

Care First Budget

LA County Reimagined

FISCAL YEAR 2020 - 2021

JUSTICELA

Contents

3 Executive Summary

6 COVID-19 & Incarceration Threaten Public Health and Safety in Los Angeles County

6 COVID-19 is already inside Los Angeles County carceral facilities

7 Inhumane conditions put our entire county at risk

7 Immediate action through 4 key proposals is necessary

10 Proposal 1: Los Angeles County must continue to reduce its jail population

11 Los Angeles must reduce its pretrial incarceration

17 Los Angeles must conduct post-conviction re-sentencing and vacations of judgment

18 Los Angeles must reduce harms against those held in custody

19 Proposal 2: Los Angeles must decriminalize and decarcerate its youth

21 Probation budgets rise as youth incarceration rates decrease

22 LA County must invest in youth development

23 Transforming youth justice

26 Proposal 3: Capturing Cost Savings

26 LA County must meet this historic moment

26 Less people in the jails equals cost savings

27 Los Angeles County must reduce Law Enforcement budgets

29 Adapt AB109 budget allocations to the COVID-19 landscape

30 Jail closure and capital project reinvestment

32 Proposal 4: Los Angeles County must increase its investments in ATI implementation

32 You can't deny the return on investment into alternatives to incarceration

33 ATI implementation priorities for COVID-19

35 Care First Proposed Budget

39 Conclusion

40 Authors

Executive Summary

Over the past few months and weeks, people across Los Angeles County—and the nation—have made clear that local budgets must prioritize community-based systems of care rather than incarceration and the various forms of policing that have punished our most vulnerable communities and depleted resources. The COVID-19 pandemic has exacerbated long-standing racial and economic disparities in Los Angeles County that have threatened the health and safety of our most vulnerable communities for generations. At the same time, the growing movement in Los Angeles and across the globe, reflects the current push to end the current systems which punishes and harms Black people. This moment demands that Los Angeles County protect the lives of all its residents, including immigrants, and substantially increase funding to health and human services, while reducing spending on law enforcement and incarceration.

Across the country, local officials are hearing and responding to the calls of community members for change. In a historic decision, the Minneapolis city council has pledged to disband the city's police department and replace it with a

new system of public safety.¹ In New York, City Comptroller Scott M. Stringer has called on Mayor Bill de Blasio to cut \$1.1 billion from the New York City Police Department (NYPD) over the next four fiscal years, shifting both responsibilities and dollars away from the NYPD and toward vulnerable communities most impacted by police violence and structural racism.² And in the City of Los Angeles, Mayor Eric Garcetti, has announced \$150 Million in budget cuts from the Los Angeles Police Department budget, and reinvestment in communities of color.³

More than ever before, it is imperative that Los Angeles County become a leader and divest from one of the most costly areas of the budget — criminalization and incarceration — and invest in cost and life-saving solutions to the unprecedented challenges we face as a county and country in the coming years. The answer is clear: 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.

On March 10, the County Board of Supervisors

1 Sam Levin, Minneapolis lawmakers vow to disband police department in historic move, *The Guardian* (June 7, 2020), <https://www.theguardian.com/us-news/2020/jun/07/minneapolis-city-council-defund-police-george-floyd>.

2 Press Release, New York City Comptroller Scott M. Stringer, Comptroller Stringer to Mayor de Blasio: Cut \$1.1 Billion in NYPD Spending Over Four Years and Reinvest in Vulnerable Communities and Vital Services (June 4, 2020), <https://comptroller.nyc.gov/newsroom/comptroller-stringer-to-mayor-de-blasio-cut-1-1-billion-in-nypd-spending-over-four-years-and-reinvest-in-vulnerable-communities-and-vital-services/>.

3 Tom Tapp, *Los Angeles Mayor Eric Garcetti, City Officials Cutting \$100 Million-\$150 Million From LAPD Budget, Funds To Be Reinvested In Communities of Color*, *Deadline Hollywood* (June 3, 2020), <https://deadline.com/2020/06/los-angeles-mayor-eric-garcetti-city-officials-cutting-100-150-million-from-lapd-budget-funds-to-be-reinvested-in-communities-of-color-1202950811/>.

The proposed 2020-2021 budget allocates \$3.77 billion to Public Protection, translating to 42% of the county's \$8.913 billion in net costs. By contrast, Health & Sanitation receives a mere \$1.359 billion - only 15% of net county costs. These budget allocations do not align with the needs of LA residents or the county's "care first" mission.¹

1 Sachi A. Hamai, Chief Executive Officer, Submitted to the Board of Supervisors, *County of Los Angeles 2020-21 Recommended Budget* (2020), <https://ceo.lacounty.gov/wp-content/uploads/2020/04/4.-2020-21-Recommended-Budget-Charts.pdf>.

voted to move the [Care First, Jails Last Alternatives to Incarceration Workgroup Final Report](#) forward.⁴

This report details the way that we can care for people by creating a new vision of community safety and divesting from jails and law enforcement. This report is a public health solution. What we need right now in response to COVID-19 is a public health solution. We need people to be housed (rec 20), so that they are able to isolate, wash their hands, and maintain safety. We need people to have access to ongoing mental health and substance use disorder treatment (rec 2, 12, 31). This will reduce the use of hospitals for emergency mental health treatment which increases potential exposure to the virus and ensures that people have the support and stability to be able to follow COVID-19 related protocols. We need to have mental health

providers and non-law enforcement emergency providers going to crises (rec 35, 43) so that people are not continuing to get arrested and go into the jails where [we know there is a COVID-19 outbreak](#).⁵ We need to ensure that people whose justice involvement is driven by unmet behavioral health needs are able to be diverted to pre-arrest and pre-bookings community-based behavioral health programs (rec 48) so that we are again, not continuing to send people into the jail system that we know is a direct threat to their health and lives. We need to immediately institute a presumption of pretrial release for all individuals and connect those individuals to community-based systems of care that will help them to remain safely in the community (rec 56) where they can isolate as needed and follow other COVID-19 related protocols. We need to immediately ensure public collaboration in all phases of Alternatives to Incarceration planning, implementation, evaluation, and system oversight (rec 84) and create, staff, and fund an Advisory Collaborative of Impacted People to ensure there is continuous feedback and accountability to the prioritized communities and LA County (rec 86).

We know that COVID-19 is disproportionately impacting the same people who are most impacted by poverty, incarceration, and racial inequality and the only way to combat that is to make sure that the most impacted people are deeply involved in decision-making moving forward. Incarceration was a public health issue before COVID-19 and the pandemic only fueled what was already a deadly and deeply harmful institution. We must implement the Alternatives to Incarceration plan immediately in order to reduce further harm and create sustainable, meaningful change.

4 *Care First, Jails Last*, L.A. County Alternatives to Incarceration Work Group (2020), <https://lacialternatives.org/wp-content/uploads/2020/02/ATI-Final-Report.pdf>.

5 Cindy Chang, *Coronavirus infection rates in some parts of LA jails are 40% or higher*, Los Angeles Times (May 27, 2020), <https://www.latimes.com/california/story/2020-05-27/coronavirus-infection-rates-los-angeles-county-jails>.

The 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.

This cost-saving shift of fiscal priorities will provide immediate relief to our most vulnerable communities and establish the long-term infrastructure Los Angeles needs to address some of its most imperative and visible crises, such as chronic homelessness. The implementation of a “Care First, Jails Last” budget roadmap will help the county 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 county’s residents will undoubtedly save the lives of countless people inside and outside of cages. We have a historic opportunity to enact a Care First Budget for Los Angeles that reflects our progressive values and prioritizes a vision for our county’s future that aligns with the vast majority of the electorate.

Divestment in criminalization and incarceration must:

- Reduce law enforcement budgets
- Reduce the number of criminal charges filed in the county
- Reduce the number of incarcerated people in the county
- Capture cost savings from decarceration for alternatives

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
- Community-based youth development programs

For more information, contact:

Ivette Alé,

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

Liz Sutton,

LCSW, White People 4 Black Lives
elizabethksutton@gmail.com
(860) 965-2909

Eunisses Hernandez,

Co-Executive Director, La Defensa
eunisses@ladesensx.org
(323) 820-8677

Brian Kaneda

Los Angeles Coordinator, CURB
brian@curbprisonspending.org
(323) 273-5000

Mark-Anthony Clayton-Johnson

Executive Director, Frontline Wellness Network
markanthony@frontlinewellnessnetwork.com
(818) 259-1322

COVID-19 & Incarceration Threaten Public Health and Safety in Los Angeles

Heightened concern over the COVID-19 pandemic—and how it is exacerbating existing health, racial, and economic inequities—has devastated our communities for decades.⁶ This March, Governor Gavin Newsom declared a state of emergency in response to California's first COVID-19 death.⁷ 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 harmed are at highest risk of infection and death—in particular, those in the largest and most violent institutions in our state: juvenile detention halls and camps, the county jail system, and prison system, including immigration detention.⁸ Insufficient state resources and preparation has failed to protect the hundreds of

thousands of people in this system against the spread of COVID-19.⁹

COVID-19 is already in LA County jails and juvenile halls and camps

In Los Angeles County, which has the most populated jails in the country,¹⁰ the first positive test for a person detained was announced on March 30th. By June 5, there were 307 positive tests among the Sheriff's Department staff; 2066 staff are classified as currently quarantined, currently at high risk, or returned to work post-quarantine. There were 2,383 people detained who have tested positive; 4,936 people detained in quarantine; 200 people detained are isolated (people who are still detained despite a temperature of 100.4 or above and exhibiting symptoms of upper respiratory infection). There was at least one death of a staff member (a nurse who was part of the jail medical staff) and [at least one death of people detained](#).¹¹

As of June 5, 14 youth have tested positive in the county's juvenile halls, and 12 staff have tested positive across juvenile halls and camps.¹² The lack of wider spread testing means that the prevalence of COVID-19 remains largely unknown inside both juvenile halls and camps.

6 Tedros Adhanom Ghebreyesus, *WHO Director-General's Opening Remarks at the Media Briefing on COVID-19*, World Health Organization (May 29, 2020), <https://www.who.int/dg/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---29-may-2020>.

7 Governor Newsom Declares State of Emergency to Help State Prepare for Broader Spread of COVID-19, Off. of Governor Gavin Newsom (Mar. 4, 2020), <https://www.gov.ca.gov/2020/03/04/governor-newsom-declares-state-of-emergency-to-help-state-prepare-for-broader-spread-of-covid-19/>.

8 In February 2019, the California Department of Justice issued a report finding that the medical systems inside California detention prisons are overburdened. Xavier Becerra, *The California Department of Justice's Review of Immigration Detention in California*, State of Cal. Dep't of Justice, Off. of the Att'y Gen. (Feb. 2019), <https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/immigration-detention-2019.pdf>.

9 LASD Custody Operations Working With DPH and CHS to Prepare for 2019 Novel Coronavirus (COVID-19), L.A. County Sheriff's Dep't (June 8, 2020) <https://lasd.org/coronavirus-update/>.

10 Breeanna Hare & Lisa Rose, *Pop. 17,049: Welcome to America's Largest Jail*, CNN (Sept. 26, 2016), <https://www.cnn.com/2016/09/22/us/lisa-ling-this-is-life-la-county-jail-by-the-numbers/index.html>.

11 Colleen Shalby, *First pregnant woman and first jail inmate die from coronavirus LA County Official Say*, L.A. Times (June 1, 2020), <https://www.latimes.com/california/story/2020-06-01/first-pregnant-woman-and-first-jail-inmate-die-from-coronavirus-l-a-county-of-ficials-say>.

12 Los Angeles County Probation COVID-19 Weekly Update June 5, 2020, County of L.A. Probation Dep't (June 5, 2020), http://file.lacounty.gov/SDSInter/probation/1073881_060520WKLYUPDATE.pdf.

Inhumane conditions put our entire county at risk

The pandemic has magnified the already dangerous overcapacity of Los Angeles County's carceral facilities. 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%.¹³ 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.¹⁴

Attempts at isolating people in these inherently punitive settings are akin to solitary confinement and not preventive care. These inhumane conditions put our entire county 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."¹⁵ A 2019 report stated that 21% of the jail population was 45 or older.¹⁶ By keeping vulnerable individuals

behind bars, we are increasing the likelihood that COVID-19 will not only spread "like wildfire"¹⁷ throughout the jail systems, but that the virus will be routinely transmitted to even larger populations outside of these facilities.

Immediate action through four key proposals is necessary

Given the urgency of this situation, we are calling on the Los Angeles County Board of Supervisors to act immediately to protect the lives of incarcerated people, their families and communities. Keeping individuals incarcerated and detained without proper preventive measures will continue to lead to death among those confined to jails, workers at jails, 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 many.¹⁸

The budget that Los Angeles County 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.

13 L.A. County Sheriff's Dep't, *Custody Division Population Quarterly Report: Fourth Quarter 2019*, 11 (Dec. 2019), <https://lasd.org/transparency%20data/custody%20reports/Custody%20Division%20Population%202019%20Fourth%20Quarter%20Report.pdf#page=12>.

14 During the four week period from March 23 to April 29, numerous reports of the conditions described were made by people held in Otay Mesa Detention Center and Adelanto ICE Processing Center. See Freedom For Immigrants, *COVID in ICE Custody: Bi-weekly Analysis & Update* (Apr. 14, 2020), <https://static1.squarespace.com/static/5a33042eb078691c386e7bce/t/5e970e31c166a47008b8cc3d/1586957874230/FFI+April+14+COVID-19+FINAL.pdf>; Freedom For Immigrants, *COVID in ICE Custody: Bi-weekly Analysis & Update* (Apr. 29, 2020), <https://static1.squarespace.com/static/5a33042eb078691c386e7bce/t/5ea9b7c7774c731ba9a19892/1588180936750/FFI+April+29+COVID-19+Updated.pdf>. See also Freedom For Immigrants, *COVID-19 in ICE Jails & Prisons* (last visited Apr. 29), <https://www.freedomforimmigrants.org/covid19> (publishing biweekly reports of first-hand accounts from inside detention facilities from across the country).

15 L.A. County Sheriff's Dep't, *The Department's inpatient treatment center is currently the largest CTC licensed facility* (last visited May 8, 2020), <http://shq.lasdnews.net/pages/PageDetail.aspx?id=508>.

16 See L.A. County Sheriff's Dep't, *Custody Division Population Quarterly Report*, *supra* note 14, at 19.

17 Jason Pohl, *California Jails, Prisons on Alert for Coronavirus. Fear It Will 'Spread Like Wildfire'*, The Sacramento Bee (Mar. 6, 2020), <https://www.sacbee.com/news/california/article240962761.html>.

18 Christian Berthelsen, *No Escape From Virus Threat for 2 Million Crammed in Prisons*, Bloomberg (Mar. 11, 2020), <https://www.bloomberg.com/news/articles/2020-03-11/no-escape-from-virus-threat-for-2-million-crammed-in-prisons>.

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.**¹ In San Francisco, the Department of Public Health passed a resolution declaring that “incarceration is a public health issue.”²

1 Julie Acker et al., *Mass Incarceration Threatens Health Equity in America*, Robert Wood Johnson Found. (2018), <https://www.rwjf.org/en/library/research/2019/01/mass-incarceration-threatens-health-equity-in-america.html>.

2 Press Release, San Francisco Department of Health, SF Health Commission recognizes incarceration as a public health issue, City and County of San Francisco (March 20, 2019), https://www.sfdph.org/dph/alerts/files/SFDPH_Health_Commission_passes_resolution_on_incarceration_3_19_19.pdf.

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. Community pressure in San Francisco has also propelled rapid decarceration of the county jails, which have seen an approximately 40% decrease since January 2020.

Existing public health evidence shows that releasing individuals will have the desired preventive effects in regard to disease transmission.

The policies and practices that shape incarceration rates disproportionately harm historically and structurally marginalized communities, including Black, Brown, Indigenous, Native, and people of color¹⁹; people who are undocumented²⁰; people experiencing houselessness²¹; people with disabilities²²; people who are lesbian, gay, bisexual, transgender, and/or queer²³; people with mental health needs²⁴; people who use drugs²⁵; and sex workers²⁶. Releasing people from jails 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 Los Angeles County’s disaggregated data will reflect the same.

19 Robynn J.A. Cox, *Where Do We Go from Here? Mass Incarceration and the Struggle for Civil Rights*, Econ. Pol’y Inst. (Jan. 16, 2015), <https://www.epi.org/publication/where-do-we-go-from-here-mass-incarceration-and-the-struggle-for-civil-rights/>.

20 Fabricio E. Balcazar, *Policy Statement on the Incarceration of Undocumented Migrant Families*, 57 Am. Psychol. Ass’n. 255 (2016), <https://onlinelibrary.wiley.com/doi/full/10.1002/ajcp.12017>. See also Michael T. Light, *Legal Inequality’s Newest Face*, 14 Am. Psychol. Ass’n. 32 (2015), <https://journals.sagepub.com/doi/pdf/10.1177/1536504215596944> (finding that immigration status was the most significant determinant in sentencing over race and other factors).

21 Bidish Sarma & Jessica Brand, *The Criminalization of Homelessness: Explained*, The Appeal (June 29, 2018), <https://theappeal.org/the-criminalization-of-homelessness-an-explainer-aa074d25688d/>.

22 Rebecca Vallas, *Disabled Behind Bars: The Mass Incarceration of People With Disabilities in America’s Jails and Prisons*, Ctr. for Am. Progress (July 18, 2016), <https://www.americanprogress.org/issues/criminal-justice/reports/2016/07/18/141447/disabled-behind-bars/>.

23 Catherine Hanssens et al., *A Roadmap for Change: Federal Policy Recommendations for Addressing the Criminalization of LGBT People and People Living With HIV* (2014), https://web.law.columbia.edu/sites/default/files/microsites/gender-sexuality/files/roadmap_for_change_full_report.pdf.

24 *From Prisons to Hospitals – and Back: The Criminalization of Mental Illness*, Prison Pol’y Initiative (last visited May 8, 2020), <https://www.prisonpolicy.org/scans/menbrief.html>.

25 Peter Reuter, *Why Has US Drug Policy Changed So Little Over 30 Years?*, 42 Crime & Just. 75 (2013), <https://www.jstor.org/stable/10.1086/670818?seq=1>.

26 *The Impact of Criminalisation on Sex Workers’ Vulnerability to HIV and Violence*, Global Network of Sex Work Projects (Dec. 2017), https://www.nswp.org/sites/nswp.org/files/impact_of_criminalisation_pb_prf01.pdf.

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 homelessness and are able to receive community-based care. Our homeless communities are at heightened risk of not only contracting COVID-19, but of dying from the virus.²⁷ Immigrants are at particular risk upon release because many basic social services are not available to them; despite significant county and state investments in increasing access to healthcare and legal services for immigrants, the majority of 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, Los Angeles County 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 LA County residents in this moment requires us to address the three-pronged crisis of COVID-19, racial and economic inequality, and incarceration. Given this mutually exacerbating emergency, the county should allocate resources for both immediate and long-term solutions. The policies and budget allocations outlined in this report will reap exponential health, social, and fiscal benefits for LA County by accelerating the reduction of the jail population, creating capital projects that address long-standing housing needs, and developing service infrastructure that supports the long-term wellness of the county's most vulnerable populations.

To that end, we recommend that the LA County Budget support 4 key proposals:

- Jail population reduction
- Youth decriminalization & decarceration,
- Capturing cost savings from decarceration and decreased law enforcement presence
- Investment in community-based services & alternatives to incarceration

27 Emily Shapiro, *Coronavirus and the Homeless: Why They're Especially at Risk, Ways to Stop a Spread 'Like Wildfire'*, ABC News (Mar. 11, 2020), <https://abcnews.go.com/Health/coronavirus-homeless-risk-ways-stop-spread-wildfire/story?id=69505076>

Proposal 1: Los Angeles County must continue to reduce its jail population below 12,000

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.²⁸ 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.²⁹ Implementing such jail population reduction policies in Los Angeles will not only save the county 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 Los Angeles jail system was dangerously overcrowded and medically negligent. These conditions reduce the lifespan of thousands of residents within a system that exposes them, their families, and communities to infection and disease. The County has moved quickly to facilitate the release of people from the jails to mitigate the very real threat that ongoing arrests,

pretrial detentions, and standard release times posed not only to the people inside the Los Angeles County jails but to the broader community.

The jails continue to represent a convergence of several vectors of transmission as Sheriff's enter and leave these facilities everyday, as do medical staff. As of May 26th, the jail population was over 12,000 people, an increase from approximately 11,700 on May 11th. This suggests two things 1) the Sheriff's Department continues to use vital county resources to arrest and hold people pretrial who should either not have been arrested or should have been diverted, and 2) the pace of the county's release and diversion efforts cannot keep up with the pace of bookings and the length of which people are being held. This is a costly dynamic that will demonstrate its price in the cost of incarceration, the cost of potential litigation because of the inadequate conditions inside of the jails, and the cost to the health of people who work in jails and those being detained who are generally more medically vulnerable and should be released. **The lack of adequate medical care in jails has compromised county budgets long before COVID-19.** In LA County, one third of lawsuits issued by people in jails between 2011–2015 were because of a failure to provide adequate medical

28 *COVID-19 Model Finds Nearly 100,000 More Deaths Than Current Estimates, Due to Failures to Reduce Jails*, ACLU (2020), https://www.aclu.org/sites/default/files/field_document/aclu_covid19-jail-report-2020-8_1.pdf (based on live and evolving data sources queried between Apr. 13–17).

29 *Averting an Imminent Catastrophe: Recommendations to US Local, State and Federal Officials to Covid-19 in Jails and Prisons* Human Rights Watch (Apr. 29, 2020), <https://www.hrw.org/news/2020/04/29/averting-imminent-catastrophe-recommendations-us-local-state-and-federal-officials#>.

care. The settlements from those cases cost LA County \$4.2 million. As of May 26th, there were over 5,163 people 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.³⁰ The jail has also had COVID-19 cases that are upwards of 25 times higher than the rest of the county proportionally. Litigation against Los Angeles County and the Sheriff's Department has already begun due to their failures to protect prisoners during the pandemic.³¹ 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

Los Angeles County must continue to decrease the jail population and ensure the health and safety of people incarcerated in jails by providing funding that supports the following:

- Reduce pretrial incarceration
- Reduce police contact, arrests, and bookings in Black communities
- Increase diversion capacity
- Increase post-conviction re-sentencing and vacations of judgment
- Increase harm reduction measures inside of jails

Los Angeles must reduce pretrial incarceration

The rate of pretrial incarceration in Los Angeles is staggering, averaging 44% in 2019.³² Absent a global pandemic, growing public health research had already documented the ways that pretrial incarceration harms individual, family, and community health.³³ 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. Additionally, individuals who remain in jail pretrial are convicted at higher rates, sentenced to longer periods of time, and are more likely to be re-arrested than comparable, non-incarcerated defendants.³⁴ A 2013 study analyzed over 150,000 bookings into a Kentucky county jail from July 2009 to July 2010. Researchers found that defendants detained pretrial were 1.3 times more likely to be rearrested within the next 24 months, when compared to similarly-situated defendants who had been released.³⁵ This relationship was shown to strengthen over time; the longer a defendant was detained pre-trial, the greater the likelihood of later arrest. This effect is particularly significant for low-risk defendants – even 48 hours in jail was shown to increase recidivism of low-risk or first-time offenders by

30 L.A. County Board of Supervisors Motion, *Response to the Sheriff's Request to Transfer Funds From Provisional Financing Uses, Lift the Hiring Freeze, and Realign Budgeted Revenues* (Apr. 28, 2020), <http://file.lacounty.gov/SDSInter/bos/supdocs/145406.pdf>.

31 Dahlia Lithwick, *A New COVID-19 Lawsuit Seeks to Change the Horrifying Conditions in Los Angeles Jails*, Slate (Apr. 24, 2020), <https://slate.com/news-and-politics/2020/04/covid-19-lawsuit-los-angeles-jails.html>.

32 Alex Villanueva, *Custody Division Population Quarterly Report July - September 2019*, L.A. County Sheriff's Dep't, 21 (2019), http://www.la-sheriff.org/s2/static_content/info/documents/Custody%20Division%20Population%202019%20Third%20Quarter%20Report.pdf.

33 *Liberating Our Health: Ending the Harms of Pretrial Incarceration and Money Bail*, Human Impact Partners (Feb. 2020), <https://human-impact.org/hipprojects/liberating-our-health-ending-the-harms-of-pretrial-incarceration-and-money-bail/>.

34 Timothy Schnacke, *Pretrial Release and Probation: What is the Same and What is Different*, National Association of Pretrial Services Agencies (2018).

35 Christopher T. Lowenkamp, et. al., *The Hidden Costs of Pretrial Detention*, Laura and John Arnold Foundation (2013), http://craftme-diabucket.s3.amazonaws.com/uploads/PDFs/LJAF_Report_hidden-costs_FNL.pdf.

almost 40 percent.³⁶ Researcher Will Dobbie and colleagues analyzed criminal case outcomes and re-arrest patterns for 420,000 defendants in large, urban Philadelphia and Miami-Dade counties. Like research conducted in more rural court systems, they found that pretrial detention increases the likelihood of re-arrest after case disposition. It is abundantly clear that releasing people in pretrial incarceration is in the interest of justice and is the fastest, safest, and most cost-effective method of reducing jail populations.³⁷

The financial burden of pretrial incarceration on Black and Latinx families is extraordinary. In their 2018 report on bail in the City of Los Angeles, researchers from Million Dollar Hoods concluded that between January 1 and December 31, 2017, a total of \$3,602,693,975 in money bail was levied. Their data concludes that “most persons either could not or otherwise did not pay for release prior to arraignment. Instead, they remained in custody. Of those who did bond out, 0.1% paid in cash and 99.9% contracted with a bail bond agent. Collectively, the persons who used a bail bond agent paid an estimated \$40,799,500 in non-refundable bail bond deposits. The most impacted racial/ethnic populations were Latinx and Black residents, paying \$19,614,938 and \$10,169,118 respectively in non-refundable bail bond deposits.”³⁸ Based on the LAPD data alone, we can conclude that the cost of bail for the entire County of Los Angeles is far greater.

The financial burden of pretrial incarceration on Los Angeles taxpayers is equally staggering.

The average daily cost of incarcerating a person in California jails is \$113.87.³⁹ 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 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.⁴⁰

As the county weighs the financial and human costs of pretrial incarceration, it has become clear that substantial and sustained pretrial release is critical. The County can expedite the release of incarcerated people by funding the expansion of the Los Angeles Office of the Public Defender and creating an independent pretrial services entity (Recommendation 55 of the ATI report).

The CEO’s proposed budget allocates the

36 *Id.*

37 Will Dobbie, et. al., *The Effects of Pre-Trial Detention on Conviction, Future Crime, and Employment: Evidence from Randomly Assigned Judges*, 108(2) Am. Econ. Rev. 201–40 (2018).

38 Isaac Bryan, et. al., *The Price of Freedom: Bail in the City of Los Angeles*, The Million Dollar Hoods Project (2018).

39 Brandon Martin and Ryken Gratter, Pub. Pol’y. Inst. of Cal., *Alternatives to Incarceration in California* (Apr. 2015), https://www.ppic.org/content/pubs/report/R_415BMR.pdf.

40 “Not in It for Justice”: How California’s Pretrial Detention and Bail System Unfairly Punishes Poor People, Human Rights Watch (Apr. 11, 2017), <https://www.hrw.org/report/2017/04/11/not-it-justice/how-californias-pretrial-detention-and-bail-system-unfairly>.

following budget amounts to law enforcement:⁴¹

- \$476.5 million to the District Attorney
- \$19.6 million to Probation for Pretrial Services
- \$2.9 million to Probation for Community-Based Contracts

By contrast the proposed budget allocated \$250.3 million to the Public Defender, about half of the law enforcement allocations for prosecution and probation run services.⁴²

In order to provide a more equitable justice system, the county must:

- increase funding to the Office of the Public Defender,
- divest \$19.6 million in pretrial service funding from Probation and reinvest those funds into establishing an independent pretrial services entity, as recommended by the Alternatives to Incarceration Workgroup and
- increase direct funding to community-based partners providing services.

The county should provide funding to the Public Defenders for the following:

- **Expanding pretrial units** — including additional attorneys, psychiatric social workers, and peer navigators. This will provide the necessary staffing to expedite the release of individuals detained pretrial and support their transition into the community.
- **The Law Enforcement Accountability Program** — this program would provide dedicated attorney staff focused on litigation support (Pitchess/Vela motions). Currently, municipal agencies hire private firms to

litigate on behalf of police departments to keep police misconduct records as secret as possible. Lack of funding for this program not only favors the prosecution, it undermines community demands for law enforcement accountability. If funded, the program will allow the the Public Defender to track misconduct issues and reports in their jurisdictions, offer trial support to individual attorneys to get this information in the trial, support the office to litigate attempts by the DA or court to limit dissemination of this information, as well as coordinate with community groups and organizations and receive citizen complaints about officers. The need of this unit to scour civil filings and keep the database and litigation resources updated is essential. These funds will allow the PD's to collect information provided under Senate Bill 1421 (Skinner -2019), organize that information, make it available for use, and litigate non-compliance. Not only will funding this program support the interest of justice, there are tangible fiscal benefits to the county, including reducing civil liability from on-going litigation due to official misconduct and serve as cost-effective ancillary to the traditional civilian supervision at the Office of Inspector General and Civilian Oversight Commission (COC). Given the Sheriff's Department attempts to circumvent the COC, coupled with their proposed body camera policy, ensuring a robust unit dedicated to accountability and assisting lawyers use the information collected will increase transparency and accountability for these agencies.

41 Sachi A. Hamai, Chief Executive Officer, Submitted to the Board of Supervisors, *County of Los Angeles 2020-21 Recommended Budget*, 1 (April 2020), <https://ceo.lacounty.gov/wp-content/uploads/2020/04/2.-2020-21-Recommended-Budget-Volume-One-Online.pdf>.

42 *Id.*

Additional staff — including a full-time data analyst to assist with litigation and other advocacy, paralegals, and administrative staff.

The county should provide funding for an independent pretrial services entity.

The establishment of an independent pretrial services entity, as recommended by the ATI workgroup, will be both more cost effective and provide higher quality of service. This has proven to be the case in San Francisco, where the pretrial services agency—a nonprofit independent of law enforcement—has reduced the jail population by 47 percent and provides assessment, supervision, and case management services “at a cost of 32 percent less than comparable government agencies or probation departments.”⁴³ 87 percent of their clients make scheduled court appearances and, on a quarterly basis, only 10 percent are arraigned on a new charge – on par with or lower than other pretrial services agency leaders.

In addition to meeting or exceeding industry standards in client court appearances and new criminal activity, SF Pretrial significantly reduces the county jail population. By processing more than 500 bookings per month, SF Pretrial has decreased the San Francisco jail population – a key priority of local stakeholders – by 47%.⁴⁴ **The National Institute of Corrections (NIC) and National Association of Pretrial Services Agencies (NAPSA) have declared that organizational independence and neutrality are key**

components of a successful pretrial diversion program.⁴⁵ In addition, prominent criminal justice experts believe that pretrial justice is best served through the operation of an independent pretrial services agency, as opposed to housing these services within adult probation or the courts. Timothy Schnacke, a noted pretrial expert and executive director of the Center for Evidence and Legal-Based Practices, found that establishment of a freestanding pretrial services agency is the best mechanism for furthering pretrial justice. Specifically, he argues that an “ideal” pretrial services agency would “exist independently of all other criminal justice agencies, have its own mission statement and goals, and have a separate identity that is recognized for performing its critical functions much like we might recognize a prosecutor’s office to independently handle all of the functions of prosecution.”⁴⁶

In their 2017 report, NIC advises jurisdictions to house all pretrial functions (including risk assessment, release/detention recommendation, and supervision) in a single, independent agency. Citing both organizational management concerns and the need to navigate the complex nature of pretrial functions, NIC argues that “these functions are best managed under a single entity and management mission and philosophy.”⁴⁷ Ultimately, they advise, “pretrial services agencies should be independent, stand-alone entities, like other criminal justice agencies. This ensures the independence of operation needed to manage such essential elements as universal screening and recommendations for

43 *Bail Reform and the San Francisco Pretrial Diversion Project*, SF Pretrial (June 3, 2019), <http://sfpretrial.org/wp-content/uploads/2019/02/Innocent-Until-Proven-Guilty-Preserve-SF-Pretrial-2.pdf>.

44 *Work Group to Re-envision the Jail Replacement Project FINAL REPORT*, San Francisco Dep’t of Health (2017), <https://www.sfdph.org/dph/hc/HCAgen/HCAgen2017/June%202020/Work%20Group%20to%20Re-envision%20the%20Jail%20Replacement%20Project%20Final%20Report.pdf>.

45 Lisa Pilnik, et. al., *A Framework for Pretrial Justice: Essential Elements of an Effective Pretrial System and Agency*, National Institute of Corrections (Feb. 2017), <https://university.pretrial.org/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=c8bd044e-0215-9ab6-c22e-b1a4de912044>.

46 See Schnacke, *Pretrial Release and Probation*, *supra* note 37.

47 See Pilnik, *A Framework for Pretrial Justice*, *supra* note 48.

pretrial release or detention.”⁴⁸ In fact, independent pretrial services agencies have long been more effective than probation-governed programs. In her Yale Law Journal article examining implementation of the federal 1982 Pretrial Services Act, Betsy Kushlan Wanger notes that “independent agencies providing pretrial services under the 1974 Act received more favorable performance reports than did probation-run programs.” These differential outcomes were due to differences in capacity and operational philosophy, she argues: “because most probation offices are already overburdened, and because probation philosophy and practices have been developed to deal with convicted criminals, not with presumptively innocent defendants, an independent agency can better perform pretrial services.”⁴⁹

Jurisdictions that house pretrial services within their existing probation systems face numerous challenges. Most fundamental, probation and pretrial services have divergent ideologies and serve dramatically different populations. Probation is a correctional sentence and form of punishment, and probation officers serve individuals who have either pled guilty to or been convicted of a crime. In contrast, pretrial release is a critical part of the fundamental right to presumption of innocence, and pretrial services officers serve defendants who have been charged – but not convicted – of a crime. These different populations require distinctly different interventions for pretrial and probation clients. As stated in a user guide issued by the Pretrial Justice Institute (PJI) and American Probation and Parole Association (APPA): “Non-adjudicated individuals...enjoy a greater level of rights and protections than probationers.

Thus, defendants cannot be forced to discuss the circumstances of a pending case nor be ordered to punitive conditions such as community service or victim restitution. Legal status conveys distinctly different purposes for pretrial and probation interventions.”⁵⁰

San Francisco Public Defender Jeff Adachi underscores the importance of protecting defendants’ unique constitutional rights. In a letter to the San Francisco Mayor’s Office and Board of Supervisors on November 6, 2018, he noted: “Probation departments are charged with supervising people who have been convicted of a crime. Probation is a punishment – an alternative to prison. Probation officers are law enforcement agents with the power to arrest people. They monitor people under their control for any violation of probation, no matter how trivial, and must report all violations to the Court. Further, based on internal policies, they make recommendations to judges about when to revoke probation and impose a state prison sentence. Asking them to provide services to pretrial defendants would be setting up very troubling conflicts of interests; requiring cooperation with law enforcement pretrial violates constitutional rights to silence and counsel.”

This concern is also shared by several local criminal justice stakeholders and advocates, who are currently considering legal action against SB 10. Specifically, they are building an argument on the basis of defendants’ Fifth Amendment rights. If probation provides pretrial services, it is conceivable that defendants have the potential to incriminate themselves by revealing information relevant to an open case. Therefore, local criminal defense attorneys will instruct their clients to withhold

48 *Id.*

49 Betsy Kushlan Wanger, *Limiting Preventive Detention Through Conditional Release: The Unfulfilled Promise of the 1982 Pretrial Services Act*, 97 Yale L. J. 320 (1987), <https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=7116&context=yjlj>.

50 *Promising Practices in Providing Pretrial Services Functions within Probation Agencies A Users Guide*, Pretrial Justice Institute and the American Probation and Parole Association (2010), <https://www.appa-net.org/eweb/docs/appa/pubs/PPPSFWPA.pdf>.

pertinent personal information to a pretrial agency housed under probation, based on that fear. This is in direct contrast to SF Pretrial, where staff and clients carry a transparent and informed relationship to maximize the impact of services and their treatment plan. In his analysis, Schnacke paints a compelling picture of the need for “mental separation” between probation and pretrial services. As he explains, “maintaining separation is the challenge of any organization trying to perform both probation and pretrial release functions. Physical separation, while admirable, is likely secondary to mental separation, in which officers have a clear understanding of the fundamental differences between pretrial release and probation so that officer actions manifest in ways demonstrating that understanding.”⁵¹

The overwhelming conclusion – informed by research, community input, and expert analysis – is clear: Los Angeles County must create and fund an independent pretrial entity that works in tandem with community-based service providers in order to significantly reduce its pretrial population.

Los Angeles must continue to reduce police contact, arrests, and bookings in Black communities

The County recently passed a motion that would identify strategies to reduce arrests and bookings by the Sheriff’s Department. This is an important step, especially when we consider that **Black people comprise 8% of the county population, 30% of those in county jails.**⁵² **However, the county should**

establish clear mandates to reduce police contact and police spending on patrols, arrests, and bookings of and from Black communities.

Los Angeles is experiencing the fallout of years of trying to arrest its way out of public health crises. Between 2012 and 2017, the Sheriff’s Department spent \$80 million and \$56 million incarcerating people in Lancaster and Palmdale, respectively.⁵³ Both cities have seen higher positive COVID-19 than many of the 346 cities and communities that have reported cases during this pandemic. During the same period, the Sheriff’s spent \$23 million incarcerating people in Long Beach, which currently has had more cases of COVID-19.⁵⁴ All three cities have populations that are at least 30% Black. Instead of spending vital resources to produce harm and syphon resources from other dignifying and life affirming systems, Los Angeles county should invest in community based strategies and basic needs such as housing and health care in Black communities.

Los Angeles must increase its diversion capacity

Even after reducing the jail population by 5,000 people, the largest mental health facility in the world is Twin Towers and the largest jail system in the country remains the Los Angeles County jails. A recent study published by UCLA clinicians specializing in diversion, re-entry, and mental health treatment reminds us that Black people comprise 8% of the county population but 41% of those diagnosed with a mental health condition in the jails.⁵⁵ The study also highlights that Black

51 See Schnacke, *Pretrial Release and Probation*, *supra* note 37.

52 Oona Appel, et. al., *Differential Incarceration by Race-Ethnicity and Mental Health Service Status in the Los Angeles County Jail System*, Am. Psychiatric Ass’n, 2 (Apr. 28, 2020), <https://ps.psychiatryonline.org/doi/10.1176/appi.ps.201900429>.

53 *Million Dollar Hoods Map Room*, Million Dollar Hoods (last visited June 10, 2020), <https://milliondollarhoods.org/maproom/>.

54 *COVID-19 in Los Angeles*, L.A. Dep’t of Pub. Health (last visited June 10, 2020), <http://publichealth.lacounty.gov/>.

55 See Appel, *Differential Incarceration*, *supra* note 55.

people are less likely to receive psychiatric care than white people with mental health disabilities of similar severity. This is consistent in the jail context in Los Angeles and across the country.^{56 57} The study highlights the historic trend of jailing people with mental health conditions for misdemeanors, and asserts the importance of the county prioritizing diversion and releases of Black people specifically to address these alarming trends.

What we also know is that holistic care is a successful diversion strategy for people arrested and held on more serious charges as demonstrated in the Office of Diversion and Re-Entry.⁵⁸ The County should invest in these strategies as preventative measures in addition to scaling up its diversion capacity to ensure the greatest and most long lasting impact.

Los Angeles 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. **By increasing funding to the Public Defender, the county will ensure that the office has adequate staffing to address post-conviction review of new legislation**, such as SB1437 (Skinner - 2019), SB136 (Wiener - 2019), SB180 (Mitchell - 2017), Franklin hearings/litigation,

1170(d) resentencing, expungements, certificates of rehabilitation, and litigate failures to comply with SB1421 disclosures, expediting the release of incarcerated individuals eligible for sentence relief.

The County should also support 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.⁵⁹ 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. **By increasing funding to the Public Defender, the county will ensure the office has adequate staffing to provide legal support for noncitizen residents of the county.** Los Angeles should also continue to invest in the safety net created by the Los Angeles Justice Fund (LAJF) by providing a one-year extension of the LAJF from July 1, 2020 to June 30, 2021 to continue to provide legal services under current program guidelines. This investment

56 Fatos Kaba, et. al., *Disparities in Mental Health Referral and Diagnosis in the New York City Jail Mental Health Service*, 105(9) Am. J. Pub. Health 1911-16 (Sept. 2015), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4539829/>.

57 David Satcher, *Mental Health: Culture, Race, and Ethnicity—A Supplement to Mental Health: A Report of the Surgeon General*, U.S. Dep't of Health and Human Services (2001), <https://drum.lib.umd.edu/handle/1903/22834>.

58 Office of Diversion and Re-Entry, *Jail Diversion Dashboard*, L.A. County Health Services (Apr. 2020), http://file.lacounty.gov/SDSInter/dhs/1072371_ClinicalProgramsDashboard.pdf.

59 Cal. Pen. Code §§ 18.5 (a) and (b), 1016.5, 1203.43 & 1473.7 (recently enacted California state law that provides immigrants with a path to immigration relief and complements other previously enacted protections, such as Cal. Pen. Code § 1018, Prop. 47, habeas corpus, and others.

will enable the continued large-scale representation of individuals in detention and individuals especially vulnerable to COVID 19 can be identified for release so they may be reunited with their families, where they can safely shelter in place.

LA County 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, and the resources available to their defense council to investigate claims of deputy violence and inadequate conditions.

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 county allocate funding to make all phone calls to incarcerated people free and subsidize essential commissary goods.**⁶⁰

Public defenders will also need additional resources to adjudicate and respond to client complaints about custodial conditions and deputy violence. Additionally, having relevant data and analysis of incarceration conditions assists in legal arguments regarding continued pretrial detention.

⁶⁰ See Human Rights Watch, *Averting Catastrophe*, *supra* note 30.

Proposal 2: Youth Decriminalization and Decarceration

Los Angeles must replace youth criminalization, punishment and incarceration with investments in Youth Development (ages 6-25) that prioritize skills building in these five core competencies:

The field of Youth Development recognizes that there are 5 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; and building youth empathy for others and 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.

A youth development commitment means ending LA County Probation's custody and supervision of youth and expanding the role and capacity of Youth Diversion and Development (under ODR) to become a comprehensive youth development department serving all youth – including those in conflict with the law.

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

- 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;
- Transfer resources from systems of

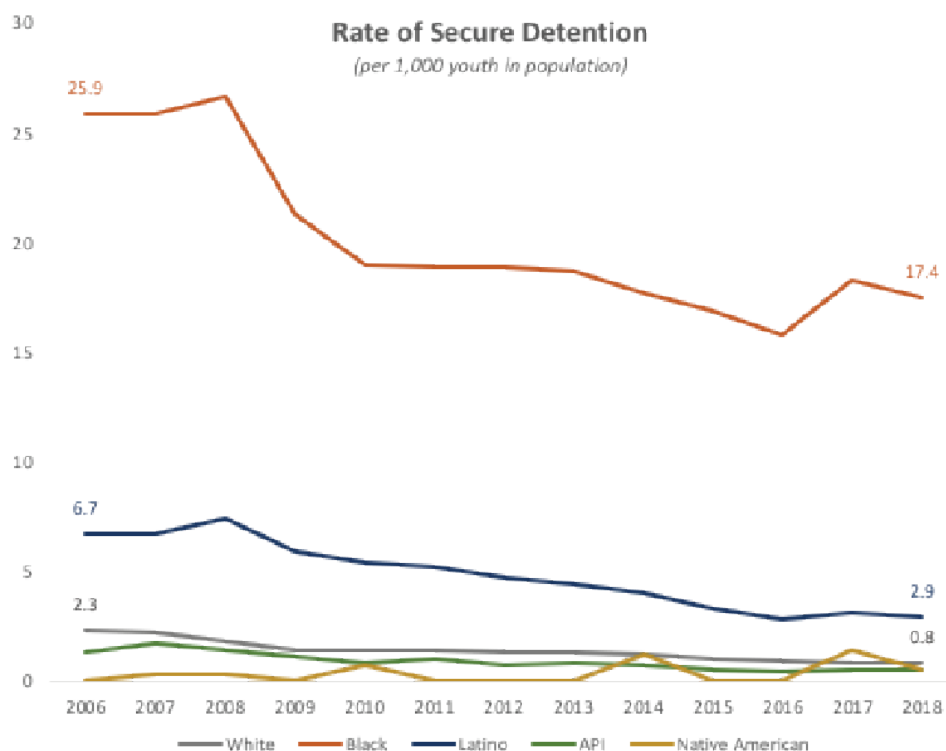
punishment and custody—including from Probation Departments—to invest in community based, owned and operated youth development centers and programs, economic development and job placement, community intervention to prevent and address violence—especially inter-neighborhood conflict and homicide, transformative or restorative justice to address and repair harm, and trauma-informed, culturally-rooted care that promotes healing; and

- 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. 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 decreased from 983 in 2012-2013 to 639 in 2014-2015 to less than 400 in 2017. Average daily populations in juvenile halls were 784 in 2014-2015. By 2018-2019, the average daily population was 287 in camps and 571 in halls. As of May 15, 2020, there were 184 youth detained in probation camps, and 356 in juvenile halls.⁶¹ Despite dramatic declines in the number of youth detained in Los Angeles County though, racial disparities have always existed and continue to persist.

61 Los Angeles County Probation COVID-19 Weekly Update May 29, 2020, County of L.A. Probation Dep't (May 29, 2020), <https://probation.lacounty.gov/wp-content/uploads/052920WKLYUPDATE1.pdf>.





Probation budgets rise as youth incarceration rates decrease

Also, despite the dramatic drop in rates of youth arrest and incarceration, the budget for the detention and supervision of youth, which is overseen by the Los Angeles County Probation Department, has continued to grow with little explanation. The Probation department spends over \$550 million per year on the detention and supervision of youth.⁶² In FY 2019-20, the budget for juvenile halls and camps was over \$397 million.⁶³ With the average daily population of about 900 youth in FY 2019-20,⁶⁴ this means Probation spends almost \$450,000 per year for each youth, the equivalent to about \$1,200 per

youth for just one day in camps or halls. With \$397 million, we could pay for a full year's tuition to UCLA for over 30,000 in-state students.⁶⁵

If the proposed FY 2020-2021 Probation budget isn't cut, costs will rise even more dramatically:

LA County Juvenile Hall Population, March 16th (Pre-COVID-19) – 536 Youth

This Cost – Unless LA Defunds Probation = \$384,308 Per Youth, Per Year in Juvenile Hall

LA County Juvenile Hall Population, May 15th (Post-COVID-19) – 356 Youth

62 Sheila Mitchell, Associate Chief Probation Officer, Youth Justice Workgroup Presentation (Jan. 23, 2020).

63 See Hamai, *2020-21 Recommended Budget*, *supra* note 44 at 48.9.

64 *Id.* at viii.

65 UCLA Undergraduate Admission, *Fees, Tuition, and Estimated Student Budget*, UCLA (last visited June 5, 2020), <http://www.admission.ucla.edu/Prospect/budget.htm>.

**Cost – Unless LA Defunds Probation = \$578,621
Per Youth, Per Year in Juvenile Hall**

**LA County Juvenile Camp (Youth Prison)
Population, March 16th (Pre-COVID-19) – 233
Youth***

**Cost of Probation Camp – Unless LA Defunds
Probation = \$518,253 Per Youth, Per Year in
Probation Camp**

**LA County Juvenile Camp Population, May
15th (Post-COVID-19) – 148 Youth***

**Cost of Probation Camp – Unless LA Defunds
Probation = \$815,899 Per Youth, Per Year in
Probation Camp**

It is important to note that these figures do not account for the incarceration of youth at Dorothy Kirby Center, psych facilities and secure placements, which represents an additional \$19.7 million in the FY 2020–2021 Probation Budget. Also not captured is the budget that the LA County Office of Education has for running schools in the juvenile halls and camps, as well as the budget that the Department of Mental Health has for providing counseling in the halls and camps.* On March 16th, there were 53 youth locked up at Dorothy Kirby Center; on May 15th, there were 36 youth at DKC.

While the Probation Department continues to receive exorbitant amounts of money for a dwindling population of young people, and County departments have to make difficult budget cuts, the CEO's recommended budget proposes over \$36 million in additional funding to Probation--over \$34 million of which comes from Net County Cost.⁶⁶ Furthermore, despite the department closing

multiple camps and Los Padrinos juvenile hall, the CEO's proposed budget for Capital Projects and Refurbishments includes almost \$43 million in Net County Cost to Probation.⁶⁷ While other county departments have faced a hiring freeze, the Probation Department recently began hiring for 100 new positions to work with the juvenile population.⁶⁸

LA County must invest in youth development

When compared to the over \$550 million spent on youth punishment by Probation, the County spends a minimal amount on support for youth involved in the justice system. The lack of resources available to the defense of youth also limits the Public Defender's ability to track and litigate issues with problematic probation officers. These officers are often directly responsible for youth being sentenced to the worst outcomes, such as suitable placement or probation camp, when the Public Defender and social worker team can identify appropriate community-based resources. Funding the Law Enforcement Accountability program within the Office of the Public Defender would provide resources to hold probation officers accountable and expedite the release of youth back into their communities.

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

⁶⁶ See Hamai, 2020–21 Recommended Budget, *supra* note 44 at 48.1.

⁶⁷ *Id.* at 14.1.

⁶⁸ LA County Probation Department Hiring 100 Entry-Level Positions, CBS L.A. (May 12, 2020) <https://losangeles.cbslocal.com/2020/05/12/la-county-probation-department-hiring/>.

causes of crime and violence; prevents youth criminalization; recognizes youth leadership; and turns young people's dreams into realities.⁶⁹

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.

Transforming youth justice

The County is in a unique position to transform youth justice in California, as it is currently developing a plan for restructuring the juvenile justice system in order to shift away from a punitive paradigm towards a rehabilitative, health-focused and care-first system.

On August 13, 2019, the Board of Supervisors unanimously approved a motion authored by Supervisors Ridley-Thomas and Kuehl to create a Youth Justice Work Group to make recommendations on moving youth out of the Probation Department, and a model and plan for ensuring a new system is meaningfully different from the current system. The Youth Justice Work Group is being co-convened by the Chief Executive Office and the Office of Diversion and Reentry, with the help of a consultant team, and with active participation from stakeholders from all key County and non-County entities, including the Courts, Probation Department, Public Defender, District Attorney, and a range of community stakeholders. Since January 2020, the Youth Justice Work

Group has been meeting consistently to achieve its objectives and has adopted a youth development framework for its recommendations. To maintain the work and momentum to reimagine the youth justice system in the County and improve treatment for youth in the County's care, LA County should ensure that:

- The Probation Department is also subject to a hiring freeze.
- At a minimum, the Probation Department is subject to the same budget cuts required of other county agencies in the short-term.
- Efforts continue to further reduce reliance on youth custody and to develop and shift funds into youth development and diversion alternatives.
- The work to transfer youth out of the Probation Department into another reimagined youth justice system continues robustly.
- Ultimately, the juvenile probation budget is reinvested in a transformative youth justice system.

A YouthVision for Youth and Community Justice

Young people who have been pushed out of schools, arrested, incarcerated and/or faced deportation have made the following budget and program recommendations for LA County:

Build schools that protect youth of color and treat them with dignity and respect.

1. Remove all law enforcement (police, Probation, Sheriffs and school resource officers) from LA County schools. Dismantle the LA Unified School District Police

69 Kim McGill, *Building A Better Future for LA's Youth*, Youth Justice Coalition (2016).

Department and end all contracts and agreements with law enforcement and sheriffs to patrol in and around schools.

2. Invest in Peacebuilders / Intervention workers at every school to ensure a safe passage to and from schools, to increase student attendance, to address intergroup and inter-neighborhood conflict in schools and communities, to address conflicts between teachers and students, and to keep students, families and staff safe.
3. Have transformative justice programs at every school as an alternative to suspensions, expulsions and arrests.
4. Expand LA County's Youth Diversion and Development program to school districts to prevent student referrals to law enforcement and arrests countywide.
5. Redesign all schools that now look and operate more like prisons including removing metal detectors, police interrogation rooms, random searches, drug detection dogs, intimidating security fencing and razor wire. Instead, recognize that SCHOOLS BELONG TO COMMUNITIES – NOT TO DISTRICTS – and open school buildings for community use after school, on weekends and during summers as youth and community centers.
6. End all truancy ticketing and prosecution against youth and their families. Push the state to eliminate Welfare and Institutions Code 601 that criminalizes status offenses.

Defund law enforcement and give youth their fair share of our county budget.

1. Expand the County Youth Development and Diversion Program into a Comprehensive County Youth Development Department

and take at least \$300 Million from the LA County Sheriff's Department, at least \$25 million from the District Attorney's Budget and at least \$600 Million from Probation's Budget (including dismantling Juvenile Probation) to:

2. Fund 100 youth centers, 50,000 youth jobs, and 500 intervention workers / peacebuilders in schools and streets,
3. Create county alternatives to juvenile halls, Probation camps and the state's youth prisons (DJJ),
4. Fund the new County Youth Commission – by youth, about youth, for youth, and
5. Transfer pre-trial assessment of youth from Probation to the Office of Diversion and Re-entry with a guarantee for pre-arraignment.
6. Transfer all “juvenile probation” funds and responsibilities to youth diversion and development (within the Department of Health Services). Ensure fair, open and transparent RFA, contracting and funding processes – including up-front grants with reporting replacing reimbursement (fees for service contracts). YDD would also be responsible for collection and sharing demographic data on all youth impacted by courts; diverted from arrest, detention and incarceration; as well as success in youth meeting short and long term youth development outcomes – data that county Probation has failed to consistently collect and share.
7. End all discrimination and guarantee all young people's access to county facilities, benefits, jobs, services and opportunities – prioritizing youth who are undocumented, houseless, in foster care and/or have been arrested.
8. End system fees and fines for all ages –

(amnesty and no new charges for citations, vehicle impounds, failures to appear, failures to pay, fees and fines for court, detention and probation, and close LA County Probation's fake juvenile citation program). Clear all past debt and driver's license holds for youth, their families and everyone else in the system. This will keep hundreds of millions of dollars in the community.

End youth arrests, incarceration and deportation.

1. End prosecution of all youth under 16.
2. Expand youth diversion up to age 25 and divert all youth from arrest for misdemeanors and low-level felonies.
3. Immediately release everyone (all ages) who is locked up on Probation and Parole violations, misdemeanors and bench warrants.
4. Push the state to change California's Welfare and Institutions Code and Penal Code to make diversion possible for all charges.
5. Transfer LA County Probation Department's pretrial assessment responsibilities to community-based organizations in partnership with the Office of Diversion and Re-entry and guarantee an assessment for everyone – all ages – within 8 hours.
6. Push the state for a 24-hour arraignment for all ages – including weekends and holidays
7. Close all juvenile halls and Probation camps.
8. Close juvenile Probation and transfer

all youth under Probation custody and supervision – along with at least \$600 million in Probation funds – to Youth Diversion and Development (see above).

9. Create youth development and treatment alternatives to the state's youth prison system (Division of Juvenile Justice) to end youth incarceration (see above).
10. Push the state to expand the age of juvenile court up to age 25 and end all youth transfers into adult courts and prisons.
11. Push the state to end Life Without Parole Sentences, the highest number of people sentenced to die in prison are youth between the ages of 18 and 25.
12. Fund groups led by formerly incarcerated people and our families to open "Fresh Out Cafes" outside courts and jails to welcome people home, get them fed, clothed and ensure they have a safe place to stay, and connect them to resources.
13. Protect all youth and their families against deportation by fully funding legal support for immigration applications, bailing all youth out of detention and guaranteeing deportation defense. Fund these services by taking \$50 Million from the District Attorney's budget.

[Additional recommendations include the protection of youth of color against law enforcement violence and racial profiling, and protecting the rights of the youth of color to protest.](#)

Proposal 3: Capturing Cost Savings

Los Angeles County must meet this historic moment

The Board of Supervisors began a historic journey in 2019, suspending plans to build two new jails and creating a “Care First, Jails Last” vision for LA County: the Alternatives to Incarceration (ATI) report. Now, budget austerity measures threaten the implementation of ATI and its transformative recommendations, just as they are most needed.⁷⁰

We must act quickly to fund and implement ATI, an initiative created in collaboration with the community. While many local and state governments may flounder in response to new (the coronavirus) and old (racial injustice) national crises, LA County has already done the work necessary to meet this unprecedented moment. Not only must ATI be fully funded, it must be LA County’s top priority.

As part of a “Care First, Jails Last” funding strategy, four major funding pools should be immediately considered:

- LA County’s “Rainy Day Fund” (roughly \$1.1 Billion in reserves, pre-pandemic). It is important to acknowledge that people experiencing houselessness or a behavioral crisis would point out that it’s been raining for quite some time in LA County.
- the Coronavirus Aid, Relief, and Economic Security Act (\$1 Billion). These resources should be prioritized for those most at-risk

for severe illness and death from COVID-19, including all Black, Brown and Indigenous communities.

- potential cost-savings from closing Men’s Central Jail and ending other jail capital projects (\$37.7 Million); and repurposing all resources allocated to plans for the canceled Mental Health Jail (\$220 million).
- and the County’s Public Protection budget, which makes up 42% of County costs, which fails to reflect the priorities of The Board of Supervisors and the people of Los Angeles.

The Board must embrace divestment, capture cost savings and effectively shift resources to vulnerable communities. LA County has a powerful opportunity, not only to meet this moment, but to model bold criminal justice reform for the country.

Less people in the jails equals cost savings

The COVID-19 crisis has spurred a massive wave of local jail decarceration efforts, most significantly in LA County.⁷¹ **This political moment, fueled by unprecedented public support for law enforcement divestment, bestows the county the power to assess what these savings will be and invest them into supporting community based reentry, housing, and alternatives to incarceration.** At an average cost of \$175.33 per person per day, the county’s 5,000 person jail

⁷⁰ <https://www.latimes.com/opinion/story/2020-06-19/time-for-alternatives-to-incarceration-and-policing-is-now>

⁷¹ *Responses to the COVID-19 pandemic*, Prison Pol’y Initiative (June 8, 2020), <https://www.prisonpolicy.org/virus/virusresponse.html#releases>.

population reduction should translate to savings upwards of \$320 million; however, these cost savings cannot be captured without 1) a reduction in law enforcement budgets and 2) jail closures.

Los Angeles County must reduce Law Enforcement budgets

In the 1990s, at about the same time the Christopher Commission recommended sweeping changes to oversight of the Los Angeles Police Department (LAPD), the Kolts Commission called for similar Sheriff's Department reforms.⁷² Voters passed an LAPD oversight plan soon after the 1992 Rodney King uprisings, but no such reform came to the nation's largest Sheriff's Department until Measure R in March 2020. Measure R granted subpoena power to the Civilian Oversight Commission, a long-overdue measure intended to reign in a department run amok.⁷³

Public Protection funds make up 42% of the LA County budget, which includes The Sheriff's Department, The Probation Department, and The District Attorney's Office. Recent events such as disgraced former Sheriff Lee Baca's conviction for corruption and civil rights abuses;⁷⁴ a \$53 million settlement payout (the largest in county history) to women unlawfully strip searched in LA County jails;⁷⁵ and the department's shocking fiscal mismanagement,

with significant deficits accruing year after year,⁷⁶ have drawn the attention, scrutiny and ire of the LA County Chief Executive Officer, the Board of Supervisors and the general public.⁷⁷ As we enter into a national conversation about the role of law enforcement in civic life, a common thread has been rightly identified: law enforcement agencies are tasked with too many responsibilities, many of which they perform poorly. Transferring some of those responsibilities into the hands of qualified community-based organizations will increase cost savings and contribute to public safety.

The LA County Sheriff's Department (LASD) Operating Budget for 2020-21 is projected at \$3.4 billion (Net County Cost \$1.7 billion; additional Capital Projects \$126.2 million). It is the largest Sheriff's department and the fourth largest law enforcement agency in the country.⁷⁸ This budget reflects an overall Net County Cost (NCC) increase of \$84.4 million primarily due to the cost of staff. LASD employs twice as many civilians as the LAPD; patrols nine community colleges; monitors public parks and hospitals; patrols up to a quarter of Metro lines; patrols 22 Unincorporated Areas, at a cost of \$202 million; and operates the dilapidated, labyrinthine Los Angeles jail system.⁷⁹ Many of these and other duties performed by the Sheriff's Department could be held by professionals with a community-affirming,

72 Los Angeles Times Editorial Board, *Opinion, Endorsement: Yes on Measure R for LA Sheriff's Department Accountability*, Los Angeles Times (Feb. 13, 2020) <https://www.latimes.com/opinion/story/2020-02-13/support-measure-r-subpoena-power>.

73 Alene Tchekmedyan, *On Heels of Sheriff's Department Scandal, L.A. County Voters Overwhelmingly Back Stronger Oversight*, Los Angeles Times (Mar. 5, 2020) <https://www.latimes.com/california/story/2020-03-05/voters-support-measure-r-oversight-sheriffs-department>.

74 Aimee Ortiz, *Former L.A. County Sheriff Is Ordered to Prison for Obstruction of Justice*, The New York Times (Jan. 16, 2020) <https://www.nytimes.com/2020/01/16/us/lee-baca-prison.html>.

75 Alene Tchekmedyan, *Women in Jail Endured Group Strip Searches. L.A. County to Pay \$53 Million to Settle Suit*, Los Angeles Times (July 16, 2019) <https://www.latimes.com/local/lanow/la-me-ln-lasd-womens-jail-settlement-20190716-story.html>.

76 Matt Stiles & Alene Tchekmedyan, *L.A. County Supervisors Move to Freeze Sheriff's Department Funding*, Los Angeles Times (Sept. 26, 2019) <https://www.latimes.com/california/story/2019-09-26/l-a-county-supervisors-sheriff-budget-freeze-funding>.

77 See Hamai, 2020-21 Recommended Budget, *supra* note 4.

78 John Misachi, *The Largest Police Departments In The US*, WorldAtlas (Apr. 9, 2019) <https://www.worldatlas.com/articles/the-largest-police-departments-in-the-us.html>.

79 Frank Stoltze, *LA Explained: The Police*, LAist (June 27, 2018) https://laist.com/2018/06/27/la_explained_the_police.php.

non-punitive lens, or be eliminated entirely by improving social determinants of health, addressing over-policing tactics and reducing incarceration rates.

LA County's Office of Diversion and Reentry (ODR) maintains that 60% of LA County's jail population could be diverted to supportive care if there were more facilities available.⁸⁰ Divesting from institutions we have wrongly used as mental health care providers (jails and sheriffs) could free millions of dollars from LASD. We must shift spending to services that deliver public safety results for vulnerable people at lower costs, such as decentralized, community-based treatment centers for behavioral health needs.

With 6,000 employees and a \$1 billion budget (NCC \$669 million; Capital Projects \$42.9 million), LA County Probation Department monitors tens of thousands of people. Despite these significant investments, the LA County Probation Department has continually failed the public good. For the last several years, LA County Probation has been under increased scrutiny due to poor work performance, budget mismanagement, and scandals such as pepper spraying young people in their custody. After months of review, the Probation Reform and Implementation Team concluded: "There is widespread consensus that the Los Angeles County Probation Department is in dire need of oversight."⁸¹

In order to meet this political moment, we must confront significantly reduced revenue streams brought about by COVID-19 and accept the growing consensus that agencies like LA County

Probation are too compromised by their proximity to law enforcement and rampant mismanagement to retain their current role in the justice system, pretrial reform, and in providing supportive services.

The County should be decreasing — not increasing — funding to all of these agencies. LA County must invest in alternative community based organizations for a "Care First, Jails Last" future to be implemented. Funding should be directed toward reentry organizations led by justice-impacted people with experience transitioning back into their own communities. Additionally, the County and Health Departments need to help these community based organizations gain access to funding and incubation support to expand their service delivery capacity.

During the Black Lives Matter demonstrations in Los Angeles (June, 2020), two demands by protestors were very clear: "Defund the police," and "Jackie Lacey must go."⁸² With hundreds of police killings during her time in office, District Attorney Lacey's office has brought criminal charges against a total of two law enforcement officials.⁸³ Instead, The DA's office would prefer to use their resources to challenge 2,142 marijuana convictions it says are ineligible for relief because of the person's criminal history.⁸⁴ The Judicial Council recently set a "zero dollar" bail standard for California to help reduce jail populations and mitigate coronavirus infections, which the LA County DA's office publicly praised — while privately discussing ways to subvert the order.

The DA's Operating Budget is \$476.5 million (NCC \$282.5 million; Capital Projects \$2.4

80 Stephanie Brooks Holliday, et. al., Estimating the Size of the Los Angeles County Jail Mental Health Population Appropriate for Release into Community Services, RAND Corporation (2020) (ebook) https://www.rand.org/pubs/research_reports/RR4328.html.

81 Los Angeles Times, *L.A. County Proposes New Oversight Panel to Guide Troubled Probation Department*, KTLA (June 13, 2019) <https://ktla.com/news/local-news/l-a-county-proposes-new-oversight-panel-to-guide-troubled-probation-department/>.

82 David Rosenfeld, et. al., *Thousands march to LA County's Hall of Justice to confront DA Jackie Lacey*, L.A. Daily News (June 3, 2020) <https://www.dailynews.com/2020/06/03/thousands-march-to-la-countys-hall-of-justice-to-confront-da-jackie-lacey/>.

83 Liam Fitzpatrick, *How Can the LAPD Be This Violent? Meet Jackie Lacey*, KNOCK (Jun. 3, 2020) <https://knock-la.com/how-can-the-lapd-be-this-violent-meet-jackie-lacey-c91525905369>.

84 *LA County district attorney to wipe 66,000 marijuana convictions*, L.A. Times (Feb. 13, 2020) <https://www.latimes.com/california/story/2020-02-13/la-district-attorney-clear-marijuana-convictions>.

million). In contrast, the Public Defenders Budget is \$262.1 million (NCC \$250.3 million). California is currently one of only four states that provides no state funding for trial-level public defense services and no mechanism for any state-level training or oversight of trial-level providers.⁸⁵ In order to move toward more equitable justice, the County must reduce the budget for the DA's office and advocate for state funding for the Public Defender's Department.

The DA's office has lost the public's confidence. It has consistently shown itself to be a driver of mass incarceration, a costly area of the County budget and an impediment to jail population reduction. Instead of sinking more money into departments designed to fill the jails Los Angeles County built, we should focus on efforts to further decriminalization, decarceration, and building out a decentralized system of care. LA County must dismantle the "tough on crime" policies that have led to a culture of perpetual punishment that has cost billions of dollars and harmed countless Angelenos.

Defunding the police — a demand that may have seemed unattainable just a few weeks ago — is gaining significant and concrete traction in large jurisdictions across the country, including the cities of Los Angeles, New York, and Minneapolis. Mayor Garcetti took a first step toward defunding the Los Angeles Police Department by committing to reallocate up to \$150 million dollars away from

LAPD into Black communities and communities most impacted by criminalization.^{86, 87} The Minneapolis City Council voted to dismantle the Minneapolis Police Department, and to create and fund a community-based public safety model.⁸⁸ Unlike some of these other jurisdictions, Los Angeles County has created a "Care First, Jail Last," roadmap for building out the systems that will keep our most vulnerable community members away from the police and jails, and has a proven track record of successful diversion programs.⁸⁹ The Los Angeles Board of Supervisors and the Los Angeles County Chief Executive Officer must capitalize on this moment and move resources out of the Los Angeles Sheriff's Department, Probation Department, and the District Attorney's office and into the services and departments proven to improve social determinants of health, reduce recidivism and uplift the humanity of all Angelenos.

Adapt AB109 budget allocations to the COVID-19 landscape

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.⁹⁰ 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

85 Press Release, ACLU, *ACLU Settlement Agreement Secures Governor's Commitment to \$14 Million in Added Support for Public Defense Systems Throughout California and Agency Expansion* (Jan. 10, 2020) <https://www.aclunc.org/news/aclu-settlement-agreement-secures-governor-s-commitment-14-million-added-support-public#:~:text=%E2%80%9CCalifornia%20is%20currently%20one%20of,the%20ACLU%20of%20Northern%20California>.

86 Sam Levin, *Movement to defund police gains 'unprecedented' support across US*, The Guardian (June 4, 2020), <https://www.theguardian.com/us-news/2020/jun/04/defund-the-police-us-george-floyd-budgets>.

87 James Rainey, Dakota Smith, Cindy Chang, *Why Garcetti embraced LAPD budget cuts*, L.A. Times (June 5, 2020), <https://www.latimes.com/california/story/2020-06-05/eric-garcetti-lapd-budget-cuts-10000-officers-protests>.

88 Oliver Milman, *Minneapolis pledges to dismantle its police department - how will it work?*, The Guardian (June 8, 2020), <https://www.theguardian.com/us-news/2020/jun/08/minneapolis-city-council-police-department-dismantle>.

89 L.A. County Alternatives to Incarceration Work Group (last visited May 8, 2020), <https://lacialternatives.org/>.

90 Sarah B. Hunter & Adam Scherling, *Los Angeles County Office of Diversion and Reentry's Supportive Housing Program: A Study of Participants' Housing Stability and New Felony Convictions*, RAND Corporation (2019), https://www.rand.org/content/dam/rand/pubs/research_reports/RR3200/RR3232/RAND_RR3232.pdf.

vulnerable community members who would be better served in community based services.⁹¹ This is similar across the State and Country.⁹² Additionally Los Angeles County receives the largest AB109 budget in the State totaling over \$386,014,858 in 2018.⁹³

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 its recidivism rates.⁹⁴

COVID-19 has caused a significant deficit in tax revenue, which will impact the AB109 budget. **The county should conduct an aggressive cost benefit analysis of the AB109.** It should identify budget line items that could fund community based services and

reallocate those funds towards the expansion of local community-based systems of health, reentry, and alternatives to incarceration.

Jail closure and capital project reinvestment

In addition to the bloated operations budget, the Sheriff's department receives millions of dollars in capital project funds. The refurbishment of county jails and sheriff stations is budgeted at \$112.1 million and \$10.4 million respectively. These figures do not account for \$100 million in AB 900 funds that had been allocated to the now cancelled Mira Loma Jail. These unspent AB 900 funds should be allocated towards capital projects that meet COVID-19 related needs – such as transitional and permanent housing for system-involved individuals. In order to use AB 900 funds to meet the county's immediate and urgent needs, the Board and the CEO must advocate for an amendment to the bill with the state legislature that allows the funds to be reclassified.

Given the cancellation of the new jail contracts in 2019, the dramatic reduction in the jail population already achieved, and the shared urgency to close Men's Central Jail (MCJ) by the Board and community due to unsafe conditions, the budget must be adjusted to provide a path towards closure and cost savings.

The proposed budget allocates \$37.7 million for the refurbishment of MCJ – funds that could be better spent on other capital projects that house community-based alternatives.⁹⁵ In addition to the

91 *Id.*

92 Jacob Kang-Brown, et al., *People in Jail in 2019*, Vera Inst. of Just. (Dec. 2019), <https://www.vera.org/downloads/publications/people-in-jail-in-2019.pdf>.

93 County Of L.A. Chief Executive Off., *Public Safety Realignment (AB109) Budget Overview* (Feb. 28, 2018), <http://ccjcc.lacounty.gov/LinkClick.aspx?fileticket=Z6Z6ISwJabw%3D&portalid=11>.

94 Malaika Fraley, *Alameda County agrees to allocate more realignment funds to community-based organizations*, The Mercury News (Mar. 24, 2015), <https://www.mercurynews.com/2015/03/24/alameda-county-agrees-to-allocate-more-realignment-funds-to-community-based-organizations/>.

95 See Hamai, *2020-21 Recommended Budget*, *supra* note 44.

refurbishment costs, the county would also save in operations costs. MCJ's BSCC rated capacity is 3,512, but averages at least 1,000 people over capacity.⁹⁶ Based on MCJ's average population rate, we calculate the operations cost of MCJ to be between \$150 – \$160 million, not including maintenance costs. The proposed budget allocates \$924.7 million in overall jail operations costs. This is an increase of \$34.7 from the last fiscal cycle. The Board should instruct the Office of the CEO to do the following:

- conduct a cost-savings analysis for the closure of MCJ,

- allocate cost savings from the closure of MCJ, including refurbishing and operations line items, towards ATI informed capital projects. This would amount to at least \$150 million in cost savings, minus costs associated with closure or repurposing.

Additional funding to support ATI informed capital projects can be found in the Probation capital project and operations budgets.

The proposed budget also allocates \$42.9 million in capital funds to Probation.⁹⁷ In 2019–2020, the juvenile operating probation budget was approximately \$503,000 million, of which over \$400 million was allocated for staff salaries and benefits. Over \$300 million was allocated for juvenile halls and camps. According to a 2015 audit

by the County Auditor–Controller, in recent years, the overall probation budget has been underspent, in part due to the number of vacant positions they budgeted for and ultimately did not hire and spend for. For instance in 2015, Probation had at least 400 vacant positions. In recent years, Probation was increasingly under budget (expenditures were less than allocations) by \$7.6 million in FY 2012–2013, \$24.2 million in 2013–2014, and \$54.3 million in 2014–2015.

Despite the dramatic declines in detained youth populations in Los Angeles in recent months and years, the documented failures of juvenile halls and camps, and the recent announcement by the County that there would be hiring freezes and cuts to all county agencies, Probation announced on May 12 that it would be hiring 100 new detention service officers for its juvenile halls. With the recent announcement by Governor Gavin Newsome that the Department of Juvenile Justice would close by 2021 and responsibility over youth in its care would shift to counties, advocates worry that the Probation Department will request additional funds and reopen closed facilities despite the significant drops in numbers of youth in its custody. Defunding Probation and reallocating those much needed resources into community-based capital projects and services will ensure that the county continues moving in the direction of care first.

⁹⁶ See Villanueva, *Custody Division Population Quarterly Report*, *supra* note 35, at 11.

⁹⁷ See Hamai, *2020–21 Recommended Budget*, *supra* note 44.

Proposal 4: Los Angeles County must increase its investments in ATI implementation

Even before the COVID-19 crisis hit, LA County was moving intentionally towards a “care first” approach and away from incarceration. In March 2020, the LA County Alternatives to Incarceration (ATI) Work Group published its landmark report full of concrete recommendations for this new approach, the culmination of months of collaborative work between County leaders from different agencies and communities. The Board of Supervisors praised and endorsed its strategies. The COVID-19 crisis has sped up the rate of decarceration in LA County Jail and highlighted the urgent need for the Board to create an ATI Initiative to implement the report recommendations and fund decentralized, community-based systems of care. Los Angeles can see its vision through during this crucial time by taking the following steps:

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.
2. Follow through on the Board’s commitment to create an ATI Initiative, include a budget allocation for the immediate hiring of an ATI Director, and implement the strategies in the final ATI report.
3. Conduct an aggressive cost benefit analysis

of current public safety budget allocations, such as AB109; identify budget line items 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).

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

You can’t deny the return on investment into alternatives to incarceration

Alternatives to incarceration help those community members who need supportive services successfully transition from jail back to the community. There is already a positive track record of this in Los Angeles County. The LA County Office of Diversion and Reentry (ODR) serves the most vulnerable community members, including those with both serious mental health needs and convictions for serious offenses.⁹⁸ Despite receiving only about 5 percent of LA County’s AB109 funds,

98 L.A. County Off. of Diversion & Reentry (last visited May 8, 2020), http://file.lacounty.gov/SDSInter/dhs/1054454_ODR-One-Sheet-R4.pdf.

their work has led to the release of over 5,000 people from jail to community-based services. After a year in ODR Supportive Housing Program, 86 percent of participants had no new felony convictions, a lower rearrest rate than similarly situated individuals.⁹⁹

ODR's work also supports some of the most challenging participants in staying housed; within 6 months of participation, 91 percent have maintained housing stability and, within 12 months, 74 percent have maintained housing¹⁰⁰. ODR's programs are more cost-effective than incarceration, including reducing dependence on costly crisis care, and employ the "care first" approach to positive effect on participants and public safety.¹⁰¹

The promise of diversion work like ODR's often goes unfulfilled because of insufficient investment in community-based services and housing for the communities most impacted by incarceration in LA County. The result is that thousands of people in the mental health population in LA County Jail needlessly remain incarcerated because of inadequate beds and programs, despite a finding by the RAND corporation that over 60 percent is appropriate for diversion.¹⁰² While this was undeniable before COVID-19, the pandemic has made the need to invest in housing, reentry services, and alternatives to incarceration more urgent than any other time in history.

ATI implementation priorities for COVID-19

To meet community needs during this pandemic and fulfill the promise of a "care first" approach,

LA County must including funding in its budget to implement the foundational ATI Work Group recommendations, and prioritize the following:

- Immediately fund and hire the ATI Initiative Director position from the pool of ATI Work Group members, coordinating staff and participants, with established relationships with community organizations, and a track record of public health driven approaches to public safety. By selecting an individual with strong community relationships and active ATI involvement, the county will be able to begin the implementation of the ATI recommendations swiftly and effectively.
- Increase the capacity of Psychiatric Mobile Response Teams (PMRT) by at least 70 additional positions estimated at \$9 million⁸⁶ to meet the demand. 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. The 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. ATI recommendation #35 calls

⁹⁹ Chrisitna R. Ghaly, M.D., *Progress Report on Scaling up Diversion and Reentry Efforts for People with Serious Clinical Needs* (Sept. 9, 2019), http://file.lacounty.gov/SDSInter/bos/bc/1061487_PROGRESSREPORTONSCALINGUPDIVERSIONANDREENTRYEFFORTSFORPEOPLEWITHSERIOUSCLINICALNEEDS.pdf.

¹⁰⁰ *Id.*

¹⁰¹ See Hunter, *Los Angeles County Office of Diversion and Reentry's Supportive Housing Program*, *supra* note 92.

¹⁰² Stephanie Brooks Holliday, et. al., *Estimating the Size of the Los Angeles County Jail Mental Health Population Appropriate for Release into Community Services*, RAND Corporation (2020), https://www.rand.org/content/dam/rand/pubs/research_reports/RR4300/RR4328/RAND_RR4328.pdf.

to “significantly increase the number of Department of Mental Health Psychiatric Mobile Response Teams (PMRTs) to reduce service wait times” which will, in turn, decrease the chances of individuals having contact with law enforcement and becoming incarcerated rather than receiving needed treatment.

- Complement pretrial release with meaningful pretrial diversion services in order to break cycles of recidivism. 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. ATI recommendation #48 calls for the county to “develop and expand pre-arrest and pre-booking diversion programs, using decentralized, cross-functional teams to coordinate behavioral health assessments and connections to community-based systems of care, for people whose justice system involvement is driven by unmet behavioral health needs, in coordination with law enforcement and community providers.”
- Per ATI recommendation #20, fund affordable housing placements and treatment spaces for people who are most at risk of destabilization, particularly people who are currently and formerly incarcerated, as well as often overlooked populations like transgender and gender-non-conforming people. In a recent survey of service providers, respondents overwhelmingly identified housing as a top need of

formerly incarcerated people during the COVID-19 crisis; 91 percent called for “more equitable access to housing/beds in certain geographical areas.”¹⁰³ This reinforces the importance, per ATI recommendation #87, of distributing resources—including emergency housing—to promote geographical and racial equity (i.e. to communities most impacted by incarceration and lack of government investment in services). Meeting health and housing needs will prevent people from becoming incarcerated and lead to better outcomes for individuals and the greater community.

- In addition to funding the amount necessary to meet the demand for care capacity in the community, the county should create an additional pool of flexible, unrestricted funding for community-based organizations serving formerly incarcerated people and people being released from jail. This should be distributed to address geographical and racial equity as well as the urgent financial needs of small organizations. Service providers have experienced increased operating costs due to the pandemic, and the county budget needs to reflect that in order to maintain care capacity in the community. LA County should fund implementation of ATI recommendation #34, which would allow community-based reentry service providers to help people meet basic needs, like temporary financial aid and identification. This will be critical to helping formerly incarcerated people survive, find adequate shelter, access necessary care, and avoid crises that could lead to incarceration during the

103 *Connecting incarcerated and formerly incarcerated people to services in Los Angeles: What's need during COVID-19?*, Vera Inst. of Just., 8 (June 2020), <https://storage.googleapis.com/vera-web-assets/inline-downloads/covid19-service-provider-survey-los-angeles.pdf>.

COVID-19 pandemic. A recent survey of service providers from across the county also identified the need for cash assistance beyond basic benefits to survive in the short-term due to the pandemic’s impact on the overall

economy and housing stability. Emergency support, such as cash assistance, gift cards, and transportation cards/waivers, can help mitigate the economic impacts on families.¹⁰⁴

104 *Id.* at 7.

Care First Proposed Budget

The proposed Care First budget allocations are informed by the analysis and recommendations outlined in this report. These are minimum budget allocations and should not be interpreted as the maximum possible amounts the county can divest from

law enforcement and reinvest in health and human services. Further law enforcement budget reductions will be possible through sustained decarceration and investment in community-based alternatives to incarceration and county diversion programs.

DEFUND LA COUNTY PROBATION PRETRIAL SERVICES			
PROPOSED FY 20-21 BUDGET ALLOCATION	FY 20-21 BUDGET ALLOCATION	CARE FIRST BUDGET PROPOSED DIVESTMENT / INVESTMENT	RECOMMENDED DIVESTMENT > INVESTMENT
LA County Probation Pretrial Services	\$19,607,000	Transfer pretrial services to an independent pretrial entity in partnership with community-based organizations	\$14,607,000
		Fund Public Defender pretrial units	\$5,000,000

DEFUND LA COUNTY PROBATION ADULT SERVICES

PROPOSED FY 20-21 BUDGET ALLOCATION	FY 20-21 BUDGET ALLOCATION	CARE FIRST BUDGET PROPOSED DIVESTMENT / INVESTMENT	RECOMMENDED DIVESTMENT > INVESTMENT
Adult Services: Program to investigate and make recommendations on cases referred by the court for sentencing consideration, assessment, probation supervision assignment, or CDCR placement. Reports include Pre-pleas, Probation and Sentencing, Post-Sentencing, Early Disposition, and Bench Warrants.	\$74,686,000	Transfer all court reporting & recommendations to the Office of Diversion and Re-entry in partnership with community-based organizations. Instead of focusing on risk factors and “criminogenic” needs, change the focus to measuring youth, family and community strengths and resource needs and to diverting youth and adults from arrest, detention and incarceration.	\$74,686,000

DEFUND THE DISTRICT ATTORNEY

PROPOSED FY 20-21 BUDGET ALLOCATION	FY 20-21 BUDGET ALLOCATION	CARE FIRST BUDGET PROPOSED DIVESTMENT / INVESTMENT	RECOMMENDED DIVESTMENT > INVESTMENT
Community Prosecution: The Abolish Chronic Truancy (ACT) program enforces compulsory education laws by focusing on parents’ responsibility and accountability to get children to and keep them in school. The Juvenile Offender Intervention Network (JOIN) program provides swift intervention before court filing through an accountability-based program for juveniles ages 10-17 who have committed a fileable, non-violent, first-time offense. The multi-agency Code Enforcement Unit, active since 2005, has made it possible for County inspectors to gain entry into previously inaccessible properties, thereby allowing inspectors to issue citations and/or refer cases to the Office for investigation, remediation and/or prosecution.	\$1,658,000	Community-based youth diversion programs, immigrant defense	\$1,658,000
General Prosecution	\$152,675,000	Public Defender programs, immigrant defense, community-based diversion programs	\$50,000,000

DEFUND YOUTH PROBATION

Expand County Youth Diversion and Development into a comprehensive Youth Development Department and move all youth out of probation custody and supervision into YDD. Transfer Probation's Pretrial Assessment and Court Reporting Roles to the County Office of Diversion and Reentry under Health Services.

PROPOSED FY 20-21 BUDGET ALLOCATION	FY 20-21 BUDGET ALLOCATION	CARE FIRST BUDGET PROPOSED DIVESTMENT / INVESTMENT	RECOMMENDED DIVESTMENT > INVESTMENT
LA COUNTY PROBATION CUSTODY (JUVENILE HALLS and CAMPS)			
Detention Services Juvenile Halls	\$205,989,000	Youth Development Centers	\$205,989,000
LA COUNTY PROBATION SUPERVISION and SPECIAL SERVICES & PLACEMENTS (JUVENILE)			
Special Services	\$49,603,000	Youth and Community Justice Centers as an alternative to detention and incarceration for all ages – each run as a partnership between a non-law enforcement public agency; a school district; at least one community-based organization; at least one trade union to create a training to career program; and a community college with onsite education, job training, health & mental health clinic, recreation, arts, transformative justice,	\$49,603,000
Support Services	\$141,983,000		\$141,983,000
Residential Treatment Probation Camps	\$120,753,000		\$120,753,000
“Transitional services” and school supervision	\$87,219,000		\$87,219,000
“Juvenile Suitable Placement” Youth removed from home and placed in group homes, psychiatric hospitals, Dorothy Kirby Center	\$19,743,000		\$19,743,000
LA COUNTY PROBATION SUB-CONTRACTS			
Probation’s Community-Based Contracts: “Private contracts, administered by the Probation Department, to reduce juvenile delinquency.”	\$2,920,000	Transfer administration of Probation’s community-based solicitation, contracting and evaluation process to the Youth Diversion and Development Department (YDD).	\$2,920,000
Juvenile Justice Crime Prevention Act Funds (State Allocation)	TBD by State Budget	Transfer administration of JJCPA and the County Juvenile Justice Coordinating Committee to the Youth Diversion and Development Department (YDD).	TBD by State Budget

DEFUND LAW ENFORCEMENT CAPITAL PROJECTS

(Jails, Juvenile Halls, Probation Camps & Sheriff Stations)

PROPOSED FY 20-21 BUDGET ALLOCATION	FY 20-21 BUDGET ALLOCATION	CARE FIRST BUDGET PROPOSED DIVESTMENT / INVESTMENT	RECOMMENDED DIVESTMENT > INVESTMENT
Central Juvenile Hall	\$6,500,000	Youth and Community Justice Centers	\$6,000,000
Dorothy Kirby	\$6,481,000	Youth and Community Justice Centers	\$6,481,000
Barry J. Nidorf Juvenile Hall	\$10,300,000	Youth and Community Justice Centers	\$10,300,000
Northeast Juvenile Justice Center Building	\$1,000,000	Youth and Community Justice Centers	\$1,000,000
Pitchess (Wayside) Jail	\$35,713,000	ATI Infrastructure	\$35,713,000
Mira Loma Jail	\$24,660,000	ATI Infrastructure	\$24,660,000
	\$100,000,000	ATI Infrastructure * AB900 funds will require county advocacy to reclassify funds	\$100,000,000
Men's Central Jail	\$37,700,000	Closing of MCJ and ATI Infrastructure	\$37,700,000
Century Regional Detention Facility (Lynwood)	\$10,200,000	ATI Infrastructure	\$10,200,000
Century Regional Detention Facility (Lynwood)	\$10,200,000	ATI Infrastructure	\$10,200,000
Lynwood Regional Justice Center	\$398,000	ATI Infrastructure	\$398,000
Twin Towers	\$3,400,000	ATI Infrastructure	\$3,400,000
Refurbishment of Stations	\$123,012,000	ATI Infrastructure	\$123,012,000

DEFUND THE SHERIFF

PROPOSED FY 20-21 BUDGET ALLOCATION	FY 20-21 BUDGET ALLOCATION	CARE FIRST BUDGET PROPOSED DIVESTMENT / INVESTMENT	RECOMMENDED DIVESTMENT > INVESTMENT
Custody	\$470,668,000	Transfer operations costs of MCJ to ATI informed community-based services.	\$160,000,000
2011 Realignment Public Safety (AB118)	\$234,692,000	Community-based mental health and behavioral health treatment, including services through the Office of Diversion and Reentry and other departments working on a care first model.	\$234,692,000

Patrol–Specialized & Unallocated: law enforcement services to Metrolink, Metro, and the Community College Districts. It also includes general countywide law enforcement services such as Aero Bureau, Special Enforcement Bureau, Homeland Security, Community Partnership, and Emergency Operations.	\$329,002,000	Community-based crisis response teams, mental health response teams, peacekeepers, intervention workers, community health workers, COVID-19 and other emergency related services, subsidized public transportation for all youth in LA County, K – College	\$329,002,000
General Support: The General Support budget unit accounts for the Leadership and Training, Technical Services, Facilities Planning, and Facilities Services Divisions.	\$415,291,000	New County Youth Commission, youth leadership development, education, and job training and placement for youth and adults	\$200,000,000
		Public Defender programs, including the Law Enforcement Accountability Program, pretrial units, post-conviction review and re-sentencing	\$100,000,000

Conclusion

The COVID-19 pandemic has laid bare some important truths, including that incarceration, criminalization and racial inequality have always been public health crises. The need to shift our county resources away from failed punitive models and toward community-based services & alternatives to all forms of incarceration and policing has never been more clear. Indeed, public health research and recent epidemiological modeling demonstrate that a critical component of any COVID-19 response must be decarceration, and that a critical component of ending racial inequality is investing in the communities most impacted by the criminal legal system.

While the COVID-19 pandemic and LA County's long-standing addiction to incarceration have

irrefutably caused immeasurable harm and suffering, this moment provides a critical juncture for us to reevaluate our communities' need for structural and transformational change. The Los Angeles County Board of Supervisors has an opportunity and a responsibility to protect the health of all people in LA County. LA County 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

Ivette Alé

Senior Policy Lead, Dignity and Power Now

Eunisses Hernandez

Executive Director, La Defensa

Kim McGill

Organizer, Youth Justice Coalition

Brian Kaneda

Californians United for a Responsible Budget

Mark-Anthony Clayton-Johnson

Executive Director, Frontline Wellness Network

