

## ***Resolution Adopting a “Care First, Jails Last” Policy in Alameda County***

**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 treatment options in order to reduce the number of people with mental illness, substance use and co-occurring disorders 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 wraparound support services 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 meets 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, substance use and co-occurring disorders in our jail; and

**WHEREAS** the Alameda County Mental Health Advisory Board, established pursuant to California Welfare and Institutions Code 5600 et seq, is composed of appointees of the Board of Supervisors and has responsibility for: reviewing and evaluating the public’s mental health needs, facilities, services and special problems; advising the County Board of Supervisors and the Alameda County Behavioral Health Director on any aspect of the local mental health programs; reviewing and approving the procedures used to ensure citizen and professional involvement at all stages of the planning process, including involvement of individuals with lived experience of mental illness and their families, community members, advocacy organizations, and mental health professionals. It shall also include other professionals that interact with individuals living with mental illnesses on a daily basis, such as education, emergency services, employment, health care, housing, law enforcement, local business owners, social services, seniors, transportation, and veterans; and

**WHEREAS** the Mental Health Advisory Board’s Criminal Justice Committee works to support the broader community interests by reviewing programs, services, and outcomes for forensically involved persons receiving behavioral health services in order to make recommendations regarding quality or system improvements designed to reduce the number of incarcerated individuals with serious mental illness; and

**WHEREAS** in October 2020, Alameda County Behavioral Health Care Services (ACBH) presented to the Board of Supervisors, County of Alameda recommendations that were informed by the JIMH Task Force and the Mental Health Advisory Board, as well as additional feedback and engagement from health care experts and members of the public solicited in community listening sessions; and

**WHEREAS** the Board of Supervisors, County of Alameda is committed to addressing these recommendations by further refining, prioritizing, and implementing plans to achieve the goal of reducing the number of people with mental illness, substance use and co-occurring disorders 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, substance use and co-occurring disorders with safe and community-based services; and

**WHEREAS** reducing the number of people with mental illness, substance use and co-occurring disorders and providing a quality, affordable, accessible, and compassionate community-based behavioral health continuum of care are racial justice issues; and

**WHEREAS** incarceration and insufficient 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, substance use and co-occurring disorders are more likely to return to jail, experience deteriorated health, and cycle through the criminal justice system than those without serious mental illness; and

**WHEREAS** community-based behavioral health and substance use services have been proven to reduce crime and recidivism; and

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

**WHEREAS** both incarceration and insufficient quality, accessible behavioral health care services are linked to shortened life spans for people with mental illness, substance use, and co-occurring disorders; 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 and poor health outcomes of people with mental illness, substance use, and co-occurring disorders; and

**WHEREAS** quality, accessible behavioral health care services and alternatives to incarceration can lengthen life spans and improve the overall well-being for people with mental illness and substance use, and co-occurring disorders; and

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

**WHEREAS** it is critical to ensure that implementing a Care First, Jails Last policy allows those with lived experiences with the criminal justice system to meaningfully inform the recommendations for what a new system can look like.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Supervisors, County of Alameda, does hereby adopt a “Care First, Jails Last Policy” for just and equitable behavioral health care services and alternatives to incarceration that transform the county’s systems of criminal justice, behavioral health care, and wraparound services including public benefits, social services, and housing to prioritize preventative, rehabilitative, health-focused programs; and

**BE IT FURTHER RESOLVED** that the work advancing the Care First, Jails Last policy must prioritize equity and inclusion frameworks in addressing racial, economic, and other disparities in Alameda County’s criminal justice, behavioral health, and wraparound support services systems; and

**BE IT FURTHER RESOLVED** that all Alameda County agencies, in particular public protection, behavioral health and wraparound supportive services, shall collaborate to advance a Care First, Jails Last policy; and

**BE IT FURTHER RESOLVED** that the work advancing the Care First, Jails Last policy shall be grounded in shared data from across the criminal justice, behavioral health, and other wraparound supportive services systems; and

**BE IT FURTHER RESOLVED** that all Alameda County agencies that can contribute to advancing a Care First, Jails Last policy will gather and share data with the Alameda County Behavioral Health Care department, where permitted by health privacy and confidentiality and not prohibited by other applicable laws, for the purposes of reducing the number of people with mental illness, substance use disorder, or co-occurring disorders in our jail; and

**BE IT FURTHER RESOLVED** that to meet these objectives, those Alameda County agencies will share case-level data with the Alameda County Behavioral Health Care department on the demographics, diagnoses, services requested and received, court charges and convictions, judicial status, incarceration, and probation histories since 2011 of people who have been criminally charged as well as people with mental illness and substance use disorders, where permitted by health privacy, confidentiality laws, and not prohibited by other applicable laws; and

**BE IT FURTHER RESOLVED** that the Mental Health Advisory Board, with the administrative support of the Alameda County Behavioral Health Care department, shall publicly disclose aggregate analyses of data on

community-based behavioral health needs and the justice-involved behavioral health population, to the extent not prohibited by law, in an effort to uplift systemwide transparency and coordination; and

**BE IT FURTHER RESOLVED** that the Mental Health Advisory Board (designee) and the Director of ACBH will provide semi-annual updates to a joint meeting of the Board of Supervisors' Health & Public Protection committees as to the implementation progress of a Care First, Jails Last policy, and provide opportunities for input from community stakeholders, including – but not limited to – individuals with lived experience, their advocates, community-based service providers, and coalitions and advisory boards whose missions support a Care First, Jails Last policy.