

MOTION BY SUPERVISOR MARK RIDLEY-THOMAS

May 6, 2014

**Providing Treatment, Promoting Rehabilitation and Reducing Recidivism: A 60-Day Initiative to Develop a Comprehensive Diversion Plan for Los Angeles County**

A comprehensive diversion plan is the missing element in the jail master planning analysis. Without its inclusion, the jail master plan is incomplete. Regardless of the option selected to replace Men’s Central Jail, the County of Los Angeles (County) must commit to develop and fund a sustained plan to divert low-level offenders from incarceration who are mentally ill and/or are substance abusers. The mentally ill, unfortunately, are incarcerated at higher rates than people without mental illness and many of those incarcerated also have co-occurring substance abuse disorders. Homelessness is often a commonality among the incarcerated mentally ill.

Diversion can address the untreated mental illness and substance abuse that is often the root cause of crime. By providing appropriate mental health services, substance abuse treatment, and job readiness and training, as well as permanent supportive housing when it is needed, the mentally ill are stabilized and less likely to commit future crimes.

Diversion is not a new concept. Miami-Dade County, Florida; Memphis, Tennessee; and San Antonio, Texas, for example, have effective diversion programs with positive outcomes, including reduced recidivism for the mentally ill who received the diversion services. Recidivism reduction means less crime with fewer victims, thereby decreasing incarceration rates. Fewer people in jail result in lower jail costs. The cost to

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incarcerate and treat the mentally ill in custody is far more expensive than treating the mentally ill through a diversion program, even a program that includes permanent supportive housing. For example, Miami-Dade County, Florida has an annual savings of \$2.5 million, and Bexar County, Florida saved \$5 million in 2006. Moreover, keeping people who do not need to be in jail out of jail is the right thing to do.

The County's District Attorney has been leading efforts to develop a sound pre- and post-adjudication diversion program in partnership with the Sheriff's Department, Departments of Probation, Public Health and Mental Health, Public Defender's Office, and the Countywide Criminal Justice Coordination Committee, to name a few. This partnership is important because it identifies the mentally ill who should avoid jail because treatment is a better option.

But these efforts are incomplete without a holistic and comprehensive plan supported by a financial commitment from the County for a robust diversion system. Although the County utilizes diversion programs, primarily for post-adjudication, there is no comprehensive or integrated approach to diversion. A robust diversion plan would provide adequate health and social services, including job training, at all stages of the criminal justice continuum: (1) law enforcement/emergency services, (2) post-arrest/pre-adjudication, (3) courts/post-adjudication alternatives to incarceration, and (4) community re-entry. Any commitment by the Board to replace Men's Central Jail should also include an equally strong commitment to create and fund a complete diversion system.

**I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:**

1. Request that the District Attorney work in conjunction with the Sheriff, Fire Chief, Directors of the Departments of Mental Health, Health Services, Public Health, Veterans Affairs, and Public Social Services, Public Defender, Chief Probation Officer, Chief Executive Office, Alternate Public Defender, and Executive Director of the Countywide Criminal Justice Coordination Committee and utilize a consultant or consultant services, where necessary,

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to conduct a comprehensive assessment of the existing mental health diversion programs used by the County of Los Angeles and currently available permanent supportive housing, and report back in writing in 60 days. The assessment should also include the following:

- a. Needs analysis for mental health and substance abuse diversion services along the criminal justice continuum;
  - b. Identification of gaps, if any, in services, including housing for people with severe mental illness, access to health care including primary care, psychiatry and treatment for addiction, as well as access to training and jobs;
  - c. Need, if any, for additional permanent supportive housing;
  - d. Recommendations for the development of a comprehensive diversion program for each stage of the criminal justice continuum;
  - e. Implementation strategy for diverting a minimum of 1,000 inmates eligible for reentry annually beginning in fiscal year 14-15;
  - f. Recommendations for policy changes and training; and
  - g. Analysis of cost and cost savings.
2. And finally, direct the Chief Executive Officer to return to the Board of Supervisors during fiscal year 2014-15 budget deliberations in June with a recommendation and options for funding based on an assessment of the staffing, operating, and budgetary needs of the following:
- a. A Population Management and Diversion Unit that includes an Affordable Care Act Team that would (1) identify and screen inmates for various diversion programs, (2) locate program resources, and (3) analyze outcomes to ensure recidivism reductions.

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