



December 18, 2017 via email



ATTN: County of Los Angeles Chief Executive Office  
Environmental@ceo.lacounty.gov

CC: LA County Board of Supervisors



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**RE: CONSOLIDATED CORRECTIONAL TREATMENT FACILITY DRAFT EIR COMMENTS**



Dear Chief Executive Office,



The below is a joint statement of public comment in response to the Draft Environmental Impact Report (EIR) for the Consolidated Correctional Treatment Facility (CCTF) released on October 19, 2017. Among the organizational signatories of this letter are members of the LA No More Jails coalition, Californians United for a Responsible Budget, and Justice LA, representing community based, youth, reentry, labor, faith, and immigrant rights organizations. In the last week alone, we have also received 90 letters from community members in opposition to the CCTF jail construction plan. These have been submitted to the CEO's office and LA County Supervisors.



Our organizations and the communities we represent know that jails are by definition toxic to all residents as fundamentally violent structures that forcibly remove people from communities of support and accountability. In particular, the notion of increased mental health caging fails to address how caging causes further harm to people with mental health needs or in mental health crisis. Imprisonment exacerbates mental illness, fails to support needs around substance use, and results in long-term financial instability.



The CCTF jail is being proposed as a solution to the mental health crisis faced by LA County communities, however many have notes, including members of the Board of Supervisors, that LA County's mental health needs must be solved through community based solutions. With genuine investment in decriminalization, diversion, bail/bond reform, and other jail population reduction measures, **LA County does not need to build a new jail.**



The CCTF jail project will incur \$3.5 billion in debt for LA County for the next 30 years. Additionally, there are numerous aspects to construction that need to be mitigated in this proposed new jail construction and the cost of mitigation is not factored into the projected costs of the jail plan. Costs of either proposed parking plan (option 1 or 2) would be particularly exorbitant, as well as proposed roadway and pedestrian way construction to mitigate traffic concerns. Air quality is of large concern in this EIR, with proposals for mitigation involving clean up and earth dampening procedures, management of hazardous toxins, and use of less harmful chemical agents, all of which would increase the cost of the proposed jail construction significantly. Furthermore, as cited throughout this letter, the savings incurred by LA County through the "No Project" alternative are not given attention. The Board of Supervisors and County CEO's office must thoroughly investigate the benefits to community and financial savings gained through the "No Project" option. The EIR fails in this regard.

### **Diversion, Decriminalization, and Community Resources**

The EIR is required to consider alternatives to the jail construction plan. However, two alternatives were discussed that did not fully research the impacts of jail population reduction strategies, 1) No Project/Continued Use of Existing MCJ Facility, and 2) Reduced Capacity CCTF. Community members working in reentry or community health continue to assert that with increased investment and prioritization of diversion and reentry strategies - to the tune of what has been proposed by LA County jail construction - jail population numbers could be significantly reduced without the presumed population growth.

The Draft EIR for new jail construction in LA has not adequately researched possibilities of releasing more people from the jail system or diverting them from jail in the first place, both of which are goals of the LA County Board of Supervisors. Decriminalization, pre-arrest diversion, pre-trial diversion, bail reform, and transfer to community led public health and mental health facilities can reduce the jail population drastically. Because community-based alternatives are not considered, the report reaches the very expensive and erroneous conclusion to reject the option of no construction, thereby pushing to imprison 3885 of our valued residents at a price tag of a \$3.5 billion debt over 30 years.

We appreciate that the EIR acknowledges the inherent challenge of treating people with mental health, serious physical health, and substance abuse problems who come into contact with the criminal justice system. However, the EIR does little to recognize the negative

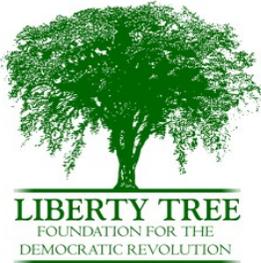


effects that the criminal justice system inevitably has on compounding those problems for individuals – being denied access to medication while in custody, the generally neglectful and abusive treatment by sheriff’s deputies (well documented by multiple lawsuits), isolation from loved ones who are critical to care and healing, the inherent inability to rehabilitate someone's mental health in a cage, and the increased rates of physical and mental abuse in a jail setting. The "No Project" alternative is grossly skimmed over in section 1.4.2.4 (chapter 1, p 13):

This no-project alternative involves closing the MCJ and transferring all inmates to other existing County facilities within the existing County-wide LASD custody system. Other LASD custody facilities that are currently open include TTCF adjacent to MCJ in downtown Los Angeles, CRDF in Lynwood, PDC (East), PDC (North), PDC (South), and the North County Correctional Facility (NCCF) in Castaic. The County-wide LASD Custody system currently provides 12,953 beds. The LASD Custody facilities have been operating over capacity, and the conditions have worsened over the years. Only PDC (East) is not overcrowded and has 862 remaining bed capacity (as of 2016). If MCJ were to close, there is not enough capacity in the County system to accommodate the MCJ inmates. Additionally, opportunities for co-location of jail and mental and medical treatment program space would be limited under this alternative, and PDC (East) could not provide the facilities necessary to serve the inmate-patient population. This alternative was considered but rejected.

**What the EIR fails to do, but needs to do, is study the ways to release more people.** The EIR states that the "Project Goal" in section 7.1.3 is to build a new building, not to achieve the most just, cost-effective, and humane response to public order and safety disturbances caused by people with illness, mental illness, and substance-abuse problems who encounter the law-enforcement system. The EIR relies entirely on the 2015 DA's report on diversion options and the efforts of the Board of Supervisors to establish the Office of Diversion and Reentry. EIR section 7.1.2. does not itemize the diversion approaches or even attempt to quantify how much opportunity there is to divert people at each stage. Instead, the Board set a minimum of 1,000 people diverted -- for the initial goal of a new office that has only \$37 million for programs -- and this EIR assumes that is the maximum ability to divert people. With increased programmatic, political, and capital investment the number of people diverted could be many many more.

Unlike what is described in the EIR, there are many alternatives to be considered. The Reimagine109 coalition presents LA County with the opportunity to develop comprehensive coordinated processes among



local government, health departments, and community-based health and social service organizations. Reimagine109 aims to reduce the reliance on LA County’s expensive criminal justice system and recidivism by: 1) Focusing on holistic health models and rehabilitation outside of the jail setting, 2) Empowering community organizations led by people most impacted by incarceration with the resources necessary to adequately support reentry, and 3) Creating innovative programs that provide services rooted in dignity of human life that offer drug use treatment, alcohol treatment, literacy programming, employment counseling, psychological counseling, trauma informed services, housing support and mental health treatment. The Reimagine109 campaign focuses on re-directing at least 50% of LA County’s AB 109 funding to community-based programs that prioritize holistic care, dignity for all, and empowering those most impacted by the criminal justice system.

**Air Quality and Surrounding Area Impact:**

The EIR attempts, but fails, to address environmental concerns for the surrounding area which are of particular concern to Critical Resistance LA and LA No More Jails. There are other major environmental issues that are inadequately mitigated by the Draft EIR which we will describe in detail, including air quality, shadows, traffic, and parking. The EIR fails to meet requirements in mitigating the negative impacts on residents of the immediate surrounding area, those who would be caged inside the facility, particularly people of color and low income people who are most targeted by police and prisons.

The EIR fails to address how the increased pollutants caused by construction will impact local residents and others at the locations less than one mile from the proposed site. During construction phase as well as during routine operation, this proposed new jail would add dangerous levels of pollutants into the air. These pollutants have the potential to increase already high rates of asthma, impacting prisoners who will remain in Twin Towers during construction as well as nearby residents. Construction of the jail and parking structure would remove an amount of dirt equivalent to 52 Olympic size swimming pools, creating the potential for release of numerous toxins.

**The locations exposed to increased pollutants include the William Mead Homes, an adjacent playground, Castelar Street Elementary School, Ann Street Elementary School, Chinatown Central Plaza, LA State Historic Park, and Union Station.** On pg 5.2-14, the EIR discusses the fact that "residential areas are considered sensitive receptors to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present. Other sensitive receptors include retirement facilities, hospitals, and schools. Recreational land

uses are considered moderately sensitive to air pollution." Our

organizations are extremely concerned about increased pollutants caused by construction as well as operation of a major jail, which includes shipping, visitation, prisoner transport, and staffing traffic as well as facility operation pollutants.

During overlap of construction and operation phases, air quality would be severely impacted for local residents and workers as well as prisoners and jail employees at Twin Towers. Page 5.2-24 summarizes the potential consequences.

As identified in Impact 5.2-3, long-term impacts (including temporary overlap of construction and operational activities) would result in emissions that exceed the SCAQMD's long-term regional significance thresholds. **Consequently, the Proposed Project could result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of the AAQS.**

This is of particular concern given the generally poor air quality in LA County, and the compounded impacts on people of color living in dense urban areas with high traffic and congestion. A 2007 health study from the LA County Dept of Public Health found county asthma prevalence, age 0-17 of: Latino 6.4%, White 8.1%, African American 18.4%, API 6.7% (with similar rates today).

The proposed construction of CCTF, despite assessment that this would decrease air quality for prisoners in Twin Towers also contradicts the California Dept of Public Health "Strategic Plan for Asthma in California: 2015-2019" which has as a goal (pg. 15) to "Develop projects to reduce asthma morbidity and exposures to asthma triggers for people in institutional care settings, such as foster and group homes, **prisons**, nursing homes, and mental health institutions."

In the Aesthetics Chapter of the EIR (Chapter 5.1), the effect of shadows is not adequately considered. Page 22 of said chapter purports to take this into consideration.

Shade and shadow impacts could be considered potentially significant if shadows are projected on sensitive outdoor uses, defined as routinely useable outdoor areas associated with recreational, institutional, or residential, such as parks, open space, school playgrounds, residential balconies, etc., for more than three hours between the hours of 9:00 AM and 3:00 PM Pacific Standard Time (between late October and early April), or for more than four hours between the hours of 9:00 AM and 5:00 PM Pacific Daylight Time (between early April and late October) (Los Angeles 2006).

However, we see discussed in the EIR on page 33 (Chapter 5.1), that the proposed new structures of CCTF would cast a dark shadow (during certain seasons from 2pm onward) over the ball park located on Cardinal Street. This shadow would interfere with the safe play of children and youth, in particular those from William Mead Homes, during the after school hours. The initiative by LA County Sheriff and Board of Supervisors to build a new jail that would promise (upon opening in 2024) to imprison the youth who currently play on these fields shows where the County's priorities lie when it comes to its youth, in particular its youth of color.

### **Traffic and Parking:**

The new jail would also result in significant traffic congestion and parking difficulties during

construction as well as during operation.

In section 3.4.1, an overview of options for parking and traffic is provided. Assessment of parking and traffic is not provided for the "No Project" or "Reduced Capacity" options. Each of these options relate to the proposal to build CCTF with increased capacity and both result in greater traffic congestion, pollution, obtrusive parking structures with great impact to residents in the surrounding areas, commuters and workers in this area, as well as loved ones, social workers, mental health providers, or lawyers visiting prisoners in Twin Towers or Mens Central. This traffic will be detrimentally impacted event further during the proposed joint operation and construction phase. As ongoing regular traffic in the area and to the current jail system, as well as the traffic of construction and demolition vehicles and lane closures, the area will be completely obstructed through construction phase (through 2024 if timeline goes as projected).

Under Option 1, a parking structure providing up to 1,500 spaces would be constructed at the SSPS Site; this parking structure would be used by CCTF and TTCF staff and visitors during construction of the CCTF. Upon completion of the CCTF, the SSPS would be available for other County uses. A new 3,000 space parking structure would be constructed on the Project Site for long-term use by CCTF and TTCF staff and visitors.

Under Option 2, a new 3,000 space parking structure would be constructed on the Vignes Lot for longterm use by CCTF and TTCF staff and visitors, and other County uses. On-site Circulation – Including court line and bus queuing area, emergency access, loop road, vehicle driveway on North Vignes Street between Bauchet Street and the North Vignes Street grade separation. The Project includes closure of a portion of Bauchet Street to restrict access to public traffic beyond entry to future visitor parking.

LA County already has extensive issues related to parking and traffic in downtown areas as well as throughout many parts of the County. This jail construction plan and the parking and traffic mitigation steps would only further exacerbate these issues.

### **Conclusion:**

The Draft Environmental Impact Report (EIR) of new jail construction in LA has not adequately researched possibilities of releasing more people from the jail system or diverting them from jail in the first place, both of which are goals of the LA County Board of Supervisors.

There are numerous aspects to construction that need to be mitigated in this proposed new jail construction. The cost of mitigation is not factored into the projected costs of the jail plan which already incur \$3.5 billion in debt for LA County for the next 30 years. Costs of either proposed parking plan (option 1 or 2) would be particularly exorbitant, as well as proposed roadway and pedestrian way construction to mitigate traffic concerns. Air quality is of large concern in this EIR, with proposals for mitigation involving clean up and earth dampening procedures, management of hazardous toxins, and use of less harmful chemical agents, all of which would increase the cost of the proposed jail construction significantly. Furthermore, as sited throughout this letter, the savings incurred by LA County through the "No Project" alternative are not given attention. The Board of Supervisors and County CEO's office must thoroughly investigate the benefits to community and financial savings gained through the "No Project" option. The EIR fails in this regard.

Decriminalization, pre-arrest diversion, pre-trial diversion, bail reform, and transfer to community led

public health and mental health facilities can reduce the jail population drastically. Construction of the Consolidated Correctional Treatment Facility would not be completed until 2024. Because community-based alternatives to imprisonment are not considered, the report reaches the very expensive and erroneous conclusion to reject the option of no construction, thereby pushing to imprison 3885 of our valued residents at a price tag of a \$3.5 billion debt over 30 years.

We demand better for LA County. LA County's jail population has been decreasing. We demand that LA County work to continue to decrease the numbers of community members in our jails through investment in community based methods of addressing harm and accountability as well as life affirming resources such as mental health care and housing.

Towards a more just Los Angeles,

Critical Resistance Los Angeles

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**Submitted alongside and on behalf of the following organizations:**

A New PATH - Parents for Addiction Treatment and Healing  
Advocates Delivering Love  
All Of Us Or None  
Alliance of Californians for Community Empowerment (ACCE)  
American Friends Service Committee  
Black Lives Matter - Los Angeles  
CA Prison Moratorium Project  
California Coalition for Women Prisoners - Los Angeles  
California Partnership  
Californians United for a Responsible Budget  
Communities United for Restorative Youth Justice  
Critical Resistance Los Angeles  
Dignity and Power Now  
Drug Policy Alliance  
Fair Chance Project  
Gender Justice LA  
Global Climate Convergence Project  
Homies Unidos  
Justice LA  
LA No More Jails

LA Reintegration Council  
Legal Services for Prisoners with Children  
Liberty Tree Foundation  
Los Angeles Community Action Network  
March and Rally LA  
Place4Grace  
Project ALOFA (Another Loving Opportunity For All)  
San Gabriel Valley Immigrant Youth Coalition  
The Immigrant Youth Coalition  
White People for Black Lives  
Youth Justice Coalition