



Memo to PPC: Update on RJTF

Introduction

Project Overview

The Contra Costa County Racial Justice Task Force (RJTF) formally launched on April 5, 2017. The RJTF has met monthly since that time to identify priorities, review data, discuss best practices, and develop recommendations related to racial disparities in criminal and juvenile justice systems and processes in Contra Costa County. An overview of the project timeline and topics is presented here:

- April – June 2017: Project Launch
 - Review of Criminal and Juvenile Justice Systems and Data
 - Identification of Initial Priority Areas
- July 2017 – Oct. 2017: Focus on Local Law Enforcement
 - Review data on juvenile and adult arrest trends to identify disparities
 - Discussion of Best Practices
 - Development of Preliminary Recommendations
- Nov. 2017 – Jan. 2018: Focus on Juvenile Justice
 - Review data on County juvenile justice trends to identify disparities
 - Discussion of Best Practices
 - Development of Preliminary Recommendations
- Feb. 2018 – April 2018: Focus on Criminal Justice
 - Review data on County criminal justice trends to identify disparities
 - Discussion of Best Practices
 - Development of Preliminary Recommendations
- May 2018 – June 2018: Prioritize and Finalize Recommendations
 - Integrate and prioritize preliminary recommendations
 - Finalize recommendations

In addition to meeting monthly, the Task Force has hosted the first of two rounds of community forums to increase residents' awareness about the Task Force and solicit feedback on focus areas.

The sections below provide additional information about project findings and preliminary recommendations.



Findings and Recommendations: Local Law Enforcement

Disparities in Local Law Enforcement Practices

The Task Force began by focusing on disparities in arrest rates across Contra Costa County in order to understand whether and to what extent there are disparities in people's entry to the criminal or juvenile justice system. Based on arrest data from the State of California Department of Justice, the Task Force established 6 key findings, related to arrests, diversion, and data collection. (Data to support these findings is available in Appendix A: Local Law Enforcement Data.)

Arrest Patterns

1. Across cities in Contra Costa County, Blacks are more likely to be arrested than other racial/ethnic group.
2. Racial disparities in arrests are often greater in cities with smaller Black populations.
3. While Black adults are more likely to be arrested than White adults across cities, there are important variations for what offenses disparities are greatest, indicating that different local processes drive city-level disparities.
4. Disparities for Black youth are greater than disparities for Black adults.

Diversion

5. There is no standardization in diversion processes and practices across Contra Costa County, meaning that individuals can be diverted for different offenses and with different resources in different cities.

Data Collection

6. There is no standardization in data collection across law enforcement agencies in Contra Costa County. In addition, there is limited-to-no data collected on most diversion programs, limiting the County's ability to determine who is being diverted and for what.

Recommendations for Local Law Enforcement Practices

To address the issues described above, the Task Force developed the following preliminary recommendations.

Diversion Practices

- LEAs increase partnerships with appropriate stakeholders, such as CBOs, District Attorney's office, Probation Department, etc., to provide diversion programs in partnership with local LEAs.
- LEAs issue citations and establish non-enforcement diversion programs as an alternative to arrests



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- CCC and LEAs consult best practices around data collection on diversion to protect confidentiality of community members and avoid unintended consequences.
- LEAs consider the use of diversion criteria to include appropriate felony level crimes.

Crisis Response Teams

- CCC evaluates the feasibility/need to build out Crisis Intervention Teams, Mobile Crisis Teams, or System-Wide Mental Health Assessment Teams countywide.
- Integrate de-escalation and mental health intervention trainings into LEA regional academy and/or department orientation

Procedural Justice

- CCC identifies funding for procedural justice training utilizing the train the trainer model for all LEAs across the county.
- CCC [e.g. Office of Reentry & Justice] works with the Chief's Association to create a forum to share information and strengthen promising practices around procedural justice.
- CCC provides resources to incentivize LEAs to implement improved procedural justice practices countywide.

Community Education and Engagement

- CCC [e.g. Office of Reentry & Justice] and LEAs host community forum to educate community members on how to identify a potential concern versus a reportable crime and what resources can be leveraged [e.g. 311-phone line].

Data Collection

- LEAs collect race-specific data on diversion, arrest, and outcomes of all calls for service and shared with a county entity.
- CCC publishes race-specific data (diversion, arrest, and outcomes on calls for service) online to create greater transparency and accountability of the County's LEAs.

Other Recommendations

In addition to these agreed upon recommendations, the RJTF would like further discussion about the following recommendations

- CCC creates a workgroup that includes, representatives from the Board of Supervisors, Community Advisory Board, region-wide CBOs, representatives from school districts, Probation, Judges, the DA's office, and the Public Defender's office to review LEA data on a quarterly basis to identify where disparities exist in the county's system and identify mechanisms for reducing racial disparities.



- CCC conducts quarterly community report-backs (e.g. BOS Public Safety Committee) across the county related to data collection and findings.
- CCC identifies a workgroup to review policy and procedures related to LEA hiring practices and recruitment approaches.
- LEAs improve capacity for data collection and analysis including expanding staff with data analysis capabilities.

Findings and Recommendations: Juvenile Justice Systems and Processes

The second phase of this project has focused on disparities in the County's juvenile justice systems and processes. Based on data from the Contra Costa County Probation Department, the Task Force established six key findings related to disparities in the juvenile justice system. The largest disparity occurs at the point of referral to probation, with Black youth referred to the Probation Department at a significantly higher rate than other youth. Once youth are referred to Probation, there are no disparities in the rate at which the Department files petitions. These and other findings are described here. (Data is available in Appendix B: Juvenile Justice Data.)

1. Black youth in Contra Costa County were 9 times more likely than White youth and 6 times more likely than Hispanic youth to be referred to Probation.
2. Of all youth referred to Probation, Black and Hispanic youth are 50% more likely than White youth to be detained prior to adjudication.
3. The Probation Department filed petitions at the same rate for all referred youth regardless of race; however, relative to their proportion of the overall county population, Black youth were 10 times more likely to have petitions filed than all other groups.
4. Among youth who had petitions filed, there were not disparities in who was deemed to be a ward of the court. There were still disparities compared to the overall rate within the population.
5. Among youth who were adjudicated delinquent, there were no disparities in which youth received a disposition of placement. There were still disparities compared to the overall rate within the population.
6. Among all youth who were made a ward of the court, Hispanic youth were 3 times more likely to be placed in secure confinement compared to White youth and Black youth were 2 times more likely to be placed in secure confinement compared to White youth.

Preliminary Recommendations

To address the issues described above, the Task Force developed the following preliminary recommendations.



Juvenile Justice Recommendations

Non-Punitive School Discipline

- All schools in Contra Costa County expand or implement existing non-punitive discipline practices, such as Positive Behavioral Interventions and Supports (PBIS) and Restorative Justice
- Contra Costa County Office of Education should provide training and technical assistance to all schools in the County to support implementation of PBIS and Restorative Justice, as well as data collection to assess implementation and impact.

Diversion

- Probation, the District Attorney's Office, the Public Defender's Office, and Office of Reentry and Justice should continue to establish formal partnerships with community-based organizations to provide diversion programs and services for youth.
- Probation, the District Attorney's Office, the Public Defender's Office, and Office of Reentry and Justice should establish criteria for diversion programs, with a focus on those offenses with greatest racial disparity. This must be done in partnership with cities and the County Police Chiefs Association.
- Probation, the District Attorney's Office, the Public Defender's Office, and Office of Reentry and Justice should work with the County Police Chief's Association to clarify and formalize appropriate offenses for diversion. This must be done in partnership with cities and the County Police Chiefs Association.
- Probation, the District Attorney's Office, the Public Defender's Office, and Office of Reentry and Justice should establish data collection parameters and processes for diversion practices.
- Office of Reentry and Justice should support analysis of diversion programs to measure efficacy and assess impact on racial disparities.

Structured Decision-Making

- Probation should develop or identify and validate the following evidence-based SDM tools for implementation:
 - Detention Risk Assessment Instrument (DRAI)
 - Dispositional Recommendations Matrix
 - Graduated Response Grid
- Probation should regularly assess tools to measure impact on racial disparities.

Alternatives to Confinement

- Probation, the District Attorney's Office, the Public Defender's Office and the Court should create an alternative to confinement eligibility with a focus on reducing racial disparities.



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- Probation, the District Attorney's Office, the Public Defender's Office, and the Courts should establish formal partnerships with community-based organizations to provide alternatives to confinement like Reporting Centers.
- Office of Reentry, Probation, and the Court should support data collection and analysis of alternatives to confinement interventions to measure efficacy and assess impact on racial disparities.

Holistic Defense

These services should be provided pre- and post-disposition:

- The Public Defender's Office should hire additional social workers that can assess youths' psychosocial needs and link them to services.
- The Public Defender's Office should increase its capacity to provide civil legal representation and educational advocacy to youth.

Next Steps

The Racial Justice Task Force is currently in the process of reviewing data on racial disparities in Contra Costa County criminal justice systems and processes in order to develop recommendations for amelioration. The Task Force will then work to integrate and prioritize recommendations from across justice system domains to develop a comprehensive set of recommendations. These will be presented to the larger County public via a series of community forums, which will take place in East, Central, and West County in May. The Task Force will finalize recommendations for submission to the Board in June.



Appendix A: Local Law Enforcement Data

Finding #1. Across cities in Contra Costa County, Blacks are more likely to be arrested than other racial/ethnic group.

Figure 1. Contra Costa County, Adult Arrests per 1,000

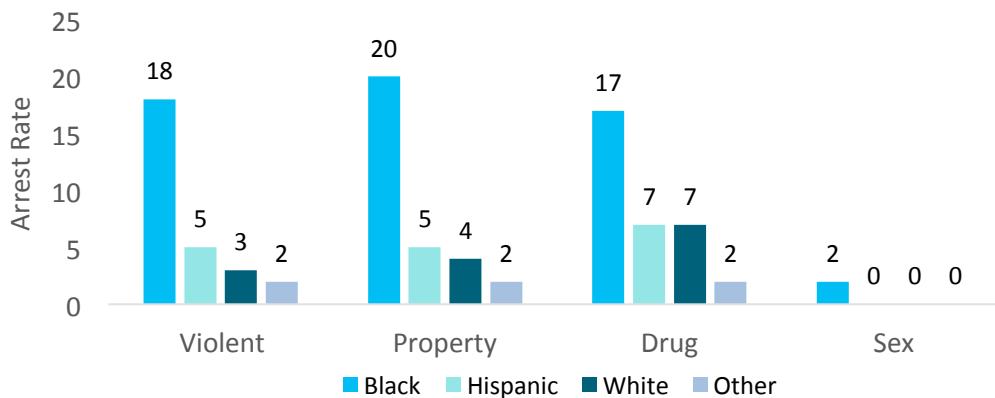


Figure 1 illustrates countywide arrest trends among Black, Hispanic, White and Other adults. Black adults are 6 times more likely than White adults to be arrested for a violent offense, as well as 5 times more likely to be arrested for a property crime and over 2 times as likely to be arrested for a drug offense.

Figure 2. Contra Costa County, Juvenile Arrests per 1,000

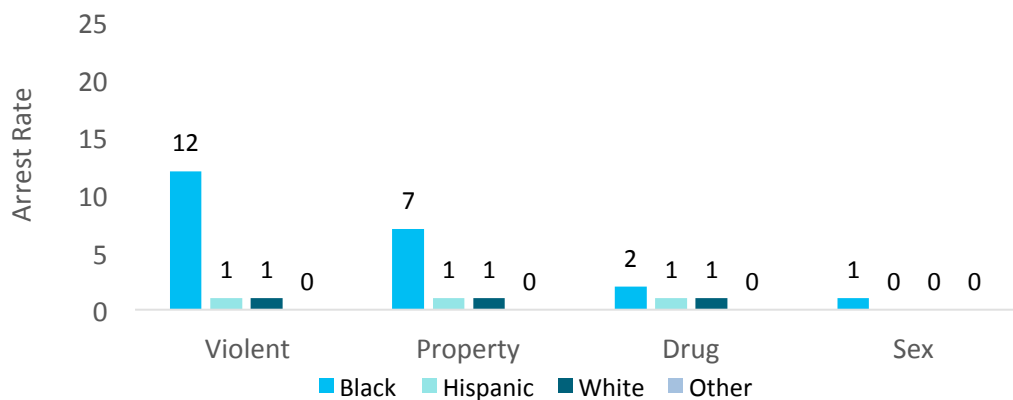


Figure 2 illustrates countywide arrest trends among Black, Hispanic, White and Other youth. Black youth are 12 times more likely to be arrested for a violent crime than White youth, while they are 7 times more likely to be arrested for a property offense and twice as likely to be arrested for a drug offense than White youth. A greater disparity among arrests rates by race exists within youth as compared to adults.



Finding #2. Racial disparities in arrests are often greater in cities with smaller Black populations.

While these graphs are city specific data, they are examples of a larger trend across most cities in Contra Costa County.

Figure 3. El Cerrito Population

Total Population: 24,136

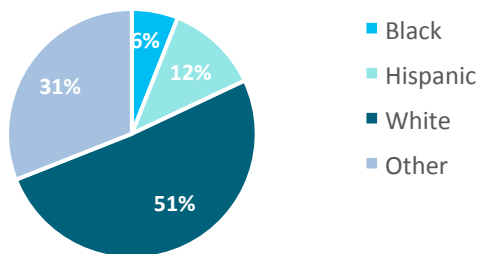


Figure 4. El Cerrito Adult Arrest Rates per 1,000

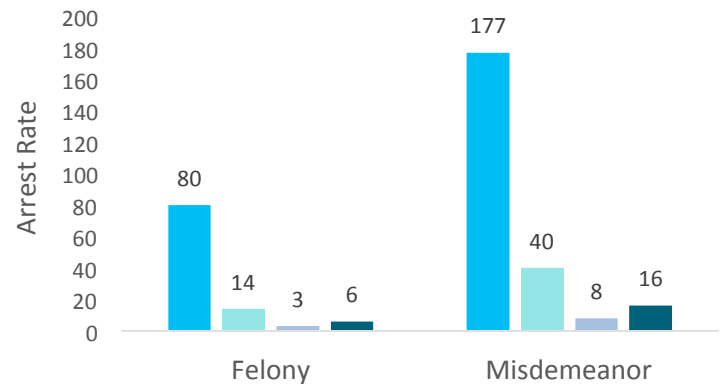


Figure 3 represents a breakdown of El Cerrito's total population demographics. Despite comprising only 6% of the city population, Black comprise a majority of individuals arrested, as shown in Figure 4. By contrast, the City of Richmond has a much larger overall Black population, as shown in figure 5, but a much smaller disparity in arrest rates. This trend is common across the County.

Figure 5. Richmond City Population

Total Population: 106,469

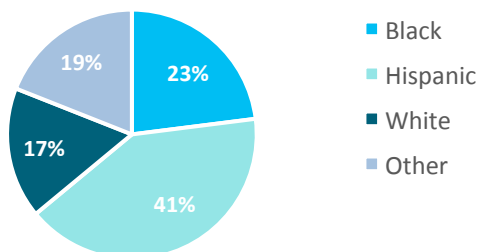
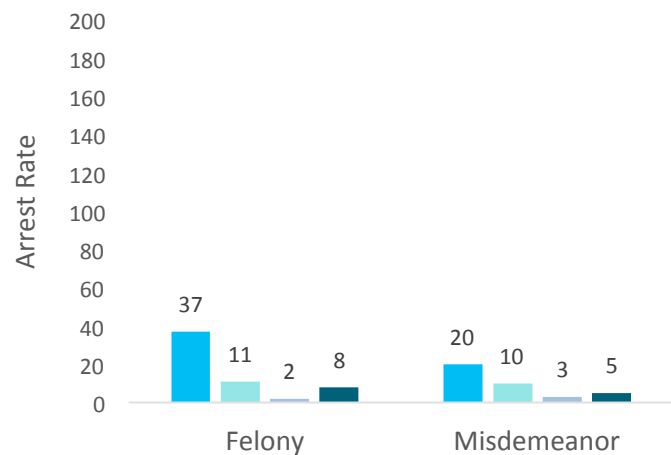


Figure 6. Richmond, Adult Arrests Rates per 1,000





Finding #3. While Black adults are more likely to be arrested than White adults, there are variations across cities for what offenses disparities are greatest.

Figures 7 and 8, below, demonstrate the variation in disparities across cities in Contra Costa County. While all cities show higher arrest rates for Black and, to a lesser extent, Hispanic residents, than Whites, the specific arrest offenses and disparities vary, indicating variation in local processes and decision-making.

Figure 7. City of El Cerrito, Adults Arrest Rates per 1,000

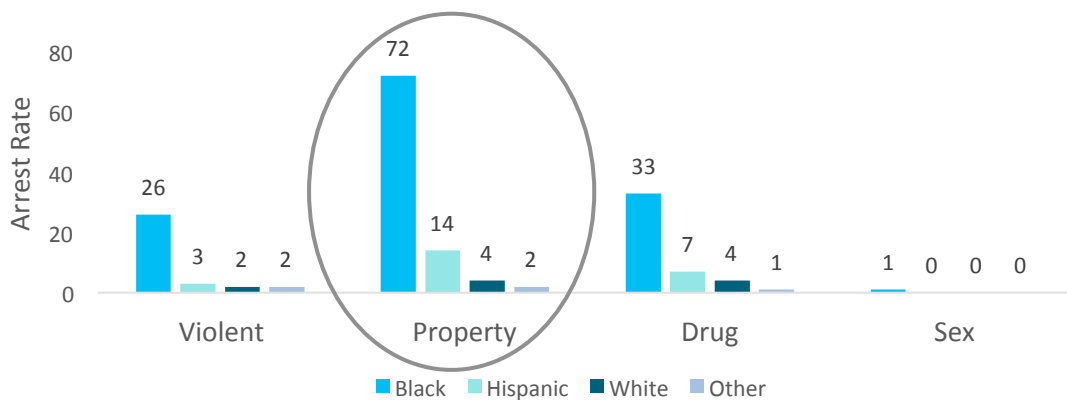
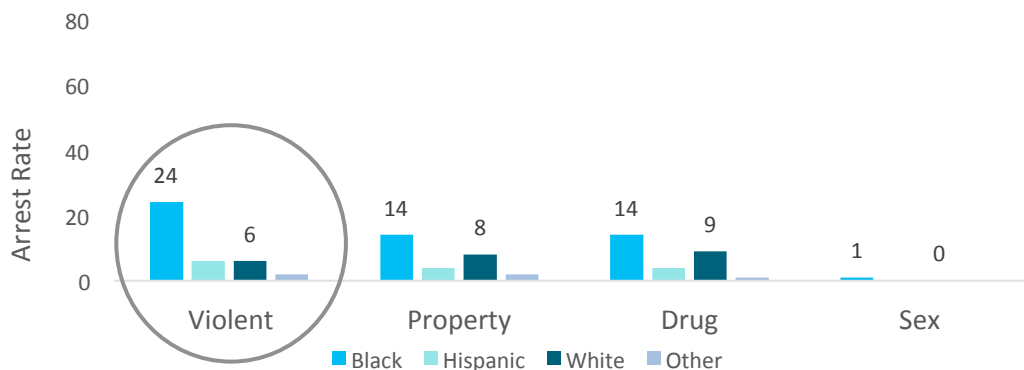


Figure 8. City of Antioch, Adult Arrest Rates per 1,000





Finding #4. Across most cities in Contra Costa County, Black youth are more likely to be arrested than White or Latino youth. Disparities for Black youth are greater than disparities for Black adults.

Figure 9. Contra Costa County, Felony Arrest Rates per 1,000

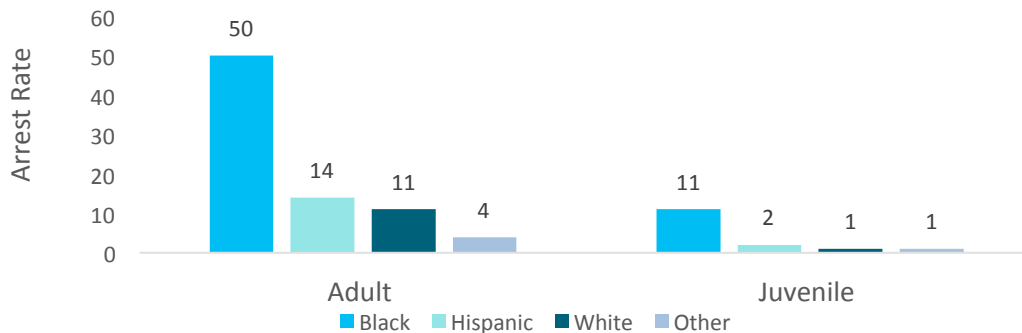
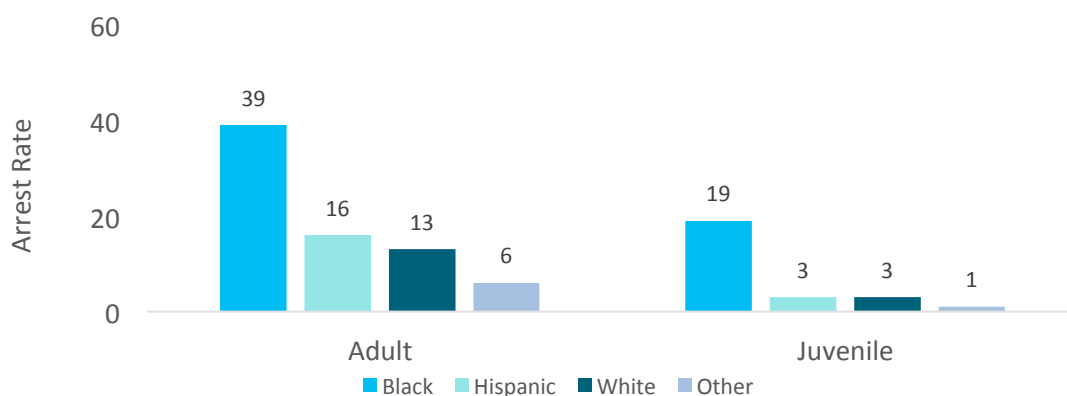


Figure 9 and 10 present countywide data comparing felony and misdemeanor arrest rates for youth and adults, by race. Compared to White adults, Black adults are approximately 5 times more likely to be arrested for a felony while Black youth are 11 times more likely to be arrested than White youth. Compared to White adults, Black adults are 3 times more likely to be arrested for a misdemeanor while Black youth are approximately 6 times more likely to be arrested. It is important to note that while overall arrest rates are higher for adults of all races than youth of all races, the *disparity* between arrests rates is greater for Black youth than Black adults.

Figure 10. Contra Costa County, Misdemeanor Arrest Rates per 1,000



Finding #6. Although LEAs have implemented diversion practices, there is no systematic data collection on these programs, who is diverted, or their impact

None of the following law enforcement agencies collect race-specific data on diversion practices:





- Richmond PD partners with RYSE to divert youth from official processing.
- Antioch PD partners with Reach to divert youth from official processing.
- Pittsburg and Concord PD have implemented the community court model to divert some adult and juvenile cases from formal processing.

Appendix B: Juvenile Justice Data

Disparities in County Juvenile Justice Systems

The following data use two different measures to assess racial disparities in Contra Costa County juvenile justice processes. The first measure is a *population rate*, which looks at each racial/ethnic group's representation in a justice system process compared to their representation in the overall population. The second measure is a *relative rate index (RRI)*, which compares each racial/ethnic group's representation in a justice system process compared to their representation *at the prior stage in the process*. The measure is important for understand which decision-points see an increase—or decrease—in disparities.

Finding #1. In 2015, Black youth in Contra Costa County were much more likely than Hispanic and White youth to be referred to Probation.

Figure 13. Rates of Referral to Probation per 1,000 youth, by Race

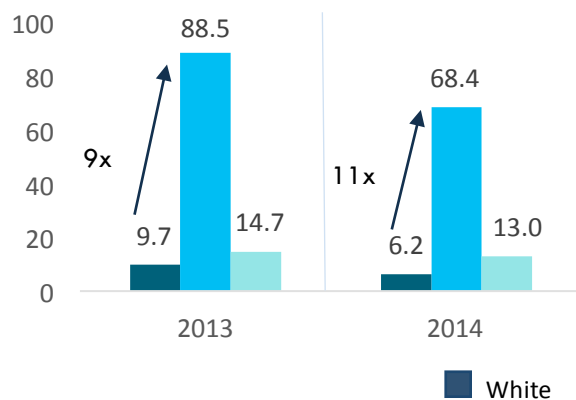


Figure 14. Referrals to Probation RRI, by Race

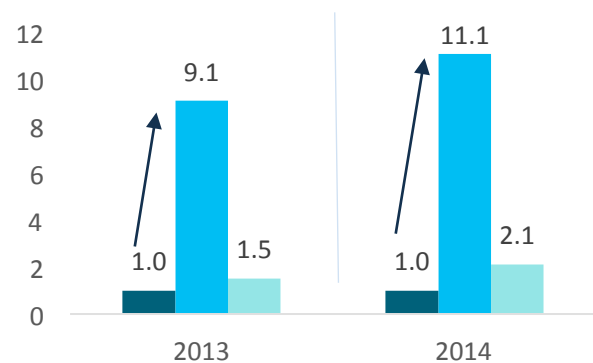


Figure 13 and Figure 14 illustrate overall, in 2013 and 2014, Black youth were more likely to be referred to probation compared to White youth in Contra Costa County.



Finding #2. Of all youth referred to Probation, Black and Hispanic youth are 50% more likely than White youth to be detained prior to adjudication.

Figure 15. Pre-Adjudication Detention Rates per 1,000

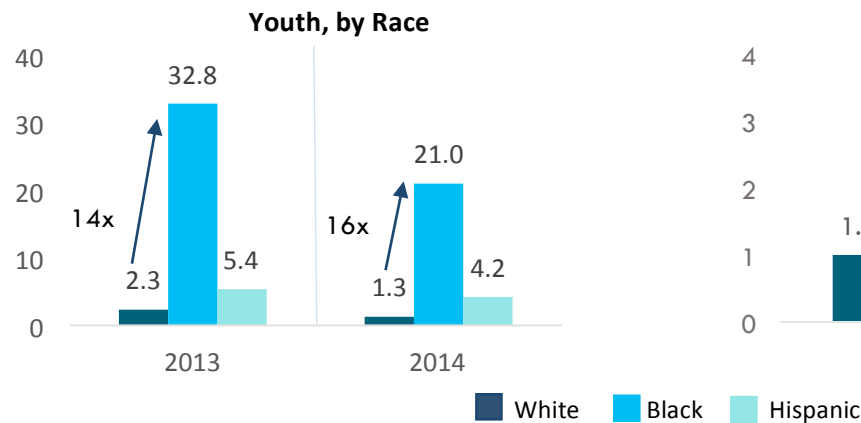
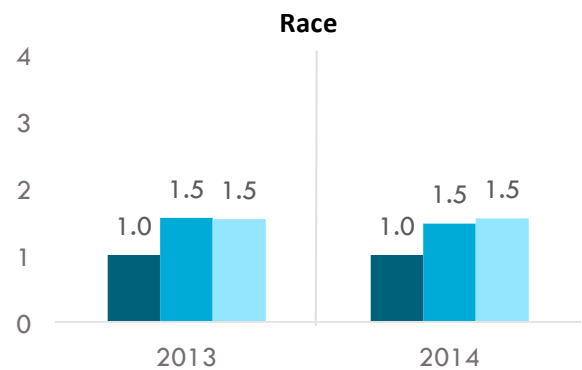


Figure 16. Pre-Adjudication Detention RRI, by Race



As seen in Figure 15, in 2013 and 2014, Black youth were over 10 times more likely to be detained prior to adjudication than White youth. Figure 16 shows that of the number of youth referred to probation, Black and Hispanic youth were more likely to be detained prior to adjudication than White youth.

Finding #3. The Probation Department filed petitions at the same rate for all referred youth regardless of race; however, relative to their proportion of the overall county population, Black youth were 10 times more likely to have petitions filed than all other groups.

Figure 17. Rates of Petitions Filed per 1,000 youth

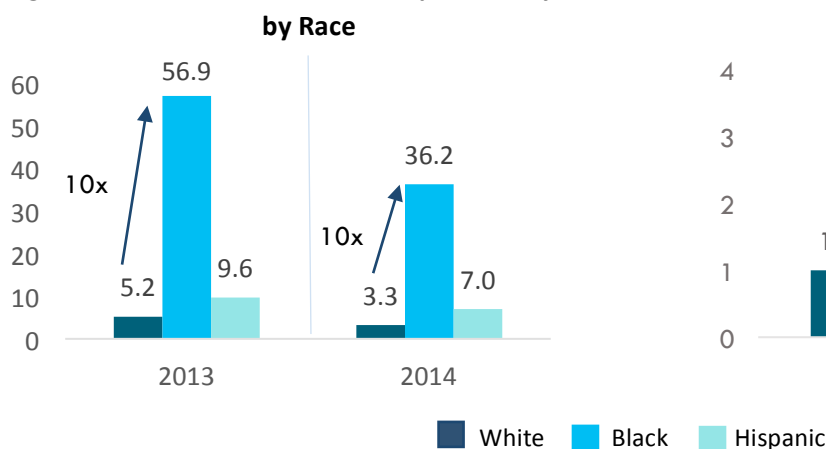


Figure 18. Petitions Filed RRI, by Race

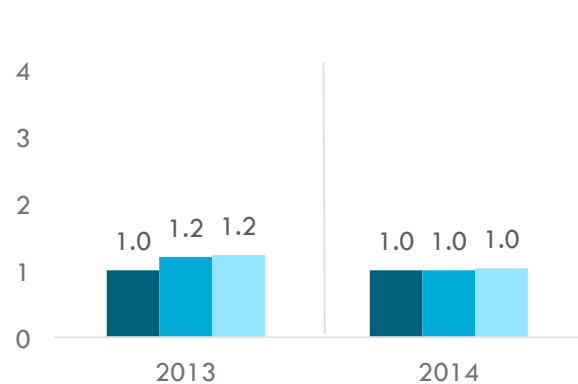


Figure 17 illustrates Black youth were 10 times more likely to have a petition filed than White youth. However, of the youth that were referred to probation, all groups had petitions filed at the same rate as seen in Figure 18.



Finding #4. Among youth who had petitions filed, there were not disparities in who was deemed to be a ward of the court. There were still disparities compared to the overall rate within the population.

Figure 19. Ward of the Court Rates per 1,000 by Race

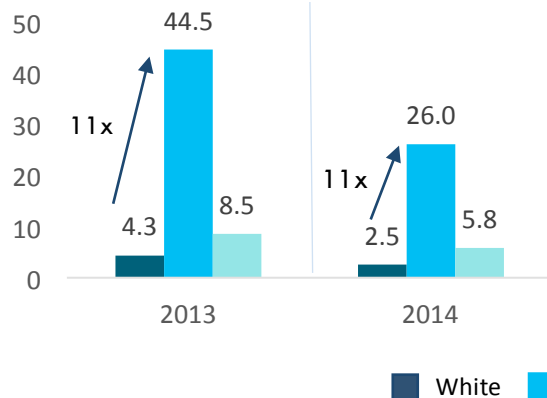
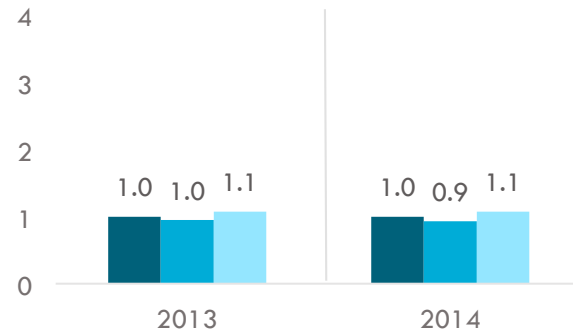


Figure 20. Ward of the Court RRI, by Race



In 2013 and 2014, Black youth were 11 times more likely to be deemed a ward of the court than White youth, as seen in Figure 19. However, Figure 20 shows that relative to the petitions filed in 2013 and 2014, the rate of wardship was approximately the same across all racial groups.

Finding #5. Among youth who were adjudicated delinquent, there were no disparities in which youth received a disposition of placement. There were still disparities compared to the overall rate within the population.

Figure 21. Placement Rates per 1,000 Youth, by Race

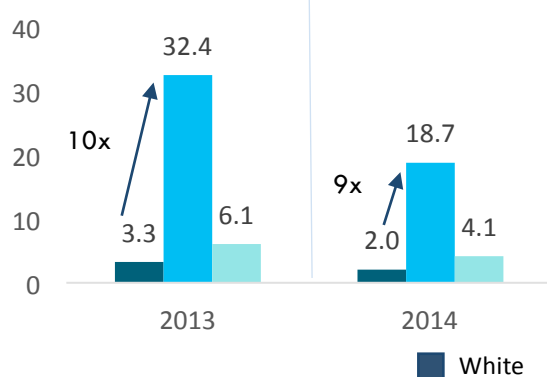
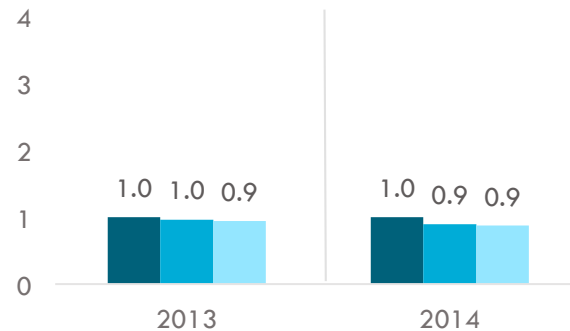


Figure 22. Placement RRI, by Race



As Figure 21 illustrates, Black youth were placed at a higher rate than Hispanic and White youth. However, Figure 22 shows how relative to court wardship, youth across all groups received placement at the same rate.



Finding #6. Among all youth who were made a ward of the court, Hispanic youth were 3 times more likely to be placed in secure confinement compared to White youth and Black youth were 2 times more likely to be placed in secure confinement compared to White youth.

Figure 23. Secure Confinement Rates per 1,000

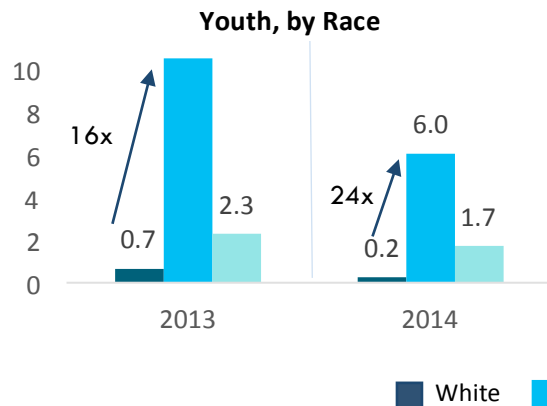
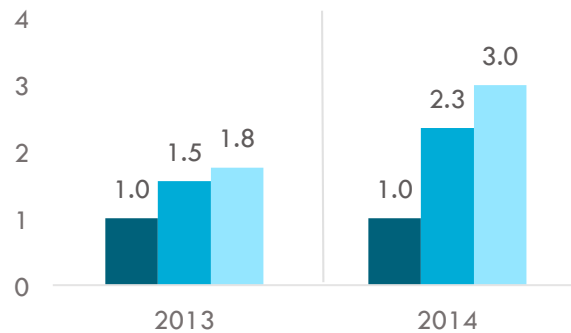


Figure 24. Secure Confinement RRI, by Race



In 2013 and 2014, Black youth were over 15 times more likely to be sent to secure confinement than White youth, as seen in Figure 23. However, relative to being a ward of the court, Hispanic youth were more likely to be confined compare to other youth, as seen in Figure 24.