

***Resolution Adopting a “Care First, Jails Last” Policy in Alameda County and Establishing a
“Care First, Jails Last Committee”***

WHEREAS the Board of Supervisors, County of Alameda acknowledges the need to reduce the number of people with mental illness, substance use and co-occurring disorders in our jail; and

WHEREAS the Board of Supervisors, County of Alameda acknowledges it is critical that we provide quality, affordable, accessible, and compassionate community-based mental health, substance use and co-occurring disorder treatment options in order to reduce the number of people with mental illness in our jail; and

WHEREAS the fundamental goal of a “Care First, Jails Last” policy is to develop a continuum of care that includes a full spectrum of treatment and housing, including preventative and outpatient services, inpatient acute and subacute facilities, licensed board and care homes, and other supportive options so that people with mental illness, substance use, and co-occurring disorders have a full opportunity to receive and live stable lives; and

WHEREAS the Board of Supervisors, County of Alameda recognizes the importance of responding to unprecedented and sustained calls from community members and behavioral health and criminal justice reform advocates to end law enforcement responses to health and social services needs; and

WHEREAS the Care First, Jails Last policy and committee working group meet the Vision 2026 10X pathways goals of **Healthcare for All**, **Crime Free County**, and **Eliminate Homelessness** in support of a shared vision of **Thriving & Resilient Population** and **Safe and Livable Communities**; and

WHEREAS in 2015, this Board of Supervisors established and charged the Justice Involved Mental Health (JIMH) Task Force – a multi-agency committee including representatives from health and social services providers, public safety agencies, and the courts – with drafting recommendations for reducing the population of people with mental illness in our jail; and

WHEREAS in October 2020, Alameda County Behavioral Health Care Services (ACBH) presented recommendations from the JIMH to the Board of Supervisors, County of Alameda; and

WHEREAS the Board of Supervisors, County of Alameda is committed to addressing the JIMH recommendations and continuing the work of the task force in further refining, prioritizing, and implementing plans to achieve the goal of reducing the number of people with mental illness in our jail; and

WHEREAS the COVID-19 public health and financial crisis has further highlighted the need to move away from criminalization, reduce our jail population, and provide people with mental illness safe and community-based services; and

WHEREAS incarceration and the lack of mental health and substance use disorder services disproportionately impact African Americans in Alameda County, who represent 48% of the jail population and more than one third of the behavioral health re-entry population; and

WHEREAS individuals with serious mental illness are more likely to return to jail, experience deteriorated health, and cycle through the criminal justice system than those without serious mental illness, and community-based mental health services have been proven to reduce crime and recidivism; and

WHEREAS jails spend two to three times more money on adults with mental illness that require intervention than on those without the same needs, with little or no improvement to public safety or individuals' health; and

WHEREAS other counties – such as Miami-Dade in Florida and Los Angeles and San Francisco in California – have responded to the need to reduce the number of people with mental illness in their jails, and can provide valuable blueprints for such a transition in Alameda County; and

WHEREAS the Care First, Jails Last policy has demonstrated success in other jurisdictions, including Los Angeles County, in reducing incarceration, poor health outcomes, and shortened life spans of people with mental illness and substance use disorders and to care for their needs and well-being; and

WHEREAS counties are often confronted with obstacles, including minimal resources and lack of coordination between agencies, to reducing the number of people with mental illness in the jails; and

WHEREAS one key aspect of that transition process is convening a community-centered committee to provide and Action Plan for how Alameda County can move to a rehabilitative, health-focused and care-first continuum of care for people with mental illness, substance use, and co-occurring disorders; and

WHEREAS it is critical to ensure this participatory process includes the voices of those with lived experiences and have been closest to the impacts of incarceration in our communities are able to meaningfully inform the recommendations for what a new system can look like; and

NOW THEREFORE, BE IT RESOLVED that the Board of Supervisors, County of Alameda does hereby adopt a “Care First, Jails Last Policy” for behavioral health care and alternatives to incarceration that addresses racial disparities, and establishes a multi-sector Brown Act-authorized “Care First, Jails Last Committee” to oversee and implement an Action Plan to transform the county’s criminal justice and behavioral health care and associated systems such as Social Services and Housing and Community Development to prioritize preventative, rehabilitative, health-focused programs; and

BE IT FURTHER RESOLVED the Care First, Jails Last Action Plan recommendations shall be grounded in shared data and informed by the work of the JIMH, Mental Health Advisory Board (MHAB), and additional feedback and engagement from health care experts and members of the public solicited in community listening sessions; and

BE IT FURTHER RESOLVED member agencies of this Committee will gather and share data pursuant to health privacy and confidentiality laws for the purposes of (1) coordination of behavioral health and other services and (2) to identify and measure unmet needs for behavioral health and other services and evaluate programs delivering those services; and

BE IT FURTHER RESOLVED to meet these objectives, the Alameda County Behavioral Health Care (ACBH) will receive case-level data on the demographics, diagnoses, services requested and received, court charges and convictions, judicial status, and incarceration and probation histories since 2011 of people who have been criminally charged as well as people with mental illness and substance use disorders, pursuant to health privacy and confidentiality laws, from all relevant agencies; and

BE IT FURTHER RESOLVED ACBH shall conduct and publicly disclose aggregate analyses of data hosted by the Alameda County Information and Technology Department (ITD) on community-based behavioral health needs and the justice-involved behavioral health population, in an effort to uplift systemwide

transparency and coordination between ACBH, the Mental Health Advisory Board, Public Protection Departments, and any county-approved task force or county-established interdepartmental planning group; and

BE IT FURTHER RESOLVED the Care First, Jails Last Committee will be comprised of the following voting members:

Ø Five (5) Community Representatives:

Each Supervisor will appoint a representative from their district. Community representatives must either be a formerly incarcerated individual or a family member or caregiver of an individual who suffers from a serious mental illness or co-occurring or substance use disorder.

Ø Nine (9) Alameda County Agency Directors (or designees):

1. Alameda County Behavioral Health Care Services, Committee Chair
2. Alameda County Social Services Agency
3. Alameda County Public Defender
4. Alameda County Probation Department
5. Alameda County Sheriff's Office
6. Alameda County District Attorney's Office
7. Alameda County Office of Homeless Care and Coordination
8. Alameda County Housing and Community Development Department
9. Alameda County Superior Court (Presiding Judge or designee)

Ø *The following representatives shall be appointed by the Chair of the Health Committee:*

- One (1) Community-Based Service Provider

Community-based service provider organization must provide either services to formerly incarcerated individuals, mental health care services, and/or substance use treatment services.

- Two (2) City Program Directors

City programs must provide services that aim to divert people with mental illness, substance use or co-occurring disorders from jail.

- One (1) Representative from the following:

1. Alameda Health System
2. Decarcerate Alameda County
3. Free Our Kids Coalition
4. Interfaith Coalition for Justice in Our Jails
5. Mental Health Advisory Board
6. Alameda County Mental Health Collaborative
7. Alameda Health Consortium
8. East Supportive Housing Collaborative

Ø *The following representatives will serve as non-voting, ex-officio advisory members:*

- Alameda County Administrator's Office
- Alameda County Information and Technology Department
- Alameda County Care Connect
- Alameda County Counsel
- One (1) data analyst or academic with experience or expertise in mental health, substance use, housing, community-based diversion, restorative or transformative justice, or related subject matters (appointed by the Chair of the Health Committee)

BE IT FURTHER RESOLVED that Alameda County Behavioral Health Care Services will provide or contract for facilitation and administrative support; and

BE IT FURTHER RESOLVED the Care First, Jails Last Committee will provide semi-annual updates and policy and budget recommendations at a joint Board of Supervisors Health & Public Protection hearing, with an annual re-evaluation of the Committee's timeline and continuance.