Impact Partners - amber@humanimpact.org, (510) 473-2248

Layla M. Razavi, Deputy Executive Director, Freedom for Immigrants - lrazavi@freedomforimmigrants.org (510) 806-1428

Grisel Ruiz, Supervising Attorney, Immigrant Legal Resource Center, gruiz@ilrc.org, (415) 321-8547

Proposal 1: California must reduce its jail population

The rapid reductions in the number of people in California jails is essential to averting an even greater catastrophe during this pandemic. Researchers, advocates, and law enforcement alike have called for a reduction in jail populations across California. A new epidemiological study by ACLU Analytics and researchers from Washington State University, University of Pennsylvania, and University of Tennessee reveals that models projecting total U.S. fatalities to be under 100,000 may be underestimating deaths by almost an additional 100,000 due to the failures to reduce jail populations.⁴² In response to this imminent threat, Human Rights Watch recently released a comprehensive set of recommendations for local, state, and federal officials in order to achieve safe reductions in jail and prison populations.⁴³ Implementing such jail population reduction policies will not only save state and county budgets hundreds of millions of dollars that would be spent in treating infection and the high cost of incarceration, it will save countless lives.

Even before the COVID-19 crisis, the lack of adequate medical care in jails has compromised county budgets. In LA County, one third of lawsuits issued by people in jails between 2011-2015 were because of a failure to provide adequate medical care. The settlements from those cases cost LA County \$4.2 million. Today, over 2000 people are being quarantined in dangerous conditions in LA alone, exposing counties to litigation and millions of dollars in restitution. Lawsuits and mismanagement of funds by the LA County Sheriff in the current fiscal year will likely cost LA County upwards of \$83 million.⁴⁴ In Alameda County, the lack of adequate medical care and poor treatment of the jail population has led to multiple lawsuits against the county related to sleep deprivation, constitutionally inadequate mental health care, and unsanitary environments. The jail has also had COVID-19 cases that are upwards of 25 times higher than the rest of the county proportionally. In Orange County, California, the head of the union representing sheriff's deputies has called for a reduction in their jail population, citing the risk to the deputies' health.⁴⁵ Litigation against Los Angeles County and the Sheriff's Department has already begun due to their failures to protect prisoners during the pandemic.⁴⁶ Reducing jail populations will save counties hundreds of millions of dollars in litigation costs in the coming months and years from COVID-19 related lawsuits.

The State can support the decarceration of county jails, protect county budgets, and ensure the health and safety of people incarcerated in jails by providing funding that supports the following:

1. reducing pretrial incarceration,
2. post conviction re-sentencing and vacations of judgment, and
3. harm reduction inside of jails.

Counties must reduce pretrial incarceration

The rates of pretrial incarceration in counties across the state are staggering. Among the state's largest counties, LA and Sacramento's pretrial incarceration rates hover around 50%. Alameda, San Bernardino, and San Francisco's rates are over 75%.⁴⁷ This translates to hundreds of thousands of people in our state being incarcerated every year without a conviction. Absent a global pandemic, growing public health research had already documented the ways that pretrial incarceration harms individual, family, and community health.⁴⁸ Spending even one day in jail can cost a person their employment, housing, and other life-sustaining needs, and in the height of this pandemic, it can cost someone their life to COVID-19. Releasing people in pretrial incarceration is the fastest, safest, and most cost-effective method of reducing jail populations.

The financial burden of pretrial incarceration on California taxpayers is extraordinary. The average daily cost of incarcerating a person in California jails is \$113.87.49 In LA County, incarceration costs an average of \$175.33 per incarcerated person per day, according to the County's Department of Auditor-Controller report for fiscal year 2019-2020. The cost of incarcerating people with mental health needs in LA is even higher, at over \$206 a day. With an average daily pretrial population of 7,650 people, this translates to nearly half a billion dollars a year in pretrial incarceration in Los Angeles alone. When considering the large number of people who are incarcerated without sufficient evidence, the wastefulness of pretrial incarceration becomes even more acute. According to Human Rights Watch, from 2011-2015, police in California made almost 1.5 million felony arrests. Of those, nearly half-a-million people were arrested and jailed but never found to be guilty of any crime. An analysis of all bookings into jails in Alameda, Fresno, Orange, Sacramento, San Francisco, and San Bernardino Counties for 2014 and 2015 found that the total cost of jailing people never found guilty of any crime was about \$37.5 million over the two years.⁵⁰

As the State weighs the financial and human costs of pretrial incarceration, it has become clear that substantial and sustained pretrial release is critical. On April 6, 2020 the Judicial Council of California agreed and released an order temporarily adjusting bail schedule amounts to \$0 for most misdemeanors, lower level felonies and probation violations. The Order instructs that each superior court "must apply the statewide Emergency Bail Schedule . . . [t]o every accused person held in pretrial custody." The application of that presumptive bail reduction to those already in custody with bail previously set will go a long way towards reducing the jail populations needed to reach the goal of allowing proper social distancing at all times, non-punitive isolation for people showing symptoms, and quality medical care for those in need. However, district attorney's offices continue to obstruct the intent of this order by requesting higher bail amounts for individuals who qualify for release under the \$0 bail order.

The State can expedite the implementation of the \$0 bail order by funding the expansion of public defender offices. Currently, the State funds prosecutor offices but not public defense. Funding to public defender offices in order to create and expand pretrial units — including additional attorneys, psychiatric social workers, and peer navigators — will provide the necessary staffing to expedite the release of individuals detained pretrial and support their transition into the community. For a county the size of LA, a minimum of 25 public defenders, 10 psychiatric social workers, and 50 peer navigators will be necessary, requiring \$12 million of funding from the State. Given that one third of criminal court filings in the state are filed in LA, we calculate the minimum budget allocation to counties across the state for pretrial defense to be \$36 million.

Counties must conduct post-conviction re-sentencing and vacations of judgment

For both citizens and noncitizens, securing some form of post-conviction relief is critical to being released from actual or constructive custody and overcoming the hurdles that a conviction can pose to housing, eligibility for immigration and deportation relief, employment, and general reentry. The California budget should include funds for legal services providers to engage in necessary post-conviction relief. Ensuring that public defenders have adequate staffing to address post-conviction review of new legislation, such as SB1437, SB136 (Wiener - 2019), SB180 (Mitchell - 2017), expungements, certificates of rehabilitation, and litigate failures to comply with SB1421 disclosures, will expedite the release of incarcerated individuals. A minimum budget allocation of \$5 million to public defenders and community-based legal services to support post-conviction review and resentencing will support the release of thousands of individuals who qualify for relief across the state.

Post-conviction relief for immigrants

Over the past few years, the California Legislature has passed significant reforms that enable noncitizen defendants to erase or mitigate the immigration consequences that attach to old convictions.⁵¹ Once a conviction is erased, the immigrant is immediately eligible for release from a detention center and is eligible to return to their families and communities. In the past, almost all post-conviction relief was provided by private attorneys and was out of reach for indigent defendants. Now, immigration advocates and public defenders are stepping up to serve low-income clients and file post-conviction relief motions. Increasingly, identifying and, if possible, obtaining post-conviction relief for noncitizen clients is becoming a core part of immigration representation.

We were dismayed when we were notified that the California Department of Social Services (CDSS) recently terminated its investment in a pilot project that funded nonprofits to provide post-conviction relief to noncitizens. That program, and similar programs expanding access to post-conviction representation for those both inside and outside carceral facilities, play a critical role in the reentry ecosystem. The state should reinstate the CDSS grant investing in post-conviction relief and expand that program which is more important than ever to decreasing the number of people in immigrant detention facilities throughout the state.

Expansion of access to legal services for detained immigrants

California should also invest in the efforts of nonprofit legal service providers to expand their capacity. This will allow coordination of the mass representation of individuals in detention who are eligible for release so they may be reunited with their families, where they can safely shelter in place. State efforts to decarcerate detention by cutting off the pipeline that puts people into immigrant detention centers and eliminating private immigrant prisons do not address the needs of those presently detained. This proposal, and any agenda to decarcerate the immigration detention population, must also ensure the due process rights of individuals who are incarcerated in immigration detention.

Counties must reduce harm inside of jails

The health and wellness of incarcerated people largely depends on their access to their families and communities on the outside, who provide both financial and emotional support. The COVID-19 crisis continues to exacerbate long-standing economic inequalities faced by the communities most impacted by incarceration, which are disproportionately Black, Brown, and low-income people. These economic inequalities limit incarcerated people's access to commissary goods, including basic hygiene products and phone calls to their families and community support networks, which impacts both their physical and mental health. In order to mitigate the health impacts of limited access, it is crucial that the state allocate funding to make all phone calls to incarcerated people free and allocate funding to counties in order to subsidize essential commissary goods.⁵²

Proposal 2: California must reduce its prison population

A drastic reduction of the state prison population must take place via multiple waves of mass clemencies for incarcerated people in California. The first of these clemencies must strategically include and prioritize the release of medically vulnerable people, elderly people, and all others who are high-risk for severe illness and death from COVID-19.

Mass clemencies have a historical precedent⁵³ and would be the most effective strategy to reduce the bloated corrections budget, shift spending toward much needed health and human services, and halt devastating COVID-19 outbreaks in state prisons. Many countries facing COVID-19 have taken bold steps to reduce incarcerated populations, such as Spain's decision to close and empty immigration centers and release all detainees, leaving only three persons total in immigration detention in the entire country.⁵⁴ The US must follow suit before it is too late. On April 29th, Terminal Island Federal Prison in San Pedro reported that more than half of their incarcerated population tested positive, a **900% increase** in positive COVID-19 cases in just under a week.⁵⁵ State prisons must move quickly to avoid a similar crisis.

California's state prison system (CDCR) is notoriously overcrowded. Since 2013, California prisons have reduced their population from 150% of design capacity to just below the court-ordered cap of 137.5%. This is a positive—albeit glacial—move in the right direction. **And yet, the overall corrections budget has grown steadily every year, from \$8.9 billion (2012-2013) to a proposed \$13.4 billion in 2020-21.**

Before the pandemic, the average daily adult population of people in prison was projected to be 124,655 (down only 1% from Spring projections), a decrease of over 1,000 people from the 2019 Budget Act which estimated a daily population of 125,871. The average daily population of people paroled was projected to be 50,453 in 2020-21 (up less than 1% percent from Spring projections). As of April 24th, CDCR's in-custody population was 126,566, which aligns with pre-COVID-19 projected averages. During an unprecedented global pandemic where prisons have been recognized as petri dishes for COVID-19 transmissions,⁵⁶ CDCR is effectively maintaining its pre-COVID-19 daily population. That is unconscionable and a clear and present danger to incarcerated people, prison staff, their families, and surrounding communities.

Out of 35 prisons in California, 31 are at over 100% population capacity. As of April 24, 2020, there are 149 incarcerated persons and 97 staff who tested positive for COVID-19, increasing daily. California State Prison Los Angeles County (LAC), for example, was designed to hold 2,300 people. On April 14, 2020, LAC's population was at 138.6% capacity, with 15 cases of COVID-19 confirmed.

There is general consensus among health workers and experts that it's impossible to social distance in prisons.⁵⁷ Achieving even 100% population capacity at LAC would require releasing at least 900 people from the prison, only a tiny percentage of the population reduction necessary in order to allow effective social distancing practices as outlined by the Centers for Disease Control and Prevention (CDC). For perspective:

California Institute for Men (CIM) was designed to hold 2,976 people. As of April 8, 2020, the prison is overcrowded and at 115.3% capacity, meaning CDCR would need to reduce the population by 455 people in order to get to 100% cap. Due to the existing presence of the coronavirus at CIM, we recommend an initial decarceration of at least three times that amount — or approximately 1,300 people — in order to create the circumstances that would

allow for minimum social distancing requirements to be observed.

There are confirmed COVID-19 cases at multiple other prisons, including:

- California Institute for Women (CIW): 114.5% design cap; 1,601 incarcerated people; population reduction of 203 people needed to reach 100% cap. We recommend an additional initial decarceration of three times that, or about 600 people.
- North Kern State Prison (NKSP): 138.5% design cap; 3,732 incarcerated people; population reduction of 1,038 people needed to reach 100% cap. We recommend an additional initial decarceration of twice that, or about 2,100 people.
- California Substance Abuse Treatment Facility (SATF): 150% design cap; 5,143 incarcerated people; population reduction of 1719 people needed to reach 100% cap. We recommend an additional initial decarceration of twice that, or about 3,500 people.

Acknowledging that 37% of the total prison population has at least one health factor that the CDC identifies as high risk for COVID-19 death,⁵⁸ the minimum number of releases that we recommend for the first wave of mass state clemencies would be approximately 50,000 people.

A review of California's proposed budget makes clear that our state is over reliant on incarceration. It costs about \$81,000 to imprison someone in California,⁵⁹ significantly more so for people who are aging or sick. Releasing 50,000 people from prison as a response to COVID-19 would support the opportunity for prison closures and provide opportunities for the state to divest billions of dollars from corrections and shift to support a healthier budget for public safety by investing in housing and community-based services for formerly incarcerated people and their communities.

All potential increases to state spending on corrections — including local departments — in Governor Newsom's proposed budget for 2020-21 are deeply concerning. A wasteful allocation of \$124.8 million has been earmarked for Probation Departments, historically mismanaged agencies that do little to build trust with or advance public safety for the communities whose activities they police and monitor. California must not rely on Probation Departments, but instead allocate funds directly to community-based organizations that prioritize capacity building and services for the most marginalized Californians.

We advise Governor Newsom to take immediate action and execute his legal responsibility to protect incarcerated people who are vulnerable to COVID-19, especially older, sick and at-risk populations, regardless of their sentence, by granting clemency to no fewer than 50,000 incarcerated people during what should be only the first wave of mass clemencies.

We advise Governor Newsom and the California Legislature to immediately begin, in partnership with the community and advocacy experts, to implement Governor Newsom's stated priority of developing a plan to close at least one prison in California by 2021.⁶⁰ Prisons were public health disasters before the onset of COVID-19; now, the urgent need for transformative change to our criminal legal and detention systems has never been more clear. For this reason, we agree with the Legislative Analyst's Office that, in fact, closing at least two prison by 2021 is necessary for both fiscal savings (estimated savings: \$100 million)⁶¹ and in the interest of public health and safety. Mass clemencies are critical public health interventions that will facilitate much needed prison closures and save the lives of incarcerated people, prison staff, and their communities.

Proposal 3: California must reduce its immigrant detention population

California has one of the largest populations of detained immigrants in the country, detaining 4,353 people daily.⁶² Approximately half of the people in detention are long-time residents with strong ties to the state and their community, often coming from mixed immigration status households, while the remaining population is made up of recently arriving migrants and asylum seekers. This proposal contemplates bold measures to protect the health and wellbeing of immigrants by supporting reentry from jail or prison back to their home and family instead of transfer to dangerous ICE prisons while simultaneously halting the effort of private corporations to expand the immigration detention population further.

Our local and state law enforcement agencies actively populate immigration detention facilities by funneling people to ICE on a daily basis. Importantly, these are individuals who are already due to return to their communities and, in some cases, have been identified for release due to COVID-related health reasons. However, instead of allowing these individuals to safely shelter in place in their communities, our state currently funnels them into immigrant jails and prisons, infamous for documented cases of medical neglect.

California is among the states with the highest number of confirmed cases of COVID-19 in detention nationwide. Any assistance provided by our state or counties to transfer an individual to ICE is voluntary.⁶³ Given the serious health risk posed to these individuals and the surrounding healthcare systems, it is imperative that the state of California suspend the practice of turning people over to ICE. The state has already acted to suspend the transfer of individuals from local jail to state custody, and it is consistent with this public health measure to similarly suspend the transfer of individuals from local and state law enforcement custody to ICE. It is also well within the state's authority to suspend transfers, notifications, utilization of ICE's private contractors such as G4S, and other practices that facilitate ICE apprehending people in state or local law enforcement custody or facilities.⁶⁴

California can and must adopt a moratorium on all transfers to ICE

Halting all transfers from state and local custody to ICE is a crucial part of halting the preventable spread of COVID-19. It is well established that immigration transfers are voluntary requests made by the federal government to local and state law enforcement agencies.⁶⁵ Therefore, our state is voluntarily and unnecessarily committing resources to funnel these individuals into immigrant jails and prisons known for medical neglect — and, during a global health pandemic, this fact alone necessitates a moratorium to protect the lives of immigrants and support the mass public health efforts our state has undertaken.

This proposal calls for an amendment to Cal. Gov't. Code § 8627 and § 8567 to prohibit all transfers from local law enforcement and prison custody.⁶⁶ Absent a statutory change, the governor has the authority to place a moratorium on both local and state transfers to ICE custody. The governor has the authority to act unilaterally to direct CDCR, as an agency under his control, to stop complying with any and all immigration requests, including transfers. The governor also has the authority to direct the attorney general to order local law enforcement agencies to stop transfers during the state of emergency, as local law enforcement is under the supervision of the attorney general.⁶⁷

California can and must halt the expansion of immigration detention facilities

The proposed expansions at the Adelanto and Mesa Verde detention facilities pose a major health risk and require emergency action during this health crisis. Combined, these proposed facilities—which are in fact repurposed former state prison facilities—stand to hold nearly 2,200 more individuals. The status of these facilities is currently pending at the Adelanto and McFarland City Councils. At a time when the state is undertaking audacious steps to increase the capacity to provide emergency shelter and space for medical care, these facilities can and should be repurposed to serve public health and enhance COVID-19 response efforts such as: testing centers, clinics, housing and other urgent reentry support needs, rather than trapping immigrants in conditions where they are likely to get sick.⁶⁸

Under the California Emergency Services Act (CESA), the governor is authorized to immediately order a halt to the expansion of immigration detention facilities, including any proceedings or meetings connected to expansion.⁶⁹ **This proposal includes findings and declarations in the budget bill that call upon the governor to use his emergency powers to halt all detention expansion during the pandemic.** This action would support the state's pandemic response efforts and achieve the intent of state law prohibiting private detention in California.⁷⁰

The governor also has broad authority to utilize emptying CDCR facilities as sites to deliver necessities to the public,⁷¹ as opposed to allowing these facilities to be converted to harmful immigration detention centers which will only increase COVID-19 exposure. **This proposal invests in funding the conversion of these facilities into space to support the state's massive COVID-19 response efforts, including, but not limited to, storing medical equipment, providing emergency shelter, and creating added capacity for medical/hospital space.**

These dual moratoriums, combined with efforts to provide sponsorship, accompaniment, and social services, act as a supportive complement to the state's proper and necessary role in facilitating the responsible release of immigrants from local jails, state prison, and federal immigration detention.

Proposal 4: California must decriminalize and decarcerate its youth

California must replace youth criminalization, punishment and incarceration with investments in Youth Development (ages 6-25) that prioritize education, skill-building and healing.

In the last several years, there has been notable progress and momentum in state and local efforts to:

1. Reduce counties' reliance on traditional legal systems (including police, prosecutors, probation, court and school suspensions, expulsions and arrests) to address youth behavior and conflict with the law;
2. Transfer resources from systems of punishment and custody—including from Probation Departments—to invest in community based, owned and operated youth development centers and programs, economic development and job placement, community intervention to prevent and address violence—especially inter-neighborhood conflict and homicide, transformative or restorative justice to address and repair harm, and trauma-informed, culturally-rooted care that promotes healing; and
3. Reorient systems towards developing and building the strengths and well-being of youth, families and their communities.

These efforts have contributed successfully to a dramatic decline in arrests, prosecutions and detentions of youth across California. From 2012 to 2016, arrests dropped by about half, prosecutions by about 30 percent and detentions by about 50 percent. As one example, in LA County, the numbers have tracked statewide trends: From 2012 to 2016, the number of arrests of youth went from over 25,000 to about 11,400. Average daily populations in the probation camps and ranches decreased from 983 in 2012-2013 to less than 400 in 2017.

Youth Development is strength-based, culturally rooted, connected to family and community, and fully integrates transformative justice and trauma-informed care. Youth Development serves as an alternative approach to community health and public safety that: is asset based (**building on the strengths of youth, families and communities**); addresses the root causes of crime and violence; prevents youth criminalization; recognizes youth leadership; and turns young people's dreams into realities.⁷²

By comparison, punishment and incarceration models are built on several inaccurate and racist assumptions, including rooting interventions on the belief that youth are damaged or broken, and come from damaged and broken families and communities. These models promote the idea that youth are “rehabilitated” through their removal from family and community and often utilize racially biased “risk” assessments to determine terms of confinement or monitoring. They emphasize a belief that shame and punishment work.

Youth can't get well in a cell

Transferring system-involved youth from Probation custody to Mental Health, Health or Child Welfare is also not youth development, will not provide youth access to essential skill-building, and can also lead to significant harm. In addition, while mental health is one service that all youth deserve to have access to, it is not the totality of what youth need to thrive, and can be damaging when misused, especially when over-prescribing medication and focusing on the removal from community and institutionalization before exploring viable alternatives.

The field of Youth Development recognizes that there are five essential skills that all youth need to be healthy and successful in life:

1. **Health and Physical Competence** – Achieved by guaranteeing youth access to health and mental health, emotional healing, counseling, nutrition, sports, and recreation.
2. **Social Competence** – Achieved by building youth knowledge and appreciation of themselves, their culture, language and history, as well as appreciation for others; building self-discipline, decision-making, teamwork and communications skills; building youth empathy for others; and building the ability to solve problems without intimidation or violence, including developing transformative justice skills.
3. **Cognitive and Creative Competence** – Achieved by providing youth activities that develop critical thinking and problem solving, improve literacy, provide academic support, prepare youth for college, and encourage self-expression through visual and performing arts.
4. **Vocational Competence** – Reached through youth access to job preparation, youth employment and career exploration.
5. **Leadership Competence** – Requiring that all youth have the rights and opportunities to speak out, organize and to both serve and change their schools, communities and society.⁷³

All of the recommendations below build on this core goal of ensuring that all youth have the support and programs necessary to realize these core Youth Development competencies.

California must collect better data

Collecting and sharing data is essential to expose and address racial, economic and geographic disparities; to ensure that interventions work to support youth, families and communities; and to evaluate the program and cost effectiveness of programs and practices.

We must require that Probation Departments, courts and counties across the state maintain and make readily accessible to officials, media, and community the following data (and develop capacity and expertise within the state Department of Justice to monitor accurate reporting, transparency and sharing):

1. Law enforcement stops, and reason and result (e.g. arrest, gang designation, citation, etc.) of the stop disaggregated by race, gender, age, zip code and charges;
2. Law enforcement use of force and result, disaggregated by race, gender, age, zip code and reason for contact;
3. Law enforcement or other agency referrals to federal agencies (FBI, DEA, ATF, and/or Immigration and Customs Enforcement) disaggregated by race, gender, age, zip code and charges;
4. Daily population in juvenile halls disaggregated by race, gender, age, zip code and charges;
5. Daily population in probation camps and ranches disaggregated by race, gender, age, zip code, charges and disposition;
6. Daily population in court-ordered placement and treatment facilities disaggregated by race, gender, age, zip code and charges;
7. Daily population on court-ordered probation supervision disaggregated by race, gender, age, zip code, charges and probation term;
8. Probation program requirements and conditions disaggregated by race, gender, age, zip code, and charges and probation term;
9. Daily population on court-ordered probation supervision disaggregated by race, gender, age, zip code, charges and probation term;

10. Probation violations, cause and sanction disaggregated by race, gender, age, zip code, charges and probation term;
11. Pre-arrest diversion and arrests, disaggregated by race, gender, age, zip code, and charges;
12. Juvenile court filings disaggregated by race, gender, age, zip code, charges and disposition, including enhancements;
13. Transfers to adult court disaggregated by race, gender, age, zip code, charges and sentencing, including enhancements;
14. Alternatives to court, detention and incarceration disaggregated by race, gender, age, zip code, charges and—if applicable—disposition and sentencing; and
15. Recidivism—defined as any new conviction—whether in juvenile or adult court, violation or new conviction, or death if it relates to risky or harmful activity, disaggregated by race, gender, age, and zip code.

Where some data is already collected—such as law enforcement stops, use of force, and additions and removals from shared gang databases—we must ensure that DOJ consolidates all data into one easily accessible location.

California must prioritize youth diversion

Youth diversion must become the de facto strategy. In order to further reorient our youth punishment systems through a Youth Development lens, we must also:

1. Build on county efforts to expand pre-arrest diversion in all counties statewide, diverting thousands of youth per year away from fingerprinting, court, detention, incarceration, probation and prevent a criminal record. We must extend youth pre-arrest diversion up to age 25.

As one example, community organizing efforts led the LA County Board of Supervisors (LABOS) to create a countywide diversion task force in January 2017, which was convened by the Department of Public Health over 16 meetings, and included system-involved youth and community-based organizations in the planning. The taskforce created a blueprint to expand “pre-booking” youth diversion at the point of arrest, and establish an Office of Youth Diversion and Development (OYDD) to coordinate, resource and build the capacity of community-based diversion and youth development efforts across LA. The blueprint was adopted by the Board of Supervisors in late 2017 and a Youth Summit took place on March 1 to celebrate and launch OYDD and diversion implementation. The first community organizations were selected as diversion sites; they have now been accepting law enforcement referrals for more than a year, and a Steering Committee for OYDD has met since March 2018 to continue to inform the design and implementation of youth diversion. The LA County effort alone has the capacity to divert as many as 11,000 youth a year from the system.

2. Eliminate all law enforcement, jail, prison and probation transfers to ICE.

California must divest from youth incarceration

California's century-old addiction to incarceration can be addressed by downsizing law enforcement, sheriffs, and probation and corrections budgets, and transferring funds to youth and community development. We must:

1. Redirect funds and their administration authorized by county **Juvenile Justice Coordinating Councils (JJCC)** as required by the **Juvenile Justice Crime Prevention Act (JJCPA)**, mandating that JJCPA funds be administered through a non-law enforcement county agency and/or community foundation; that the local JJCC no longer be convened by the Probation Chief; and that JJCCs also have meaningful and fully empowered, non-law enforcement, community representatives as required by state law.

The Schiff–Cardenas Crime Prevention Act (Assembly Bill 1913) was passed by the California State Legislature in August 2000 and updated a year later to establish a “juvenile crime prevention” funding source for California counties. Later termed the Juvenile Justice Crime Prevention Act, the funds support the development and implementation of county juvenile justice plans that provide a “continuum of responses to juvenile crime and delinquency and demonstrate a collaborative and integrated approach for implementing a system of swift, certain, and graduated responses for at-risk youth and juvenile offenders.”

Since 2001, counties have received \$100 million each year, allocated locally by the Juvenile Justice Coordinating Council (JJCC). Local spending plans have remained mostly unchanged since that time. Many counties are out of compliance with state law, failing to have any or adequate community representation on their local Council. Funds have overwhelmingly supported law enforcement (Probation Departments, municipal police agencies, sheriffs’ departments and district attorneys), although the spirit of the law was to support community-based organizations.

As one example toward change, in Los Angeles, a number of county audits, media and organizing led by system-involved youth and their families, organizers and advocates have exposed JJCPA and JJCC’s lack of meaningful data collection, poor and incomplete governance, unspent money, and inequitable funding and contracting with CBOs. Over \$30 million dollars of unspent JJCPA funds had accumulated as of December 2017. Advocacy resulted in a comprehensive JJCPA evaluation for the first time in 2017. Advocates helped to rewrite the evaluation design and build in participatory youth research, paving the groundwork for a new spending approach and plan into the future. In January of 2018, the newly constituted JJCC voted to allocate \$12 million (\$3 million annually for the next four years) to the new Office of Youth Diversion and Development. Since then, tens of millions of dollars have been redirected from law enforcement to more effective and far less costly community based, owned, and operated programs. A state audit of JJCPA—authorized last year—is pending, and a bill currently introduced (AB 2543; Jones-Sawyer) would implement this recommendation. Similar audits, program review and redistribution of funds should also occur for other state and/or federal pass-through funds intended for crime prevention.

2. Provide fiscal incentives and eventually legislative mandates to state agencies and local (county, school district and municipal) budgets to more accurately define public safety and its components, and to transfer a sizable portion of local spending on suppression and incarceration toward youth and community development.

The Los Angeles Police Department accounts for 54 percent of the city budget—70 times what LA City spends on youth programs. LA City has an animal control department but no youth development department, and spends \$13 million more annually to protect stray dogs than to protect youth from violence.

California must advance decriminalization

As part of a “Care First, Jails Last” holistic, Youth Development-based decriminalization strategy, we must:

1. Eliminate California Welfare and Institutions Code 601 and decriminalize all status offenses, removing law enforcement contact, probation supervision and court referrals for youth whose only “crime” is based on their age, such as disobedience, truancy or running away. If passed this year, AB 901 (Gipson) will eliminate WIC 601(b), decriminalizing truancy (daytime curfew) statewide in favor of more effective and less costly school-based interventions.

2. Eliminate all system fees and fines for youth and adults. Build on the passing of SB 90 (Mitchell) that ended the harmful, unlawful, and costly assessment and collection of administrative fees against families with youth in the juvenile system by passing SB 1290 (Mitchell) to eliminate all past debt (statewide), ending collection of hundreds of millions of dollars from the state’s most vulnerable residents. Senate Bill 144 — “Families Over Fees” (also authored by Senator Mitchell) — should also be passed to reduce recidivism and eliminate barriers to success for individuals and their families by eliminating criminal administrative fees.

3. Eliminate “Voluntary Probation” in favor of community and school-based alternatives. Organizers, youth and their families and youth-serving organizations across California have exposed and are pushing for the elimination of “voluntary” probation supervision of youth (tens of thousands of youth each year across the state) who have had no prior probation/court involvement. About 80 percent of youth under voluntary probation supervision in LA County were reporting to a probation officer for bad grades, truancy, “lack of motivation” and other school performance issues. Thousands more youth were attending ineffective police and/or prosecutor-run programs. In Riverside, youth who didn’t follow probation conditions—including, but not limited to, drug testing and searches—were threatened with referral to court, although the department had no authority to do so. AB 901 (Gipson), if passed this year, would eliminate this practice statewide and save millions of dollars in law enforcement costs better spent on school and community-based youth development.

4. Dismantle harmful, inaccurate, expensive and racially biased shared gang databases (including CalGang) and gang injunctions statewide. This would have the added benefit of protecting youth and others from:

- a. Barriers to some employment opportunities,
- b. Accessing and/or maintaining public housing or Section 8, and
- c. ICE detention and deportation based on gang allegations even in cases where they have never been arrested.

California must decarcerate our youth

We recommend 11 transformative decarceration strategies that would create the foundation for a non-carceral Youth Development model:

1. **Remove all youth up to age 25 from probation supervision and custody** and transfer their care, support and transformation to youth development programs or departments. As part of this effort, close juvenile halls and probation camps and ranches in favor of local, non-residential youth development centers—and if, rarely, youth are removed from their homes and community, ensure that youth are within

50 miles of home, and that connection to family and community is prioritized. All youth development centers should be run by a partnership between a non-law enforcement governmental agency, a union with paid apprenticeships for youth who complete career programs, a community college with a focus on educational achievement and college enrollment, and a community-based organization that focuses on healing, arts, recreation, life skills, and re-entry.

2. Until then, **limit probation terms to six months**—now overly long, expensive, burdensome and ineffective probation terms — by passing SB 1134.
3. Similarly, **at the state level, create a Department of Youth Development** within an existing non-corrections state agency to support, oversee, monitor and train local and state providers of youth development programs and management of centers—including dismantling and replacing with this vision the Division of Juvenile Justice (state's youth prisons).
4. **Extend the jurisdiction of juvenile court to age 25**, recognizing scientific evidence that shows that youth brain development does not reach maturity in terms of impulse control, decision making and risk avoidance until the age of 25, preventing the devastating personal and financial impact of extreme sentencing, including virtual and actual life without parole sentences; youth transfers to adult court, youth transfers from juvenile halls to adult jails when they turn 18; and youth transfers to adult prisons, enabling that youth remain in youth development centers. If passed this year, SB 1111 (Durazo) would keep youth ages 18 to 21 whose case originated in juvenile court out of jails.
5. **Incentivize the creation of community oversight of probation departments:** After decades under various state and federal consent decrees, abuse scandals and fiscal mismanagement by LA County Probation, and years of community organizing led by youth and families who had been impacted by probation custody and supervision, an October 2017 motion passed by the LABOS called for the creation of a permanent oversight body, and built on the work of a five-member workgroup throughout 2016 which focused on the same issue. Another motion in May 2018 further adopted a process for creating the permanent oversight body. The community attended numerous hearings of the BOS-appointed Probation Reform and Implementation Team (PRIT) tasked with creating a new Probation Oversight Commission and developing a comprehensive reform implementation plan for the Probation Department. In the summer of 2019, the BOS passed the recommendations and authorized the creation of the nation's first civilian-led probation oversight commission.

Students need college preparation, not prison preparation

1. Eliminate defiance-disruption suspensions statewide and **work toward a moratorium on all out-of-school suspensions**. Since 2016, students, organizers and advocates have been pushing to eliminate defiance-disruption an out-of-school suspendable offense for all grades, K-12, in the state of California. Although SB 607 was passed, stopping the suspension of students in kindergarten through third grade for “willful defiance,” but excludes students in grades 9-12.
2. Invest in school-based restorative justice programs and training, school climate capital and instructional improvements, school based health clinics, and family engagement; prioritize the **removal of dehumanizing and criminalizing hardware, technology and practices from schools**, such as intimidating fencing, razor wire, interrogation rooms, metal detectors and random searches., in order to transform schools from institutions that look and operate more like prisons than institutions for college and career preparation.
3. Invest in ethnic studies and accurate curricula that recognize the contributions of all communities and genders; culturally rooted arts and wellness to increase self-esteem and an understanding of others; and other fundamentals of school success.
4. Invest in **keeping schools open as community centers** evenings, weekends and summers to provide

much-needed safe and welcoming spaces for youth and community development activities that promote educational achievement, job training and placement, health, arts and recreation.

5. **Remove law enforcement** (sheriffs, probation officers, municipal police, school police and school resource officers) **from schools and replace them with much more cost effective and supportive peacebuilders / intervention workers** to maintain welcoming and safe school environments, and that don't rely on expulsions, ticketing and arrests. Peacebuilders have: deep and trusted community relationships; are trained and supervised by local youth development organizations; provide safe passage to and from school; provide school safety, as well as safe environments surrounding schools; provide mediation and/or restorative justice; provide mentorship/counseling to students; conduct community outreach and home visits to maintain student attendance and re-engage students who are not in school.

Youth deserve cash assistance and other access to income

The state should support young people - including those released from juvenile halls, probation camps and ranches and youth prisons, with direct cash assistance. As part of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act, most tax paying adults are eligible for cash assistance up to \$1,200 with an additional \$500 for each dependent child claimed on their tax return. This structure presumes a level of continuity and stability that unfortunately is not available to all young people.

Youth who are not able to live with the same caregiver as they did last year will not benefit from this assistance, whether they are houseless, leaving juvenile detention and incarceration facilities, in the foster care system, or simply disconnected from their family and living with other relatives or caring adults. Because they are under 18, they can't receive stimulus funding directly, and the adults currently caring for them may not have been able to claim them on a previous tax return.

For California's most vulnerable young people, shelter in place orders, increased unemployment, and the economic slowdown resulting from the current pandemic create unique disruptions in their economic stability and safety. Runaway and homeless youth (RHY) shelters are struggling to keep their doors open while child welfare agencies are struggling to meet the needs of youth in foster care and group homes. Youth released from lock-ups receive no cash assistance, and only rarely are provided with re-entry services, including job opportunities.

This is quickly creating an economic crisis for the state's most vulnerable youth, who are facing significant transitions in caregiving and need assistance to follow them. There is currently no mechanism to provide cash directly to young people or to the adults and families providing temporary care at a time when this additional assistance will make a meaningful difference in their ability to survive and meet basic needs. Recent technological innovations allow for solutions. For example, the platform UpTogether created by the Family Independent Initiative, allows for unrestricted cash transfers to individuals living in poverty and could be used to facilitate cash assistance directly to young people and their caregivers, providing:

- \$1,200 in unrestricted cash transfers to every minor released from a juvenile justice facility to support their reentry and economic stability.
- 1,200 in unrestricted cash transfers to every young person up to age 24 who is ineligible for federal stimulus funding and who stays at least one night in a shelter.
- \$500 in unrestricted cash transfers to caregivers providing care to young people released from juvenile justice facilities who did not claim that young person on last year's tax returns.

As well as:

- Provide all youth statewide, Kindergarten through College free access to public transportation including all metropolitan and county trains and buses. Transportation access enables low income and no income youth access to health/mental health care, employment, education and enrichment services - always essential, but especially in the midst of a pandemic when youth have to compete for scarce jobs and resources against adults with much more transportation access and experience navigating broad geographic areas. Similarly, youth are much more dependent on public transportation, but without the ability to afford the fare, youth are trapped in isolated and under-resourced communities, often forcing them to depend on the underground economies. Access to public transportation enables the state's most economically vulnerable youth to increase school attendance and reduce truancy (with an added benefit of increasing ADA to schools and increasing graduation rates); provides youth access to many more resources outside their immediate neighborhood; and prevents youth re-arrest or even injury and death due to often dangerous street-based work. Furthermore, investing in youth access to public transportation decreases reliance on cars thus reducing carbon-based emissions, and establishes a life-long habit that increases ridership into a young person's adulthood. Divesting less than 20% of what transportation authorities spend on law enforcement to patrol public transportation - largely to police and fine youth for fare evasion although they can no longer be prosecuted as per SB 882 (Hertzberg) - would eliminate this damaging law enforcement contact with youth, and would provide the funds necessary for free public transportation.
- Triple state funding for Youth Diversion and provide greater non-financial incentives for school, municipal and county law enforcement to divert youth from arrest. (See Diversion above for more detail.)
- Make a commitment to provide summer and after school jobs for all youth seeking work - regardless of their immigration status - as youth have the highest unemployment rate in the state, and last hired and first fired during the economic crisis created by the pandemic, and youth more than ever are needing to help their families survive economically. Prioritize connections to employment, union apprenticeships and college enrollment and aid for youth up to age 25 when released from juvenile halls, jails, probation camps and ranches, immigrant detention centers, Division of Juvenile Justice facilities and state and federal prisons.
- Ensure that all youth released from juvenile halls, jails, probation camps and ranches, immigrant detention centers, Division of Juvenile Justice facilities and state and federal prisons are issue before or upon their release the identification and documents essential to access cash assistance, employment, education, housing and other assistance - including state ID and/or driver's license, school transcripts, social security card, medical records and prescriptions, enrollment in school and other essential programs, and information on accessing immigrant protections where applicable. For less than \$30 per person, California can provide all youth with the bridge necessary to access opportunities outside the underground economy - ensuring greater safety and opportunities not only for youth, but for their families and their entire communities.

Proposal 5: Create and fund opportunities for local governments to implement community-based systems of health, reentry, and alternatives to incarceration

Californians made a resounding call for the State to begin a serious and sustained investment in treatment over incarceration⁷⁴ Since then, the State and its counties have been on a decarceration and prevention trajectory reducing their populations and investing in treatment. The COVID-19 crisis has sped up the rate of decarceration and the urgent need for the implementation of local community-based systems of health, reentry, and alternatives to incarceration. It is critical that resources are allocated to expand community based services to support the reentry of incarcerated individuals released due to COVID-19 jail decarceration. The State can be a leader in supporting local governments by doing the following:

1. Invest all the savings of lowered criminal justice system utilization costs into expanding and creating local community-based systems of health, reentry, and alternatives to incarceration. Create incentives for local governments to identify these local cost savings.
2. Conduct an aggressive cost benefit analysis of current public safety budget allocations, such as AB109; Identify budget lines that could fund community based services and reallocate those directly to Departments of Health, Public Health, Mental Health, Reentry, and Diversion for the direct expansion of local community-based systems of health, reentry, and alternatives to incarceration (ATI).
3. Provide counties the resources to build up community based alternatives to incarceration, similar to the Los Angeles County “Care First, Jails Last,” ATI model.

Taking these steps will translate to immediate long-term benefits to public safety, successful reentry rates, and cost-savings of smaller jail populations and lower criminal justice system utilization costs to counties and the State.

Less people in the jails equals a cost savings

The COVID-19 crisis has spurred a massive wave of local jail decarceration efforts by local county governments such as Los Angeles, San Francisco, San Diego, San Mateo, Stanislaus, and Marin County.⁷⁵ The lack of investment and access to community based services and housing for communities across the state, especially for those reentering our communities from incarceration has created delays and barriers to getting people released. The urgency and need to invest in housing, reentry services, and alternatives to incarceration is higher than any other time in history. COVID-19 has led to a reduction in the utilization costs of incarceration with thousands released from jails across the State.

This political moment is giving the State the power to assess what these savings will be and invest them into supporting community based reentry, housing, and alternatives to incarceration. Additionally, the State should create incentives for Counties to invest in identifying local cost savings that could be diverted into local health departments to provide housing, behavioral health services, and reentry support.

Adapt AB109 Budget Allocations to the COVID-19 Landscape

Los Angeles County has the largest jail population in the Country. Nearly one-half of all people incarcerated in LA County have at least one chronic disease, close to two-thirds have a substance use disorder, and about one-fourth have serious mental illness.⁷⁶ Because of a lack of investment into affordable housing and accessible social services in the community, LA County's jails are filled with some of our most vulnerable community members who would be better served in community based services.⁷⁷ This is similar across the State and Country.⁷⁸ Additionally Los Angeles County receives the largest AB109 budget in the State totaling over \$386,014,858 in 2018.⁷⁹

The intent of AB 109—expressed by both the statutory language and the preliminary finding calculations provided by the California Department of Finance—was for counties to focus on *non-incarceration* alternatives that have a proven track-record of reducing recidivism. So far, AB 109 has not been able to fulfill its purpose of reducing recidivism and jail populations because the funding has not reached community organizations with the deepest impact on reentry needs. Each county has discretion on how to allocate those funds. Since 2011, Los Angeles County has given the lion's share of the AB109 budget to the sheriffs and probation department with no tangible success in reducing recidivism among the people sentenced under AB109. Other counties have done the opposite and have invested more than half of their AB109 budget into community based services. For example, in Contra Costa County they have invested 60% of their AB109 budget into community-based reentry support, and have seen a sustained and significant drop in it's recidivism rates.⁸⁰

COVID-19 has caused a significant deficit in state revenue, which will impact the AB109 budget. The State should conduct an aggressive cost benefit analysis of the AB109. It should identify budget lines that could fund community based services and reallocate those directly to Departments of Health, Public Health, Mental Health, Reentry, and Diversion for the direct expansion of local community-based systems of health, reentry, and alternatives to incarceration (ATI). It should also create flexibility in how counties can spend those dollars on community based housing, reentry services, and alternatives to incarceration.

You Can't Deny the Return on Investment into Alternatives to Incarceration

The State doesn't need to look out of state for successful models of care and reentry. Counties across California have already begun shifting towards alternatives to incarceration before the inception of the COVID-19 pandemic. Los Angeles County is a successful case study illustrating the impacts of investing AB109 funds into diversion programs, like those implemented by LA County's Office of Diversion and Reentry (ODR).⁸¹ ODR serves our most vulnerable community members including those with serious mental health needs and serious offenses. While ODR only receives about 5% of LA County's AB109 funds their work has led to the release of 5,011 people out of the jails into community based services. People with chronic mental health needs who are diverted into the ODR Housing Program have a recidivism rate of 14% in their first year of release. Studies have shown that in the first year after being released from incarceration the recidivism rate for people with chronic mental health needs is 53% and 68% for people with co-occurring mental health and substance use disorders.⁸² ODR's diversion programs have proven to be more cost effective than incarceration, as well as more effective at reducing recidivism and ensuring public safety.⁸³ The return on investment on diversion and housing compared to jails and incarceration is undeniable, and never more necessary than in this COVID-19 landscape.

The Senate Budget Subcommittee on COVID-19's support for the LA ATI "Care First, Jail Last," and other similar community-informed county initiatives, will be critical in the implementation of community-based care. The State can instruct Counties to implement an infrastructure that prioritizes care first by protecting budgets and providing funding with the following key recommendations:

- Los Angeles County’s “Care First, Jail Last,” alternatives to incarceration plan calls for the creation and expansion of community based services, reentry, and alternatives to incarceration.⁸⁴ The ATI recommendations call for the investment in building out Restorative Care Villages similar to the Martin Luther King Medical Campus. This campus offers outpatient treatment, mental health urgent care, substance abuse services, and other recuperative care services, and serves a community of 1.3 million people; which is larger than most other county populations. The Outpatient Center cost \$175 million to build or just 5% of what it would have cost LA County to build two new jails.⁸⁵ Capital projects are essential to the success of ATI’s vision for a decentralized system of care. Restorative Care Villages are the vehicle for ATI’s strategy to expand and scale community-based holistic care through capacity building and service coordination. This model can be replicated in other counties. The State will need to provide each county with the necessary resources to build out these restorative care villages.
- Psychiatric Mobile Response Teams (PMRT) will require increased capacity of at least 70 additional positions estimated at \$9 million⁸⁶ to meet the demand. Increases in Realignment and MHSA funding should be used to grow the capacity of PMRT to meet community needs as well as maintain level of care provided to youth and adults through outpatient services, Urgent Care Centers, Board & Care, Drop-in Center, and Shelter Bed services, Residential, STRTP, State Hospitals and IMD services. ATI Strategy is to utilize behavioral health responses to avoid and minimize law enforcement responses. First responders will undoubtedly experience an increase in reports of individuals at risk of harming themselves or others.
- To end cycles of recidivism, we must complement pretrial release with meaningful pretrial diversion services. The Department of State Hospitals (DSH Division) funds pre-trial diversion (\$25 million to LA County ODR) to divert individuals with serious mental health disorders who have committed offenses to community-based care.
- The State should provide other Counties the necessary resources for them to develop and implement their own ATI initiatives using LA as the model. LA County has a population of 10 million residents. The cost to staff and operationalize the ATI Initiative for a local government of its size is projected at \$1 million, with contributions from philanthropic groups and leveraged County departments rounding out half the cost.
- The State should guarantee funding to essential funding streams like Drug Medi-Cal (DMC) to cover substance use disorder services including outpatient, intensive outpatient, residential, withdrawal management, recovery support services, and case management (\$676.6 million); Proposition 47 (\$38.6 million) to provide mental health services, substance use disorder treatment and diversion programs for people impacted by the criminal legal system; DSH (\$44.2 million) to contract with community-based residential care providers, with DMH and DHS as intermediary brokers. Felony Incompetent to Stand Trial-Community Based Resoration (FIST-CBR) provides care ranging from acute inpatient to open residential treatment to restore individuals to competency.

Alternatives to immigration detention include community-based post-release services

Alternatives to detention are widely recognized internationally as a viable alternative to incarceration. There are models worldwide demonstrating that **community-based services are far more humane and cost effective than incarceration. The International Detention Coalition has identified more than 250 examples of alternatives to detention in 60 countries.**⁸⁷ This proposal includes a bold initiative to launch state-funded,

community-based programming to immigrants as an alternative to detention that would promote the integration of immigrants and asylum seekers in our state.

Social and community-based services can act as a viable and desperately needed alternative to detention in our state and enhance the state's considerable immigrant integration efforts. As recently as April 13, 2020, California Attorney General Xavier Becerra called on the Department of Homeland Security (DHS) to expand its use of alternatives to detention, recommending that in one California detention prison alone, as much as 91 percent of the population (or 619 individuals) could be released into alternative programming.⁸⁸ In fact, the Attorney General recommends that at least 1,994 individuals (nearly half of the detained population in California) be released into alternative programs today. However, ICE's existing alternative programming is under-resourced, lacks a community-based and trauma-informed framework, and is not designed to meet the needs of post-release service providers—and even more so with the added challenges caused by the pandemic. California should not wait for the federal government to act, or rely on ICE to provide a viable alternative to detention that can effectively promote immigrant integration.

ICE fails to be a trusted agency for post-release support and often fails to honor its own standards, which mandate the agency facilitate post-release transportation to a transportation hub (e.g. a Greyhound bus station). Even before the outbreak of COVID-19, community groups reported inconsistencies and opacity in how ICE directs the release processes of persons leaving its custody—and even more so to post-release services. ICE leaves the people they release alone, after hours, at transit centers and bus stations with little to no information. Within the context of COVID-19, these inconsistencies pose an even greater challenge to community-based groups scrambling to fill the needs-gap left by the federal government. **The State should invest broadly in post-release support to ensure public health for everyone in California, including the immigrants and their families who are released, and connect immigrants to vital and necessary services.**

California has a history of demonstrated leadership in the face of federal inaction and attacks, particularly when it comes to investing in immigrant integration through community-based services. In January 2019, in response to the urgency of the high numbers of asylum seekers arriving at the southern border with no federal response, the State approved a total sum of \$25 million to local community-based organizations to provide immediate shelter and in-kind support to arriving immigrants.⁸⁹ Those shelters remain operational to this day. Indeed, ICE sometimes relies on these services when people are transitioning out of detention. **The State's investment in these shelters can be buttressed by a broader post-release strategy that is coordinated with more robust community-based integration services available across the State.**

The community-based groups currently providing post-release services are under added strain

Currently in California, post-release services are almost entirely reliant on volunteers, faith groups, retired persons and ethnic and impacted community groups. These groups provide a range of services to persons transitioning from detention, including transportation assistance, short- and long-term housing, and monetary or in-kind donations.

The COVID-19 pandemic has significantly impacted the ability of these groups to continue to operate at their usual capacity, including:⁹⁰

- Reduced volunteer capacity (61%) (especially for older, more-at-risk volunteers)
- Reduced transportation options (61%)
- Reduced availability of temporary and long-term housing (51% and 44%, respectively)
- Lack of access to personal protective equipment (PPE) (41%)
- Impact on case management and logistics, including communication challenges and remote coordination.

Sponsorship plays a critical role in securing release from detention and supporting integration

We have identified at least 20 organizations that facilitate community-based sponsorship programs in California.⁹¹ Sponsorship and community accompaniment is a joint method of securing the release of newly arrived asylum seekers from detention and connecting them with volunteer host homes⁹² and community members who leverage collective resources to meet basic needs. In order to be released from detention, the majority of asylum seekers must pay an immigration bond and work with their advocate and sponsor to provide documentation establishing citizenship/residency, adequate income, and address of the sponsor providing refuge. Additionally, the sponsor submits a letter pledging to accompany immigrants in meeting the requirements of their court proceedings, substantiating that they are not flight risks. Sponsorship is currently the principle means of release for asylum seekers subjected to a brutal system of incarceration.

Over the past year, the 20 community-based organizations we identified have assisted over 200 individuals in securing a sponsor and raising money for and posting immigration bonds. The majority of individuals are newly arrived asylum seekers, but many groups also assist long-term residents.

1. All organizations provide housing in either volunteer host homes or through different transitional housing models.
2. Most organizations provide some form of direct economic assistance.
3. Most organizations provide in-kind donations like food, clothing, hygiene products, and phones.
4. The majority of organizations assist individuals in arranging travel arrangements to their host homes following release.
5. The majority of organizations engage community accompaniment volunteers in assisting newly arrived immigrants with mutual aid and assistance in navigating a new country.
6. Most organizations provide case management services or collaborate with other organizations specializing in connecting individuals to legal, social, and medical services.
7. A small number of organizations provide mental health services directly or indirectly, and the majority of groups recognize this as a best practice.
8. All organizations provide some form of support and training for their sponsor host homes focused on what to expect and how to prepare, diversity training, and conflict mediation.

Community-based reentry and post-release programming for immigrants

This program ensures that residents with established long-term ties to our state are provided essential support to protect them and their families post-release, while also ensuring that newly arriving migrants and asylum seekers have access to a baseline of welcoming & integration support during this critical time.

Program eligibility protects the health and safety of the following categories of immigrants:

- Immigrants released from local and state custody
- Immigrants released from ICE custody after March 19, 2020.
- Immigrants released from ICE as a result of removal defense provided by “One California”⁹³
- Non-detained immigrants in removal proceedings

Program components entail the following supportive services for immigrants upon release:

- Responsible releases from local and state custody

- Upon confirmation of a person's imminent release date, if ICE issues a notification or any request related to the individual, the releasing agency or probation or parole office should affirmatively call the person's designated family member, attorney, and the nearest local or regional rapid response network with the release date and location.⁹⁴
- Fund providing \$500 direct cash assistance for immigrants upon release through:
 - "One California" providers
 - Sponsorship groups
- Sponsorship
 - Housing placement in host homes
 - Support with transportation upon release and long distance travel coordination
 - Case Management services
 - Provision of legal educational materials, such as "Know Your Rights" palm cards⁹⁵
 - Referrals to qualified pro bono legal services providers offering deportation defense⁹⁶
 - Sponsorship recruitment and training
 - Management & administration of sponsorship networks
 - Coordination of post-release networks
- Community-based immigrant integration services
 - Housing assistance
 - Shelters, transitional housing, and longer-term placements
 - In light of COVID-19, hotel rooms and vacant properties should be repurposed for self-quarantine post-release
 - Accompaniment throughout any legal proceedings
 - Orientation to local social services institutions
 - Job readiness (including adult education and ELL)
 - Health services, including mental and behavioral health
 - Rehabilitation services for substance use disorder

California must fund the expansion of housing and other capital projects

California's houseless population remains one of the most vulnerable to COVID-19 infection. The pandemic has created a flashpoint to implement innovative public health responses to chronic, pressing crises across the state, including houselessness. Providing housing and access to healthcare facilities to these vulnerable communities will support the health of all Californians by drastically reducing the spread of infection. The State and counties have taken good steps towards addressing houselessness by repurposing hotels, motels and publicly-owned properties; however, the COVID-19 pandemic necessitates diverting construction funding from jails and prisons to service infrastructure through the use of a legislative bill or budget trailer bill that amends current jail and prison construction funding allocations to be used for other, more pressing, capital projects. This would allow the funds to be redirected to support capital projects that address COVID-19 related needs, such as transitional housing, permanent housing, and treatment centers. This will provide California with both immediate and long-term relief from long-standing housing needs.

In 2007, the California Legislature passed AB 900, the Public Safety and Offender Rehabilitation Services Act. This created a fund to build more jails in order to lower overcrowding in existing facilities. The measure sought to

head off federal court action, including federal receivership. The intent was to provide funding for approximately 13,000 jail beds to address the overcrowding in local detention facilities, in addition to resources for 40,000 state jail beds. The intent of AB 900, to build more jails, and incarcerate more people, is out of step with the needs of California residents in this current crisis when housing and medical facilities should be prioritized, and carceral facilities are drastically lowering their populations. LA County, for examples, has received \$100 million from these funds. Last year, the Los Angeles Board of Supervisors cancelled the Mira Loma jail project, with the support of community advocacy groups. Today the \$100 million in eligible AB 900 Revenue Bonds awarded to LA County remains unspent, and given the dramatic reduction in the jail population and the high need for housing, this money could be put to greater use.

The Public Safety and Offender Rehabilitation Services Act also authorizes the State to issue revenue bonds to finance the design and construction of new facilities that provide medical, dental and mental health care treatment as well as operate reentry program facilities. These AB 900 revenue bonds have the potential to strengthen California's social safety net with the construction of new facilities for housing and programming for people currently incarcerated that can and should be released back into their communities.

Conclusion

The COVID-19 pandemic has laid bare some important truths, including that incarceration has always been a public health crisis. The need to shift our state resources away from criminalization and incarceration and toward community-based services & alternatives to all forms of incarceration, including detention, has never been more clear. Indeed, public health research and recent epidemiological modeling demonstrates that a critical component of any COVID-19 response must be decarceration.

While the COVID-19 pandemic has irrefutably caused immeasurable harm and suffering, it also provides a critical juncture for us to reevaluate our communities' need for structural and transformational change. The California Legislature and the governor have an opportunity and a responsibility to protect the health of all Californians, including immigrants. California can lead the way in walking us into a future we want to live in: where all people are healthy and free; where we use our collective resources to help, not to punish or hurt; where people can get the care and assistance they need to repair any harms they have caused, heal historical or ongoing pain, and grow in community together; where there is no need for prisons, jails, detention centers, or policing; where all people can thrive.

Authors

Amber Akemi Piatt, Health Instead of Punishment Program Director, Human Impact Partners

Amber-Rose Howard, Executive Director, Californians United for a Responsible Budget

Brian Kaneda, Los Angeles Coordinator, Californians United for a Responsible Budget

Eunisses Hernandez, Executive Director, La Defensa

Grisel Ruiz, Supervising Attorney, Immigrant Legal Resource Center

Ivette Alé, Senior Policy Lead, Dignity and Power Now

Kim McGill, Organizer, Youth Justice Coalition

Layla Razavi, Deputy Executive Director, Freedom For Immigrants

Sandy Valenciano, Andy Grove Fellow, Immigrant Legal Resource Center

LA DEFENSA



Dignity & Power **NOW**



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64. Assembly Bill 2596 (Bonta-D), or the "VISION Act", would protect individuals convicted for offenses committed as youth, who have earned release from a California jail or prison, from being transferred to immigration authorities for deportation purposes. The bill would also prevent immigrants eligible for release from jail from being transferred to immigration authorities. See Rob Bonta, *Bonta Introduces Package of Bills to Protect Californians' Civil Liberties & Immigrant Communities* (Feb. 20, 2020) (quoting Bonta as stating that, upon release from jail or prison, immigrants "... should be released back to society, to their community, to their family, rather than funneled into Trump's detention and deportation machine, where they may suffer in private civil detention centers..."). Available at: <https://a18.asmdc.org/press-releases/20200220-bonta-introduces-package-bills-protect-californians-civil-liberties>.

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66. The state has already recognized the harmful impact of transferring residents into ICE custody by passing into law the “California Values Act”, Cal. Gov’t. Code §7284.6, which reduced the number of individuals transferred from local law enforcement custody to ICE; this subdivision can be amended to limit all transfers from both local law enforcement and CDCR to ICE.
67. Cal. Const. Art V, § 13.
68. The “California Emergency Services Act”, Cal. Gov’t. Code § 8572 (“In the exercise of the emergency powers hereby vested in him during a state of war emergency or state of emergency, the Governor is authorized to commandeer or utilize any private property or personnel deemed by him necessary in carrying out the responsibilities hereby vested in him as Chief Executive of the state and the state shall pay the reasonable value thereof.”).
69. *Id.* at § 8567, (stating in relevant part, “[t]he Governor may make, amend, and rescind orders and regulations necessary to carry out the provisions of this chapter. The orders and regulations shall have the force and effect of law.”).
70. See California Assembly Bill 32 (Bonta 2019), codified, in part, at Cal. Pen. Code §9500 et. seq.
71. *Supra* note 68 at § Section 8627.5 (a) (“[t]he Governor may make, amend, or rescind orders and regulations during a state of emergency that temporarily suspend any state, county, city, or special district statute, ordinance, regulation, or rule imposing nonsafety related restrictions on the delivery of food products, pharmaceuticals, and other emergency necessities distributed through retail or institutional channels, including, but not limited to, hospitals, jails, restaurants, and schools. The Governor shall cause widespread publicity and notice to be given to all of these orders and regulations, or amendments and rescissions thereof.”).
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91. A range of community-based sponsorship programs are operating across the state in the following counties: Los Angeles,

San Bernardino, Riverside, Ventura, Orange, San Diego, San Jose, Alameda, San Francisco, and Marin. With additional support, groups would have the capacity to facilitate sponsorship in most California counties, including the Central Valley. See Freedom For Immigrants, *Sponsoring an Asylum Seeker* (last visited Apr. 29, 2020), available at: https://docs.google.com/document/d/1x2vCqgt-WcLxI2pGGaTDIU0fyOdy5pEISRZ7_CiWJgk/edit (providing information on sponsorship for asylum seekers).

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93. The Office of Immigrant Integration, California Department of Social Services, invests in legal services through the Immigration Services Funding (ISF) program at the rate of \$45 million, annually, for various legal services, including deportation defense for detained immigrants.

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