

AGN. NO. _____

MOTION BY SUPERVISORS SHEILA KUEHL
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Building a Gender-Responsive Criminal Justice System

Over the past decade, research concerning gender-responsive incarceration policies has built a strong body of evidence demonstrating a number of reasons that implementing such policies should be a priority for Los Angeles County. The research has documented that the most effective way to prevent recidivism and promote permanent lifestyle changes with justice-involved women is through an approach that is both gender responsive and trauma informed. The first, gender responsiveness, is important because the characteristics of incarcerated women differ in crucial ways from those of men: a majority of these women are the primary custodial parents of their minor children prior to their incarceration and most are single mothers (Vera Institute of Justice). This fact makes meaningful family visitation important. In addition, women are twice as likely to be incarcerated for petty theft and 63% more likely to be incarcerated for simple drug possession than men; and most are incarcerated awaiting trial on misdemeanors or non-violent crimes because they cannot afford bail (*Meeting the Needs of Women in California's County Justice Systems*, Barbara Bloom, PhD., May

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2015). The County's approach must also be trauma informed because as many as 85% to 90% of incarcerated women report having been victims of sexual or domestic abuse prior to incarceration (*Bias Behind Bars*, Women's Foundation of California, October 2014), a figure that is much higher than the rate reported by men. Many women also experience pregnancy, labor and delivery while incarcerated, which are high-risk medical and health scenarios, and quality, accessible medical care for these women is particularly essential.

Like their male counterparts, incarcerated women overwhelmingly come from economically impoverished backgrounds and communities of color. Their situations often force them to engage in illegal and de-humanizing activities merely to survive. Moreover, their histories as victims of abuse, either as children or as adults, can create serious mental health issues, and make them particularly vulnerable to drug dependence, and chronically abusive relationships.

Research in the area of gender-responsive incarceration is replete with evidence that women are highly amenable to rehabilitative re-entry and education efforts, both in custody and in community settings. Actions taken by the Board in developing a women's detention facility along trauma-informed and gender responsive lines would take advantage of a singular and historic opportunity to address the reality of women's incarceration in a research-based, intentional and authentically gender responsive fashion.

In recognition of this, the Board unanimously passed a motion on September 1, 2015, which ordered the creation of the Gender Responsive Advisory Committee to "review the program model at Mira Loma" and to "examine national best practices for visiting and family reunification," as well as evaluate strategies to "reduce the negative

impact” of locating a women’s jail facility in such a comparatively remote part of the County.

These mandates to the Committee remain unfulfilled, yet the potential of a Gender Responsive Advisory Committee remain relevant, as the Board contemplates the siting of a new women’s detention facility.

The multiplicity of challenges presented by the need for a gender responsive facility require the services of an expert or experts in the field of gender responsive criminal justice planning and programming. They should be recognized as a leader(s) in the field, with significant academic, research, field and policy experience specific to incarcerated women. They should also demonstrate experience in assisting local, state, and national criminal justice agencies by providing expertise, leadership, technical assistance, and services in the following crucial areas of gender responsive jail and prison programming: system analysis; policy review and development; strategic planning; program development; training; assessment and evaluation. The expert consultant(s) must be highly familiar with community-based programs, jails, and prisons, especially those that aim to be responsive to the specific needs of incarcerated women. The expert(s) must also be available to provide real-time, on site expertise to the many County Departments, agencies and community partners who are invested in a women’s facility that will reduce recidivism and help women prepare to re-enter their communities in a productive and healthy way.

In addition to looking toward the future, the County must move forward to provide more robust gender responsive programming and services to the upwards of 2100 mostly low-to-medium security women who are currently housed at the Century Regional Detention Center (CRDF), a decades old facility that previously housed high-

security male inmates. Currently, there is little open space, no dedicated programming space, and, despite efforts of the Sheriff, numerous stakeholders, and community based organizations, no comprehensive gender-responsive system. This is an unacceptable situation that must be remedied, and it is incumbent upon the County to expand the range of gender responsive programming and services to the women housed there.

Additionally, part of the transformation to a gender responsive system is the recognition that designated leadership with expertise is needed. Los Angeles County is home to the largest women's jail in the country, and requires dedicated, centralized leadership with decision making power to oversee the programs and services provided to incarcerated women. Previous experiences with gender responsive consultation have highlighted the need for recommendations to be coupled with implementation authority. In 2013, the Sheriff's Department invited the National Institute of Corrections to assess the current women's jail at CRDF and provide recommendations to make practices more gender-responsive. In 2015, the Gender Responsive Advisory Committee, created by the Board of Supervisors and led by the Sheriff's Department, invited the Center for Gender & Justice to present its report Meeting the Needs of Women in California's County Justice Systems. In both cases, there was no systematic implementation mechanism for the recommendations discussed. The two-step process of coupling an outside consultant with designated personnel will help to ensure that the work developed with the consultant is implemented and that the County takes long-term ownership of gender responsive correctional transformation.

The creation of a Director of Gender Responsive Services within the Sheriff's Department would complement and supplement the continuity of a gender responsive

system, by implementing new policies at a large institution; training staff in trauma-informed operational practices; providing management and oversight during times of change, especially as it pertains to changing institutional culture; and building successful partnerships with diverse stakeholders, including elected and other county officials, correctional officers, community groups, and incarcerated women.

The Director will also implement the curriculum developed by the independent consultants throughout the transition from CRDF to the new women's detention facility; lead the Gender Responsive Advisory Committee which will provide recommendations to the Board and County Departments; and create new and strengthen existing partnerships with government entities and community organizations performing re-entry services for women.

WE, THEREFORE, MOVE that the Board of Supervisors direct the Chief Executive Officer in consultation with County Counsel and the Sheriff to:

(1) Retain an expert consultant to oversee, advise and assist with the design, placement, programming and implementation of a new gender-responsive system, in the new women's detention facility in Los Angeles County;

(2) Retain an expert consultant to oversee design and implementation of gender responsive programming at CRDF including an assessment of required maintenance, upgrades and/or modifications;

(3) Re-establish the Gender Responsive Advisory Committee, created by Board motion in September 2015, to be chaired by the Director of Gender Responsive Services, and to be staffed by representatives from County Counsel, Chief Executive Office, the Board of Supervisors, the Sheriff, Public Defender, Alternate Public Defender, District Attorney, Office of Diversion and Re-Entry,

Department of Mental Health, Department of Public Health, Probation Department, Department of Children and Family Services, Department of Public Social Services, Workforce Development Aging and Community Services, as well as community advocates and service providers, who will work to expand gender responsive programming at CRDF, and initiate and maintain a gender responsive system at the new women's facility.

WE FURTHER MOVE that the Chief Executive Officer:

(4) Report back to the Board of Supervisors in 60 days detailing the progress made in the selection of a gender responsive consultant(s) for the new women's facility and CRDF;

(5) Report back to the Board of Supervisors in 60 days on the progress made in re-establishing a Gender Responsive Advisory Committee and;

(6) Work with the Sheriff to appoint a Director of Gender Responsive Systems to work collaboratively with the County departments, stakeholders, and the expert consultants in the design, implementation and oversight of gender responsive programming at all Sheriff's facilities, with an initial focus on CRDF, and the new women's detention facility.