

February 8, 2021

VIA EMAIL

Honorable Board of Supervisors
Los Angeles County
Hall of Administration, Room 383
Los Angeles, CA 90012

Re: Felony Incompetent to Stand Trial Community Care Demonstration Project

Dear Chairperson Solis and our Board of Supervisors:

NAMI Greater Los Angeles County, NAMI Westside Los Angeles, and NAMI Urban Los Angeles join in writing you today to reconsider a decision in support of our county's Felony Incompetent to Stand Trial population. We have been active members and partners in Crisis Intervention Team (CIT) training for our county's law enforcement agencies, the Permanent Steering Committee of the Office of Diversion and Re-entry (ODR), the Alternatives to Incarceration Workgroup, the recently convened Alternatives to Incarceration Initiative, the Men's Central Jail Closure Workgroup, the Alternative Crisis Response Workgroup, the Assisted Outpatient Treatment Oversight Committee, and the Mental Health Commission where NAMI GLAC CEO, Brittney Weissman, serves as Chair.

Few challenges in mental health are more serious or more complex than the Incompetent to Stand Trial population. Our Misdemeanor Incompetent to Stand Trial (MIST) clients represent the very definition of the phrase "the criminalization of the mentally ill." Our county has addressed this dilemma for our MIST population in the county jail with astounding success through innovative Office of Diversion and Reentry (ODR) programming. In addition, since July 2018 ODR's Felony Incompetent to Stand Trial (FIST) program has restored 323 individuals while in the jail, thereby avoiding state hospital placements, and another 226 are currently being restored in the community on active court orders. ODR has successfully managed both programs, and we applaud their effort and success.

When the county decided not to build a mental health jail, there were approximately 300-400 justice-involved persons living with serious mental illness who were acutely ill and required the highest level of mental health care. To date, after five years of implementation of the Sequential Intercept Model, the county has offered no remedy for this population beyond the progress by ODR mentioned above.

Yet the state and county systems supporting the IST population are crashing. IST court calendars continue to increase, jails get more crowded with people who should not be there, wait lists and referrals are rising, and individuals are not moving towards treatment and competency restoration as prescribed by law. FIST clients are the most acutely ill and challenging population in the mental health community to address, and for decades they have been "the forgotten ones" left to languish in the LA County jail. This is unconscionable and we understand an opportunity



NAMI Urban Los Angeles



NAMI Greater Los Angeles County



NAMI Westside Los Angeles

has presented itself to the county to address this long-overlooked issue through state funding for a Community Care Demonstration Project for Felony Incompetent to Stand Trial project (CCDP-IST). We ask the County to fully and transparently investigate the possibility of this pilot, which is in complete harmony with our Care First, Jail Last approach of our Alternatives to Incarceration Initiative. To let this opportunity slip through our fingers conflicts with our criminal justice reform movement.

The program stands to move many more justice-involved individuals with very serious mental illness from jail into a therapeutic environment in the community. According to the Rand study, “Estimating the Size of the Los Angeles County Jail Mental Health Population Appropriate for Release into Community Services” (2020), up to 68% of felony ISTs could be treated in a less restrictive therapeutic setting in the community. The remaining 32% of people with very serious mental illness who are not eligible for community placement will need adequate beds in the jail system to receive their constitutionally mandated appropriate level of care. Those who must move to a state hospital level of care should receive the level of treatment they require while waiting for this transition and, perhaps, many will not need to move to the state hospital at all.

We ask you to request a report from the Department of Health Services detailing the ability of the proposed project and state funding to successfully manage this program. We believe the expertise to address these issues resides in Los Angeles County and we should be part of the solution. In the spirit of our countywide criminal justice reform movement, we also respectfully request full public disclosure and stakeholder involvement in this important decision.

Sincerely yours,

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