

Los Angeles County

Alternatives to Incarceration Work Group

Recommendations to Reduce Incarceration and Increase Diversion
for Justice-Involved Populations:

Cisgender Women

Lesbian, Gay, Bisexual, Queer + (LGBQ+) &
Transgender, Gender Non-Conforming, Intersex (TGI)

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In Collaboration with:

A New Way of Life Reentry Project
TransLatin@ Coalition
Young Women's Freedom Center

and

Participants of the Community Engagement Sessions

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Background

Purpose

In September 2019, the Alternatives to Incarceration (ATI) Work Group started to engage more justice-involved populations as part of its second phase of planning.

In collaboration with A New Way of Life Reentry Project, TransLatin@ Coalition, and Young Women’s Freedom Center, the Vera Institute of Justice convened a series of community sessions to engage members of the following justice-involved populations:

- Cisgender Women
- Lesbian, Gay, Bisexual, Queer (LGBTQ+) &
- Transgender, Gender Non-Conforming, Intersex (TGI)

This document provides the first set of recommendations from an ad hoc committee that included members from each of the three aforementioned groups. As described below, a second set of recommendations will be presented at the November 7th meeting of the ATI Work Group.

Terms and Acronyms

Throughout this document, the term “cisgender women” used refers to people who identify as women and were assigned female at birth (i.e. their gender identity matches the sex they were assigned at birth).

The acronym LGBTQ+ will be used to denote people who identify as lesbian, gay, bisexual, and/or queer. This acronym is meant to be inclusive beyond the listed identities.

The acronym TGI will be used to denote people who identify as transgender, gender-non-conforming, and/or intersex. This acronym is meant to be inclusive beyond the listed identities, accounting for Two-Spirit community members and all other gender expansive identities.

One core task of the ad hoc committee over the next couple of months will be to develop a term and description for use in the recommendations and in the ATI Work Group’s Final Report that reflects the spirit of the committee’s work in affirming all gender identities, gender expressions and sexual orientations.

Process

The recommendations presented in this document emerged from a series four community engagement sessions.

The first two sessions focused on each specific justice-involved population. In the first of these sessions, participants identified key issues that lead to incarceration and described their experiences with incarceration itself. These issues and experiences were documented and placed into a relevant category within the ATI Intercept Roadmap.

In the second session, participants discussed and approved recommendations to address the key issues identified in the first session. These recommendations also were placed into the relevant category of the ATI Intercept Roadmap.

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The recommendations emanating from each of the group-specific engagement sessions were then brought to an ad hoc committee with members from each of the three groups. The ad hoc committee’s task was to identify, discuss, and approve recommendations that were common to all three populations and those unique to each group. The ad hoc committee met twice, endorsed specific recommendations, and generated new recommendations.

This ad hoc committee will meet again between October 15 and November 1, to finish crafting their final set of recommendations, which will be presented to the ATI Work Group in November.

Structure of Recommendations

The recommendations presented in this document fall into three categories.

- Category 1: Recommendations that add to a recommendation already approved by the ATI Work Group. The ad hoc group attempted to stay within the spirit or parameters of the original recommendations. Most of the recommendations presented in this document fall under this category (i.e., 22 of the 35 recommendations.)
- Category 2: Recommendations that revise a recommendation already approved by the ATI Work Group. There are only two of these recommendations (i.e., recommendations #39 and #40.)
- Category 3: Recommendations that are new to the list of recommendations already approved by the ATI Work Group (i.e., 11 of the 35 recommendations). A new numbering system is provided for these recommendations, beginning with the Intercept number (e.g., ‘0-1’ is the first new recommendation under Intercept 0; ‘0-2’ would refer to the second new recommendation under Intercept 0, and so forth.)

All recommendations, regardless of category, are highlighted and underlined to facilitate understanding.

Table 1: Number of Recommendations Per Intercept

Intercept 0	9
Intercept 1	2
Intercept 2	1
Intercept 3	3
Intercept 4	4
Intercept 5	2
Infrastructure	14
Total	35

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**INTERCEPT 0: Holistic and Decentralized Community-Based System of Care:
Prevention and Reentry**

Recommendations	Common to
<p>6. Improve, enhance, and integrate case management opportunities, points of contact and engagement for Community Health Workers and peer support organizations to connect with clients and their families/loved ones outside of justice involvement and pre/post incarceration. <u>Create robust community education – especially in impacted communities – about services tailored to people who identify as cisgender women, LGBQ+, or TGI so that incarceration is not the first point of contact for services. Give peer support organizations and Community Health Workers access to real-time data on treatment availability to streamline the referral process.</u></p>	LGBQ+, TGI, cisgender women
<p>[New] 0-1 Create or expand crisis mediation and violence prevention work based on restorative justice principles, with a focus on programs specifically for people who identify as cisgender women, LGBQ+, or TGI and conduct community outreach to promote awareness of these options outside of the justice system.</p>	Cisgender women, TGI, LGBQ+
<p>17. Expand or refine affordable successful housing models designed for and tailored to justice involved individuals with mental health and/or substance use disorder needs, specifically: (a) short-term treatment inclusive of acute inpatient, AB 109 and forensic inpatient (FIP) and IMD subacute beds; (b) interim housing inclusive of clubhouse living with supportive employment, recovery bridge housing and sober living; and permanent subsidized housing inclusive of independent living and board and care facilities. <u>These housing models should include beds specifically for people who identify as cisgender women, LGBQ+, or TGI to ensure they are inclusive and affirming of all gender identities and sexual orientations.</u></p>	TGI, LGBQ+, cisgender women
<p>18. Create and scale up innovative programs that comprehensively provide housing, wraparound services, and career-track employment for justice-impacted individuals. <u>Ensure the availability of programs that meet the needs of and are tailored to people who identify as cisgender women, LGBQ+, and/or TGI.</u></p>	LGBQ+, cisgender women, TGI
<p>19. Develop partnerships with and between landlords, County departments, providers, and communities/neighborhoods that increase housing options and support residents in maintaining housing, including onsite management staff. <u>Incentivize the creation and reservation of sufficient units for short- and long-term housing options for people who identify as LGBQ+ and/or TGI.</u></p>	LGBQ+, TGI
<p>[New] 0-2 . Work with Housing State Funding, DHS Housing Programs, and Housing projects for people who identify as LGBQ+ and/or TGI.</p>	LGBQ+, TGI

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<p>21. Establish a partnership with the State Department of Occupational Rehabilitation and coordinate with other agencies, including but not limited to WDACS, regarding economic and employment opportunities. <u>Develop partnerships to create opportunities specifically for people who identify as LGBTQ+, TGI and/or cisgender women by incentivizing employers to participate.</u></p>	<p>Cisgender women, LGBTQ+, TGI</p>
<p>[New] 0-3 Expand supported employment opportunities for people who identify as LGBTQ+, TGI and/or cisgender women, including flexible funds for basic client needs to find employment (e.g., birth certificates, identification consistent with gender identity, childcare, etc.).</p>	<p>Cisgender women, LGBTQ+, TGI</p>
<p>[New] 0-4 Incubate new and innovative employment programs for people who identify as LGBTQ+, TGI and/or cisgender women.</p>	<p>Cisgender women, LGBTQ+, TGI</p>

INTERCEPT 1: Community Response and Intervention Services

Recommendations	Common to
<p>27. Expand, diversify, and strengthen non-crisis mobile response teams to address gaps, including: (a) following through with clients in crisis to avert involuntary hospitalization; (b) involving peers in mobile response teams <u>that connect to individuals' gender identity</u>; (c) developing system for outreach workers to respond to non-law enforcement calls; (d) <u>assisting people who identify as TGI, LGBTQ+ and/or cisgender women who are in an emerging crisis and/or need community-based conflict resolution.</u></p>	<p>LGBTQ+, TGI, cisgender women</p>
<p>32. Train 911 operators and dispatch on mental health screening to direct calls involving behavioral health crises that do not require a law enforcement response towards DMH's ACCESS line (e.g., integrate DMH line with 911 or allow direct access from 911 operators to ACCESS). <u>Train 911 operators and dispatch to allow callers to request a responder that connects to the gender identity of the individual in crisis.</u></p>	<p>LGBTQ+, TGI, cisgender women</p>

INTERCEPT 2: Law Enforcement

Recommendations	Common to
<p>34. Train all law enforcement officers in Los Angeles County in a formal CIT curriculum, including <u>information on appropriate responses to people who identify as TGI, LGBTQ+ and/or cisgender women</u>, and refresher courses, that incorporate connections and networking with neighborhood-specific community-based resources with a treatment-first, harm reduction approach. SMART/MET teams to receive substantially more specialized training.</p>	<p>LGBTQ+, TGI, cisgender women</p>

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INTERCEPT 3: Booking and First Court Appearance

Recommendations	Common to
<p>39. Develop a strengths and needs-based system of pretrial release through an independent, cross-functional entity, possibly situated outside of law enforcement, to coordinate voluntary needs and strengths assessments expeditiously upon booking, and to provide relevant information to court officers to make informed release decisions.</p>	Cisgender women, TGI, LGBTQ+
<p>40. Institute a presumption of pretrial release for individuals with clinical behavioral health disorders, whenever possible and appropriate, coupled with warm handoffs to community-based systems of care, to provide targeted services to help individuals remain safely in the community and support their return to court</p>	Cisgender women, TGI, LGBTQ+
<p>41. At the earliest point possible, connect individuals to a personal advocate or community member to assist them in navigating the justice system process and assist in advocating for diversion opportunities. These advocates, whenever possible, should include and be trained to provide tailored help/referrals to people who identify as LGBTQ+, TGI and/or cisgender women.</p>	Cisgender women, TGI, LGBTQ+

INTERCEPT 4: Jail Custody and Court Process

Recommendations	Common to
<p>42. Improve equal access to all treatment resources for justice-involved individuals, wherever they may be (in or out of custody): Direct health agencies to change eligibility criteria and increase capacity and funding to ensure behavioral health treatment facilities are available in all stages of court process. Create a more rapid referral and response process for MH and Co-Occurring placements at all levels. Develop a coherent strategy and connect every qualifying individual to an appropriate court-based program at inception of diversion dialogue. Refine multiple points of entry within Intercept 3 for MH and SUD services. Ensure in-custody involvement of CBOs for services. Expand capacity and remove archaic barriers at all levels of care. Ensure consistent, culturally appropriate, and sufficient availability of the full range of services and court-based programs for people who identify as cisgender women, LGBTQ+, and/or TGI so no one is left without care or diversion because of gender identity or sexual orientation.</p>	Cisgender women, LGBTQ+, TGI
<p>45. Train the court-based workforce to address the continuum of needs of incarcerated persons by partnering with families and social support networks and creating individualized plans that are culturally competent, responsive to all gender identities, and include those not eligible for community-based diversion (i.e., violent felony charges).</p>	LGBTQ+, TGI, cisgender women

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<p>[New] 4-1 Conduct educational seminars, led by service providers, for justice partners on the needs of people who identify as LGBTQ+, TGI, and/or cisgender women.</p>	<p>LGBTQ+, TGI, cisgender women</p>
<p>[New] 4-2 Tailor the conditions and services required/offered in any alternatives to incarceration programming to the needs and strengths of people who identify as LGBTQ+, TGI, and/or cisgender women. Create policies that address the challenges and barriers frequently faced in attempting to comply with mandates (e.g. childcare obligations as a single parent, lack of money for transportation, lack of money for program enrollment or completion, etc.) as well as how these programs can contribute positively to wellness rather than being grounded in negative sanctions (e.g. incarceration, probation extension, fees, loss of parental rights, etc.).</p>	<p>LGBTQ+, TGI, cisgender women</p>

INTERCEPT 5: Pre-Release Planning and Release

Recommendations	Common to
<p>[New] 5-1 Begin release planning for everyone as soon as possible after being booked into jail, using a reentry provider. Pre-release planning should include a health assessment / medication needs, family / loved ones in the region, custodial responsibilities, employment status, and individuals’ reentry goals. Ensure all people who identify as cisgender women, LGBTQ+ and/or TGI have a plan tailored to the unique barriers they may face upon release, especially with respect to housing.</p>	<p>Cisgender women, TGI, LGBTQ+</p>
<p>51. Develop and fund a transition shelter within a few blocks from all county jails from which people are released, operated by community-based organizations with safe, welcoming overnight stays for people released after hours with range of support. Create transition shelter beds for people who identify as LGBTQ+, TGI, and/or cisgender women so they do not have to remain incarcerated for a safe transition to the community.</p>	<p>Cisgender women, TGI, LGBTQ+</p>

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INFRASTRUCTURE

Recommendations	Common to
<p>53. Increase, ensure, and fund public collaboration in all phases of Alternatives to Incarceration planning, implementation, evaluation, and system oversight – across relevant County court, justice, health and social service systems. This collaboration can be piloted via the ATI Community Engagement Workshops and <u>the Ad Hoc Committee structure, which includes work on gender, sexual orientation and racial equity</u>, by instituting quarterly stakeholders meetings to communicate updated ATI progress, discuss service and communication gaps, and highlight best practices. Fund and staff post-ATI final report, i.e., the initiative should host recurring implementation meetings across the County and with relevant County departments to discuss policy impacts, resolve policy conflicts, monitor fiscal impacts, assess eligibility barriers, and develop evaluation metrics of success.</p>	<p>LGBQ+, TGI, cisgender women</p>
<p>55. Create, staff, and fund an Advisory Collaborative of Impacted People to ensure there is continuous feedback and accountability to the prioritized communities and LA County at large in the implementation of the comprehensive roadmap. <u>Ensure consistent representation of people who identify as cisgender women, LGBTQ+, and TGI, including the most marginalized racial, ethnic and cultural groups in the geographic areas most impacted by incarceration, on the Advisory Collaborative.</u></p>	<p>LGBQ+, TGI, cisgender women</p>
<p>61. Fund comprehensive rehabilitative, evidence-based mental health and substance use care, as well as <u>transitional housing with wraparound services, gender-affirming primary care</u>, violence prevention, gang intervention, art therapy, family reunification, occupational therapy, and other programs in lieu of incarceration, i.e., interventions should take a holistic, whole person (or even family-centered) approach as their model in serving individuals while utilizing justice funds saved by decreased incarceration. <u>This programming should be inclusive of and tailored to people who identify as women, TGI, and LGBTQ+ people including the most marginalized racial, ethnic and cultural groups in the geographic areas most impacted by incarceration.</u></p>	<p>LGBQ+, TGI, cisgender women</p>
<p>62. Create contract language that supports effective models that are servicing people 24/7, with appropriate specialization, intensity, staffing, language/culture, quality, and staff with lived experience, etc. Require and <u>incentivize organizations, via contracting mechanisms, to adopt inclusive policies that support LGBTQ+ / TGI staff and consumers. These policies should affirm queerness and gender-non-conformity and hold organizations/agencies accountable to adopting appropriate language and culture. County contracting should require that contractors have an organizational policy on service provision inclusive of LGBTQ+ / TGI people and anti-discrimination, as well as a requirement for staff to attend training on serving TGI / LGBTQ+ people, and to prioritize recruitment and hiring of representatives of those groups. The organizational policy and trainings should be developed with directly impacted LGBTQ+ / TGI people.</u></p>	<p>LGBQ+, TGI</p>

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<p>64. Utilize County capacity-building programs, in conjunction with equity analysis, to expand the community-based system of care by: (a) finding and supporting smaller organizations in different SPAs to qualify and access funds while providing seed funding (i.e. philanthropic partnerships, business loans, flexible government funding, pay for success models, and/or zone area investments, etc.), <u>including those organizations with a history of serving system-involved people who identify as cisgender women, LGBTQ+ and/or TGI</u>; b) promoting existing providers as potential incubators; and (c) supporting training and TA to become service providers accessing Medi-Cal Fee Waiver, County and State funding, and organizational coaching <u>as well as training in evidence-informed practice in serving TGI / LGBTQ+ people.</u></p>	<p>LGBTQ+, TGI, cisgender women</p>
<p>[New] I-1 Create/enforce anti-LGBTQ+-discrimination policies for all general housing/service options with meaningful accountability processes, including through the CA Department of Fair Employment & Housing. Create easy ways for LGBTQ+ people to report violations and receive tailored services upon reporting.</p>	<p>LGBTQ+, TGI</p>
<p>[New] I-2 Train all law enforcement officers and first responders, including LAFD, DCFS, and 911 dispatchers, regularly on respectful practices and communication with people who identify as LGBTQ+, TGI and cisgender women, grounded in a care first, trauma-informed approach. Ensure that accountability measures for discrimination on these grounds are enforced.</p>	<p>Cisgender women, TGI, LGBTQ+</p>
<p>[New] I-3 Require that mental health clinicians, behavioral health and primary care physicians complete trainings on serving people who identify as cisgender women, LGBTQ+, and/or TGI to improve culturally and medically appropriate service provision by clinicians that affirms sexual orientation and gender identify.</p>	<p>LGBTQ+, TGI</p>
<p>71. Train social/health service workforce to address continuum of need and that individual’s care plans are culturally sensitive and include those not eligible for community-based diversion (i.e., violent felony charges). <u>Require training on serving people who identify as cisgender women, LGBTQ+, and/or TGI to improve culturally appropriate service provision by social and health service workforce that affirms sexual orientation and gender identify.</u></p>	<p>LGBTQ+, TGI</p>
<p>73. Design and implement curricula for all workforce trainings recommended herein by partnering with justice-impacted individuals and their families. <u>The trainings on people who identify as cisgender women, LGBTQ+, and/or TGI should be developed and conducted by community-based organizations serving people with these identities – especially people of color and those with system involvement – to center the voices of those directly impacted.</u></p>	<p>LGBTQ+, TGI</p>

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<p>74. Attract and develop social/health service workforce capable of delivering integrated health, mental health, substance use treatment as well as tailored care to people who identify as cisgender women, LGBTQ+, and/or TGI; and livable wages in partnership with justice-impacted individuals and their families. Recruit and fund partnerships with LGBTQ+ / TGI / people of color (POC) therapists who have a harm reduction approach. These therapists should be members of and have experience working in an affirming manner with communities most impacted by criminalization to maximize positive engagement with therapy.</p>	<p>LGBTQ+, TGI</p>
<p>75. Conduct intensive and extensive outreach to medical schools, schools of social work, professional organizations, and local educational institutions for qualified forensic mental health professionals – particularly those who identify as LGBTQ+ / TGI – and community health workers, while providing incentive bonuses for bilingual experts and developing certification or credential programs for CHWs with educational partners.</p>	<p>LGBTQ+, TGI</p>
<p>76. Increase employment and retention of Community Health Workers (CHWs) to expand service capacity, cultural competency, and client/provider trust, by: (a) hiring, training and professionally advancing CHWs with lived experience of the justice system and/or who identify as LGBTQ+, TGI, and/or cisgender women; (b) creating pathways for CHWs to move up to full-time, salaried County jobs with benefits; and (c) including continual evaluation and improvements made to ensure the CHW program is both effective and building this innovative workforce.</p>	<p>LGBTQ+, TGI, cisgender women</p>
<p>[New] I-4 Train transitional housing providers about LGBTQ+ / TGI needs and discriminatory experiences, particularly those who run mixed housing sites, so that people are not excluded from housing because of gender identity or sexual orientation. Create process for consumers to provide anonymous feedback to evaluate success of trainings and services.</p>	<p>TGI, LGBTQ+</p>